

**LAC LA BICHE COUNTY  
REGULAR COUNCIL MEETING  
LAC LA BICHE**

**June 22, 2010 – 1:30 p.m.**

**MINUTES OF** Minutes of the Lac La Biche County Council meeting held on June 22, 2010.  
**June 22, 2010**

**CALL TO ORDER** Mayor Peter Kirylchuk called the meeting to order at 1:30 p.m.

<b>PRESENT</b>	Peter Kirylchuk	Mayor
	Phil Lane	Councillor
	Dave Lozinski	Councillor
	Greg Bochkarev	Councillor
	Eugene Uganez	Councillor
	Terry Colosimo	Councillor
	Heather Stromquist	Councillor
	Gordon Coutney	Councillor
	Cecilia Quist	Deputy Mayor/Councillor
	Duane Coleman	Chief Administrative Officer
	Barry Kolenosky	Director, Planning and Infrastructure Services
	Rodney Boyko	Director, Corporate Services
	Maurice Brousseau	Director, Community Services
	Lucien Cloutier	Manager, Legislative and Information Services

**ADDITIONS TO AGENDA** Council reviewed the agenda and made the following amendments:

Additions:

7.4 – RFD - PPP Canada Grant.

**ADOPTION OF AGENDA** 10.233 Motion by Councillor Stromquist to approve the June 22, 2010 agenda as amended.

**CARRIED UNANIMOUSLY**

**ADOPTION OF MINUTES** 3.1 Regular Council Meeting  
June 8, 2010

10.234 Motion by Councillor Uganecz to adopt the Regular Council Meeting minutes of June 8, 2010 as circulated.

**CARRIED UNANIMOUSLY**

**CORPORATE SERVICES**

7.1 RFD - Addition to July 6<sup>th</sup> Special Council Meeting – Tender Opening for Lac La Biche West;

10.235 Motion by Councillor Lane to include the Tender Opening for Lac La Biche West (Multiple Year Water and Sewer Contract) in the July 6<sup>th</sup>, 2010 Special Council agenda.

**CARRIED UNANIMOUSLY**

7.2 RFD - Waiver of Information Retrieval Fee – Debra Lozinski;

Councillor Lozinski declared a conflict of interest based on the guidance of Lac La Biche County's legal counsel regarding the judicial review and left Council Chambers at 1:34 p.m.

10.236 Motion by Councillor Quist to waive the fee for Data Retrieval in the amount of \$2015.00 plus G.S.T. (31 hours @ \$65.00 per hour) for the information request received from Ms. Debra Lozinski.

**In Favour**  
**Mayor Kirylchuk**  
**Councillor Bochkarev**  
**Councillor Uganecz**  
**Councillor Colosimo**  
**Councillor Stromquist**  
**Councillor Coutney**  
**Councillor Quist**

**Opposed**  
**Councillor Lane**

**CARRIED**

Councillor Lozinski returned to Council Chambers at 1:37 p.m.

7.3 RFD - Young's Beach Road Local Improvement Plan.

10.237 Motion by Councillor Colosimo to approve the Young's Beach Road Local Improvement Plan as attached to and forming part of these minutes.

**CARRIED UNANIMOUSLY**

10.238 Motion by Councillor Stromquist to fund the Young's Beach Road local improvement of \$58,719.19 from the base paving general reserve GL 4-725-32-05.

**CARRIED UNANIMOUSLY**

7.4 RFD – PPP Canada Grant;

Rodney Boyko, Director, Corporate Services reviewed item 7.4 for all those present.

10.239 Motion by Councillor Coutney to apply to PPP Canada for grant funding for the Wastewater Treatment, South Lift Station and Force Main project.

**CARRIED UNANIMOUSLY**

**PLANNING AND  
INFRASTRUCTURE  
SERVICES**

9.1 RFD - Awarding of the 101B Avenue Water and Sewer Line Replacement for the Hamlet of Lac La Biche;

10.240 Motion by Councillor Lane that County Council approves the awarding of the Hamlet of Lac La Biche 2010 Water and Sewer Line Replacement Contract for 101 B Avenue to Grayson Excavating for the estimated cost of construction of \$453,100.88 which will be for the replacement of the water and sewer line from 105 Street to 104 Street on 101B Avenue and to repair and restore sidewalks, curbs and road asphalt.

**CARRIED UNANIMOUSLY**

**RECESS**

Mayor Kirylchuk called a recess at 1:42 p.m.

