

COURT FILE NUMBER            1603 04049

COURT                            COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE                EDMONTON

APPLICANT                        DAN BURYN

RESPONDENTS                    HER MAJESTY THE QUEEN in right of Alberta, as represented by THE MINISTER OF MUNICIPAL AFFAIRS

Clerk's Stamp



- and -

THORHILD COUNTY,  
as represented by DENTONS

DOCUMENT                        **AFFIDAVIT**

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**AFFIDAVIT OF DAN BURYN TO SUPPORT  
AN APPLICATION FOR INTERLOCUTORY RELIEF**

**JUDICIAL REVIEW MATTER: MAY 19, 2017**

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**DAN BURYN**  
P. O. Box 104  
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T0A 2V0  
  
Ph. 780.975.5021

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**Ian L. Wachowicz**

Applicant

Counsel for Respondent

Counsel for Respondent

Form 49  
[Rule 13.19]

Clerk's Stamp

COURT FILE NUMBER 1603-04049

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON

APPLICANT DAN BURYN

RESPONDENTS DENTONS  
for THORHILD COUNTY

- AND -

HER MAJESTY THE QUEEN  
in right of Alberta, as  
represented by the Minister  
of Municipal Affairs

DOCUMENT AFFIDAVIT

ADDRESS FOR SERVICE:  
AND CONTACT INFORMATION  
OF PARTY FILING THIS  
DOCUMENT P.O. BOX 104  
RADWAY, ALBERTA  
T0A 2V0  
780.975.5021

AFFIDAVIT OF DAN BURYN

~~Sworn~~ (Affirmed) on May 11, 2017

I, DAN BURYN, of Thorhild County, Alberta SWEAR/AFFIRM AND SAY THAT:

1. I am an applicant in this matter. As such, I have personal knowledge of the facts set out in this affidavit except where stated otherwise, in which case I believe such to be true.
2. I am currently a Councillor of Thorhild County ("Thorhild") and one of 5 councillors on Thorhild's Council (the "Council"). Thorhild is represented by Dentons Canada LLP ("Dentons").
3. As noted in my Councillor Report discussed at the January 27, 2015 Thorhild Council meeting, I asked about the

investigative process and the Inspector informed me that there was no specific process. He said He was operating under the Public Inquiries Act and referred to section 5 of the Act, and I raise concern that I would be forced to answer questions. He then sent me the Act by email. After reviewing section 11 of the Act, I was wondering why I not informed of this right to counsel. I expected that the Reeve and CAO would have researched the process for protection of Council's legal rights. A copy of the Councillor Report dated Jan 26, 2015 is attached hereto and marked as Exhibit "A".

4. As noted in the Council Meeting Minutes of January 27, 2015, on Page 8 "Councillor Dan Buryn initiated discussions regarding the process of the investigation by Municipal Affairs and Mr. Farmer. He spoke about the Public Inquiries Act and in particular "Right to Counsel" covered in Section 11 and being compelled to give evidence covered in Section 5 of the Act. Further discussions regarding these Sections of the Public Inquiries Act took place. The reference to my Councillor Report is noted near the left margin of the bottom paragraph of page 8. A copy of the Council Meeting Minutes of January 27, 2015 is attached hereto and marked as Exhibit "B".

5. That on September 22, 2015, Council resolved to file a Judicial Review of the Inspection Report, terminate the Chief Administrative Officer, and to publish Reeve Buryn's Notice to Minister Bilous. A copy of the Regular Council Meeting Minutes of September 22, 2015 is attached hereto and marked as Exhibit "C".

6. My Notice to Minister Bilous was a "Request for Assistance". This was published September 29, 2015 in "The Review" on page 15. A copy of the Notice dated September 29, 2015 is attached hereto and marked as Exhibit "D".

7. That I received a letter from Minister Bilous on October 15, 2015. He wrote "I am pleased to see the progress the county is making in completing the directives". However he does not respond to the resolutions for Judicial Review and my Notice to him. A copy of the letter is attached hereto and marked as Exhibit "E".

8. In the email dated Friday, March 11, 2016 3:55 p.m., written by former CAO Pat Vincent to Rina Blacklaws of Waste Management Inc. Canada it says:

"Not sure if you have been following the news but as a result of a Ministerial Order issued yesterday by the Minister Of Municipal Affairs three members of Council - D. Buryn, W. Croswell and L. Sisson - were all dismissed as elected officials. In speaking with the Official Administrators who now act in the capacity of Council until the municipal by-election in June they have indicated the need for Thorhild County at the Council level to rebuild the relationship with Waste Management. ...

There is a discussion of the possibility of withdrawing the violation ticket set for prosecution in September 2016 as the first step and as a good faith gesture by the County."

A copy of email dated March 11, 2016 is attached hereto and marked as Exhibit "F".

9. It is noted of the Cancelled Special Council Meeting Agenda dated Monday, March 14, 2016;

"Moved by Administrator XXX direct administration to instruct legal counsel to hold in abeyance any action on the matter of the application for a judicial review of the municipal inspection report until after the municipal by-election and that the newly elected council for Thorhild Council review and make a decision on the matter. This is found at C.(ii) - Application for Judicial Review on the document. This clearly shows how the Official Administrators were going to run wild with County matters after 3 Councillors were fired by Minister Larivee. A copy of the Cancelled Special Council Meeting Agenda dated March 14, 2016 is attached hereto and marked as Exhibit "G".

10. On January 3, 2017 Council resolved to terminate the services of Dentons, regarding the Judicial Review legal matter and also resolved that the Reeve and CAO negotiate the retention of a qualified Legal Firm to ensure the timely continuance of the Judicial Review legal matter. A copy of the Special Council Meeting Minutes of January 3, 2017 is attached hereto and marked as Exhibit "H".

11. The Thorhild Official Administrators Notes/Approvals for January 3, 2017, show that the resolution (006-2017) was made to terminate the services of Dentons, and resolution (007-2017) was made to negotiate the retention of a qualified Legal Firm to ensure the timely continuance of the Judicial Review legal matter. These resolutions were disallowed by the Official Administrators.

12. I believe that this interfered with the County's 'natural person powers' of choosing Legal Counsel that would best serve the public and the municipality in this matter. I believe the actions of the OAs interference with the County's choice of Legal Counsel amounts to a very clear 'apprehension of bias'.

