



Parkland County

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Meeting Minutes Council

Mayor Rod Shaigec
Council Member Jo Szady
Council Member Dianne Allen
Council Member Phyllis Kobasiuk
Council Member Darrell Hollands
Council Member Denise Locher
Council Member Tracey Melnyk

Tuesday, July 10, 2012

9:00 AM

Council Chambers

1. CALL TO ORDER

Mayor Shaigec called the meeting to order at 9:02 a.m.

Present: 7 - Mayor Rod Shaigec, Council Member Jo Szady, Council Member Dianne Allen, Council Member Phyllis Kobasiuk, Council Member Darrell Hollands, Council Member Denise Locher and Deputy Mayor Tracey Melnyk

Administration

Pat Vincent, Chief Administrative Officer

Rob McGowan, General Manager, Infrastructure Services

Ken Van Buul, Acting General Manager, Community & Protective Services (in part)

Al McCully, General Manager, Development Services

Tracy Kibblewhite, General Manager, Corporate Services

Jennifer McAdam, Acting Manager, Legislative & Administrative Services

Jackie Ostashek, Manager, Communications & Strategic Planning

Bruno St-Amand, Manager, Engineering Services (in part)

Peter Morris, Supervisor, Enforcement Services (in part)

Janna Widmer, Planning Officer, Planning and Development Services (in part)

Paul Hanlan, Manager, Planning and Development Services (in part)

Barb Williams, Legislative & Administrative Services Assistant (Recording Secretary)

2. OPENING PRAYER

Councillor Jo Szady offered a short prayer.

3. ADOPTION OF AGENDA

A motion was made by Council Member Denise Locher that the July 10, 2012 Council agenda be adopted, as presented. The motion carried unanimously.

4. ADOPTION OF MINUTES

- 4.1 MIN 12-020** Adoption of the June 26, 2012 regular Council meeting minutes.

Proposed Motion

That the June 26, 2012 regular Council meeting minutes be adopted, as presented.

A motion was made by Council Member Dianne Allen that the June 26, 2012 Council meeting minutes be adopted, as presented. The motion carried unanimously.

NEW BUSINESS

- A.1 BL 12-029** Community Standards Bylaw No. 03-2012

Proposed Motions

1. That Bylaw No. 03-2012 receive first reading
2. That Bylaw No. 03-2012 receive second reading
3. That Bylaw No. 03-2012 be presented at this meeting for third reading
4. That Bylaw No. 03-2012 receive third and final reading.

A motion was made by Council Member Phyllis Kobasiuk that Bylaw No. 03-2012 receive first reading, with amendment to Section 3 (6) b. by adding "the minimum penalty" so the clause reads, "If a person is convicted three or more times of the same provision of this Bylaw within a twenty four (24) month period, the minimum penalty for the third and subsequent conviction shall be triple the amount of the specified penalty for a first offence." The motion carried unanimously.

A motion was made by Council Member Jo Szady that Bylaw No. 03-2012 receive second reading, as amended. The motion carried unanimously.

A motion was made by Council Member Dianne Allen that Bylaw No. 03-2012 be presented at this meeting for third reading. The motion carried unanimously.

A motion was made by Deputy Mayor Tracey Melnyk that Bylaw No. 03-2012 receive third and final reading, and that it be declared finally passed. The motion carried unanimously.

5. SCHEDULED MATTERS

- 5.1 App 12-030** Public Input

Mayor Schaigec asked the gallery if there were any issues that the public wishes to bring to the attention of Parkland County.

Gladys Evans came forward regarding continued concerns of flooding issues on her property and explained the history regarding the installation of various culverts in the area to divert water from the Acheson Industrial area. Ms. Evans understands the procedure to resolve this matter will require local landowners to sign-off on the matter, but asked Council to not require Mr. Dorash's signature, as he will not sign-off. Ms. Evans brought forward concern that other property owners have control of her property by signing-off or not and that it is an unfair process. Ms. Evans furthermore explained that she cannot develop her land because the County has tainted it as a flood plain

and this needs to be addressed. Ms. Evan requested a meeting with the CAO, Mr. Hanlan, Manager of Planning and Development Services and Mr. St-Amand, Manager of Engineering Services to review this situation further.

