



Sturgeon County

9613-100 Street
Morinville, Alberta
T8R 1L9

Meeting Minutes - Final Council

Tuesday, November 28, 2017

9:00 AM

Council Chambers

A. CALL TO ORDER AND RELATED BUSINESS

A.1 CALL TO ORDER

Present: 7 - Mayor Alanna Hnatiw, Councillor Dan Derouin, Councillor Susan Evans, Councillor Wayne Bokenfohr, Councillor Neal Comeau, Councillor Patrick Tighe, and Councillor Karen Shaw

Mayor Hnatiw called the November 28, 2017 regular Council Meeting to order at 9:03 a.m.

Administration Present

Peter Tarnawsky, County Commissioner - CAO

Ian McKay, General Manager, Municipal Services

Rick Wojtkiw, General Manager, Corporate Services

Collin Steffes, Acting General Manager, Integrated Growth

Pat Mahoney, Fire Chief/Manager, Protective Services

Clayton Kittlitz, Manager, Current Planning and Development Services

Arjen de Klerk, Senior Planning and Development Officer, Current Planning and Development Services

Colin Krywiak, Senior Planning and Development Officer, Current Planning and Development Services

Christine Beveridge, Senior Legislative Officer, Legislative Services

Aaron Hair, Planning and Development Officer, Current Planning and Development Services

Lisa Schovaneck, Legislative Officer, Legislative Services

A.2 ADOPTION OF AGENDA

W. Bokenfohr MOVED:

Motion 435/17: That the Agenda be adopted, as amended. The following changes were made:

- * Added Item G.1 - Councillor Shaw - R.W. Hay Award for Rural Administrative Excellence to Peter Tarnawsky;**
- * Added Item G.2 - Councillor Evans - Fentanyl Contamination;**
- * Added Item G.3 - Councillor Bokenfohr - Legal Matter - In-Camera.**

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

A.3 ADOPTION OF MINUTES

A.3.1 October 24, 2017 - Organizational Council Meeting Minutes

P. Tighe MOVED:

Motion 436/17: That the October 24, 2017 Organizational Council Meeting Minutes be approved as presented.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

A.3.2 October 24, 2017 - Regular Council Meeting Minutes

W. Bokenfohr MOVED:

Motion 437/17: That the October 24, 2017 regular Council Meeting Minutes be approved as presented.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

C. PRESENTATIONS/PUBLIC HEARINGS/INTERVIEWS

C.1 PRESENTATIONS

C.1.1 9:00 a.m. - Chad Hordal Presentation re: Municipal Reserve Use in Cardiff Echoes

Chad Hordal, Sturgeon County resident, provided a presentation to Council.

C.1.2 9:20 a.m. - Len Kozak Presentation

Len Kozak, Sturgeon County resident, provided a presentation to Council.

C.1.3 9:40 a.m. - Morinville Seed Cleaning Co-op Presentation

Cora Krywko, Plant Manager, Morinville Seed Cleaning Co-Op, and Curtis Friesen, Hawkings, Epp, Dumont, provided a presentation to Council.

D. NEW BUSINESS

D.1 2018-2021 Fire Service Agreement with the Town of Legal

Presented by: Pat Mahoney, Fire Chief/Manager, Protective Services

P. Tighe MOVED:

Motion 438/17: That Council authorize the Mayor, CAO and the County Fire Chief to sign and execute the 2018-2021 Fire Service Agreement with the Town of Legal.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

D.2 New Fire Service Agreement with the Summer Village of Sunrise Beach

Presented by: Pat Mahoney, Fire Chief/Manager, Protective Services

K. Shaw MOVED:

Motion 439/17: That Council authorize the Mayor, CAO and the County Fire Chief to execute the 2018-2020 Fire Service Agreement with the Summer Village of Sunrise Beach.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