13. I know that after January 3, 2017, Dentons assigned a 4th lawyer, Ian Wacowicz, to continue handling the matter for the County from a previous senior lawyer, associate lawyer, and a student-at-law. A copy of Thorhild Official

Administrator Notes/Approvals dated January 3, 2017 is attached hereto and marked as Exhibit "I".

14. On January 25, 2017, I sent an email to the CAO and Council informing them of the 'FINAL REPORT OF THE INSPECTION AND INQUIRY INTO THE R.M. OF SHERWOOD NO. 159' ("Barclay Report"). A copy of the email dated January 25, 2017 is attached hereto and marked as Exhibit "J".

15. My research of the Barclay Report revealed that this was an impeccable precedent of natural justice and procedural fairness in Municipal Inspections/Inquiries. It contains a very detailed procedure of a municipal inspection and inquiry.

16. I have great concern with false and misleading information contained in paragraphs 34, 37, and 51 of Dentons' Written Submissions and respectfully wish to draw the Court's attention to the first 23 pages and also including page 54 of the Barclay Report. This is where Commissioner Barclay thoroughly documents the Municipal Act, Public Inquiries Act and common law. Commissioner Barclay's methodologies are also reiterated in the CED 4th - Public Inquiries.

17. Paragraph 51 of Dentons' Written Submission "51. In Baker v. Sherwood the Minister first ordered an inspection of a rural municipality, as in the case here. The inspection report came back, clearly negative. That resulted in the Minister then appointing an inquiry under s. 397 (similar to our s. 572), to "inquire into the conduct of members of council and agents of the municipality".

18. This is clearly contradicted by Commissioner Barclay on page 4, paragraph 1 and 2 of the Barclay report: "Commencing June 17, 2014, persons served with Subpoenas began to make reports to my Counsel as to the documents in their possession or control that related to the subject matter of the Inspection. Throughout late June and early July, a number of potential witnesses were interviewed in conjunction with their appearances to produce documents. The documents produced in relation to the Inspection numbered in the tens of thousands.

19. Initially, it had been my plan for the Inspection to compel production of documents, have my Counsel conduct initial interviews and then to commence with the examination of witnesses under oath. However, as a result of certain allegations that came to light at the initial stage of the Inspection, I concluded that I needed to pause the Inspection and issue an interim report as contemplated by the Terms of Reference for the Inspection (the "Inspection Mandate")."

20. It is clear that Counsel from Dentons did not comprehend what he writing about in paragraph 51. The paragraph mentions Baker v. Sherwood but does not mention the Barclay Report at all. The Barclay Report is not part of Dentons' Written Submissions.

21. This is the negative result of the OAs disapproval of Thorhild Council resolutions (006-2017 and 007-2017).

22. The Special Council Meeting of April 12, 2017 notes the first and only time, Council met with the new lawyer assigned to our matter. A copy of Special Council Meeting Minutes Wednesday April 12, 2017 is attached hereto and marked as Exhibit "K".

23. The email from myself to CAO and Council, dated April 18, 2017, documents that I was following up on the important information promised by Mr. Wachowicz on April 12, 2017 for April 13, 2017. The response to my email from the CAO, dated April 18, 2017 documents that he was expecting something from Mr. Wachowicz and that he would follow up on it. A copy of email dated April 18, 2017 is attached hereto and marked as Exhibit "L".

24. The email dated April 19, 2017, from the County Executive Assistant advises Council that the information promised for April 13, 2017, arrived on April 19, 2017. Just days before the April 21, 2017 filing date for Written Submissions. I responded by email, dated April 19, 2017 to CAO and Council, expressing my concerns about the information provided by Counsel. A copy of email dated April 19, 2017 is attached hereto and marked as Exhibit "M".

25. The email dated April 24, 2017 from the CAO to Council advises that the lawyer filed the Written Submissions on Friday [April 21]. I replied by email dated April 24, 2017 to the CAO expressing my concerns that Council was promised an opportunity to review the Written Submissions to ensure that it was correct and that changes could have been made, prior to filing the document. A copy of email dated April 24, 2017 is attached hereto and marked as Exhibit "N".

26. I made motions on April 25, 2017 during the Thorhild Council Meeting;

[i] Resolution 220-2017 - to direct Legal Counsel to add the letter from Minister Bilous dated October 19, 2017 and the

Regular Council Minutes of September 22, 2015 to the Written Submissions for the Judicial Review.

[ii] Resolution 221-2017 to direct Legal Counsel to add the Barclay Report to the Written Submissions for the Judicial Review.

[iii] Resolution 222-2017 to direct Legal Counsel to consult with the Honorable R.L. Barclay Q.C., regarding expert witness testimony and any recommendations concerning Municipal Inspections/Inquiries, Public Inquiries Act, Municipal Act, and case law.

[iv] Resolution 223-2017 to direct Legal Counsel to add the Special Council Meeting Minutes of January 3, 2017 and the Thorhild Official Administrator - Notes/Approvals to the Written Submissions and to challenge the interference of Council legal matters by legal remedy. A copy of the Regular Council Meeting Minutes Tuesday April 25, 2017 is attached hereto and marked as Exhibit "O".

27. By addressing these concerns to the public and Council to notify them that there was still an opportunity to contact Legal Council to address these matters to fix the Botched Written Submissions. It would have been very helpful to the Court to have an expert witness testify and to add the Barclay Report to the Written Submissions. Council could have sought a legal remedy to deal with the interference of the Official Administrators in our legal matters. Council was stuck with a lawyer that was not serving the public and Council's interests.

28. I sent an email to Council dated May 2, 2017, addressing the false and misleading statement of Legal Council in writing paragraph 51 in the Written Submissions. Counsel is misleading everybody in making the statement "In Baker v. Sherwood the Minister first ordered an inspection of a rural municipality, as in the case here. The inspection report came back, clearly negative." A copy of email dated May 2, 2017 is attached hereto and marked as Exhibit "P".

29. I believe that his statement is contrary to what was documented in the Barclay Report. If the inspection report "came back clearly negative", that meant that there was no findings of problems with the municipality according to the terms of reference. Therefore there would be no reason to obtain new terms of reference for an inquiry.

30. From page 4, paragraph 1, "... Throughout late June and early July, a number of potential witnesses were interviewed in conjunction with their appearances to produce documents. The documents produced in relation to the Inspection numbered in the tens of thousands." [Barclay Report].