Mayor Shaigec responded to Ms. Evans that Parkland County continues to communicate with Alberta Transportation and Alberta Environment to resolve this matter.

5.2 BL 12-043

PUBLIC HEARING

Entwistle Area Structure Plan Bylaw No. 23-2012

Proposed Motions

1. That Bylaw No. 23-2012 receive second reading
2. That Bylaw No. 23-2012 receive third and final reading.

Mayor Shaigec called the Public Hearing to order at 9:40 a.m., in accordance with the provisions of the Municipal Government Act, to provide an opportunity for public input and comment on proposed Bylaw No. 23-2012.

Administration provided a summary of the report.

Verbal Submissions

Melanie and Kelly Boyd, Entwistle residents and local business owners, stated their concern with their residential property zoned as commercial and requested that the Future Plan Map be changed to indicate residential property from commercial property. Furthermore, Ms. Boyd raised concern of the tubing business and the residential impact on the south side of the property.

Written Submissions

Gordon Ostertag, opposed to proposed business allocation in the Entwistle Area Structure Plan.

Carol Ostertag, opposed to proposed business allocation because business and residential are not a suitable combination.

Yellowhead County, supports the proposed Entwistle Area Structure Plan.

Mayor Shaigec closed the public hearing at 10:12 a.m.

A motion was made by Council Member Kobasiuk that Bylaw No. 23-2012 receive second reading. The motion carried by the following vote:

For: 6 - Mayor Shaigec, Council Member Szady, Council Member Allen, Council Member Kobasiuk, Council Member Hollands and Council Member Locher

Against: 1 - Deputy Mayor Melnyk

A motion was made by Council Member Dianne Allen that Bylaw No. 23-2012 receive third and final reading, and that it be declared finally passed. The motion carried by the following vote:

For: 6 - Mayor Shaigec, Council Member Szady, Council Member Allen, Council Member Kobasiuk, Council Member Hollands and Council Member Locher

Against: 1 - Deputy Mayor Melnyk

App 12-030

Public Input

Mayor Shaigec again asked the gallery if there were any issues that the public wishes to bring to the attention of Parkland County.

Nic Wales, Erin Estates resident, come forward with concern of the Erin Estates road surfacing matter that is scheduled later at this meeting. Mr. Wales referred to his written submission outlining his understanding of the current policy, raising concerns and requested consideration that Miller Crescent be allowed to opt out of the Erin Estates paving plan.

Mr. Larry Niblock and Mr. Hutton executive members of the Range Road 23 Group, came forward and expressed ongoing concerns of the use of the closed gravel pit and road access to the river and asked why there are no barricades placed to block road access as of yet. Further concerns were raised as to the law enforcement when the barricades are placed and the potential trespassing on the landowner's property. Mr. Hutton stated that there needs to be rules and enforcement on site. Mr. Hutton outlined that, surprisingly, on the July 1st long weekend that there were only one or two vehicles in the area, but this past weekend there were twelve vehicles, trailers and boats. Mr. Hutton expressed concerns with vehicles, boats, jet boats and trailers causing disruption to wildlife and canoers, leaving garbage, and risk to livestock. Mr. Niblock and Mr. Hutton brought forward a recent incident regarding a 4-H animal that was shot 50 meters from 4-H youth's home and expressed concern that no Council member spoke with the media regarding this incident. Mr. Niblock stated that Council's minutes from June 26, 2012 meeting should have reflected that he stated the road should be "removed and put to bed". Mr. Niblock questioned the funding of a Boat Launch Study to be discussed at this meeting.