D.3 2018 Appointment of Fire Guardians

Presented by: Pat Mahoney, Fire Chief/Manager, Protective Services

K. Shaw MOVED:

Motion 440/17: That Council approve the listed staff members as Fire Guardians for the year 2018:
*** Pat Mahoney, Steve Douglas, Glenn Innis, Kurt Richter, Paul Richards, Nico Lozinski, Christine Bassett-Daviau, Jevin Van der Leek, Ken Lauinger, Bill Willocks, Matt Roblin, Madero Kendall, Malaine Wark, Kevin Kulbisky, Jeannette Bilodeau, Linda Walker, Joanne Wynder, Sandy Vansevenandt, Dolores Rivard, Lianne Long, Shannon Gagnon, Shelley Hudec, Kandis Boddez and Luba Sudak.**

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

D.4 Fire Invoice Appeal - Heritage Nurseries Ltd (c/o Gerald Van Bruggen)

Presented by: Pat Mahoney, Fire Chief/Manager, Protective Services

K. Shaw MOVED:

Motion 441/17: That Council deny the fire invoice appeal of Heritage Nurseries Ltd (c/o Gerald Van Bruggen).

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

The meeting was recessed at 10:18 a.m.

The meeting was reconvened at 10:26 a.m.

D.5 In-Camera - Intermunicipal Matter
In-Camera in accordance with Section 24 of the Freedom of Information and Protection of Privacy Act

Presented by: Pat Mahoney, Fire Chief/Manager, Protective Services

W. Bokenfohr MOVED:

Motion 442/17: That Council proceed to an In-Camera session at 10:26 a.m. to discuss Item D.5.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

K. Shaw MOVED:

Motion 443/17: That Council move out of the In-Camera session at 10:42 a.m.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

S. Evans MOVED:

Motion 444/17: That Council accept the confidential report as information and approve the options as discussed in-camera, with the addition of Mayor-to-Mayor meetings.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

W. Bokenfohr MOVED:

Motion 445/17: That the information provided remain confidential as per Section 24 of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

D.6

Lehigh Hanson Materials Limited

* Bylaw 1394/17 - Amendment to the Calahoo Villeneuve Sand & Gravel Extraction Area Structure Plan Bylaw 922/01 (First Reading)

* Bylaw 1395/17 - Amendment to the Land Use Bylaw 1385/17 (First Reading)

Presented by: Colin Krywiak, Senior Planning and Development Officer, Current Planning and Development Services, and Aaron Hair, Planning and Development Officer, Current Planning and Development Services

P. Tighe MOVED:

Motion 446/17: That Council give first reading to Bylaw 1394/17.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

W. Bokenfohr MOVED:

Motion 447/17: That Council give first reading to Bylaw 1395/17.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

- D.7** Lafarge Canada Inc. (Lafarge) and Inland Aggregates, a division of Lehigh Hanson Materials Limited (Inland Aggregates)
* Bylaw 1398/17 - Amendment to the Calahoo Villeneuve Sand & Gravel Extraction Area Structure Plan Bylaw 922/01 (First reading)

Presented by: Colin Krywiak, Senior Planning and Development Officer, Current Planning and Development Services, and Aaron Hair, Planning and Development Officer, Current Planning and Development Services

W. Bokenfohr MOVED:

Motion 448/17: That Council give first reading to Bylaw 1398/17.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

- D.8** Legacy Development and Land Use Bylaw Enforcement

Presented by: Clayton Kittlitz, Manager, Current Planning and Development Services, and Arjen de Klerk, Senior Planning and Development Officer, Current Planning and Development Services

K. Shaw MOVED:

Motion 449/17: That Council receive the attached Legacy Enforcement File report as information.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

D. Derouin MOVED:

Motion 450/17: That Council direct staff to schedule a workshop to develop direction and approaches to dealing with legacy developments and enforcement.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

