

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

December 22, 2009 – 1:30 p.m.

MINUTES OF Minutes of the Lac La Biche County Council meeting held on December 22, 2009.
December 22, 2009

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

PRESENT	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 Council reviewed the agenda and made the following
AGENDA amendments:

Additions:

13.1 Northern Lights School Division Partnership.

ADOPTION OF AGENDA

09.449 Motion by Councillor Lane to approve the December 22, 2009 agenda as amended.

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

Opposed
Councillor Lozinski
Councillor Bochkarev

CARRIED

ADOPTION OF MINUTES

3.1 Regular Council Meeting
December 08, 2009

09.450 Motion by Councillor Quist to adopt the Regular Council Meeting minutes of December 08, 2009 as circulated.

CARRIED UNANIMOUSLY

CORPORATE SERVICES

7.1 RFD - Council Meeting Schedule for 2010;

09.451 Motion by Councillor Uganecz to cancel the following Lac La Biche County Council Meetings in 2010:

June 1, 2010 – Policy and Priorities Committee Meeting,
July 27, 2010 – Regular Council Meeting,
August 3, 2010 – Policy and Priorities Committee Meeting,
August 10, 2010 – Regular Council Meeting,
November 23, 2010 – Regular Council Meeting, and
December 28, 2010 – Regular Council Meeting.

CARRIED UNANIMOUSLY

7.2 RFD - Proclamation – Environmental Public Health Week 2010;

09.452 Motion by Councillor Bochkarev that County Council proclaim the week of January 18 to January 24, 2010 as Environmental Public Health Week in Lac La Biche County.

CARRIED UNANIMOUSLY

7.3 RFD - Councillor Lozinski Expense Claims – January-September 2009;

Councillor Lozinski declared a conflict of interest as this matter pertains to his expense claims and left Council Chambers at 1:34 p.m.

09.453 Motion by Councillor Lane that County Council approves the January to September 2009 expense claims submitted by Councillor Lozinski in the amount of \$4,399.64 and further to approve the additional expenditures from the 2009 general ledger accounts 2-217-11-02, 2-211-11-02 and 2-121-11-02 by \$1,546.36, \$893.28 and \$1,960.00, respectively.

09.454 Motion by Councillor Coutney to table motion 09.453 to a later date.

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

CARRIED

7.4 RFD - Councillor Lozinski Expense Claims – September-November 2009;

09.455 Motion by Councillor Lane that County Council approves the October and November 2009 expense claims submitted by Councillor Lozinski in the amount of \$3,153.96 and further to approve the additional expenditures from the 2009 general ledger accounts 2-217-11-02, 2-211-11-02 and 2-121-11-02 by \$1,005.68, \$628.28 and \$1,520.00, respectively.

09.456 Motion by Councillor Bochkarev to table motion 09.455 to a later date.

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

CARRIED

09.457 Motion by Councillor Stromquist to bring forward the concerns raised by Councillor Bochkarev regarding Councillor expense claims to the next POP meeting and further for Administration to hold a Councillor education session regarding expense claims.

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

Opposed
Councillor Bochkarev

CARRIED

09.458 Motion by Councillor Stromquist that Administration bring forward a briefing to Council that details the time and salary costs of reviewing Councillor Lozinski's expense claims.

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

Opposed
Councillor Bochkarev

CARRIED

Councillor Lozinski returned to Council Chambers at 1:50 p.m.

**DELEGATIONS/
PUBLIC
HEARINGS**

5.1 Public Hearing – Bylaw #09-045 – Rezoning – Lebas; Lot 1A, Block 1, Plan 0924394; from AG to CR;

Mayor Kirylchuk declared the public hearing open at 1:50 p.m.

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 was received; a letter from Rick Tkachuk with Alberta Transportation. The Legislative and Information Services Manager read the 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. No one was present.

Mayor Kirylchuk declared the public hearing closed at 1:52 p.m.

CORPORATE SERVICES

7.5 RFD - AAMD&C Borrowing Resolution;

09.459 Motion by Councillor Stromquist to submit a resolution to the AAMDC Zone 5 meeting, as attached to and forming part of these minutes, for senior housing foundations to borrow directly from the Alberta Finance Corporation.

CARRIED UNANIMOUSLY

7.6 RFD - 2010 Annual Budget;

09.460 Motion by Councillor Quist to approve an interim 2010 Budget, as attached to and forming part of the minutes, with operational revenues of \$42,865,000 and operational expenditures of \$41,397,481. No capital revenues and no capital expenditures or reserves attached.

CARRIED UNANIMOUSLY

7.7 RFD - Member at Large Appointment –Agricultural Service Board;

09.461 Motion by Councillor Uganecz that County Council appoint Mr. Reginald Plamondon to serve on the Agricultural Service Board as the Area 2 Member at Large for the period of January 1, 2010- December 31, 2012.