Mayor Shaigec advised that he was out of the province at the time of the animal shooting, and that Parkland County's Communications personnel responded to the media on his behalf. Parkland County continues to work with Sustainable Resources Department to place barricades, but requires provincial approval to proceed and this direction is expected shortly. Mayor Shaigec explained forecast budgeting for projects such as the Boat Launch Study.

Recess

Mayor Shaigec recessed the meeting at 10:42 a.m. and reconvened the meeting at 10:53 a.m.

6. BUSINESS ARISING

There were no Business Arising items presented at this meeting.

7. NEW BUSINESS

A. Legislative Matters

A.2 BL 12-032 Fire Bylaw No. 22-2012

Proposed Motions

1. That Bylaw No. 22-2012 receive first reading

2. That Bylaw No. 22-2012 receive second reading
3. That Bylaw No. 22-2012 be presented at this meeting for third reading
3. That Bylaw No. 22-2012 receive third and final reading

A motion was made by Council Member Allen that Bylaw No. 22-2012 receive first reading. The motion carried by the following vote:

For: 6 - Mayor Shaigec, Council Member Szady, Council Member Allen, Council Member Kobasiuk, Council Member Hollands and Council Member Locher

Against: 1 - Deputy Mayor Melnyk

A motion was made by Council Member Szady that Bylaw No. 22-2012 second reading. The motion carried by the following vote:

For: 6 - Mayor Shaigec, Council Member Szady, Council Member Allen, Council Member Kobasiuk, Council Member Hollands and Council Member Locher

Against: 1 - Deputy Mayor Melnyk

A motion was made by Council Member Locher that Bylaw No. 22-2012 be presented at this meeting for third reading. The motion carried unanimously by the following vote:

For: 7 - Mayor Shaigec, Council Member Szady, Council Member Allen, Council Member Kobasiuk, Council Member Hollands, Council Member Locher and Deputy Mayor Melnyk

A motion was made by Council Member Kobasiuk that Bylaw No. 22-2012 received third and final reading, and that it be declared finally passed. The motion carried by the following vote:

For: 6 - Mayor Shaigec, Council Member Szady, Council Member Allen, Council Member Kobasiuk, Council Member Hollands and Council Member Locher

Against: 1 - Deputy Mayor Melnyk

BL 12-034

Bylaw No. 16-2012 Local Improvement Levy for surfacing in Erin Estates Country Residential Subdivision

Proposed Motions

1. That Bylaw No. 16-2012 receive first reading
2. That Bylaw No. 16-2012 receive second reading
3. That Bylaw No. 16-2012 be presented at this meeting for third reading
4. That Bylaw No. 16-2012 receive third and final reading.

A motion was made by Council Member Denise Locher that Bylaw No. 16-2012 receive first reading.

A motion was made by Council Member Kobasiuk that Miller Crescent be allowed to opt out of Local Improvement Bylaw No. 16-2012. The motion failed by the following vote:

For: 1 - Council Member Kobasiuk

Against: 6 - Mayor Shaigec, Council Member Szady, Council Member Allen, Council Member Hollands, Council Member Locher and Deputy Mayor Melnyk

Mayor Shaigec called the original motion that Bylaw No. 16-2012 receive first reading.

A motion was made by Council Member Denise Locher that Bylaw No. 16-2012 receive first reading. The motion carried unanimously.

A motion was made by Council Member Jo Szady that Bylaw No. 16-2012 receive second reading. The motion carried unanimously.

A motion was made by Council Member Dianne Allen that Bylaw No. 16-2012 be presented at this meeting for third reading. The motion carried unanimously.

A motion was made by Council Member Phyllis Kobasiuk that Bylaw No. 16-2012 receive third and final reading, and that it be declared finally passed. The motion carried unanimously.

A.4 BL 12-040

Bylaw No. 26-2012 Local Improvement Levy for surfacing in a portion of Central Heights Country Residential Subdivision (Michel Road only)

Proposed Motions

1. That Bylaw No. 26-2012 receive first reading
2. That Bylaw No. 26-2012 receive second reading
3. That Bylaw No. 26-2012 be presented at this meeting for third reading
4. That Bylaw No. 26-2012 receive third and final reading.