D.9 Inventory of Occupied Heavy Industrial Zoned Lands

Presented by: Tyler Westover, Manager, Economic Development

K. Shaw MOVED:

Motion 451/17: That Council receive the "Inventory of Occupied Heavy Industrial Zoned Lands" report as information.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

K. Shaw MOVED:

Motion 452/7: That the confidential attachments to the Request for Decision titled "Inventory of Occupied Heavy Industrial Zoned Lands" remain confidential per Section 17 of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

S. Evans MOVED:

Motion 453/17: That Council proceed to an In-Camera session at 11:29 a.m. to discuss Item D.9.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

P. Tighe MOVED:

Motion 454/17: That Council move out of the In-Camera session at 11:36 a.m.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

Councillor Bokenfohr left the meeting at 11:36 a.m.

Councillor Comeau left the meeting at 11:36 a.m.

Councillor Bokenfohr returned to the meeting at 11:38 a.m.

Councillor Comeau returned to the meeting at 11:39 a.m.

D.10 Bylaw 1396/17 Amendment to Procedure Bylaw 1301/13 - VoteCast

Presented by: Christine Beveridge, Senior Legislative Officer, Legislative Services

S. Evans MOVED:

Motion 455/17: That Council give first reading to Bylaw 1396/17.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

N. Comeau MOVED:

Motion 456/17: That Council give second reading to Bylaw 1396/17.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

W. Bokenfohr MOVED:

Motion 457/17: That Council give unanimous consent to proceed to third reading of Bylaw 1396/17.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

P. Tighe MOVED:

Motion 458/17: That Council give third reading to Bylaw 1396/17.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

E. MAYOR AND COUNCIL

E.1

Councillor Tighe - Motion
Re: Feasibility Report for Running a Potable Waterline to Lily Lake Area

P. Tighe MOVED:

Motion 459/17: That Council direct Administration to bring forward a feasibility report for running a potable waterline to the areas know as Lily Lake Area which includes 7 multi-lot subdivisions with over 300 lots; to be added to the 2018 budget.

DEFEATED

For:2 - N. Comeau, and P. Tighe

Against:5 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, and K. Shaw

The meeting was recessed at 12:06 p.m.

The meeting was reconvened at 1:04 p.m.

C.2 PUBLIC HEARINGS

Present: 7 - Mayor Alanna Hnatiw, Councillor Dan Derouin, Councillor Susan Evans, Councillor Wayne Bokenfohr, Councillor Neal Comeau, Councillor Patrick Tighe, and Councillor Karen Shaw

C.2.1 1:00 p.m. - Public Hearing - Bylaw 1397/17 to Amend Land Use Bylaw 1385/17

Mayor Hnatiw opened the Public Hearing at 1:04 p.m.

Bylaw 1397/17 received first reading at the October 24, 2017 regular Council Meeting.

A Public Hearing was held to hear any submissions for or against Bylaw 1397/17.

Mayor Hnatiw provided an overview of the Public Hearing process.

Clayton Kittlitz, Manager, Current Planning and Development Services, and Colin Krywiak, Senior Planning and Development Officer, Current Planning and Development Services provided an overview of Bylaw 1397/17.

Mayor Hnatiw asked the Applicant if they wished to make a presentation.

The Applicant, Cliff Bokenfohr, provided a presentation to Council in favour of Bylaw 1397/17 with amendments.

Mayor Hnatiw asked if there was anyone who wished to speak for or against Bylaw 1397/17.

There was no one further who spoke for or against Bylaw 1397/17.

Mayor Hnatiw asked if correspondence had been received for or against Bylaw 1397/17.

Christine Beveridge, Senior Legislative Officer, Legislative Services confirmed no correspondence had been received.

Mayor Hnatiw asked if there were any closing remarks.

There were none.

Mayor Hnatiw declared the Public Hearing closed at 1:30 p.m.