CARRIED UNANIMOUSLY

7.8 Briefing – Request to Censure Council Members and to Obtain In Camera Notes;

09.462 Motion by Councillor Lane to accept this briefing as information.

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

Opposed
Councillor Lozinski
Councillor Bochkarev

CARRIED

RECESS

Mayor Kirylchuk called a recess at 1:57 p.m.

RECONVENE

Mayor Kirylchuk reconvened the meeting at 2:00 p.m., with all those individuals previously listed in attendance.

**DELEGATIONS/
PUBLIC
HEARINGS**

5.2 Public Hearing – Bylaw #09-048 – Rezoning – L’Heureux; NE 35-66-15-W4; from AG to CR.

Mayor Kirylchuk declared the public hearing open at 2:01 p.m.

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 no written submissions were received.

Mayor Kirylchuk asked if there was anyone present wishing to speak to the proposed bylaws. No one was present.

Mayor Kirylchuk declared the public hearing closed at 2:04 p.m.

**CORPORATE
SERVICES**

7.9 Briefing – Request for Reimbursement of Costs and Expenses-Councillor Bochkarev;

Councillor Bochkarev declared a conflict of interest as he is the respondent in this application and left Council Chambers at 2:02 p.m.

09.463 Motion by Councillor Quist that in accordance with the decision of the Court of Queen's Bench of Alberta that there be no costs reimbursed in this application and that each party bear their own costs.

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

Opposed
Councillor Lozinski

CARRIED

Councillor Bochkarev returned to Council Chambers at 2:21 p.m.

COMMUNITY SERVICES

8.1 RFD - Owl River District Fire Chief Appointment – Curtis McGillivray;

09.464 Motion by Councillor Quist to appoint Curtis McGillivray to the position of Probationary (12 months) District Fire Chief, Owl River Fire District

CARRIED UNANIMOUSLY

PLANNING AND INFRASTRUCTURE SERVICES

9.1 RFD - GS Holdings Ltd Contract for 2009 Water and Sewer Line Replacement in Lac La Biche Hamlet;

09.465 Motion by Councillor Colosimo that County Council approves payment of \$161,436.63 (plus GST) to GS Holdings Ltd. for extra costs incurred on the 2009 Lac La Biche Hamlet water and sewer line replacement project.

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

Opposed
Councillor Lozinski
Councillor Bochkarev

CARRIED

9.2 RFD - Request to Lower Fees – Lakeview Estates Subdivision;

Councillor Stromquist declared a conflict of interest as she lives in the Lakeview Estates Subdivision and left Council Chambers at 2:31 p.m.

The Chief Administrative Officer noted that he lives in the Lakeview Estates Subdivision and therefore did not endorse this Request for Decision and that all questions should be directed to the Director of Planning and Infrastructure Services.

09.466 Motion by Councillor Lane that County Council reimburse those customers which are connected to water and sewer in Lakeview Estates \$1500.00 which is 50% of the connection fees paid and to further reduce future Lakeview Estates customers by \$1500.00 of the connection fee provided those customers connect to the water and sewer services within the year 2010.

09.467 Motion by Councillor Lozinski to table motion 09.466.

**In Favour
Councillor Lozinski**

**Opposed
Mayor Kirylchuk
Councillor Lane
Councillor Bochkarev
Councillor Uganecz
Councillor Colosimo
Councillor Coutney
Councillor Quist**

DEFEATED

Vote on main motion:

09.466 Motion by Councillor Lane that County Council reimburse those customers which are connected to water and sewer in Lakeview Estates \$1500.00 which is 50% of the connection fees paid and to further reduce future Lakeview Estates customers by \$1500.00 of the connection fee provided those customers connect to the water and sewer services within the year 2010.

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

**Opposed
Councillor Lozinski
Councillor Bochkarev**

CARRIED

Councillor Stromquist returned to Council Chambers at 2:40 p.m.

09.468 Motion by Councillor Lane that Administration bring forward a briefing with regards to Brute Force and their receivership issues and how these issues will impact the local contractors.

CARRIED UNANIMOUSLY

9.3 Briefing – Lac La Biche County’s 2009 Christmas Tree Recycling Program – Pilot Project;

09.469 Motion by Councillor Quist that County Council accept this briefing as information and for Administration to branch into the community to create awareness regarding participation in this innovative new Lac La Biche County program.

CARRIED UNANIMOUSLY

9.4A RFD -Bylaw 09-036 – Rezoning – UMA Engineering/Lac La Biche County; Pt. of NE 26-65-16 W4M & NW 25-65-16 W4M from AG to DC4 - 2nd and 3rd readings;

Councillor Colosimo declared a conflict of interest for items 9.4A, 9.4B, 9.4C and 9.4D as he owns a solid waste transport business and left Council Chambers at 2:49 p.m.

