

**VILLAGE OF RYLEY
COMMITTEE OF THE WHOLE MEETING
June 4, 2019, 6:45 p.m.
Ryley Municipal Office Council Chambers**

COUNCIL members present

Mayor	Terry Magneson
Councillor	Cyndy Heslin
Councillor	Brian Ducherer
Councillor	Nik Lee
Councillor	Mathew Kowalski

ADMINISTRATION present:

CAO	Al Harvey
Recording Secretary	Jocelyn Gates
Guest Legal Counsel	Ed Picard

1. CALL TO ORDER:

Mayor Magneson called the meeting to order at 6:47 p.m.

2019-06-04 # 1: MOVED by Cr. Lee that Mayor Magneson recognize that he has contravened the Municipal Government Act of Alberta, to wit, section(s) 172 (a)(b)(c)(d) by failing to disclose his existing and ongoing pecuniary interest with Clean Harbors, and then proceeding to hear, consider, deliberate, and then vote on matters when he was required to abstain from any discussions of the same; and further that the contravention of s. 172 of the Act results in his disqualification as a Councilor for the Village of Ryley as per section 174)(g). And further, his contravention, of the Act, requires that he immediately resign from the Council of the Village of Ryley, as per S. 175(1) of the Municipal Government Act of Alberta.

Cr. Lee requested a recorded vote.

In Favor: Cr. Lee

Opposed: Cr. Heslin, Cr. Ducherer, Mayor Magneson, Cr. Kowalski **DEFEATED**

2019-06-04 # 2: MOVED by Cr. Lee to eliminate any perception of a conflict of interest between the Village of Ryley and Clean Harbors Inc., the Council for the Village of Ryley shall retain Counsel, to apply to a judge of the Court of Queen's Bench of Alberta, pursuant to s. 175(2)(ii) of the Municipal Government act of Alberta, forthwith and without delay, for an order declaring that Cr. Magneson be disqualified from the Village of Ryley Council based on his contravention of section (s) 172(a)(b)(c)(d) of the Act, by failing to disclose his existing and ongoing pecuniary interest with Clean Harbors, and then proceeding to hear, consider, deliberate and then vote on matters when he was required to abstain from any discussions of the same.

Cr. Lee requested a recorded vote.

In Favor: Cr. Lee

Opposed: Cr. Heslin, Cr. Ducherer, Mayor Magneson, Cr. Kowalski **DEFEATED**

2019-06-04 # 3: MOVED by Cr. Lee that the Council for the Village of Ryley, recognize the inappropriateness of attempting to hear or deliberate the code of conduct allegations and violations which were brought forward in respect to councilors Magneson, Ducherer and Kowalski. Furthermore that the Council for the Village of Ryley write a letter to the Minister

 Mayor	 CAO
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of Municipal Affairs requesting the immediate dissolution of the Council of the Village of Ryley, the appointment of an administrator and the implementation of a by-election forthwith and without delay.

Cr. Lee requested a recorded vote

In Favor: Cr. Lee

Opposed: Cr. Heslin, Cr. Ducherer, Cr. Kowalski, Mayor Magneson

DEFEATED

2. ADDITIONS/DELETIONS:

8.1 Alberta Gaming, Liquor and Cannabis – Festival Liquor License

3. ORDER OF THE DAY:

2019-06-04 # 4: MOVED by Cr. Heslin that the order of the day be 10:00 p.m. **CARRIED**

4. APPROVAL OF THE AGENDA:

2019-06-04 # 5: MOVED by Cr. Ducherer to approve the agenda as presented with amendments. **CARRIED**

5. OPEN DOOR SESSION:

6. DELEGATIONS:

7. BUSINESS FROM MINUTES:

7.1 Code of Conduct

2019-06-04 #6: MOVED by Cr. Heslin that Council convene in closed session pursuant to Section 197 of the Municipal Government Act to meet in private to discuss matters protected from disclosure by Section 23 of the Freedom of Information and Protection of Privacy Act, for the code of conduct hearing. **CARRIED**

2019-06-04 #7: MOVED by Cr. Kowalski that Council revert to regular Council meeting session. **CARRIED**



Mayor Magneson called for a recess at 10:15 p.m.
Mayor Magneson resumed the meeting at 10:22 p.m.

2019-06-04 # 8: MOVED by Cr. Ducherer that the order of the day be 11:00 p.m. **CARRIED**

7.2 Special Meeting Agenda, June 11, 2019

2019-06-04 #9: MOVED by Cr. Heslin that Council for the Village or Ryley cancels the meeting on June 11, 2019 with Clean Harbors and inform them we will reschedule at a later date. **CARRIED**

2019-06-04 #10: MOVED by Cr. Lee that Council for the Village or Ryley directs administration to provide to legal the at will tenancy agreement, specifically schedule D, which exists between Clean Harbors Inc. and the party to the agreement namely Terrance Charles Magneson. And further that the CAO provides council with the

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information that he received on June 4, 2019 at 2:00 p.m. from Brian Strilchuk and Edward Zackaruk.

Cr. Lee requested a recorded vote

In Favor Cr. Lee

Opposed Cr. Heslin, Cr. Ducherer, Mayor Magneson, Cr. Kowalski

DEFEATED

8. NEW BUSINESS:

8.1 Alberta Gaming, Liquor and Cannabis – Festival Liquor License

2019-06-04 #11: *MOVED* by Cr. Ducherer that Council for the Village of Ryley gives authorization for Ms. Matyachuk to apply and purchase for \$100 a Liquor License for June 14, 2019 Music Festival pending insurance outcome. **CARRIED**

2019-06-04 #12: *MOVED* by Cr. Heslin that Council for the Village of Ryley call a special meeting for Monday, June 10, 2019 at 1:30 p.m. in regards to CAO appointment. **CARRIED**

2019-06-04 #13: *MOVED* by Cr. Lee that Council for the Village of Ryley adjourn the code of conduct hearing to the next committee of the whole meeting, with that addition of counsel for the Village of Ryley to attend all of the code of conduct hearing meetings related to the complaints of Cr. Lee to advise Council.

Cr. Lee requested a recorded vote.

In Favor: Cr. Heslin, Cr. Ducherer, Mayor Magneson, Cr. Kowalski, Cr. Lee

CARRIED

Opposed:

9. CORRESPONDENCE:

10. CLOSED SESSION:

11: UPCOMING MEETINGS:

- 11.1 June 18, 2019 Regular Meeting 6:45 p.m.
- 11.2 June 15, 2019 Council Breakfast at 6:30 a.m.
- 11.3 July 9, 2019 Committee of the Whole Meeting at 6:45 p.m.

12. ADJOURNMENT:



Mayor Magneson adjourned the meeting at 11:31 p.m.



Terry Magneson, Mayor



Al Harvey, CAO

Mayor CAO