

COUNTY OF THORHILD NO. 7  
COUNCIL MEETINGMINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD ON  
TUESDAY, JUNE 28, 2011 AT 9:30 A.M. IN THE COUNCIL CHAMBERS  
AT THE COUNTY ADMINISTRATION OFFICE

## Call to Order

Reeve Charles Newell called the meeting to order at 9:34 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	SHELLY HANASYK	X	X
4	JOHN OLSON	X	X
5	WAYNE CROSWELL	X	X
Interim County Manager	WILLIAM KOSTIW	X	X
Director of Corporate Services	JANELLE CORNELIUS	X	
Recording Secretary	ANGELA BILSKI	X	X

Adoption of  
AgendaResolution 322-2011

Moved by Shelly Hanasyk that the Agenda for the Council Meeting of June 28, 2011 be adopted with the following additions:

Item 4b) Special Council Meeting of June 27, 2011

Item 6ai) Tender Results – Contract #3 Phase II

Item 6aii) Approval for Interim Manager for Thorhild Regional Water Services Commission

Item 14b) Interim Contract Management Agreement

CARRIED

Adoption of  
Minutes  
June 14, 2011  
Regular Council  
MeetingResolution 323-2011

Moved by Kevin Grumetza that the minutes of June 14, 2011 Regular Council Meeting be adopted as circulated.

CARRIED

Adoption of  
Minutes  
June 27, 2011  
Special Council  
MeetingResolution 324-2011

Moved by Wayne Crosswell that the minutes of June 27, 2011 Special Council Meeting be adopted as circulated.

CARRIED

Correspondence  
Items

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

- Committee Reports  
Gas and Utilities Director's Report
- Joyce Pierce, Gas and Utilities Director, reported on issues associated with the Gas and Water & Sewer Divisions of the department.
- Cindy Olchow, Director of Agriculture, Emergency, and Community Services, joined the meeting at 9:40 a.m.
- Adoption of Report Resolution 325-2011
- Moved by Kevin Grumetza that the Gas and Utilities Director's Report be accepted as presented.
- CARRIED
- Gas & Utilities  
Business Arising from Minutes/New Business – Approval of Interim Manager
- Resolution 326-2011
- Moved by Charles Newell that Council appoints Joyce Pierce as Interim Manager for the Thorhild Regional Water Services Commission.
- CARRIED
- Gas & Utilities  
Business Arising from Minutes/New Business – Tender Results – Contract #3 Phase II Mechanical
- Resolution 327-2011
- Moved by Shelly Hanasyk that Council accepts Nason Contracting Group Ltd. as the lowest compliant bidder on Contract #3 Phase II Mechanical tender.
- CARRIED
- Joyce Pierce, Director of Gas and Utilities, left the meeting at 9:51 a.m.
- Agriculture and Community Services  
OH&S Policy Manual
- Resolution 328-2011
- Moved by Kevin Grumetza that Council approves the County of Thorhild No. 7 Health and Safety Manual as presented.
- CARRIED
- Correspondence Items
- There was no information presented with respect to the Correspondence section for this meeting.
- Committee Reports  
Agriculture & Community Services Director
- Cindy Olchow, Director of Agriculture, Emergency & Community Services, reported to Council with respect to Agriculture, Emergency Services, and Family & Community Services.
- Adoption of Report Resolution 329-2011
- Moved by Shelly Hanasyk that Council direct Administration to forward a letter thanking Minister Hector Goudreau and his department for the additional funding of \$1,431,508.72 received through the Municipal Wildfire Assistance Program (MWAP) for the 2010 Mill Creek fire.
- CARRIED
- Recess
- Reeve Charles Newell declared a recess at 10:08 a.m.