**RECONVENE**

Mayor Kirylchuk reconvened the meeting at 1:45 p.m., with all those individuals previously listed in attendance.

**DELEGATIONS/  
PUBLIC  
HEARINGS**

5.1 Public Hearing – Bylaw No 10-020 & Bylaw No. 10-021;

Mayor Kirylchuk declared the Public Hearing open at 1:47 p.m.

Councillor Lozinski declared a conflict of interest as he launched a judicial review of this matter and he joined the gallery for participation in the hearing at 1:47 p.m.

**RECESS**

Mayor Kirylchuk called a recess at 1:47 p.m.

**RECONVENE**

Mayor Kirylchuk reconvened the meeting at 1:48 p.m., with all those individuals previously listed in attendance. Councillor Lozinski remained in the gallery.

**DELEGATIONS/  
PUBLIC  
HEARINGS**

5.1 Public Hearing – Bylaw No 10-020 & Bylaw No. 10-021 (cont'd);

Mayor Kirylchuk questioned the Manager of Legislative and Information Services if Administration have received a request for adjournment of this hearing.

The Manager of Legislative and Information Services confirmed that one request for adjournment had been received from Ms. Debra Lozinski and read into record item 5.1A Briefing – Request for Adjournment of Public Hearing for Bylaws 10-020 & 10-02, as attached to and forming part of these minutes.

Mayor Kirylchuk asked if there was anyone present wishing to speak to the adjournment request.

Debra Lozinski stated that the hearing should be adjourned. Ms. Lozinski's written submission is attached to and forming part of these minutes.

Janet Meardi stated that the hearing should be adjourned until everything is laid out on the table. Ms. Meardi is of the opinion that there have been only bits of information made available.

Alec Broadbent stated that the hearing should be adjourned due to the lack of public information and public discussion. Mr. Broadbent stated that it is sad when Council and Administration cannot provide documents. Mr. Broadbent stated that the hearing should be adjourned until all the proper information is available.

Sonja Spence stated that the hearing should be adjourned until such time that the requested information is made available.

Wade Junkies stated that the hearing should be adjourned as the County is obviously falling short on the same requests for information. Mr. Junkies stated that the information should be provided before the hearing goes through.

Leila Guinand stated that the hearing should be adjourned and further, that all information should be provided if it is requested.

Mayor Kirylchuk asked if there was anyone else present to speak to the adjournment request. There was no one else present.

Councillor Lane requested clarification from Ms. Lozinski regarding the some of the requested documents and the relationship to land zoning. Ms. Lozinski stated that zoning involved many things.

A discussion ensued regarding the timelines allowed between the May 25, 2010 public hearing and the June 22, 2010 public hearing.

**RECESS** Mayor Kirylchuk called a recess at 2:14 p.m.

**RECONVENE** Mayor Kirylchuk reconvened the meeting at 2:14 p.m., with all those individuals previously listed in attendance. Councillor Lozinski remained in the gallery.

**DELEGATIONS/  
PUBLIC  
HEARINGS**

5.1 Public Hearing – Bylaw No 10-020 & Bylaw No. 10-021 (cont'd);

10.241 Motion by Councillor Quist to deny the adjournment request and proceed with the public hearing for Bylaws 10-020 and 10-021.

**In Favour**  
**Mayor Kirylchuk**  
**Councillor Lane**  
**Councillor Uganecz**  
**Councillor Colosimo**  
**Councillor Stromquist**  
**Councillor Coutney**  
**Councillor Quist**

**Opposed**  
**Councillor Bochkarev**

**CARRIED**

Mayor Kirylchuk questioned the Manager of Legislative and Information Services if Administration had proposed amendments to Bylaw 10-021.

The Manager of Legislative and Information Services confirmed that Administration will be recommending amendments to Bylaw 10-021 prior to second reading. The Manager of Legislative and Information Services read item 5.1B Briefing – Proposed Amendment to Bylaw 10-021 in to record, as attached to and forming part of these minutes.

Mayor Kirylchuk asked the Legislative and Information Services Manager whether or not the public hearing was advertised and notice was provided in accordance with the applicable legislation. The Legislative and Information Services Manager advised that this was the case.

The Legislative and Information Services Manager summarized the purpose for the hearing.