31. From page 4, paragraph 2, "Initially, it had been my plan for the Inspection to compel production of documents, have my Counsel conduct initial interviews and then to commence with the examination of witnesses under oath. However, as a result of certain allegations that came to light at the initial stage of the Inspection, I concluded that I needed to pause the Inspection and issue an interim report as contemplated by the Terms of Reference for the Inspection..." [Barclay Report]

32. Page 4, paragraph 5, "In my Interim Report dated July 10, 2014, I recommended that the Minister issue a new order for an Inquiry under s. 397 of the Act. The impetus for my recommendation was twofold. First, I was of the view that the documents that had been produced, and the allegations that had been received by my Counsel, warranted further investigation. Second, my Inspection Mandate did not permit me to investigate or report on the conduct of council members – a necessary precondition to exploring the allegations that had surfaced. The combination of these two factors led me to reach the conclusion that an expanded mandate was required in order to fully investigate and report on the underlying issues in relation to the Wascana Village Development and the RM. I had not reached any conclusions in my Interim Report. I simply identified that a Final Report based on an Inspection alone might not produce the full review that was expected unless the mandate was expanded to include an Inquiry." [Barclay Report]

33. Page 7. "As I alluded to in my Interim Report, the Inspection and Inquiry were conducted concurrently as the matters at issue under both mandates were highly integrated." [Barclay Report].

34. Commissioner Barclay made it known that there was clearly positive findings with the Inspection Report under its terms of Reference. To continue with an Inquiry, Commissioner Barclay needed Terms of Reference from the Minister to hold an Inquiry to look into the conduct of individuals.

35. When expressing my concerns to the public, Council, and Legal Council, I emphasized that the Minister of Municipal Affairs and the Inspector should have conducted the County Inspection in the procedure documented in the Barclay

Report.

I am attaching the following exhibits:

Exhibit Letter	Description of Exhibits
A	Councillor Report, Jan 26, 2015
B	Council Meeting Minutes, Jan 27, 2015
C	Council Meeting Minutes, Sept 22, 2015
D	Notice to Minister Bilous
E	Letter from Minister Bilous, Oct 19, 2015
F	Email March 11, 2016
G	Cancelled Special Council Meeting Agenda, March 14, 2016
H	Special Council Meeting Minutes Tuesday, Jan 3, 2017
I	Official Administrator Notes/Approvals, Jan 3, 2017
J	Email - Jan 25, 2017
K	Special Council Meeting Minutes Wednesday, April 12, 2017
L	Email April 18, 2017
M	Email April 19, 2017
N	Email April 24, 2017
O	Regular Council Meeting Minutes Tuesday, April 25, 2017
P	Email May 2, 2017

Sworn (Or Affirmed) before me

at Edmonton, Alberta

on May 11, 2017



Commissioner for Oaths in and for Alberta,  
Justice of the Peace or Notary Public



(Signature of person swearing / affirming Affidavit)

ID Verified Drivers license

Print Name and Expiry / Lawyer / Student-at-Law

**AUDREY PAWLIKOWSKI**  
A Commissioner for Oaths in and  
for the Province of Alberta  
My Commission Expires: June 13, 2018

I certify that Don Bury  
satisfied me that he/she was a  
person entitled to affirm.

Councillor Report January, 26 2015

Clarification of Public Inquiries Act and Investigation Process

During my session with Mr. Farmer January 26, 2015, I asked some questions as to the process of the investigation.

Mr. Farmer informed me that there were no specific concerns or accusations, also, no specific process to the investigation.

He informed me that he was operating under the Public Inquiries Act.

As our discussion progressed, Mr. Farmer referred to Section 5 of the Act, where the word "compel" is used.

This was quite the shocking experience, as I was not aware that I would be forced to answer questions.

Mr. Farmer sent the Act to me by email from his device.

When reading this Act, I found in Section 11, "Right to Counsel."

I wonder why Mr. Farmer did not inform me of this "Right to Counsel" in Section 11? If someone is compelled to give evidence according to Section 5, should they not be informed of their "Right to Counsel"?

This experience has been a very rude surprise in the investigation process. I wonder why this investigation process, was not questioned and reviewed by CAO & Reeve, in order that council, be fully informed and legally protected?

This is Exhibit "A" referred to in the  
Affidavit of  
    Dan Bury      
Sworn before me this     11     day  
of     May     A.D., 20     17      
    [Signature]      
A Commissioner for Oaths  
in and for the Province of Alberta

Edward LeBlanc, Community Economic Development Officer, joined the meeting at 10:10 a.m.

Janelle Cornelius, Director of Corporate Services, left the meeting at 10:11 a.m.

New Business  
Adoption of a  
Revised Uniform  
Quality Management  
Plan

Edward LeBlanc, Community Economic Development Officer, presented a recommendation for adoption of a revised Uniform Quality Management Plan.

Resolution 029-2015

Moved by Councillor Larry Sisson that Council approves the Uniform Quality Management Plan as presented.

CARRIED

Edward LeBlanc, Community Economic Development Officer, left the meeting at 10:13 a.m.

Janelle Cornelius, Director of Corporate Services, rejoined the meeting at 10:14 a.m.

New Business  
Painting Office  
Interior

Betty Kolewaski, CAO, presented a recommendation for the painting of the interior of the administration building.

Resolution 030-2015

Moved by Reeve Wayne Crowell that Council authorize Administration to proceed with retaining a contractor to paint the total interior of the administration building to a maximum cost of \$24,000.

CARRIED

Financial

Janelle Cornelius, Director of Corporate Services, presented the Director of Corporate Services Financial Report, Legal Fees Summary by Department and Approved Amendments from Budget.

Additional discussions included:

- 2015 budget presentation set for February 27, 2015 at 9:30 a.m., which is open to the public
- Setting 2015 budget and millrates
- Clarification on bus budget
- Clarifications on the Statement of Revenues & Expenditures for the period ending November 30, 2014
- Auditors will be in the office in mid March
- Legal fees may change if new invoices come in with 2014 services
- Thorhild Elementary School demolition will be included in 2015 budget, abatement was included in 2014

Resolution 031-2015

Moved by Councillor Shelly Hanasyk that the Director of Corporate Services Financial Report, Legal Fees Summary by Department and Approved Amendments from Budget be approved as presented.

CARRIED

Councillor Reports  
Councillor Dan Buryn

Councillor Dan Buryn initiated discussions regarding the process of the investigation by Municipal Affairs and Mr. Farmer. He spoke about the Public Inquiries Act and in particular "Right to Counsel" covered in

*ell. b.  
BAM*

This is Exhibit " B " referred to in the  
Affidavit of  
Dan Buryn  
Sworn before me this 11 day  
of May, A.D., 2017  
[Signature]  
A Commissioner for Oaths  
in and for the Province of Alberta



Section 11 and being compelled to give evidence covered in Section 5 of the Act. Further discussions regarding these Sections of the Public Inquiries Act took place.

