

**SUMMER VILLAGE OF NORRIS BEACH
REGULAR COUNCIL MEETING
SATURDAY, November 26, 2011 at 9:00 A.M.
SUMMER VILLAGES OFFICE COUNCIL CHAMBERS
Ma-Me-O Beach, AB**

MINUTES

PRESENT:

Council: Mayor Bruce Fowlie
Deputy Mayor Brian Keeler
Councillor David Evoy

Administration: Terri Wiebe, Assistant CAO

Delegations: As per list

Mayor Fowlie called the meeting to order at 9:03 a.m.

A. APPROVAL OF AGENDA

Res. #11-93

Moved by Deputy Mayor Keeler to approve the agenda as amended with the addition of F9 Snow Removal contract, F10 newsletter and F11 Projects/Public Works and date change on B1 date of previous Council meeting. CARRIED

B. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

1. Regular Council Meeting Minutes of October 22, 2011

Res. #11-94

Moved by Mayor Fowlie to approve the minutes of the Regular Council meeting of October 22, 2011 as amended by changing the wording of F7 by adding "as part of the Joint Services Committee report". CARRIED

C. DELEGATIONS AND VISITORS

1. Dwight Cymbaliuk

Mr. Cymbaliuk introduced himself at 9:14 a.m. and thanked Council for their role. He gave a letter to administration for his file.

Mr Cymbaliuk feels the Sewer Bylaw seems to have taken today's standards and applied it to older pre-existing systems. Mayor Fowlie commented that proper containment of wastewater has always been the provincial standard.

Mr Cymbaliuk finished at 9:25 a.m.

2. Andrew Masson

Mr. Masson started his presentation 9:26 a.m.

He gave a written copy of his presentation for the files.

In addressing the private sewage project, Mr. Masson agrees with the concept, but not the way it is being carried out. He believes his system is working properly and was fine for the standards when installed. He received a letter from administration in January, 2011 to which he sent an email in April as reply. He received another letter in October, which he felt was threatening in tone.

Mayor Fowlie responded that ponding on surface is not the only symptom showing malfunctioning of a septic field.

Mr. Masson finished at 9:35 a.m.

3. John Hnidan

Mr. Hnidan started at 9:36 a.m.

He believes that there is a fundamental problem with what Council is doing and that the issue isn't tanks or fields but the bigger issue of the MGA and federal legislation with entrenched property rights which trumps everything else. He believes if there is no evidence of violation, the Summer Village has no reason to go onto private property and cannot enter onto private property without consent, order of the court, or a warrant except under MGA Section 542.3 for an emergency or extraordinary circumstance. When services are installed, and the Summer Village has a "utility" then the contract gives permission for the owner/municipality who then has authority. Otherwise a signed consent is required and if a person refuses consent, the law requires an order in court as per Section 7 and 8 of the Charter.

Mayor Fowlie will instruct administration to ensure the Summer Village is complying with the MGA.

Mr. Hnidan finished at 9:59 a.m.

Mayor Fowlie then asked individuals of the group for comments.

Lot #512 wanted to be present when the inspection took place and didn't get a response from Dale McLure.

Lot #115 believes the collection line should be going through before disturbing the land and are still waiting for quote from Dale McLure. Mayor Fowlie responded that there is a map on the website showing where the future collection line would be installed in the Summer Village of Norris Beach.

Lot #106 agrees that the methodology of the bylaw/sewage systems is wrong, is opposed to putting in a manway now, and asks Council to revisit the issue.

Finished at 10:22 a.m.

Mayor Fowlie called a recess at 10:23 a.m.

Reconvened at 10:41 a.m.

Res. #11-95

Moved by Mayor Fowlie to go into camera 10:42 a.m. for legal and property discussions.

CARRIED

Res. #11-96

Moved by Deputy Mayor Keeler to come out of in camera at 10:56 a.m.

CARRIED

Res. #11-97

Moved by Deputy Mayor Keeler that in light of comments made from the delegations, administration check into Mr. Hnidan's comments by researching the MGA and reporting to Council as to the correctness of the legal opinions offered.

CARRIED

Action: Councillor Evoy suggests finding if there are alternative methods to inspect tanks. Administration to speak to Dale McLure about this.

Action: Council/administration to respond to Dwight Cymbaliuk's letter.

D. BYLAWS & POLICIES

1. Bylaw to Amend Bylaw #121, Fees & Charges – Schedule A

Res. #11-98

Moved by Mayor Fowlie to give Second Reading to Bylaw #121, Schedule A only, as presented.

CARRIED

Res. #11-99

Moved by Councillor Evoy to give Third Reading to Bylaw #121, Schedule A only, as presented.

CARRIED

E. REPORTS FROM STAFF/RESOLUTIONS

1. Follow Up Sheet
Extensive review was done.

F. COUNCIL COMMITTEE REPORTS/DISCUSSION ITEMS

1. Joint Services Committee

Mayor Fowlie gave Council an update of the recent meeting.

