

SUMMER VILLAGE OF SOUTH VIEW
REGULAR COUNCIL MEETING MINUTES
WEDNESDAY, APRIL 20, 2022
AT THE ONOWAY CIVIC CENTRE

(In-person attendance by Council and Administration and Delegations, public attendance via zoom/teleconference at this time)

PRESENT: Council: Mayor Sandi Benford (in person)
Deputy Mayor Brian Johnson (in person)
Councillor James Woslyng (in person)

Administration: Wendy Wildman, Chief Administrative Officer (CAO) (in person)
Heather Luhtala, Assistant CAO (via zoom)

Attendees: Tony Sonleitner (via zoom)

Appointments: -Laura Marcato, Auditor, Seniuk & Co. – 9:35 a.m.
-Michelle Gallagher, Legal Counsel – 10:00 a.m. (arrived at 9:50 a.m.)

Public at Large: 3 (via zoom)

	MOTION #	
1.	CALL TO ORDER	Mayor Benford called the meeting to order at 9:32 a.m.
2.	AGENDA 47-22	MOVED by Mayor Benford that the April 20, 2022 Agenda be approved as presented. CARRIED
3.	MINUTES 48-22	MOVED by Councillor Woslyng that the March 16, 2022 Regular Council Meeting Minutes be approved as presented. CARRIED
4.	APPOINTMENTS 49-22	Laura Marcato, Auditor, Seniuk & Co. – 9:35 a.m. Michelle Gallagher arrived at 9:50 a.m. Laura Marcato exited the meeting at 10:04 a.m. MOVED by Deputy Mayor Johnson that the 2021 Draft Audited Financial Statements for the Summer Village of South View as presented by Auditor, Laura Marcato, of Seniuk & Co., be approved. CARRIED

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<p>CLOSED SESSION 50-22</p>	<p>MOVED by Mayor Benford that pursuant to section 197(2) of the Municipal Government Act, Council go into a closed meeting at 10:07 a.m. to discuss the following item:</p> <p>a) Municipal Government Act Personnel matter – (FOIPP Act Sections 23 and 27)</p> <p style="text-align: right;">CARRIED</p> <p>The closed meeting recessed at 10:07 a.m.</p> <p>The closed meeting reconvened at 10:09 a.m.</p> <p>The following individuals were present at the closed meeting: Sandi Benford Brian Johnson James Woslyng Wendy Wildman Heather Luhtala Michelle Gallagher – Legal Counsel</p> <p>James Woslyng exited the closed meeting at 10:20 a.m.</p> <p>James Woslyng returned to the closed meeting at 11:25 a.m.</p>
<p>51-22</p>	<p>MOVED by Mayor Benford that Council come out of the closed meeting at 11:28 a.m.</p> <p style="text-align: right;">CARRIED</p> <p>The regular meeting recessed at 11:28 a.m.</p> <p>The regular meeting reconvened at 11:29 a.m.</p> <p>James Woslyng excused himself from voting on the following motion.</p>
<p>52-22</p>	<p>MOVED by Deputy Mayor Johnson that WHEREAS:</p> <p>A. Pursuant to Section 174(1)(b) of the <i>Municipal Government Act</i>, RSA 2000, cM-26 (the “MGA”), a councillor is disqualified from council if the councillor ceases to be eligible for nomination as a candidate under the <i>Local Authorities Election Act</i>, RSA 2000, c L-21 (the “LAEA”);</p> <p>B. Pursuant to section 22(1)(c) and 22(1)(d) of the LAEA, a person is not eligible to be nominated as a candidate in any election under this Act if on nomination day the person is indebted to the</p>