Resolution 032-2015

Moved by Councillor Dan Bury that Council authorize Administration to contact legal counsel regarding clarification on Council and Staff's rights under the Public Inquiries Act.

CARRIED

Recess

Reeve Wayne Croswell declared a recess at 10:55 a.m.

Reconvene

Reeve Wayne Croswell reconvened the meeting at 11:00 a.m.

Delegation  
Thorhild County  
Library Board

Reeve Wayne Croswell welcomed Krista Perry from the Thorhild County Library Board to the meeting at 11:00 a.m. Krista Perry provided Council with Thorhild County Library Overview including statistics regarding Thorhild, Newbrook and Radway libraries.

Krista Perry left the meeting at 11:13 a.m.

Delegation  
Waste Management  
of Canada

Reeve Wayne Croswell welcomed Paul Burns, Rina Blacklaws, Terry Johnson, Jeff Altman, Marc Leduc and Dave Blackburn of Waste Management of Canada to the meeting at 11:13 a.m. Introductions of Administration were made. Paul Burns advised advertisements will be placed recruiting members for the CAC and a committee will be chosen. Reeve Wayne Croswell inquired about the shortage in Community Investment Fees. Rina Blacklaws advised that Waste Management donated \$74,500 to the community, supporting 19 organizations. Discussions were had regarding the Emergency Response Plan and meetings with residents regarding same. There are four meetings scheduled for 2015 which will include such topics as odor control and the Emergency Response Plan. Paul Burns provided information regarding concerns about odor control, the odor control monitoring plan and odor monitoring equipment in place. Mr. Burns advised that the 5 community meetings held in 2014 have helped Waste Management address the concerns of residents and they have been incorporated into the Operations Manual. Paul Burns provided information regarding the daily cover requirements of soil and tarps which Waste Management will be using as well as information regarding final caps on the landfill site. Reeve Wayne Croswell asked Juliana Tang to attend a future Council meeting to summarize the findings of the Associated Engineering Regional Surface Water Assessment. Juliana Tang advised she has reviewed the Operations Manual from Waste Management and has submitted some questions to Waste Management on behalf of Thorhild County Council. Waste Management advised they will provide their response to the inquiry.

Janelle Cornelius, Director of Corporate Services, left the meeting at 11:28 a.m.

Janelle Cornelius, Director of Corporate Services, rejoined the meeting at 11:30 a.m.

Betty Kolewaski left the meeting at 11:34 a.m.

Betty Kolewaski rejoined the meeting at 11:42 a.m.

Paul Burns, Rina Blacklaws, Terry Johnson, Jeff Altman, Marc Leduc and Dave Blackburn of Waste Management of Canada left the meeting at 11:58 a.m.

*W.C.C.  
B.M.*

Moved by Councillor Larry Sisson that Council accept the update on Robert Strand as information.

CARRIED

Resolution 575-2015

Moved by Councillor Wayne Croswell to proceed with filing an application for a judicial review of the June 19<sup>th</sup>, 2015 Municipal Inspection Report of Thorhild County undertaken by Russell Farmer & Associates and resulting Ministerial Order no. MSL:119/15 authorized by Minister Deron Bilous. Legal Counsel to be used would be either Gwendolyn Stewart Palmer of Shores Jardine LLP or James Murphy of Ogilvie LLP or Kate Hurlburt of Emery Jamieson LLP.

Deputy Reeve Kevin Grumetza called for a recorded vote:

In Favour

Reeve Dan Buryn  
Councillor Wayne Croswell  
Councillor Larry Sisson

Opposed

Deputy Reeve Kevin Grumetza  
Councillor Shelly Hanasyk

CARRIED

Resolution 576-2015

Moved by Deputy Reeve Kevin Grumetza that it be resolved that:

1. Due to the Municipal Inspection Final Report prepared by Russell Farmer & Associates Consulting Ltd. which was provided to Council on September 8, 2015 and due to Ministerial Order No. MSL: 119/15 dated September 8, 2015, the appointment and employment of the Chief Administrative Officer Betty Kolewaski be terminated on September 22, 2015, without cause, due to a change in leadership being needed, and compensation be provided in accordance with the terms in her written contract of employment, as may be required by applicable law and as may be advised by legal counsel;
2. The suspension of the Chief Administrative Officer Betty Kolewaski, with pay, ends on September 22, 2015;
3. The Reeve, Dan Buryn, be authorized and directed to sign the attached Notice on behalf of Council and it be delivered or be provided by other means to the Chief Administrative Officer, Betty Kolewaski;
4. The Reeve, Dan Buryn, be authorized to engage the assistance of others;
5. The Reeve or his delegate be authorized to engage the services of legal representatives and other agents to assist in all matters covered in this Resolution and related to the termination of the appointment and employment of the Chief Administrative Officer, Betty Kolewaski.

Recorded vote per Ministerial Order MSL:119/15:

In Favour

Reeve Dan Buryn  
Deputy Reeve Kevin Grumetza  
Councillor Shelly Hanasyk  
Councillor Wayne Croswell  
Councillor Larry Sisson

Opposed

Initials: Reeve \_\_\_\_ CAO \_\_\_\_

This is Exhibit "C" referred to in the Affidavit of Dan Buryn  
 Sworn before me this 11 day  
 of May A.D., 2017  
[Signature]  
 A Commissioner for Oaths  
 in and for the Province of Alberta

Correspondence

Council reviewed the following correspondence:

- a) Email, Police and Peace Officers' National Memorial Day
- b) Letter, Thorhild Central School

Resolution 583-2015

Moved by Deputy Reeve Kevin Grumetza that Council direct Administration to take part in the Police and Peace Officers' National Memorial Day.

CARRIED

Resolution 584-2015

Moved by Deputy Reeve Kevin Grumetza that we support the Thorhild Central School in the Library membership with a monetary donation of \$367.00.

CARRIED

Councillor Report

Reeve Dan Buryn read a notice that he prepared to the Minister Bilous under Councillor Reports.

Resolution 585-2015

Moved by Reeve Dan Buryn that Council direct Administration to publish Reeve Buryn's notice as presented under Councillor reports September 22, 2015 in The Review, not on County letterhead.

