

COUNTY OF THORHILD NO. 7
COUNCIL MEETING

MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD ON
TUESDAY, JULY 28, 2009 IN THE COUNCIL CHAMBERS AT THE
COUNTY ADMINISTRATION OFFICE

Call to Order

Reeve Henry Zolkewski called the meeting to order at 9:30 a.m. with Joyce Pierce, Director of Gas and Utilities, in attendance.

The following were in attendance during the course of the meeting on this date:

DIVISION	NAME	A.M.	P.M.
ATTENDANCE			

1	CHARLES NEWELL	X	X
2	KEVIN GRUMETZA	X	X
3	HENRY ZOLKEWSKI	X	X
4	CORI KUZYK	X	X
5	WAYNE CROSWELL	X	X
6	SHELLY HANASYK	X	X
County Manager	DAN SMALL	X	X
Agriculture & Community Services Director	CINDY OLCHOWY	X	X
Director of Corporate Services	JANELLE CORNELIUS	X	X
Gas & Utilities Director	JOYCE PIERCE	X	
Public Works Director	RICK NIETUPSKI		X
Recording Secretary	JEANNETTE CHOLACH	X	X

Public Hearing(s)

There were no Public Hearings scheduled for this meeting.

Late Agenda Item
to be added: Land
Costs for the
Phase 2 Highway
28/63 Regional
Water System

Resolution 291-2009

Moved by Shelly Hanasyk that the Engineering, Project Management and Land Costs for the Phase 2 Highway 28/63 Regional Water System item be added to the agenda.

CARRIED

Adoption of
AgendaResolution 292-2009

Moved by Kevin Grumetza that the Agenda for the Council Meeting of July 28, 2009 be adopted as amended.

CARRIED

Adoption of
Minutes
July 4, 2009
Regular Council
Meeting

Resolution 293-2009

Moved by Charles Newell that the Minutes of the Regular Council Meeting of July 4, 2009, be adopted as circulated.

CARRIED

Gas and Utilities
Committee Report
Gas and Utilities
Director's Report

Gas and Utilities Director Joyce Pierce reported on the activities of the Gas, Water and Sewer Divisions, Long Lake block wells, regional water initiatives and key meetings for the month of July.

Resolution 294-2009

Moved by Kevin Grumetza that the Gas and Utilities Director's Report be accepted as presented.

CARRIED

COUNCIL MEETING COUNTY OF THORHILD NO. 7 JULY 28, 2009

Business Arising from Minutes/New Business Engineering, Project Management, and Land Costs Phase 2 Highway 28/63 Regional Water System

County Manager Dan Small presented Council with the proposals for the Highway 28/63 Water Group's project of twinning the existing Thorhild Regional Water Services Commission water line from Redwater to Radway via Egremont and a new water line from Waskatenau to Smoky Lake.

Resolution 295-2009

Moved by Cori Kuzyk that Council accepts Associated Engineering and C & J Vanco Services as the engineer and project manager respectively for Phase 2 and future phases of the projects and accepts the Phase 2 proposals as presented by the County Manager.

CARRIED

Confidential: Appealing Utility Invoice

Resolution 296-2009

Moved by Cori Kuzyk that Council go in camera to discuss a utility invoice appeal at 10:05 p.m.

CARRIED

Resolution 297-2009

Moved by Charles Newell that the meeting return to open meeting at 10:16 p.m.

CARRIED

Appeal of Utility Invoice #03494

Resolution 298-2009

Moved by Charles Newell that:

1. That Council refuses the invoice appeal as there are no special circumstances that justify making an exception in this case.
2. That tax penalties on the invoice amount be waived from July 14, 2009 if payment in full is made by August 31, 2009.
3. That Council request Administration to amend Policy 720 to state that County forces will not respond to sewer services line blockages unless it is proven to be a County responsibility.

CARRIED

Correspondence

There was no information presented with respect to the Correspondence section for this meeting.

Recess

Reeve Henry Zolkewski declared the meeting in recess at 10:17 a.m.

Reconvene

Reeve Henry Zolkewski reconvened the meeting at 10:28 a.m. with Cindy Olchow, Director of Agriculture and Community Services, and Brett Demary, Emergency Operations Supervisor, in attendance.

Agriculture and Community Services -

Business Arising from Minutes/New Business Sturgeon Bylaw Enforcement

Cindy Olchow, Director of Agriculture and Community Services, provided Council with an update regarding the specifics of the renewal of the Sturgeon Bylaw Enforcement contract.

Resolution 299-2009

Moved by Cori Kuzyk that Council enter into an agreement with Sturgeon County for the services of Bylaw Enforcement for the period of July 1, 2009 to December 31, 2010.