<u>Public Hearing –</u> Bylaw 1148-2011 – Land Use Amendment – Rezoning of N ½ NW 21-61-19-4 from Agricultural (A) to Highway Development (HD) District	Reeve Charles Newell called the Public Hearing for Bylaw 1148-2011 – Land Use Amendment – Rezoning of N ½ NW 21-61-19-4 from Agricultural (A) to Highway Development (HD) District to order at 10:15 a.m.
Introductions	Introductions of Council, Administration, and Applicants were made.
Advice on Councillor Role	Reeve Charles Newell advised that when hearing submissions on a bylaw amendment or rezoning, a Councillor is not performing political functions, but is performing duties as an impartial decision maker. The member's sole role is to make the best planning decision based on the evidence presented.
Record of Proceedings	<u>Resolution 330-2011</u>  Moved by John Olson that the proceedings of the Public Hearing be recorded.
CARRIED	
Purpose of Public Hearing: Bylaw 1148-2011	Cheryl Pasay, Director of Land Use & Taxes, stated the purpose of the Public Hearing: Bylaw 1148-2011 to rezone N ½ NW 21-61-19-4 from Agricultural (A) to Highway Development (HD) District.
Call for Applicant to Come Forward	Reeve Charles Newell requested the Applicants, Glen & Treena Kinsey, to come forward to the presentation table and briefly describe the nature of their proposed development:
Objections to Council	Reeve Charles Newell questioned whether there were any objections to the Council members that were to hear submissions at the Public Hearing.  There were no objections raised from the Applicants or from members of the audience.
Outline the Hearing Process	Reeve Charles Newell outlined the process that will be used during the Hearing: Administration will make a presentation first; there will be questions of clarification; the Applicant will then make a presentation; there will be questions of clarification; the Councillors will then hear from those persons who have registered to speak followed by others who wish to speak and who identify themselves; there will again be questions of clarification. Administration and the Applicant can then present any final comments they wish to make.  Verbal presentations shall be limited to 5 minutes unless the Council consents to extend. Written submissions will be reviewed by Council but not read aloud.
Confirm the Hearing Process	Reeve Charles Newell questioned the Applicant and the audience if there were any concerns with the outlined process.  There were no objections raised from the Applicant or the audience.

Development Officer Presentation	Cheryl Pasay, Director of Planning and Development, presented outlined the proposal on behalf of Administration. Ms. Pasay advised that all relevant regulatory bodies have been notified including Alberta Transportation, Alberta Health Services, and Emergency Services.
Questions from Council	<p>How far off of Highway 831 is the development?</p> <ul style="list-style-type: none"> <li>• The development is right off the highway.</li> </ul> <p>Is most of the 80 acres in bush?</p> <ul style="list-style-type: none"> <li>• About half</li> </ul>
Brett Demary, Emergency Operations Supervisor	<ul style="list-style-type: none"> <li>• Only one way into the site; would like to see a secondary exit route</li> <li>• Fire break on south side needed to mitigate any spread of fire into adjacent properties</li> <li>• Fire smart program – trimming back trees</li> <li>• Water source for firefighting</li> </ul>
Applicant Presentation	<p>Glen and Treena Kinsey</p> <ul style="list-style-type: none"> <li>• Catering mostly to senior citizens, park their vehicles for the complete season, not overnight camping, difficult for seniors to book time at park.</li> <li>• Fire break already exists beyond the property line.</li> <li>• Large deep dugout could be used for firefighting; always full</li> <li>• Would consider an additional exit route.</li> <li>• Buffer zone exists between camp sites and trees; fire pits will be at least 60 feet from any trees.</li> <li>• Will the Kinseys live on site? Their permanent residence is already established on this site.</li> <li>• Traffic from park will not affect TWP RD 614.</li> <li>• Is the property fenced? Barb wired fences exist along TWP RD 614, Highway 831 and backside of property.</li> <li>• Cannot stop guests from bringing in ATVs; older guests will not be interested in ATVing; guests will be required to keep ATVs on trailers and then transport to staging area; there are no trails for this purpose on this property.</li> </ul>
Call for Others to Speak	<p>There were no registered speakers for this hearing.</p> <p>Reeve Charles Newell called for any others not registered to come forward to make their presentations.</p>
Peter Lazowski, Adjacent Landowner	<p>Concerned about effects off property – land is primarily farmland; already enough trouble with vandalism and trespassing which will be exacerbated by development</p> <ul style="list-style-type: none"> <li>- Response: The Kinseys have had no incidents with theft in six years of property ownership, catering to an older clientele that won't have issues with alcohol or drugs</li> </ul> <p>Concerned mostly with ATVs – can't be controlled May need turning lane onto 614</p> <ul style="list-style-type: none"> <li>- Response: Heavy equipment and traffic already associated with local businesses</li> </ul>
Reeve Charles Newell	<p>How can you guarantee that only older guests will be using the sites?</p> <ul style="list-style-type: none"> <li>- Response: All guests will be charged a yearly rental fee – this will discourage daily use by younger patrons.</li> </ul>
John Olson	<p>Will you be providing a winterizing service?</p> <ul style="list-style-type: none"> <li>- Response: May be open to providing the service; can't limit people who are younger from renting.</li> </ul>