Deputy Reeve Kevin Grumetza called for a recorded vote:

In Favour

Reeve Dan Buryn  
Councillor Larry Sisson  
Councillor Wayne Crosswell

Opposed

Deputy Reeve Kevin Grumetza  
Councillor Shelly Hanasyk

CARRIED

Adjournment

Resolution 586-2015

Moved by Councillor Larry Sisson that the meeting adjourn at 4:32 pm.

CARRIED

These minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CAO

# CLASSIFIED ADS

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## LEGAL / NOTICES

### NOTICE TO THE HONOURABLE DERON BILOUS MINISTER OF MUNICIPAL AFFAIRS REQUEST FOR ASSISTANCE

TAKE NOTICE that as a County Councillor and Reeve of THORHILD COUNTY it is prudent and in the interest of the COUNTY as a whole to issue NOTICE as I and members of the public have serious concerns related to process of the inspection resulting in the denial of Natural Justice, content of the report, and drastic measures taken by your office especially at harvest time. As a Councillor I was excluded from the process and my concerns were not heard by the inspector. This exclusion continues with politically active members of the public being denied access to the process as well. Council meeting minutes reflect my concerns some time ago: a Councillor Report and two resolutions regarding legal advice. I am preparing a rebuttal to the inspector's report, also a report of my concerns. I hope you will acknowledge my input along with others mentioned. Referencing Justice Irving, J. from REX v. SUNG CHONG, clearly amplifies the concerns at hand; "Among the normal rights which are available to every British subject against all the world are (1) personal safety and freedom; (2) one's good name; (3) the enjoyment of the advantages ordinarily open to all the inhabitants of the country, e.g., unobstructed pursuit of one's trade or occupation and free use of the highways; (4) freedom from malicious vexation by legal process; and (5) to one's own property." Myself and the remainder of Council are focusing on your directives and have no intention of thwarting the process. Also, a very serious matter that I was unable to present to the inspector was: a Ministerial Order issued in relation to the findings of the EAB hearings related to a landfill project. The MO was filed at Court of Queen's Bench, which I was informed makes it a court order. The appearance exists that several breaches of this order have occurred and we need your prompt assistance in this matter. I wish to thank Mr. Gary Sandberg for his professional character during his presentation September, 8, 2015, and AAMDC representatives for their encouragement and common sense advice during a routine visit September, 15, 2015. To the electorate and residents of THORHILD COUNTY I encourage all to be patient and focus on marketing our community, as we are open for business with lands available for development, just outside of the Capital Region. We are in a unique position and have much opportunity for the future. Sincerely, Dan Bury

## FOR SALE

BEAUTIFUL SPRUCE TREES 4-6 feet \$35 each. Machine planting: \$10/tree (includes bark mulch and fertilizer). 20 tree minimum order. Delivery fee \$75-\$125/ order. Quality guaranteed. 403-820-0961.

METAL ROOFING & SIDING 32+ colours available at over 55 Distributors. 40 year warranty. 48 hour Express Service available at select supporting Distributors. Call 1-888-263-8254.

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WHITE SPRUCE TREES for sale, 4 - 6 foot \$35 each. 6 - 8 foot \$45 each. Delivered and planted. Delivery extra. 403-305-8201.

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## HEALTH

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## LIVESTOCK

FOR SALE - 1 YR OLD free run brown laying hens, \$2 ea. Pickup Oct. 3rd - 10th near Two Hills. Call 780-603-9047. 44F-46F

## MACHINERY

3 - 1984-1985 SHEDDED white Keppels, Alberta Ritchie Bros. Auctioneers Unreserved Auction, October 29 in Edmonton. 2 parcels: 855+/- acres West of Stony Plain. Jerry Hodges: 780-706-6652; rbauction.com/realstate. 45T-48T

## MACHINERY

SHEDDED 18' 722 Co-op implements swather with Schumaker wobble box diesel motor, Macdon pickup, reel cab etc. Very good condition. 780-764-2152 or 780-718-0746. 45T-48T

## MNFCTRD HOMES

GRANDVIEW MODULAR HOMES Now Offering 24 X 68 Homes. Starting from \$157,900 including delivery (Conditions apply). Call one of our two locations for details: 403-945-1272 (Airdrie) or 403-347-0417 (Red Deer).

## MOBILE HOMES

SELLING A 1978 60X22' double wide mobile home with 15X10' addition. Includes newer high efficiency furnace and water tank, all appliances, new shingles & ensuite shower, decks, lots of storage space and shelves. To be moved. Asking \$29,900 OBO. Call Scott at 780-722-0041. 45T-48T

## REAL ESTATE

OVER 1300 SQ. FT. Why rent when you can buy for \$8000 down. Very good for snowbirds or young family. Lawn & snow taken care of. 3 bdrm, full bath + two 1/2 baths. 5 appliances, fireplace, full basement (undeveloped), 2 storey. Redwater Cedarwood Condos. Close to shopping. \$159,900. Call 780-942-4190. Quick possession. 45F

UNDEVELOPED COUNTRY RESIDENTIAL LOTS at Epistite Lake, Alberta. Ritchie Bros. Auctioneers Unreserved Auction, October 29 in Edmonton. 2.05+/- and 1.62+/- title acres, power & natural gas at property line. Jerry Hodges: 780-706-6652; rbauction.com/realstate.

FARM AND GRADING LAND near Keppels, Alberta. Ritchie Bros. Auctioneers Unreserved Auction, October 29 in Edmonton. 2 parcels: 855+/- acres West of Stony Plain. Jerry Hodges: 780-706-6652; rbauction.com/realstate.

HIGHWAY COMMERCIAL LOTS in High River, Alberta. Ritchie Bros. Auctioneers Unreserved Auction, October 29 in Edmonton. 2 parcels - paved street, zoned Direct Control/Highway Commercial Industrial. Jerry Hodges: 780-706-6652; rbauction.com/realstate.

LAKE FRONT HOME at Backfish Lake, Alberta. Ritchie Bros. Auctioneers Unreserved Auction, October 29 in Edmonton. 6400 +/- walkout building, interior to be completed, 2.08 +/- title acres. Jerry Hodges: 780-706-6652; rbauction.com/realstate.

PASTURE & HAY LAND 400 - 8000 Acres year round water supply. Full operational with management available. Central Saskatchewan. Crossfenced & complete infrastructure. Natural springs, excellent water. Shortly ready to locate cattle. Other small & large grain & pasture quarters. \$150k - \$2.6m. Call Doug Rue 306-716-2671.