CARRIED

COUNCIL MEETING COUNTY OF THORHILD NO. 7 JULY 28, 2009Fire Hazard
Reduction and
Forest Health
Program

The Director of Agriculture and Community Services advised that the Forest Resource Improvement Association is inviting the submission of project proposals under the Fire Hazard Reduction and Forest Health Program. The County's project proposes construction of permanent firebreaks and wildfire barriers for the communities of Newbrook and Long Lake. In addition, the existing barriers would be made more effective by modifying fuels in adjacent woodlands. A combination of heavy equipment and hand operations would be used.

Resolution 300-2009

Moved by Wayne Crowell that Council approve the Fire Hazard Reduction and Forest Health Program submission for a maximum of \$175,000 for the firebreaks and wildfire barriers for the Hamlets of Newbrook and Long Lake.

CARRIED

Delegate Larry Goldby joined the meeting at 10:40 a.m.

4 x 4 Wild Land Fire
Engine
Request for
Proposals

Cindy Olchow, Director of Agriculture and Community Services, and Brett Demary, Emergency Operations Supervisor, stated that three bids were received in response to the 4 x 4 wild land fire engine request for proposals.

Based upon service, warranty, reputation and meeting all other specifications, Administration is recommending that Rocky Mountain Phoenix be awarded the contract for delivery and payment in 2010.

Resolution 301-2009

Moved by Henry Zolkewski that Council approve the proposal submitted by Rocky Mountain Phoenix, in the sum of \$392,289.45 for the construction of a 4 x 4 wild land fire engine.

CARRIED

Correspondence

There was no information presented with respect to the Correspondence section for this meeting.

Committee
Reports
Agricultural
Fieldman

Cindy Olchow, Director of Agriculture and Community Services, presented the Agricultural Fieldman's report in Harold Hamilton's absence.

Resolution 302-2009

Moved by Kevin Grumetza that the Agricultural Fieldman's report be accepted as presented.

Agriculture and
Community
Services Director's
Report

Cindy Olchow, Director of Agriculture and Community Services, reported to Council on various matters pertaining to agriculture, water management, emergency services, bylaw, occupational health and safety, and community services.

Resolution 303-2009

Moved by Shelly Hanasyk that the Agriculture and Community Services Director's report be accepted as presented.

CARRIED

Brett Demary, Emergency Operations Supervisor, left the meeting at 11:22 a.m. in attendance.

COUNCIL MEETING COUNTY OF THORHILD NO. 7 JULY 28, 2009

Delegation – Larry Goldby – Thorhild Swimming Pool County Manager Dan Small introduced Larry Goldby who had been contracted to conduct an assessment on the Thorhild swimming pool. Mr. Goldby provided Council with his qualifications and working background.

He reported to Council on the status of the Thorhild swimming pool after having reviewed the situation. Mr. Goldby also spoke to construction and operating costs as well as the grants that can be applied for.

Resolution 304-2009

Moved by Henry Zolkewski that Council direct Administration to proceed with the Thorhild Swimming Pool project in order to get the pool operational and re-opened.

CARRIED

Recess Reeve Henry Zolkewski declared the meeting in recess at 12:15 p.m.

Reconvene Reeve Henry Zolkewski reconvened the meeting at 12:59 p.m. with delegate Betty Kolewaski, a representative of the Concerned Citizens of Thorhild County, in attendance. Councillor Cori Kuzyk was absent.

Delegation – Betty Kolewaski, Concerned Citizens of Thorhild County Betty Kolewaski, a representative of the Concerned Citizens of Thorhild County, presented the following:

1. Received mistreatment in delegation request for this Council Meeting. Ms. Kolewaski stated that she was not advised of the time she was to appear before Council as a delegation until she called in for the time.
2. In April, 2009, she requested a letter of apology to be directed to Messrs. Flach, Flach and to the Concerned Citizens of Thorhild County as a whole. She questioned when the above named would receive their letters.
3. She stated that there are numerous unanswered questions in her correspondence, i.e. request for hourly legal fees, and number in each division for electoral voters.
4. Questioned whether Council will act as interveners at the Alberta Environment hearings on behalf of the Concerned Citizens of Thorhild County.
5. Requested an environment impact statement. The Concerned Citizens of Thorhild County want and need a firm date.
6. Are requesting a clearly outlined plan from the County.
7. This is the year to get answers to their questions.
8. Who does the Concerned Citizens of Thorhild County direct their questions to-- Council or Administration in order to receive a response in a timely manner?
9. Expressed disappointment in the answers received to her questions.
10. In conclusion, questioned as to when she will receive an answer to her questions – needs a date. Also questioned when the affected individuals will be receiving their letters of apology with reference to the connotation of the word “purport” as used in the County Manager’s response implying “saying that an individual is something they are not.” Ms. Kolewaski stated that is defamation.