Carolyn Peterson, Adjacent Property Owner	<p>What will be the controls for guests of the renters? Adjacent property owners will have more obligations to protect property and reduce legal liability.</p> <ul style="list-style-type: none"> <li>- Response: Current laws protect property owners; citizens need to report issues; need to make preparation for emergencies before things happen.</li> </ul> <p>No lake nearby, just uncultivated property that is at high risk for wildfire; most properties are owned by people who don't live there full-time; only recreational activity would be ATVing; no services nearby; would convenience store be opened?</p> <ul style="list-style-type: none"> <li>- Response: Most campers come prepared, especially older campers; no muskeg or pine trees exist on property.</li> </ul>
Peter Lazowski, Adjacent Property Owner	Provincial park has its own security; can't compare this property to the park
Development Officer's Final Comments	Cheryl Pasay, Director of Land Use & Planning, stated that the developer would be responsible for completing a traffic impact study and then any Alberta Transportation upgrades by contracting an engineering consultant.
Applicant's Final Comments	No final comments were provided.
Potential Conditions of Approval or Recommendation	<p>Reeve Charles Newell reviewed the potential conditions of approval or recommendations provided and asked for further concerns or comments. An open house may be requested after Mr. and Mrs. Kinsey determine that the project is still economically feasible considering the cost of a traffic impact assessment according to Alberta Transportation's standards.</p> <p>There were no further concerns or comments raised.</p>
Conclude Hearing	Reeve Charles Newell asked if this concluded the presentation.
Adjournment	<p><u>Resolution 331-2011</u></p> <p>Moved by Shelly Hanasyk that the Public Hearing portion of the meeting adjourn at 10:55 a.m.</p>
	CARRIED
<u>Public Hearing –</u> Bylaw 1149-2011 – Land Use Amendment – Rezoning of portion of Lot 2, Block1, Plan 082 9691 in the NW 11-58-21-4 from Agriculture (A) to Rural Industrial (RI) District	Reeve Charles Newell called the Public Hearing for Bylaw 1149-2011 – Land Use Amendment – Rezoning of portion of Lot 2, Block1, Plan 082 9691 in the NW 11-58-21-4 from Agriculture (A) to Rural Industrial (RI) District to order at 10:56 a.m.
Introductions	Introductions of Council, Administration, and Applicants were made.
Advice on Councillor Role	Reeve Charles Newell advised that when hearing submissions on a bylaw amendment or rezoning, a Councillor is not performing political functions, but is performing duties as an impartial decision maker. The member's sole role is to make the best planning decision based on the evidence presented.

Record of  
ProceedingsResolution 332-2011

Moved by Wayne Crowell that the proceedings of the Public Hearing be recorded.

CARRIED

Purpose of Public  
Hearing:  
Bylaw 1148-2011

Cheryl Pasay, Director of Land Use & Taxes, stated the purpose of the Public Hearing: Bylaw 1148-2011 to rezone a portion of Lot 2, Block1, Plan 082 9691 in the NW 11-58-21-4 from Agriculture (A) to Rural Industrial (RI) District.