## RENTALS

FURNISHED BACH Apts. 20 mins from Redwater. Utilities included. Rents start at \$1100/mth. Damage Deposit required. Contact 780-921-3441. 40T-51T

COMMERCIAL SPACE for rent. Approx. 3000 sq. ft. \$2500/mth including utilities; 3 bdrm suite \$1300/mth; 4 bdrm suite \$1600/mth. All avail immediately. Call 780-370-8894. 42F-45F

1 BDRM, 1 BATH house in Smoky Lake. \$950/mth including utilities. Avail Oct. 1st. Some furnishings. Will consider small dog under 10 lbs. Call 780-792-7178. 44T-46T

80 ACRES OF PASTURE for rent. New 4 wire fence, very secure. 1 1/2 miles West of Egremont. Has dugout. Call Dave 780-314-8002 or Les 1-928-812-4952. 44F-46T

ROOM IN MY HOME for a gal age 50's - 60's (widow) has had a hard-working country life, now alone, and would like a relaxed, home atmosphere place to live. Rent negotiable. Must be mature, trustworthy, responsible and quiet. Need a clear Police Record check. Sm OK/No dr/dgs. Marlene Anne, Edmonton, bonmaranne@yahoo.ca 44F-45F

GIBBONS Apartments -Call 780-569-1335, leave message. 44F-47F

REDWATER - 1 bdrm furnished apartment includes all utilities, power, satellite TV & Wifi. Adults, no smoking, no pets. Call 780-983-2733. 45T-46T

SMOKY LAKE - upgraded home for rent. 4 bed/3 bath.

A Commissioner for Oaths  
in and for the Province of Alberta

## Business & Professional Directory AGRICULTURE & INDUSTRY

Reach Your Market - THE REVIEW

To list your business or service call 780-942-2023 for details. Fax: 780-942-2515



- Water Well Drilling & Servicing
- Residential
- Commercial
- Pump Sales & Servicing
- Well Reclamation & Abandonment

Dennis Melnyk

Cell: (780) 975-4687

Fax: (780) 398-2668

## TREEFORT LANDSCAPING & BOBCAT SERVICES



Ph: 780-719-0344

Larry Holoiday

## TREV-RON CORRAL CLEANING

MARVIN PELECH

780-636-2446 Cell 780-614-0865

VILNA, ALBERTA

REASONABLE RATES

## UNRESERVED AUCTION

PPEC Auctions: Thurs, Oct 15, 2015 - 9am MDT  
Preview: Oct 13 & 14 - 8-5pm MDT  
Location: PPEC Site, Fort McMurray, Alberta

### LARGE FLEET OF HEAVY INDUSTRIAL CONSTRUCTION EQUIPMENT

- OVER 1000+ LOTS: Cranes • Telehandlers • Boom Lifts • Scissorlifts • Forklift • Heavy Trucks • Winch Trucks • Trailers • Lowboys • Scissorlifts • Heavy Equip • Seacans • Skid Steer Loaders • Pickups • Light Towers • Generators • Heaters • Portable Welders • Large Qty of Tools & Equip • Survey & Testing • Rigging • Inventory • Warehouse Equip • Office • Inventory • And More...

(Directions: 26 km North of Fort Mac on Hwy 63 • SUBURB exit • West over bridge • Left onto Alberta Road and continue for 10 km until Auction Site) Auction Terms Apply. Lot #s and Auction Dates and continue for 10 km until Auction Site. Lot #s: 285556

CENTURYSERVICES Ph. 403.870.1177 • 780.566.1831



ALBERTA  
MUNICIPAL AFFAIRS

*Office of the Minister*

AR81648

October 19, 2015

Reeve Dan Bury  
Thorhild County  
PO Box 10  
Thorhild AB T0A 3J0



Dear Reeve Bury,

Thank you for the letter of September 24, 2015 from Janelle Cornelius, Acting Chief Administrative Officer, forwarding a copy of the unapproved minutes of your September 22, 2015 council meeting.

I am pleased to see the progress the county is making in completing the directives. I look forward to receiving the October 2015 update.

Thank you again for writing.

Sincerely,

Hon. Deron Bilous  
Minister of Municipal Affairs

This is Exhibit "E" referred to in the  
Affidavit of  
    Dan Bury      
Sworn before me this 11 day  
of May A.D. 2017  
    [Signature]      
A Commissioner for Oaths  
in and for the Province of Alberta

cc: Pat Vincent  
Interim Chief Administrative Officer, Thorhild County

**From:** Pat Vincent [mailto:Pat.Vincent@thorhildcounty.com]  
**Sent:** Friday, March 11, 2016 3:55 PM  
**To:** Blacklaws, Rina <rblackla@wm.com>  
**Subject:** change on COuncil

Rina,

Not sure if you have been following the news but as a result of a Ministerial Order issued yesterday by the Minister of Municipal Affairs three members of Council – D. Buryn, W. Croswell and L. Sisson - were all dismissed as elected officials.

In speaking with the Official Administrators who now act in the capacity of Council until the municipal by-election in June they have indicated the need for Thorhild County at the Council level to rebuild the relationship with Waste Management. I have indicated that on an administrative level we have enjoyed a tremendous and positive relationship with you, Marc and Paul. I am expecting that they will be agreeable to meeting with yourself very shortly to introduce themselves (Kevin Robins and Douglas Lagore) and discuss any unresolved issues in moving forward on a positive footing.

There is a discussion of the possibility of withdrawing the violation ticket set for prosecution in September 2016 as the first step and as a good faith gesture by the County.

Please let me know if the reconciliation that is being proposed would be embraced by Waste Management and that we could schedule a meeting in the very near future of the respective parties to act upon this golden opportunity to strengthening the relationship between Waste Management and Thorhild County.

Pat Vincent CLGM  
Acting CAO  
Thorhild County  
Direct 780 398-2800  
Cell 780 919-2924  
Toll free 1 877 398-3777

<http://www.thorhildcounty.com>

This is Exhibit "F" referred to in the  
Affidavit of  
Dan Buryn  
Sworn before me this 11 day  
of May A.D., 20 17  
[Signature]  
A Commissioner for Oaths  
in and for the Province of Alberta

THORHILD COUNTY  
SPECIAL COUNCIL AGENDA

AGENDA FOR THE SPECIAL MEETING OF THE COUNTY COUNCIL TO BE HELD ON  
MONDAY, MARCH 14, 2016 AT 10:00 AM IN THE COUNCIL CHAMBERS OF THE COUNTY  
ADMINISTRATION BUILDING.