Date of Response to Questions re: Betty Kolewaski Letter Resolution 305-2009

Moved by Kevin Grumetza that Council direct Administration to respond to Ms. Kolewaski’s letter of May 11, 2009 within 14 days of this Council Meeting, July 28, 2009.

CARRIED

COUNCIL MEETING COUNTY OF THORHILD NO. 7 JULY 28, 2009

Delegation – Stan Misyk, The Inspections Group Inc.

Cheryl Pasay, Manager of Land Use and Taxes, and Stan Misyk, President of The Inspections Group Inc. joined the meeting at 1:22 p.m.

Cheryl Pasay reported to Council that The Inspections Group Inc. have provided services to the County since 2001. Their contract is now up for renewal. Ms. Pasay provided Council with the updated fee schedule.

Resolution 306-2009

Moved by Wayne Crosswell that Council authorize renewal of the contract with The Inspections Group Inc. for an additional three (3) year term at the current service split (40/60) with the proposed Fee Schedule as presented by the Manager of Land Use and Taxes.

CARRIED

Cheryl Pasay, Manager of Land Use and Taxes, and Stan Misyk, President of The Inspections Group Inc. left the meeting at 1:41 p.m.

County Manager Dan Small provided Council with an overview of Bylaw 1124-2009, Emergency Services Amendment, and Bylaw 1123-2009, Municipal Historical Designation.

Cindy Olchow, Director of Agriculture and Community Services, joined the meeting at 1:44 p.m.

Bylaws

Bylaw 1124-2009 – Emergency Services Amendment

The Director of Agriculture and Community Services stated that Emergency Services Bylaw 1119-2009 was passed on March 27, 2009. Legal counsel has now recommended that the bylaw be amended by inserting a provision, meant to create an exemption from the appeal provisions where the County uses Section 2.1 of the Forest and Prairie Protection Act to seek cost recovery in the case of wildfires.

Bylaw 1124-2009 – First Reading

Resolution 307-2009

Moved by Kevin Grumetza that Bylaw 1124-2009, a bylaw amending Emergency Services Bylaw 1119-2009, be given first reading.

CARRIED

Bylaw 1124-2009 – Second Reading

Resolution 308-2009

Moved by Charles Newell that Bylaw 1124-2009, a bylaw amending Emergency Services Bylaw 1119-2009, be given second reading.

CARRIED

Bylaw 1124-2009 – Presentation for Third Reading

Resolution 309-2009

Moved by Shelly Hanasyk that Bylaw 1124-2009, a bylaw amending Emergency Services Bylaw 1119-2009, be presented for third reading.

CARRIED UNANIMOUSLY

Bylaw 1124-2009 – Third Reading

Resolution 310-2009

Moved by Henry Zolkewski that Bylaw 1124-2009, a bylaw amending Emergency Services Bylaw 1119-2009, be given third reading.

CARRIED

COUNCIL MEETING COUNTY OF THORHILD NO. 7 JULY 28, 2009

Bylaw 1123-2009 – Municipal Historical Designation – Cindy Olchowy, Director of Agriculture and Community Services, stated that at the April 22, 2009 Council Meeting, Council approved the “Notice of Intention” for the designation of St. John the Baptist Ukrainian Orthodox Church (Egremont) as a Municipal Historic Resource.

This designation will enable the Church to claim historical designation and allow the members to access applicable funding sources.

Ms. Olchowy recommended that Council enter into an agreement with the Ukrainian Greek Orthodox Congregation of Egremont, which outlines the commitment of the municipality to designate St. John the Baptist Ukrainian Orthodox Church as a municipal historical designation and the landowner waiving the right to compensation from the municipality.

Bylaw 1123-2009 - Resolution 311-2009
– First Reading

Moved by Henry Zolkewski that Bylaw 1123-2009, for the purpose of designating the site known as St. John the Baptist Ukrainian Orthodox Church of Egremont as a municipal historical resource, be given first reading.

CARRIED

Bylaw 1123-2009 - Resolution 312-2009
– Second Reading

Moved by Kevin Grumetza that Bylaw 1123-2009, for the purpose of designating the site known as St. John the Baptist Ukrainian Orthodox Church of Egremont as a municipal historical resource, be given second reading.

CARRIED

Bylaw 1123-2009 – Presentation for Third Reading Resolution 313-2009

Moved by Wayne Croswell that Bylaw 1123-2009, for the purpose of designating the site known as St. John the Baptist Ukrainian Orthodox Church of Egremont as a municipal historical resource, be presented for third reading.