Mayor Kirylchuk asked the Legislative and Information Services Manager if any written submissions were received. The Legislative and Information Services Manager advised that one written submission had been received from Alberta Health Services. The Legislative and Information Services Manager read the letter into record as attached to and forming part of these minutes.

It was noted that there were letters submitted from the May 25, 2010 public hearing that should be read into record.

**RECESS**

Mayor Kirylchuk called a recess at 2:29 p.m.

**RECONVENE**

Mayor Kirylchuk reconvened the meeting at 2:34 p.m., with all those individuals previously listed in attendance. Councillor Lozinski remained in the gallery.

**DELEGATIONS/  
PUBLIC  
HEARINGS**

5.1 Public Hearing – Bylaw No 10-020 & Bylaw No. 10-021 (cont'd);

The Legislative and Information Services Manager noted that two emails were received for the May 25, 2010 hearing; one from Ted and Leila Guinand and Family and T.L.T. Equities Inc. and one email from Taurian Guinand. The Legislative and Information Services Manager read these emails into record as attached to and forming part of these minutes.

It was noted that there was one more letter from the May 25, 2010 public hearing that should be read into record.

**RECESS**

Mayor Kirylchuk called a recess at 2:45 p.m.

**RECONVENE**

Mayor Kirylchuk reconvened the meeting at 2:48 p.m., with all those individuals previously listed in attendance. Councillor Lozinski remained in the gallery.

The Legislative and Information Services Manager noted that one letter was received from Albert Gibbard for the May 25, 2010 hearing. The Legislative and Information Services Manager read this letter into record as attached to and forming part of these minutes.

Mayor Kirylchuk asked if there was anyone present wishing to speak to the proposed bylaws.

Jime Clare, AECOM Representative is in favour of the proposed bylaws. Mr. Clare's written submission is attached to and forming part of these minutes.

Dave Lozinski is opposed to the proposed bylaws. Mr. Lozinski presented a PowerPoint presentation for all those present. Mr. Lozinski's PowerPoint is attached to and forming part of these minutes.

Councillor Bochkarev left Council Chambers at 3:25 p.m.

Wade Junkies is opposed to rezoning the noted lands. Mr. Junkies referred to his comments at the November 24, 2009 public hearing regarding his opposition to direct control zoning. Mr. Junkies questioned how the County could make an application for rezoning on a parcel of crown land.

Councillor Bochkarev returned to Council Chambers at 3:27 p.m.

Mr. Junkies stated that he is wondering what Council is hoping to achieve with direct control and further, questioned why AECOM was acting on the County's behalf. Mr. Junkies stated that direct control zoning denies the representation that citizens should be getting from Councillors.

Debra Lozinski is in favour of rescinding Bylaw 09-036 and is opposed to proposed Bylaw 10-021. Ms. Lozinski's written submission is attached to and forming part of these minutes.

Duane Young is opposed to rezoning the noted lands to direct control. Mr. Young stated that water is going to be the most expensive commodity in the future. Mr. Young stated that the days of the landfills are over.

Janet Meardi is opposed to rezoning the noted lands to direct control. Ms. Meardi's written submission is attached to and forming part of these minutes.

Sonja Spence is opposed to rezoning the above noted lands to direct control. Ms. Spence's written submission is attached to and forming part of these minutes.

Alec Broadbent is opposed to rezoning the above noted lands to direct control. Mr. Broadbent stated that his opposition is based on the democratic system. Mr. Broadbent stated that it is an infringement of democratic rights to not have input on anything done with direct control. Mr. Broadbent noted that there are other means for waste disposal. Mr. Broadbent is of the opinion that there was no public discussion.

Robin Lozinski is opposed to rezoning the noted lands to direct control. Ms. Lozinski stated that she grew up in Hylo and plans on spending the rest of her life in Hylo. Ms. Lozinski stated that a new landfill will not solve the damage to the Hylo area. Ms. Lozinski noted that there are a large number of kids in the Hylo area and that these children depend on the land that their parents leave to them. Ms. Lozinski is of the opinion that this is a bad site for a landfill and further that we have an opportunity to come up with a new solution.

Councillor Bochkarev left Council Chambers at 4:08 p.m.

Councillor Bochkarev returned to Council Chambers at 4:09 p.m.