Call for Applicant  
to Come Forward

Reeve Charles Newell requested the Applicants, Dino Vlahadamis and Bob Cramars to come forward to the presentation table and briefly describe the nature of their proposed development:

Objections to  
Council

Reeve Charles Newell questioned whether there were any objections to the Council members that were to hear submissions at the Public Hearing.

There were no objections raised from the Applicants or from members of the audience.

Outline the  
Hearing Process

Reeve Charles Newell outlined the process that will be used during the Hearing: Administration will make a presentation first; there will be questions of clarification; the Applicant will then make a presentation; there will be questions of clarification; the Councillors will then hear from those persons who have registered to speak followed by others who wish to speak and who identify themselves; there will again be questions of clarification. Administration and the Applicant can then present any final comments they wish to make.

Verbal presentations shall be limited to 5 minutes unless the Council consents to extend. Written submissions will be reviewed by Council but not read aloud.

Confirm the  
Hearing Process

Reeve Charles Newell questioned the Applicants and the audience if there were any concerns with the outlined process.

There were no objections raised from the Applicant or the audience.

Cheryl Pasay,  
Development  
Officer

Cheryl Pasay, Director of Planning and Development, presented background information on the history of the development and why rezoning is required for storm water pond construction. Ms. Pasay distributed an additional letter of concern from the owners of an adjacent property.

Applicant  
Presentation -  
Dino Vlahadamis  
& Bob Cramars

Phase 3 of the project has to be rezoned in order to conclude proper storm water management. Alberta Transportation assessment has been completed; interest in the project has been shown with improvement in the economy; Mr. Cramars owns Westana Equine Center and has been successful; wants to continue the same level of care and commitment with this new development.

Call for Others to  
Speak

There were no registered speakers for this hearing.

Reeve Charles Newell called for any others not registered to come forward to make their presentations.

Sean Halun, Adjacent Landowner	Mr. Halun expressed concerns with size of development; large amount of traffic on TWP RD 582, bypass road for weigh scales; would need to be upgraded; concerned about water usage; current services to the development are limited.
	Response: <ul style="list-style-type: none"> <li>- Original area structure plan was never for 80 acres, was always 320 acres</li> <li>- Would like to see upgrades to 582; traffic would enter from 829</li> <li>- Want to see least amount of negative impact on neighbors; want to see a quality development with architectural controls</li> </ul>
Questions from Council	There were no further questions from Council.
Development Officer's Final Comments	Cheryl Pasay, Director of Land Use & Planning, stated that there would be a development agreement associated with the potential road upgrade.
Applicant's Final Comments	The Applicants expressed gratitude for how amicably the County has worked with them compared to other municipalities.
Potential Conditions of Approval or Recommendation	Reeve Charles Newell reviewed the potential conditions of approval or recommendations provided and asked for further concerns or comments.  There were no further concerns or comments raised.
Conclude Hearing	Reeve Charles Newell asked if this concluded the presentation.
Adjournment	<u>Resolution 333-2011</u>  Moved by Kevin Grumetza that the Public Hearing portion of the meeting adjourn at 11:15 a.m.
	CARRIED
<u>Public Hearing –</u> Bylaw 1146-2011 – Land Use Amendment – Allowance of a Two (2) 39.1 acre split within an 80 Acre Parcel (S½ NW 2-58-21-4); Land Use Designation to remain as Agricultural (A) District	Reeve Charles Newell called the Public Hearing for Bylaw 1146-2011 – Land Use Amendment – Allowance of a Two (2) 39.1 acre split within an 80 Acre Parcel (S½ NW 2-58-21-4); Land Use Designation to remain as Agricultural (A) District to order at 11:16 a.m.
Introductions	The Applicants were not present at this hearing.
Advice on Councillor Role	Reeve Charles Newell advised that when hearing submissions on a bylaw amendment or rezoning, a Councillor is not performing political functions, but is performing duties as an impartial decision maker. The member's sole role is to make the best planning decision based on the evidence presented.