AGENDA

1. CALL TO ORDER
2. ADOPTION OF THE AGENDA

*Moved by the Official Administrator XXX to adopt the agenda as presented.*

3. ADOPTION OF THE PREVIOUS MINUTES

A. March 8, 2016 Regular Council Meeting  
*Moved by the Official Administrator XXX to adopt the minutes of March 8, 2016 Regular Council meeting as presented.*

4. NEW BUSINESS

A. By-election

- i. Returning Officer

*Moved by the Official Administrator XXX to appoint Acting Chief Administrative Officer at Vincent as Returning Officer for Thorhild County by-election.*

- ii. By-election Date and Nomination Date:

*Moved by the Official Administrator XXX that the dates for the by-election are as follows:*

1. Nomination day – Monday, May 9, 2016 between 10:00 am and 12:00 noon at Thorhild County Administration Office.
2. Advanced poll days – Saturday, May 28, 2016 9:00 am - 1:00 pm and Tuesday, May 31, 2016 from 4:00 pm - 8:00 pm and Thursday, June 2, 2016 4:00 pm – 8:00 pm at locations to be determined.
3. Election day – Monday, June 6, 2016 from 9:00 am - 8:00 pm locations to be determined.

B. 2016 Cost of Living Adjustment

*Moved by Official Administrator XXX to approve a 2% Cost of Living Adjustment effective January 1, 2016 to non-union active employees who continue to be employed with the County as of the date this resolution is passed and subsequently and add \$52,186 to the 2016 operating budget with funds to come from accumulated surplus and that the 2016 FTE (Full Time Equivalency) amendments are approved as follows:*

This is Exhibit "G" referred to in the Affidavit of

March 14, 2016 Special Council Meeting Thorhild County Don Buryn Initials: Reeve \_\_\_\_\_ CAO \_\_\_\_\_

Sworn before me this 11 day of May A.D., 2017

[Signature]  
A Commissioner for Oaths  
in and for the Province of Alberta

add Executive Assistant 0.8 to 1.0	0.20
add Accounting Clerk 0.5 to 0.6	0.10
add Literacy Coordinator 0.6 to 1.0	0.40
add Parent Link 0.6 to 0.67	0.07
add Ag Assistant 0.7 to 1.0	0.30
reduce PW Clerk 1.0 to 0.6	-0.40
reduce Casual Transfer Station Operator	-0.28
reduce Summer Coordinator	-0.17
<b>Increase in FTEs from 2015 Budget</b>	<b>0.22</b>

\* Literacy Coordinator able to perform duties of Summer Coordinator

**C. Legal**

**i. Application for Disqualification**

Moved by Official Administrator XXX direct the administration to instruct legal counsel to abandon the application filed in Court of Queen's Bench seeking the disqualification of Councillor Larry Sisson.

**ii. Application for Judicial Review**

Moved by Official Administrator XXX direct the administration to instruct legal counsel to hold in abeyance any action on the matter of the application for a judicial review of the municipal inspection report until after the municipal by-election and that the newly elected council for Thorhild County review and make a decision in the matter.

**D. Appointments**

**i. Municipal Planning Commission**

Moved by Official Administrator XXX that Official Administrator Kevin Robins, under By-Law 1203-2014 Establish the Municipal Planning Commission, be appointed to the Municipal Planning Commission.

**ii. Subdivision and Development Appeal Board**

Moved by Official Administrator XXX that Official Administrator Douglas Lagore, under By-Law 1211-2015 Establish the Subdivision and Development Appeal Board, be appointed to the Subdivision and Development Appeal Board.

**iii. Newthorad Seniors Housing Foundation**

Moved by Official Administrator XXX that Official Administrator Kevin Robins and Douglas Lagore be appointed to the Newthorad Seniors Housing Foundation board.

**E. Signing Authority**

**i. Thorhild County**

Moved by Official Administrator XXX that Official Administrators Kevin Robins and Douglas Lagore have all the signing authorities authorized to the Reeve, Deputy Reeve and Councillors under Thorhild County Policy 318 "Signing Authorities" until such time as the 2015 by-election is held and council quorum is restored.

**ii. Newthorad Seniors Housing Foundation**

Moved by Official Administrator XXX that Official Administrators Kevin Robins and Douglas Lagore are the authorized signing officers for the Newthorad Seniors Housing Foundation board. Cheques and other official documents must be signed by the Lodge Administrator and one of either Kevin Robins or Douglas Lagore.



**F. Chief Administrative Officer Recruitment**

*Moved by Official Administrator XXX direct the administration to instruct Davies Park Executive Search to resume the search for a new Chief Administrative Officer by re-advertising the position.*

**G. Acting Chief Administrative Officer Contract Extension**

*Moved by Official Administrator XXX approve the extension of the Acting Chief Administrative Officer contract with P. Vincent, as amended, until June 30, 2016.*

**H. Rescheduling Meetings**

**i. March 22, 2016 Regular Council Meeting**

*Moved by the Official Administrator XXX the Regular Council Meeting of March 22, 2016 at 9:30 am is rescheduled to March 29, 2016 at 9:30 am.*

**ii. March 22, 2016 Agriculture Service Board Meeting**

*Moved by the Official Administrator XXX the Agriculture Service Board Meeting of March 22, 2016 is rescheduled to March 29, 2016 following the Council Meeting.*

**5. ADJOURNMENT**

**CANCELLED**

Resolution 005-2017

Moved by Deputy Reeve Grumetza that Council direct Administration to continue with the services of Denton Canada LLP regarding the Judicial Review legal matter.

Deputy Reeve Grumetza requested a recorded vote:

<u>In Favour</u>	<u>Opposed</u>
Deputy Reeve Grumetza	Reeve Croswell
Councillor Hanasyk	Councillor Buryn
	Councillor Sisson

DEFEATED

Resolution 006-2017

Moved by Councillor Sisson that Council direct Administration to terminate the services of Denton Canada LLP, regarding the Judicial Review legal matter, effective immediately.

Deputy Reeve Grumetza requested a recorded vote:

<u>In Favour</u>	<u>Opposed</u>
Reeve Croswell	Deputy Reeve Grumetza
Councillor Buryn	Councillor Hanasyk
Councillor Sisson	

CARRIED

Resolution 007-2017

Moved by Councillor Buryn that Council authorize the Reeve and CAO to negotiate the retention of a qualified Legal Firm to ensure the timely continuance of the Judicial Review legal matter.