Taurin Guinand is opposed to rezoning the noted lands to direct control. Mr. Guinand stated that direct control is undemocratic. Mr. Guinand stated that there will be a high cost of clean-up and that accidents can and will happen. Mr. Guinand stated that water is critical to the eco system. Mr. Guinand stated that the health of the water is more important than backyards. Mr. Guinand stated that Council is responsible to listen and understand resident concerns and take action upon that. Mr. Guinand raised concerns regarding the setback from the lake and the relation to the high water mark. Mr. Guinand raised safety concerns for livestock and children.

Roger Harbord is opposed to rezoning the noted lands to direct control. Mr. Harbord raised concerns regarding water quality and stated that hydrologist believe that the Kikino aquifer feeds into Lac La Biche. Mr. Harbord stated that this is a decision of risk management where this is particularly risky because of the Kikino aquifer. Mr. Harbord stated that he applied to sit on the Waste Management Task Force to be involved in looking into innovative way to make the landfill less risky.

Leila Guinand is opposed to rezoning the noted lands to direct control and is speaking on behalf of herself and her family. Ms. Guinand stated that direct control does not fit with the notion of innovative leaders as it will discount important ideas. Ms. Guinand stated that water is the main concern and that this site is over an aquifer. Ms. Guinand stated that the liners in Athabasca County cracked and leaked. Ms. Guinand raised concerns with garbage leaving the site, where this problem could be avoided by a waste to energy system. Ms. Guinand stated that the Solid Waste Task Force would have allowed people to research alternatives to landfills. Ms. Guinand stated that landfills pose risks to safety relating to traffic, noise, water and wildlife. Ms. Guinand noted that the regional landfill would decrease the value of her premium certified organic property.

Ed Chubak is opposed to rezoning the above noted lands to direct control. Mr. Chubak lives a mile away and would not vote for a landfill in anyone's backyard. Mr. Chubak noted that he hauls water from Lac La Biche and notice that no one present at today's meeting is drinking local water. Mr. Chubak questioned if there was something wrong with the local water.

Mayor Kirylchuk asked if there was anyone else present to speak to the proposed bylaws. There was no one else present to speak. Mayor Kirylchuk thanked all of the presenters and closed the public hearing at 4:32 p.m.

**RECESS**

Mayor Kirylchuk called a recess at 4:32 p.m.

**RECONVENE**

Mayor Kirylchuk reconvened the meeting at 4:42 p.m., with all those individuals previously listed in attendance. Councillor Lozinski returned to his Councillor seat.



**DELEGATIONS/  
PUBLIC  
HEARINGS**

5.2 Duane Young – Resident Concerns;

Mayor Kirylchuk introduced Council Members and staff to the delegation.

Duane Young was present to discuss some of his concerns with Council. Mr. Young discussed the following matters:

1. Approach at Parkland II Hotel. Mr. Young stated that he had an agreement with the former Town and he was always prepared to assist with paving the road. Mr. Young stated that he would like the same deal at the people of 99<sup>th</sup> Ave. Mr. Young stated that he pays enough taxes to receive the same deal as UFA and Ramada and further, that he will pay 30% of the cost of paving the approach even though it is more than the people along 99<sup>th</sup> Ave paid.
2. Water Meters. Mr. Young stated that he had an agreement for \$25.00 with the former Town and then everything increased to \$1,700 per month until water was provided at the business. Mr. Young stated that he was charged \$6,600 for one meter and was not provided a refund. Mr. Young stated that he should be reimbursed.
3. Young's Beach. Mr. Young stated that his RV park had been classified commercial for years even though it did not have daily rentals. Mr. Young stated that the property is now residential and that he should be reimbursed for the past 5 years of taxes that were imposed in error.
4. General Expenses Write Off. Mr. Young referenced the 2008 settlement for the past Town Administrator and the gas loss at the Hammonds Subdivision. Mr. Young noted that much of these costs were written off as general expenses and requested the exact amount of each incident that were written off.
5. Stop Order at Parkland II. Mr. Young stated that a stop order was incorrectly enforced on his property that resulted in legal costs. Mr. Young requested a listing of the meetings that took place and the minutes from each meeting. Mr. Young stated that he would like to know the legal costs incurred by the County and further, would like the County to reimburse his legal expenses related to this matter.
6. Abandoned landfill by the Ramada Hotel. Mr. Young stated that it is not up to the taxpayers to pay for the removal of the landfill by the Ramada Hotel and that he is looking for an agreement with the developer for the removal of the landfill.