G. URGENT MATTERS

G.1 Councillor Shaw - R.W. Hay Award for Rural Administrative Excellence to Peter Tarnawsky

K. Shaw MOVED:

Motion 460/17: That Council receive the letter regarding the R.W. Hay Award for Rural Administrative Excellence awarded to Peter Tarnawsky as information.

CARRIED

For:4 - A. Hnatiw, S. Evans, N. Comeau, and K. Shaw

Against:3 - D. Derouin, W. Bokenfohr, and P. Tighe

G.2 Councillor Evans - Fentanyl Contamination

S. Evans MOVED:

Motion 461/17: That Council direct Administration to prepare a resolution for the AAMDC Pembina Zone meeting on January 15, 2017, regarding establishing defined standards and consistent regulated approaches for inspecting buildings contaminated by Fentanyl and/or Carfentanyl to be brought forward at the December 12, 2017 Council meeting.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

G.3 Councillor Bokenfohr - Legal Matter - In-Camera

W. Bokenfohr MOVED:

Motion 462/17: That Council proceed to an In-Camera session at 1:40 p.m. to discuss Item D.3.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

W. Bokenfohr MOVED:

Motion 463/17: That Council move out of the In-Camera session at 3:04 p.m.

CARRIED UNANIMOUSLY

For: 7 - A. Hnatiw, D. Derouin, S. Evans, W. Bokenfohr, N. Comeau, P. Tighe, and K. Shaw

W. Bokenfohr MOVED:

Motion 464/17: That Council adopt the following resolution:

BE IT RESOLVED:

- 1. The letter agreement entered into with the Chief Administrative Officer Peter Tarnawsky, on or about November 28, 2017, is hereby authorized and approved as of the date it was entered into;**
- 2. The appointment and employment of the Chief Administrative Officer Peter Tarnawsky be terminated on December 5, 2017, without just cause, due to a mutual parting of the ways as Council believes a change in leadership is needed, and compensation be provided in accordance with the terms in his written contract of employment related to a without just cause termination, as may be required by applicable law and as may be advised by legal counsel;**
- 3. The Mayor be authorized to engage the assistance of others;**
- 4. The Mayor or her delegate be authorized to engage the services of legal representatives and other agents to assist in all matters covered in this Resolution and related to the termination of the appointment and employment of the Chief Administrative Officer, Peter Tarnawsky.**
- 5. All steps and actions incidental or otherwise as may be necessary to give effect to this Resolution may be taken; and**
- 6. The rights of the County related to all matters be protected and preserved.**

CARRIED

For:5 - A. Hnatiw, D. Derouin, W. Bokenfohr, N. Comeau, and P. Tighe

Against:2 - S. Evans, and K. Shaw

W. Bokenfohr MOVED:

Motion 465/17: That Council adopt the following resolution:

BE IT RESOLVED THAT:

1. Rick Wojtkiw be appointed as the Acting Chief Administrative Officer effective November 28, 2017 with all of the powers, duties and responsibilities of the Chief Administrative Officer.

CARRIED

For:5 - A. Hnatiw, D. Derouin, W. Bokenfohr, N. Comeau, and P. Tighe

Against:2 - S. Evans, and K. Shaw

Councillor Derouin left the meeting at 3:08 p.m.

Councillor Shaw left the meeting at 3:08 p.m.

Councillor Bokenfohr left the meeting at 3:08 p.m.

Present: 4 - Mayor Alanna Hnatiw, Councillor Susan Evans, Councillor Neal Comeau, and Councillor Patrick Tighe

Absent: 3 - Councillor Dan Derouin, Councillor Wayne Bokenfohr, and Councillor Karen Shaw

ADJOURNMENT

P. Tighe MOVED:

Motion 466/17: That the November 28, 2017 regular Council Meeting be adjourned at 3:08 p.m.

CARRIED UNANIMOUSLY

For: 4 - A. Hnatiw, S. Evans, N. Comeau, and P. Tighe

MAYOR

COUNTY COMMISSIONER (CAO)