A motion was made by Council Member Phyllis Kobasiuk that Bylaw No. 26-2012 receive first reading. The motion carried unanimously.

A motion was made by Council Member Jo Szady that Bylaw No. 26-2012 receive second reading. The motion carried unanimously.

A motion was made by Council Member Dianne Allen that Bylaw No. 26-2012 be presented at this meeting for third reading. The motion carried unanimously.

A motion was made by Council Member Darrell Hollands that Bylaw No. 26-2012 receive third and final reading, and that it be declared finally passed. The motion carried unanimously.

A.5 BL 12-045

Bylaw No. 28-2012 rescinding Bylaw No. 40-2010 which established the Parkland County Development Authority.

Proposed Motions

1. That Bylaw No. 28-2012 receive first reading
2. That Bylaw No. 28-2012 receive second reading
3. That Bylaw No. 28-2012 be presented at this meeting for third reading
4. That Bylaw No. 28-2012 receive third and final reading

A motion was made by Council Member Phyllis Kobasiuk that Bylaw No. 28-2012 receive first reading. The motion carried unanimously.

A motion was made by Council Member Denise Locher that Bylaw No. 28-2012 receive second reading. The motion carried unanimously.

A motion was made by Council Member Dianne Allen that Bylaw No. 28-2012 be presented at this meeting for third reading. The motion carried unanimously.

A motion was made by Council Member Darrell Hollands that Bylaw No. 28-2012 receive third and final reading, and that it be declared finally passed. The motion carried unanimously.

A.6 POL 12-009 Council Municipal Art Policy C-RP17

Proposed Motion

That Council approve revised Council Municipal Art Policy C-RP17, as presented.

A motion was made by Council Member Phyllis Kobasiuk that Policy C-RP17 be approved, as presented, with correction to Section 5 that "Town" of Wabamun be changed to "Village" of Wabamun. The motion carried unanimously.

B. Corporate Services Matters

B.1 RFD 12-131 Changes to Restricted Surplus Authorization Forms

Proposed Motion

That Council approve the changes to the Restricted Surplus Authorization Forms, as presented.

A motion was made by Council Member Dianne Allen that the changes to the Restricted Surplus Authorization Forms be approved, as presented. The motion carried unanimously.

B.2 RFD 12-145 Transfer Funds to Restricted Surplus - Entwistle Community Development

Proposed Motion

That Council approve the transfer of funds to the Restricted Surplus - Entwistle Community Development.

A motion was made by Deputy Mayor Tracey Melnyk that the transfer of Unrestricted Surplus funds of \$26,816 consisting of \$4,873 Operating Surplus Entwistle, and \$21,943 Capital Surplus Entwistle into the Restricted Surplus, Entwistle Community Development be approved, as presented. The motion carried unanimously.

B.3 RFD 12-148 Council Remuneration Committee

Proposed Motion

That Council approve the Terms of Reference for the Council Remuneration Committee, as presented.

A motion was made by Council Member Denise Locher that the Terms of Reference for the Council Remuneration Committee be approved, as presented. The motion carried unanimously.

C. Infrastructure Services Matters

There were no Infrastructure Services items presented at this meeting.

D. Community and Protective Services Matters

- D.1 RFD 12-138** Ratification of the Memorandum of Agreement between Parkland County and the International Union of Operating Engineers Local 955 (Community Peace Officer Unit)

Proposed Motion

That Council ratify the Memorandum of Agreement between Parkland County and the International Union of Operating Engineers Local 955 (Community Peace Officers Unit).

A motion was made by Council Member Darrell Hollands that the Memorandum of Agreement between Parkland County and the International Union of Operating Engineers Local 955 (Community Peace Officers Unit) be ratified, as presented. The motion carried unanimously.