7. Bold Center. Mr. Young questioned if the Bold Center was in fact on budget. Mr. Young suggested that budget information be published in the Lac La Biche Post.

Mayor Kirylchuk thanked Mr. Young for his presentation.

**RECESS**

Mayor Kirylchuk called a recess at 5:11 p.m.

**RECONVENE**

Mayor Kirylchuk reconvened the meeting at 5:16 p.m., with all those individuals previously listed in attendance.

**DELEGATIONS/  
PUBLIC  
HEARINGS**

- 5.3 Maple Reinders – BNR Wastewater Treatment Facility Proponent.

Mayor Kirylchuk introduced Council Members and staff to the delegation.

Representatives from Maple Reinders, Corix Utilities and AECOM were present to provide Council with an overview of the proposed BNR Wastewater Treatment Facility. The following individuals were present:

John Haanstra, Senior Vice President, Maple Reinders;  
Jeremy Olthuis, Edmonton Operations Manager, Maple Reinders;  
Jeff Craddock, Chief Operator – Water & Wastewater, Corix Utilities;  
Dave MacDonell, Southern Alberta Regional Manager, Corix Utilities; and  
Richard Bitcon, Lead Wastewater Process Engineer, AECOM.

- 10.242 Motion by Councillor Quist to extend the meeting time by one and a half hours to 7:30 p.m.

**CARRIED UNANIMOUSLY**

The delegation's presentation is attached to and forming part of these minutes.

Mayor Kirylchuk thanked the delegation for their presentation.

**RECESS**

Mayor Kirylchuk called a recess at 6:08 p.m.

**RECONVENE**

Mayor Kirylchuk reconvened the meeting at 6:14 p.m., with all those individuals previously listed in attendance.

**DISPOSITION OF  
DELEGATION  
BUSINESS**

- 6.1 Duane Young;

10.243 Motion by Councillor Quist that Administration prepare a Request for Decision on the matters discussed with Duane Young and further that a letter of thanks be forwarded to Mr. Young for his presentation.

**CARRIED UNANIMOUSLY**

**PLANNING AND  
INFRASTRUCTURE  
SERVICES**

9.2 RFD - Wastewater Treatment Plant, South Lift Station and Force Main – Proponent Selection.

10.244 Motion by Councillor Lane to approve the selection of Maple Reinders as the successful proponent for the new Lac La Biche County BNR Wastewater Treatment Facility, new South Lift Station and force main and that Administration proceed with negotiations on a design, build, and operate and maintenance contract with Maple Reinders.

**In Favour**  
**Mayor Kirylchuk**  
**Councillor Lane**  
**Councillor Bochkarev**  
**Councillor Uganecz**  
**Councillor Colosimo**  
**Councillor Stromquist**  
**Councillor Coutney**  
**Councillor Quist**

**Opposed**  
**Councillor Lozinski**

**CARRIED**

**DISPOSITION OF  
DELEGATION  
BUSINESS**

6.2 Maple Reinders.

10.245 Motion by Councillor Lane to notify Maple Reinders of Council's decision regarding the BNR Wastewater Treatment Facility.

**CARRIED UNANIMOUSLY**

**BYLAWS**

11.1 RFD - Rezoning Bylaw 10-017 – Northern Alberta Lake Properties; River Lots 31, 32 and 33; from Country Residential (CR) to Service Estate Residential (ES1) – 2<sup>nd</sup> & 3<sup>rd</sup> readings;

10.246 Motion by Councillor Quist that Bylaw 10-017 be given second reading this 22<sup>nd</sup> day of June, 2010.

**CARRIED UNANIMOUSLY**

10.247 Motion by Councillor Stromquist that Bylaw 10-017 be given third reading this 22<sup>nd</sup> day of June, 2010.  
**CARRIED UNANIMOUSLY**

11.2 RFD - Bylaw 10-024 – Shared Cost Local Improvement – Young’s Beach Road – 1<sup>st</sup> reading.

10.248 Motion by Councillor Coutney that Bylaw 10-024 be given first reading this 22<sup>nd</sup> day of June, 2010.  
**CARRIED UNANIMOUSLY**

**ADJOURNMENT** 10.249 Motion by Councillor Uganecz to adjourn the Regular Council meeting of June 22, 2010 at 6:31 p.m.  
**CARRIED UNANIMOUSLY**

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**Peter Kirylchuk, Mayor**

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**Duane L. Coleman, CLGM  
Chief Administrative Officer**