



# 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*

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Tuesday, May 15, 2012

9:05 AM

Council Chambers

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### Special Council Meeting

#### 1. CALL TO ORDER (Mayor)

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

Ken Van Buul, Acting General Manager, Sustainable Community & Protective Services

Al McCully, General Manager, Sustainable Development Services

Tracy Kibblewhite, General Manager, Corporate Services

Jennifer McAdam, Supervisor, Legislative & Administrative Services

Jackie Ostashek, Manager Communications & Strategic Planning

Sara Jensen, Municipal Intern

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

#### 2. OPENING PRAYER

*No Opening Prayer was required at this meeting.*

#### 3. ADOPTION OF AGENDA (Mayor)

**RFD 12-108** Adoption of Agenda

A motion was made by Council Member Phyllis Kobasiuk that the May 15, 2012 Special Council meeting agenda be approved, as presented. The motion carried unanimously.

**4. ADOPTION OF MINUTES**

*No Adoption of Minutes was required at this meeting.*

**5. SCHEDULED MATTERS**

*There were no Scheduled Matters scheduled at this meeting.*

**6. BUSINESS ARISING****RFD 12-103**      Decision Reasons for Development Permits 09-D-370A and 09-D-370B**Proposed Motion**

That Council provide written reasons for refusing the applications to approve the amendments to the Development Permit 09-D-370A for sand extraction and landfilling on SE-02-53-26-W4M and Development Permit 09-D-370B for wood recycling on SE-02-53-26-W4M as presented.

**A motion was made by Deputy Mayor Melnyk that Council provide written reasons for refusing the applications to approve the amendments to Development Permit 09-D-370A for sand extraction and landfilling on SE 02-53-26-W4M and Development Permit 09-D-370B for wood recycling on SE 02-53-26-W4M, as follows:**

**The reasons for the decision made by Council on February 14, 2012 regarding development permit amendments sought by Northland Material Holding Inc. and Northland Recycling Inc. (Northland), as follows:**

**Council does not believe Section 642 of the Municipal Government Act is applicable but is prepared to provide the following reasons for purposes of transparency.**

**Mr. Phipps, appearing for Northland, advised that Council was not bound to follow the approval issued by Alberta Environment. Ms. Agrios agreed with this submission.**

**Council found the submissions of Ms. Agrios the legal counsel for Elmer Bissani and the Walton Group very persuasive. Council accepts those landowners are affected by the development in question. Those submissions also reminded Council that when Council considered a Development Permit for this property in 2006, Council refused to approve the amendment but extended the time for which the Development Permit was valid to allow for the completion of the development. Council also resolved that the extension would be considered a final extension of the facility. Ms. Agrios indicated that Northlands had made a commitment to her client that the east side of the landfill would be completed and fully reclaimed by 2009 or early 2010. Based upon the representation, her clients believed that there was an agreement between them and Northlands that would see the landfill completed within a reasonably short period of time. Following the representation being made to Ms. Agrios' client, Northlands sought a change to their approval from Alberta Environment, seeking both an extension of the time for which their permit**

would be valid and of the maximum height to which the landfill could proceed and changing the proposed sequence of completion. Council finds this change in position by Northlands has a direct effect on the adjoining property owner and accepts the position of the adjoining landowner that the amendments should not be granted as proposed. Council finds that the Applicant did not provide information that adequately explained or established why a time extension and height increase are required, nor the volumes of the onsite excavation left to be filled.

For these reasons, Council refused the request for an amendment to the Development Permit 09-D-370A for the landfill.

As the recycling operation functions in conjunction with the landfill, Council is satisfied that the recycling permit 09-D-370B should end at the same time as the landfill permit.

The motion carried by the following vote:

**For:** 5 - Council Member Szady, Council Member Kobasiuk, Council Member Hollands, Council Member Locher and Deputy Mayor Melnyk

**Against:** 2 - Mayor Shaigec and Council Member Allen

## **7. NEW BUSINESS**

*There were no New Business items presented at this meeting.*

## **8. COMMUNICATIONS**

*There were no Communication items presented at this meeting.*

## **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 9:12 a.m.