- The RFP went out for consultants but there is no response yet.
- MCL Contracting regarding their contract which expires May, 2012 wanted a 2 year contract with reduced cost to Summer Villages if the Leduc landfill can be used rather than the Camrose, Dried Meat Lake one which is so much further. There was a question about whether we can go back to Dried Meat Lake in future.
- The CAO appraisal upcoming.
- Finance meeting soon for Year End & budget.
- Most Summer Villages recommend status quo until study is completed.
- Electronic Speed sign issue came up. Norris Beach Council still feels that electronic speed signs provide limited value.
- Draft snow clearing policy adding windrows was presented.

2. Pigeon Lake Regional Wastewater Committee

Deputy Mayor Keeler gave an update to Council.

There was a meeting on Tuesday with 12 vendors RFQ for the line.

Samson Band still hasn't signed but are meeting on December 5th

Mayor Fowlie called a recess at 12:26 p.m.

Meeting reconvened at 12:29 p.m.

3. Local Wastewater Inspection Project

Updated inspection list was given to Council to demonstrate status of the inspections.

4. Capital Region Assessment Services Commission – Workshop and AGM update

After attending a recent meeting, Deputy Mayor Keeler recommends that Administration attend these meetings on behalf of Council for the 2 out of 3 years when elected officials are not required.

5. Intermunicipal Development Plan Meeting Update

Councillor Evoy states there is no report as he is still awaiting meeting. There is a preliminary meeting for the Summer Villages on the upcoming Tuesday.

6. Policing Update

Deputy Mayor Keeler has to review information received before the meeting on Monday.

7. Emergency Management Update

Mayor Fowlie states no report at present time.

8. APLM/PLWA Water Monitoring Funding Request

Res. #11-100

Moved by Deputy Mayor Keeler that the Summer Village of Norris Beach give \$ 400 for 2012 to Pigeon Lake Watershed Association for the lake monitoring program for water sampling.

CARRIED

9. Snow Removal contract

Res. #11-101

Moved by Deputy Mayor Keeler to extend Brian Resta's contract to 2 years based on his written agreement.

CARRIED

10. Newsletter

Mayor Fowlie will work with administration regarding Council's part.

11. Projects/Public Works

- Creek path relocated.

- Path to bridge is repaired.

Action: Administration to check with Baumann's for invoices pending.

- Plans to plant trees along bank next to R2 path in 2012.

- Annual Spring cleanup to haul out deadwood. Need to get contractor lined up that can meet with Councillor Evoy prior to putting in quote.

- Boat lifts, canoes, etc on reserves should be identified or considered abandoned and hauled away. Action list for next spring that these items need to be tagged with stickers rather than plasticized tags. Can we get a sample of MaMeO's tags for boat permits?

- Action: buoys need new decals and new standard drawing – Mayor Fowlie, Spring 2012

- Action: to do more crack filling next year.

- Norris Beach needs an email or something in writing for the inspection conducted by Quinell

G. FINANCIAL REPORTS

1. Cheque Listing

Res. #11-102

Moved by Deputy Mayor Keeler to accept the cheque listing as information.

CARRIED

2. Budget meeting and Interim Budget

Administration to do a year-end financial update report and email to Council by Wednesday.

Res. #11-103

Moved by Mayor Fowlie that the Summer Village of Norris Beach utilize the 2011 budget as the interim budget for 2012 until such time as the 2012 budget is adopted.

CARRIED

H. CORRESPONDENCE AND INFORMATION ITEMS

1. PLPS Monthly Service Report – October, 2011
2. Emerging Trends in Municipal Law session in February, 2012

Res. #11-104

Moved by Deputy Mayor Keeler that Mayor Fowlie attend the Emerging Trends in Municipal Law session in Calgary on February 2, 2012 **CARRIED**

Res. #11-105

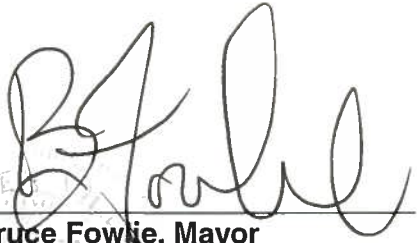
Moved by Councillor Evoy that Mayor Fowlie attend the meeting in Red Deer on Dec 13 and 14, 2011 for Sewage Task Force **CARRIED**

3. Service Alberta letter and package
4. AUMA Small Communities Newsletter
5. Pigeon Lake Protective Services AIM meeting Nov 28th

I. ADJOURNMENT

Res. #11-106

Moved by Mayor Fowlie to adjourn the meeting at 1:32 p.m. **CARRIED**



**Bruce Fowlie, Mayor
Summer Village of Norris Beach**



**Therese Wiebe, Assistant C.A.O.
Summer Village of Norris Beach**