CARRIED UNANIMOUSLY

Bylaw 1123-2009 – Third Reading Resolution 314-2009

Moved by Shelly Hanasyk that Bylaw 1123-2009, for the purpose of designating the site known as St. John the Baptist Ukrainian Orthodox Church of Egremont as a municipal historical resource, be given third reading.

CARRIED

Cindy Olchowy, Director of Agriculture and Community Services, left the meeting at 1:54 p.m.

Public Works

Business Arising from Minutes/New Business and Correspondence

There was no information presented with respect to the Business Arising from Minutes/New Business and Correspondence sections for this meeting.

Committee Report Public Works

Public Works Director Rick Nietupski reported on the following matters:

- Status report of the Hazardous Waste Round Up held on June 20, 2009
- Allied Paving will commence work on Hospital Street in Radway.
- Gravelling
- Roadside mowing
- Permanent corner brushing

COUNCIL MEETING COUNTY OF THORHILD NO. 7 JULY 28, 2009Committee Report
Public Works
Director's ReportResolution 315-2009

Moved by Charles Newell that the Public Works Director's Report be accepted as presented.

CARRIED

Notice of Motion

Reeve Henry Zolkewski presented the following notice of motion:

That Administration draft a policy regarding Councillors access to the County Building after regular hours, and that the distribution of keys be addressed in the policy.

Councillor Access
to Building and Key
PolicyResolution 316-2009

Moved by Henry Zolkewski that the above noted notice of motion be debated at this Council Meeting.

CARRIED

Resolution 317-2009

Moved by Henry Zolkewski that Administration draft a policy regarding Councillors access to the County Building after regular hours, and that the distribution of keys be addressed in the policy.

CARRIED

Other Business
Financial
Statement and
Variance Report

Director of Corporate Services Janelle Cornelius presented Council with the Financial Statement and corresponding variance report as at June 30, 2009.

Resolution 318-2009

Moved by Kevin Grumetza that the Financial Statement and corresponding variance report as at June 30, 2009 be accepted as information.

CARRIED

Appoint Members
to the Thorhild
Regional Water
Services
Commission

County Manager Dan Small explained that the Village and County of Thorhild were members of the Thorhild Regional Water Services Commission, each appointing two members. The Village of Thorhild dissolved on April 1, 2009 leaving two directors, Councillors Newell and Zolkewski as members of the Commission.

The present commission is expected to either dissolve or transform into the Highway 28/63 Water Services Commission in the near future.

Resolution 319-2009

Moved by Henry Zolkewski that Council appoint Councillors Shelly Hanasyk and Kevin Grumetza as additional members of the Thorhild Regional Water Services Commission until the fall organizational meeting.

CARRIED

Councillor Cori Kuzyk rejoined the meeting at 2:41 p.m.

Correspondence
Betty Kolewaski
Letter of May 11,
2009

Councillor Wayne Crosswell requested a recorded vote with respect to the following resolution.

COUNCIL MEETING COUNTY OF THORHILD NO. 7 JULY 28, 2009

Correspondence
 Betty Kolewaski
 Letter of May 11,
 2009

Resolution 320-2009

Moved by Henry Zolkewski that Council direct Administration to reply to Ms. Kolewaski's letter of May 11, 2009 that it is Council's position that there is nothing more to add to the County Manager's response letter of March 30, 2009, and that the questions were answered appropriately.

<u>For</u>	<u>Against</u>
Charles Newell	Wayne Croswell
Shelly Hanasyk	Cori Kuzyk
Kevin Grumetza	
Henry Zolkewski	

CARRIED

Requisitions There was no information presented with respect to the requisitions section for this meeting.

Recess Reeve Henry Zolkewski declared the meeting in recess at 2:56 p.m.

Reconvene Reeve Henry Zolkewski reconvened the meeting at 3:02 p.m.

Confidential Items:
Proposed
 Purchase of Land
 and Developer
 Issue – Vangard
 Realty

Resolution 321-2009

Moved by Kevin Grumetza that Council go in camera to discuss the matter of a proposed purchase of land and a developer issue regarding Vangard Realty at 3:02 p.m.

CARRIED

Resolution 322-2009

Moved by Charles Newell that the meeting return to open meeting at 3:56 p.m.

CARRIED

Proposed
 Purchase of Land

Resolution 323-2009

Moved by Wayne Croswell that Administration negotiate with the landowner as per Council's discussion in camera.

CARRIED

Developer Issue,
 Vangard Realty

Resolution 324-2009

Moved by Kevin Grumetza that Council directs Administration to continue to work with Vangard Realty as per Council's discussion in camera.

CARRIED

Adjournment

Being that the agenda matters were concluded, the meeting adjourned at 4:00 p.m.