09.470 Motion by Councillor Coutney that Bylaw 09-036 be given second reading this 22nd day of December, 2009.

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

Opposed
Councillor Lozinski
Councillor Bochkarev

CARRIED

09.471 Motion by Councillor Lane that Bylaw 09-036 be given third reading this 22nd day of December, 2009.

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

Opposed
Councillor Lozinski
Councillor Bochkarev

CARRIED

9.4B RFD – Development Application No. 2009-226 AECOM/Lac La Biche County; Pt. of NE 26-65-16-W4M & NW 25-65-16-4-W4M

09.472 Motion by Councillor Lane that the Development Permit 2009-226 be approved and issued per the following conditions:

- An approved landfill operational plan licensed by Alberta Environment shall be required;
- An approved stormwater management plan shall be required;
- Utility site servicing shall be required per the Alberta Safety Code Act;
- Approval from Alberta Department of Sustainable Resource Development;
- Conduct a Traffic Impact Assessment;
- Access and service roads to the landfill must be kept up to Lac la Biche County Standards (GMSS);
- Proposed access to the landfill must meet Alberta Infrastructure Service requirements and a Reclamation Plan to be approved by all applicable provincial agencies.

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

Opposed
Councillor Lozinski
Councillor Bochkarev

CARRIED

9.4C RFD – Lac La Biche County Landfill Disclosure Plan;

09.473 Motion by Councillor Coutney that County Council approves the Disclosure Plan, as attached to and forming part of these minutes, for submission to Alberta Environment.

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

Opposed
Councillor Lozinski
Councillor Bochkarev

CARRIED

9.4D RFD – Lease of NE 26-65-16-W4M from Sustainable Resource Development;

09.474 Motion by Councillor Coutney that County Council approves the purchase of the said lands for \$1.00 as previously agreed to with SRD, or if not accepted, amend the lease of NE-26-65-16 W4M from Sustainable Resource Development in order to permit development of the landfill to move forward.

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

Opposed
Councillor Lozinski
Councillor Bochkarev

CARRIED

RECESS Mayor Kirylchuk called a recess at 3:25 p.m.

RECONVENE Mayor Kirylchuk reconvened the meeting at 3:32 p.m., with all those individuals previously listed in attendance including Councillor Colosimo.

9.5 Letter to the Minister of Transportation Regarding the Paving on Hwy 36;

09.475 Motion by Councillor Lane that County Council rescind Motion 09.254 which reads as follows:

“Motion by Councillor Lane to send a letter of request to Minister Ouellette to review an intersection treatment at the junction of Highway 36 and Christy Creek Road and for an extension of the paving of the Highway 55 junction to Highway 36.”

CARRIED UNANIMOUSLY

9.6 RFD - Change of Gravel Trucking Rates in Policy CS-12-014 – Schedule of Fees and Charges – Schedule A;

Councillor Bochkarev declared a conflict of interest as he owns trucking equipment that is hired by the County and left Council Chambers at 3:33 p.m.

09.476 Motion by Councillor Colosimo that County Council approve the amendment to Gravel Trucking Rates in Policy CS-12-014 – Schedule of Charges – Schedule A to read “a basic loading factor of \$1.50 and the haul rate at \$0.39 per cubic yard mile”, as attached to and forming part of these minutes.

CARRIED UNANIMOUSLY

Councillor Bochkarev returned to Council Chambers at 3:40 p.m.

BYLAWS

11.1 RFD - Bylaw #08-061 – Rezoning – Lac La Biche County; Pt. of SE 18-65-11 W4M from AG to CR and Pt. of SW 18-65-11 W4M from CL to CR – 2nd and 3rd readings;

09.477 Motion by Councillor Quist that Bylaw 08-061 be given second reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.478 Motion by Councillor Stromquist that Bylaw 08-061 be given third reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

11.2 RFD - Bylaw #08-062 – Rezoning – Lac La Biche County; Pt. of NW 8-65-11 W4M from CL to CR – 2nd and 3rd reading;

09.479 Motion by Councillor Uganecz that Bylaw 08-062 be given second reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.480 Motion by Councillor Coutney that Bylaw 08-062 be given third reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

11.3 RFD - Bylaw #08-064 – Rezoning – Lac La Biche County; Pt. of SE 13-65-12 W4M from CL to CR – 2nd and 3rd reading;

09.481 Motion by Councillor Stromquist that Bylaw 08-064 be given second reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.482 Motion by Councillor Quist that Bylaw 08-064 be given third reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