Record of Proceedings	<p><u>Resolution 334-2011</u></p> <p>Moved by Kevin Grumetza that the proceedings of the Public Hearing be recorded.</p> <p style="text-align: right;">CARRIED</p>
Purpose of Public Hearing: Bylaw 1146-2011	<p>Cheryl Pasay, Director of Land Use &amp; Taxes, stated the purpose of the Public Hearing: Bylaw 1146-2011 to allow a Two (2) 39.1 acre split within an 80 Acre Parcel (S½ NW 2-58-21-4); Land Use Designation to remain as Agricultural (A) District.</p>
Call for Applicant to Come Forward	<p>The Applicants forwarded a written submission and did not appear at this Public Hearing.</p>
Objections to Council	<p>Reeve Charles Newell questioned whether there were any objections to the Council members that were to hear submissions at the Public Hearing.</p> <p>There were no objections raised from members of the audience.</p>
Outline the Hearing Process	<p>Reeve Charles Newell outlined the process that will be used during the Hearing: Administration will make a presentation first; there will be questions of clarification; the Applicant will then make a presentation; there will be questions of clarification; the Councillors will then hear from those persons who have registered to speak followed by others who wish to speak and who identify themselves; there will again be questions of clarification. Administration and the Applicant can then present any final comments they wish to make.</p> <p>Verbal presentations shall be limited to 5 minutes unless the Council consents to extend. Written submissions will be reviewed by Council but not read aloud.</p>
Confirm the Hearing Process	<p>Reeve Charles Newell questioned the audience if there were any concerns with the outlined process.</p> <p>There were no objections raised from the audience.</p>
Development Officer Presentation	<p>Alberta Transportation will not allow another access from Highway 829; service road would have to be maintained by the County of Thorhild; Alberta Transportation requires a 30 m service road caveat across the highway frontage of the top 40 acre parcel.</p>
Questions from Council	<p>Would road have to be built to the same standards as all County roads?</p> <ul style="list-style-type: none"> <li>- Yes</li> </ul> <p>What is the purpose of splitting the property this way?</p> <ul style="list-style-type: none"> <li>- For estate planning purposes, the owner would like 2 separate titles</li> </ul>
Development Officer's Final Comments	<p>Cheryl Pasay, Director of Land Use &amp; Planning, stated that the landowner would be responsible for constructing a service road.</p>
Applicants Final Comments	<p>The Applicant was not present at this hearing.</p>
Potential Conditions of Approval or Recommendation	<p>Reeve Charles Newell reviewed the potential conditions of approval or recommendations provided and asked for further concerns or comments.</p> <p>There were no further concerns of comments raised.</p>

Conclude Hearing Reeve Charles Newell asked if this concluded the presentation.

Adjournment Resolution 335-2011

Moved by Wayne Crosswell that the Public Hearing regarding adjourn at 11:23 a.m.

CARRIED

Recess Reeve Charles Newell declared a recess at 11:24 a.m.

Reconvene Reeve Charles Newell reconvened the meeting at 11:29 a.m. with Cindy Olchoway, Director of Agriculture, Emergency, and Community Services, Cheryl Pasay, Director of Planning and Development, and Carol Kassian, Community Resource Coordinator, in attendance.

Delegation –  
Roger Leachman,  
Ian Magdiak &  
Lyle Neis,  
Enbridge Pipelines  
Inc. Reeve Charles Newell welcomed Roger Leachman, Ian Magdiak & Lyle Neis of Enbridge Pipelines Inc. to the meeting at 11:30 a.m. Mr. Leachman presented a cheque to Reeve Charles Newell for the company's 2011 linear taxes. Mr. Neis presented information on the activities of the different Enbridge Business Units.

Cheryl Pasay, Director of Planning and Development, and Messieurs Leachman, Magdiak, and Neis left the meeting at 11:49 a.m.

Adoption of Report Resolution 336-2011

Moved by Shelly Hanasyk that the Agriculture, Emergency & Community Services Director's report be adopted as presented.