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		<p>municipality of which the person is an elector for taxes in default exceeding \$50, excluding from that amount any indebtedness for current taxes, and any indebtedness for arrears of taxes for which the person has entered into a consolidation agreement with the municipality, unless the person is in default in the payment of any money due under the agreement, or the person is indebted to the local jurisdiction for which the election is to be held for any debt exceeding \$500 and in default for more than 90 days;</p> <p>C. Pursuant to section 175(1) of the MGA, a councillor that is disqualified must resign immediately;</p> <p>D. Pursuant to section 175(2) of the MGA, if a councillor does not resign immediately, the council may apply to a judge of the Court of Queen's Bench for an order declaring the person to be disqualified from council;</p> <p>E. This item was on the March 16, 2022, Council meeting agenda and at that meeting, Councillor Woslyng requested additional time to prepare and seek advice, and this issue was deferred to the April 20, 2022 meeting agenda to allow him to do so;</p> <p>F. As of April 20, 2022, Councillor Woslyng is in arrears of property taxes owing to the municipality totalling \$1,798.41;</p> <p>G. Councillor Woslyng, therefore, is disqualified from Council;</p> <p>H. Councillor Woslyng has not resigned;</p> <p>IT IS HEREBY MOVED that Council directs the Chief Administrative Officer to instruct legal counsel to apply to a judge of the Court of Queen's Bench of Alberta for an order declaring Councillor Woslyng to be disqualified from Council.</p> <p style="text-align:right">CARRIED</p> <p>Michelle Gallagher exited the meeting at 11:37 a.m</p>
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5.	BYLAWS	
	53-22	<p>MOVED by Councillor Woslyng that Council approve the 2022 Draft Operating and Capital Budget as presented and reviewed by Council with a 3.6% increase in municipal tax dollars collected from the previous tax year and with the minimum municipal tax collected for each taxable property being set at \$1,075.00.</p> <p style="text-align: right;">CARRIED</p>
	54-22	<p>2022 Tax Rates Bylaw – 231-2022</p> <p>MOVED by Deputy Mayor Johnson that Bylaw 231-2022 being a bylaw to authorize the several rates of taxation imposed for all purposes for the 2022 tax year for the Summer Village of South View, be given 1st reading.</p> <p style="text-align: right;">CARRIED</p>
	55-22	<p>MOVED by Councillor Woslyng that Bylaw 231-2022 be given second reading.</p> <p style="text-align: right;">CARRIED</p>
	56-22	<p>MOVED by Deputy Mayor Johnson that Bylaw 231-2022 be considered for third reading.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
	57-22	<p>MOVED by Deputy Mayor Johnson that Bylaw 231-2022 be given third and final reading.</p> <p style="text-align: right;">CARRIED</p>
	58-22	<p>Development Authority Bylaw – 232-2022</p> <p>MOVED by Deputy Mayor Johnson that Bylaw 232-2022 as amended (clause 4. change subdivision to development), being a Bylaw to provide for a Development Authority for the Summer Village of South View be given 1st reading.</p> <p style="text-align: right;">CARRIED</p>
	59-22	<p>MOVED by Councillor Woslyng that Bylaw 232-2022 as amended be given second reading.</p> <p style="text-align: right;">CARRIED</p>
	60-22	<p>MOVED by Deputy Mayor Johnson that Bylaw 232-2022 as amended be considered for third reading.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
	61-22	<p>MOVED by Councillor Woslyng that Bylaw 232-2022 as amended be given third and final reading.</p> <p style="text-align: right;">CARRIED</p>

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	62-22	Fees & Charges Bylaw – 233-2022 MOVED by Deputy Mayor Johnson that Bylaw 233-2022 being a Bylaw to establish Fees & Charges for the Summer Village of South View, be given 1 st reading. <p style="text-align: right;">CARRIED</p>
	63-22	MOVED by Deputy Mayor Johnson that Bylaw 233-2022 be given second reading. <p style="text-align: right;">CARRIED</p>
	64-22	MOVED by Mayor Benford that Bylaw 233-2022 be considered for third reading. <p style="text-align: right;">MOTION DEFEATED</p>
6.	BUSINESS	
	65-22	MOVED by Councillor Woslyng that the resignation of Diane Burtnick as Development Officer for the Summer Village of South View effective April 30 th , 2022 be accepted. <p style="text-align: right;">CARRIED</p>
	66-22	MOVED by Councillor Woslyng that Tony Sonnleitner be appointed Development Officer for the Summer Village of South View on a one-year term effective May 1 st , 2022. <p style="text-align: right;">CARRIED</p>
	67-22	MOVED by Councillor Woslyng that the Summer Village engage in negotiations with the landowner located at NW10-54-5-W5, along with Lac Ste. Anne County, to resolve the property encroachments of the Summer Village's onto this property. <p style="text-align: right;">CARRIED</p>
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7.	FINANCIAL	n/a
8.	COUNCIL REPORTS	
	68-22	MOVED by Deputy Mayor Johnson that Council accept for information the verbal Council reports as presented. <p style="text-align: right;">CARRIED</p>

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9.	CAO REPORT 69-22	MOVED by Deputy Mayor Johnson that Council accept for information the verbal Chief Administrative Officer report as presented. CARRIED
10.	INFORMATION AND CORRESPONDENCE 70-22	MOVED by Deputy Mayor Johnson that the following information and correspondence be accepted: a) Community Peace Officer Report – for February and March 2022 b) Development Permit DP22-01 – for a garage and garage suite on lots 6 & 7, Block 2, Plan 4187 KS, 30 Lake Street c) Alberta Municipal Affairs – February 24 th , 2022 letter on Budget 2022 d) Farm Safety Centre – March 15 th , 2022 letter thanks the Summer Village for its financial support e) Town of Fox Creek – March 23 rd , 2022 letter to the Alberta Utilities Commission on the increasing utility fees f) Seasonal Dock Permit for R. McLeod for placement of dock on Lot P Block 1 Plan 2647 KS CARRIED
11.	CLOSED MEETING	The closed meeting took place earlier in the meeting.
12.	NEXT MEETING	The next Regular Council meeting is scheduled for Wednesday, June 15, 2022 at 9:30 a.m. at the Onoway Civic Centre and Via Zoom.
13.	ADJOURNMENT	The meeting adjourned at 12:30 p.m.

Mayor, Sandi Benford

Chief Administrative Officer, Wendy Wildman