11.4 RFD - Bylaw #08-065 – Rezoning – Lac La Biche County; Pt. of NE 12-65-12 W4M from CL to CR – 2nd and 3rd reading;

09.483 Motion by Councillor Lozinski that Bylaw 08-065 be given second reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.484 Motion by Councillor Lane that Bylaw 08-065 be given third reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

11.5 RFD - Bylaw #08-066 – Rezoning – Lac La Biche County; Pt. of SW 14-65-12 W4M from CL to CR – 2nd and 3rd reading;

09.485 Motion by Councillor Quist that Bylaw 08-066 be given second reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.486 Motion by Councillor Colosimo that Bylaw 08-066 be given third reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

11.6 RFD - Bylaw #08-067 – Rezoning – Lac La Biche County; Pt. of SE 15-65-12 W4M – from CL to CR - 2nd and 3rd reading;

09.487 Motion by Councillor Coutney that Bylaw 08-067 be given second reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.488 Motion by Councillor Uganecz that Bylaw 08-067 be given third reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

11.7 RFD - Bylaw #08-068 – Rezoning – Lac La Biche County; Pt. of SE 17-65-11 W4M from CL to CR - 2nd and 3rd reading;

09.489 Motion by Councillor Stromquist that Bylaw 08-068 be given second reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.490 Motion by Councillor Quist that Bylaw 08-068 be given third reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

11.8 RFD - Bylaw #09-044 – Rezoning – Northern Lights School Division No. 69; Pt of block N, Plan 4313BF from R2 to I – 2nd and 3rd reading;

09.491 Motion by Councillor Lane that Bylaw 09-044 be given second reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.492 Motion by Councillor Stromquist that Bylaw 09-044 be given third reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

11.9 RFD - Bylaw # 09-047 – Rezoning – Bochkarev, Efronsinia (Stan); Pt. of NW 12-68-16 W4M from AG to CR – 2nd and 3rd reading;

Councillor Bochkarev declared a conflict of interest as he is a relative of the applicant and left Council Chambers at 3:46 p.m.

09.493 Motion by Councillor Quist that Bylaw 09-047 be given second reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.494 Motion by Councillor Uganecz that Bylaw 09-047 be given third reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

Councillor Bochkarev returned to Council Chambers at 3:47 p.m.

11.10 RFD - Bylaw #09-049 – Authorize the Acquisition of Shares in Gas Alberta Incorporated and Start Up Loan to Gas Alberta Incorporated – 1st reading;

09.495 Motion by Councillor Lane that Bylaw 09-049 is given first reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

11.11 RFD - Bylaw # 09-043 – Solid Waste Collection Bylaw – 1st, 2nd, & 3rd readings;

Councillor Colosimo declared a conflict of interest as he owns a solid waste transport business and left Council Chambers at 3:48 p.m.

09.469 Motion by Councillor Coutney that Bylaw 09-043 be given first reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.497 Motion by Councillor Stromquist that Bylaw 09-043 be given second reading this 22nd day of December, 2009.

CARRIED UNANIMOUSLY

09.498 Motion by Councillor Quist that Bylaw 09-043 be submitted for third and final reading this 22nd day of December, 2009

CARRIED UNANIMOUSLY

09.499 Motion by Councillor Stromquist that Bylaw 09-043 be given third reading this 22nd day of December, 2009

CARRIED UNANIMOUSLY

09.500 Motion by Councillor Lane that Lac La Biche County Council defines the Waste Collection Area, as per Bylaw 09-043, as the Hamlet of Lac La Biche.

CARRIED UNANIMOUSLY

Councillor Colosimo returned to Council Chambers at 3:52 p.m.

11.12 RFD - Bylaw #09-051 – Elinor Lake Area Structure Plan – 1st reading.

09.501 Motion by Councillor Lane that Bylaw 09-051 be given first reading this 22nd day of December, 2009

CARRIED UNANIMOUSLY

RECESS

Mayor Kirylchuk called a recess at 3:54 p.m.

RECONVENE

Mayor Kirylchuk reconvened the meeting at 4:00 p.m., with all those individuals previously listed in attendance.

**IN CAMERA
SESSION**

09.502 Motion by Councillor Coutney to go in camera at 4:00 p.m.

CARRIED UNANIMOUSLY

13.1 Northern Lights School Division Partnership.

**RETURN TO
REGULAR MEETING**

09.503 Motion by Councillor Lane to proceed with the meeting out of camera at 4:25 p.m.

CARRIED UNANIMOUSLY

ADJOURNMENT

09.504 Motion by Councillor Uganecz to adjourn the Regular Council meeting of December 22, 2009 at 4:25 p.m.

CARRIED UNANIMOUSLY

Peter Kirylchuk, Mayor

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