CARRIED

Committee  
Reports -  
Agricultural  
Fieldman

Clarence Dowhan, Agricultural Fieldman, provided a written report to Council with respect to agriculture and water management issues as well as upcoming meetings, workshops, and tours.

Adoption of Report Resolution 337-2011

Moved by Wayne Crosswell that the Agricultural Fieldman's report be adopted as presented.

CARRIED

Committee  
Reports -  
Agricultural  
Conservation  
Technologist

Evonne Zukiwski, Agricultural Conservation Technologist, provided a written report to Council with respect to the formalized partnership between County of Thorhild and Smoky Lake County, goals of the program, and upcoming events.

Adoption of Report Resolution 338-2011

Moved by Shelly Hanasyk that the Agricultural Conservation Technologist's report be adopted as presented.

CARRIED

- Committee Reports - Community Resource Coordinator Carol Kassian, Community Resource Coordinator, reported on the current progress of the five goals of her program.
- Adoption of Report Resolution 339-2011
- Moved by John Olson that Council accepts the Community Resource Coordinator's report as information.
- CARRIED
- Public Works - Business Arising from Minutes/New Business There was no information presented with respect to this section of the meeting.
- Correspondence Items There was no information presented with respect to the Correspondence section for this meeting.
- Recess Reeve Charles Newell declared a recess at 12:15 p.m.
- Reconvene Reeve Charles Newell reconvened the meeting at 1:03 p.m. with Cheryl Pasay, Director of Planning and Development, and Barry Sjølie and Shari Boyd of Brownlee LLP in attendance.
- Committee Report- Public Works Director Rick Nietupski, Director of Public Works, provided a written report for Council's information.
- Adoption of Report Resolution 340-2011
- Moved by Wayne Crosswell that the Public Works Director's report be accepted as presented.
- CARRIED
- Bylaws There were no Bylaws presented at this meeting.
- Notices of Motion There were no Notices of Motion presented at this meeting.
- Other Business – Financial Report Janelle Cornelius, Director of Corporate Services, presented a report highlighting budget variances for the first part of 2011.
- Resolution 341-2011
- Moved by Kevin Grumetza that Council approves the Financial Report as presented.
- CARRIED
- Laurie Andrushchyshyn, Payroll and Personnel Manager, joined the meeting at 1:20 p.m.
- Other Business – Policy 506 – Vacation Entitlement Resolution 342-2011
- Moved by Shelly Hanasyk that Council approves Policy 506 – Vacation Entitlement as presented.
- CARRIED

Laurie Andrushchyshyn, Payroll and Personnel Manager, left the meeting at 1:27 p.m.

Other Business –  
Postponement of  
2011 Public  
Auction

Resolution 343-2011

Moved by Kevin Grumetza that the 2011 Public Auction to be adjourned to Tuesday, August 30, 2011 commencing at 10:00 a.m. in Council Chambers.

CARRIED

Cheryl Pasay, Director of Planning and Development, left the meeting at 1:29 p.m.

Other  
Correspondence

There was no information presented for this section of the meeting.

Requisitions

There were no requisitions presented at this meeting.

Confidential Items-  
Waste  
Management  
Development  
Permit Application  
Consideration,  
Interim Contract  
Management  
Agreement

Resolution 344-2011

Moved by John Olson that Council go in camera at 1:30 p.m. to discuss the Waste Management Development Permit Application and the Interim Management Contract Agreement.

CARRIED

Barry Sjølie and Shari Boyd of Brownlee LLP and Angela Bilski, Recording Secretary, left the meeting at 2:46 p.m.

Resolution 345-2011

Moved by Shelly Hanasyk that Council return to open meeting at 3:10 p.m.

CARRIED

Resolution 346-2011

Moved by Kevin Grumetza that Council accepts the information on the Waste Management Development Permit Application as information.

CARRIED

Resolution 347-2011

Moved by John Olson that Council accepts the Interim Management Contract Agreement as amended and subject to review by legal counsel.

CARRIED

Adjournment

Being that agenda matters were concluded, the meeting adjourned at 3:18 p.m.