- D.2 RFD 12-149** Alberta Winter Games Legacy Projects

Proposed Motions

1) That Council inform the Tri-Region 2012 Alberta Winter Games Society Board of Directors that the Parkland County portion of the estimated surplus funds (\$33,330) from the 2012 Alberta Winter Games remain with the Society to be spent on Legacy Project(s) and;

2) That Council requests the 2012 Alberta Winter Games Host Society to bring back a Legacy Funding Plan that will provide recommendations on what Legacy projects surplus funds will be allocated to for Council approval.

A motion was made by Deputy Mayor Tracey Melnyk that the Tri-Region 2012 Alberta Winter Games Society Board of Directors be advised that the Parkland County portion of the estimated surplus funds (\$33,330) from the 2012 Alberta Winter Games remain with the Society to be spent on Legacy Project(s), subject to the approval of the Town of Stony Plain and City of Spruce Grove. The motion carried unanimously.

A motion was made by Council Member Darrell Hollands that the 2012 Alberta Winter Games Host Society present to Parkland County Council a Legacy Funding Plan with recommendations for Council's approval on what the Legacy project(s) surplus funds will be allocated for. The motion carried unanimously.

- D.3 RFD 12-143** Lake Wabamun Boat Launch Study

Proposed Motion

That Council approve up to \$65,000 from Restricted Surplus - Municipal Park to carry out the Lake Wabamun Boat Launch Study.

A motion was made by Council Member Denise Locher that up to \$65,000 from Restricted Surplus - Municipal Park be approved to carry out the Lake Wabamun Boat Launch Study, as presented. The motion carried unanimously.

D.4 RFD 12-150 Entwistle Community Development Fund - Terms of Reference**Proposed Motion**

That Council approve the Entwistle Community Development Fund - Terms of Reference, as presented.

A motion was made by Deputy Mayor Tracey Melnyk that the Entwistle Community Development Fund Terms of Reference be approved, as presented. The motion carried unanimously.

E. Development Services Matters**E.1 RFD 12-151** Tower Land Lease**Proposed Motion**

That Council authorize Administration to enter into a lease agreement for a tower site and access road on Part of the NE 22-52-02-W5M.

A motion was made by Council Member Dianne Allen that administration be authorized to enter into a lease agreement for a tower site and access road on Part of NE 22-52-02-W5M, as presented. The motion carried unanimously.

8. COMMUNICATIONS**8.1 COM 12-037** Correspondence Regarding Erin Estates Subdivision Surfacing Petition**Proposed Motion**

That the correspondence regarding Erin Estates Subdivision surfacing petition be received as information.

A motion was made by Council Member Darrell Hollands that the correspondence received from Mr. Nic Wales regarding the Erin Estates subdivision paving project be received as information. The motion carried unanimously.

8.2 COM 12-041 AAMDC Newsletter**Proposed Motion**

That the July 5, 2012 AAMDC Newsletter be received as information.

A motion was made by Council Member Jo Szady that the AAMDC Newsletter dated July 5, 2012 be received as information. The motion carried unanimously.

RFD 12-159 Request to schedule a Special Council Meeting on July 31, 2012**Proposed Motion**

That a Special Council meeting be scheduled on July 31, 2012 commencing at 8:00 a.m.

A motion was made by Council Member Denise Locher that a Special Council meeting be scheduled on July 31, 2012 at 8:00 a.m. to include identifying projects for an application to the Community Infrastructure Improvement Fund. The motion carried unanimously.

8.3 COM 12-042 Committee Reports**Proposed Motion**

That the Committee Reports be received as information.

A motion was made by Council Member Dianne Allen that the Community Policing Advisory Committee reported by Councillor Allen be received as information. The motion carried unanimously.

9. IN-CAMERA SESSION

There were no In-Camera items presented at this meeting.

10. BUSINESS ARISING FROM IN-CAMERA SESSION**11. ADJOURNMENT**

Mayor Shaigec closed the meeting at 12:29 p.m.

Mayor

Manager, Legislative & Administrative Services