CARRIED

Adjournment

Reeve Croswell declared the meeting adjourned at 11:36 am.

These minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

_____	_____
REEVE	CAO

This is Exhibit "H" referred to in the Affidavit of  
*Dan Buryn*  
 Sworn before me this 11 day  
 of May A.D., 2017  
*[Signature]*  
 A Commissioner for Oaths  
 in and for the Province of Alberta



	In Favour Deputy Reeve Grumetza Councillor Hanasyk	Opposed Reeve Crowell Councillor Buryn Councillor Sisson		
Resolution 006-2017	<p>Moved by Councillor Sisson that Council direct Administration to terminate the services of Denton Canada LLP, regarding the Judicial Review legal matter, effective immediately.</p> <p>Deputy Reeve Grumetza requested a recorded vote:</p> <p>In Favour Reeve Crowell Deputy Councillor Buryn</p> <p>Opposed Reeve Grumetza Councillor Hanasyk Councillor Sisson</p>		CARRIED	Disallowed
Resolution 007-2017	<p>Moved by Councillor Buryn that Council authorize the Reeve and CAO to negotiate the retention of a qualified Legal Firm to ensure the timely continuance of the Judicial Review legal matter.</p>		CARRIED	Disallowed

Issue Date: January 12, 2017

Signed:

This is Exhibit "I" referred to in the Affidavit of Dan Buryn  
 Sworn before me this 11 day  
 of January A.D., 2017.  
 A Commissioner for Oaths  
 in and for the Province of Alberta

Sending this again. db

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Dan Bury

Date: 01-25-2017 14:34 (GMT-07:00)

To: CAO Office

<Wayne.Franklin@thorhildcounty.com>, Kevin

G <kevin.grumetza@thorhildcounty.com>, Larry

Sisson <[REDACTED]>, Shelly Hanasyk

<shelly.hanasyk@thorhildcounty.com>, Wayne

Croswell <[REDACTED]>

Cc:

Subject: Important Judicial Review

Information Emailing Final Report- Sherwood

V1.pdf

Hello Everyone,

Please see the Table Of Contents of this report as it is a perfect example of Natural Justice and Procedural Fairness.

I just concluded my research on this the other day and will be sending a brief of my findings to all of you later today. I believe we have the evidence to completely destroy Farmer's report.

Wayne please forward this letter to Mr.

Wachowicz.

Thanks

Dan

Sent from my Samsung Galaxy smartphone.

This is Exhibit "J" referred to in the Affidavit of

Dan Bury

Sworn before me this 11 day

of May A.D., 2017

[Signature]

A Commissioner for Oaths  
in and for the Province of Alberta

SPECIAL COUNCIL MEETING MINUTES

WEDNESDAY, APRIL 12, 2017

9:30 AM IN CHAMBERS AT THE COUNTY ADMINISTRATION OFFICE

Present	Wayne Croswell Kevin Grumetza Larry Sisson Dan Bury	Reeve Deputy Reeve Councillor Councillor
Regrets	Shelly Hanasyk	Councillor
Administration	Wayne Franklin Shirley Moerman	Chief Administrative Officer Executive Assistant

Official Administrator Regrets

Call to Order Reeve Croswell called the meeting to order at 9:30 am.  
Ian Wachowicz, Dentons entered the meeting at 9:30 am.

Adoption of Agenda April 12, 2017 Special Council Meeting Resolution 191-2017  
Moved by Councillor Sisson that Council accept the Special Council Meeting of April 12, 2017 agenda as presented.

CARRIED

In Camera Resolution 192-2017  
Moved by Councillor Bury that Council move into in camera at 9:31 am with W. Franklin and Ian Wachowicz in attendance.

CARRIED

S. Moerman left the meeting at 9:31 am.  
Reeve Croswell left the meeting at 10:37 am, returned at 10:40 am.  
Deputy Reeve Grumetza left the meeting at 10:40 am, returned at 10:42 am.  
W. Franklin left the meeting at 10:41 am, returned at 10:42 am.  
Councillor Sisson left the meeting at 10:48 am, returned at 10:49 am.

Out of In Camera Resolution 193-2017  
Moved by Councillor Sisson that Council move out of camera at 11:30 am.

Adjournment Reeve Croswell declared the meeting adjourned at 11:31 am.

These minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
REEVE  
This is Exhibit "K" referred to in the Affidavit of Dan Bury  
Sworn before me this 11 day of May A.D., 20 17  
[Signature]  
A Commissioner for Oaths  
in and for the Province of Alberta

\_\_\_\_\_  
CAO

Initials: Reeve \_\_\_\_\_ CAO \_\_\_\_\_

nr Dan

I was expecting something from Ian on Friday as well but I didn't receive anything. I will follow up this morning and advise Council what I learn.

Wayne

**Wayne Franklin P.Eng**  
Chief Administrative Officer  
Direct 780-398-2800  
Toll free 1-877-398-3777  
<http://www.thorhildcounty.com>

**new Thorhild logo.jpg**

This is Exhibit "L" referred to in the Affidavit of

Dan Buryn  
Sworn before me this 11 day  
of May A.D. 2017  
[Signature]  
A Commissioner for Oaths  
in and for the Province of Alberta

This communication is intended for the recipient to whom it is addressed, and may contain confidential, personal, and or privileged information. Please contact the sender immediately if you are not the intended recipient of this communication, and do not copy, distribute, or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.

On Apr 18, 2017, at 12:31 AM, Dan Buryn  
[Redacted] wrote:

Hello Wayne F,

Wonder if you heard from Ian as he was to report back on Thursday 13th regarding the PIA?

The letter from Minister Bilous acknowledges the directive to dismiss the CAO. The Minister does not acknowledge the Notice requesting assistance or the application for judicial review.

These two items are noted in the minutes and for some unknown reason the Minister does not mention them.

Please forward this to Ian.

Thanks  
Dan

Sent from my Samsung Galaxy smartphone.

<Rilous letter oct 19 2015 inc>

ITEM # 111,

I'm at the office reading this nonsense from the lawyer. I am very concerned with the information contained in this email as I believe the mind conveyed will damage our position in court. db

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Shirley Moerman  
<Shirley.Moerman@thorhildcounty.com>  
Date: 04-19-2017 15:11 (GMT-07:00)  
To: Council <Council@thorhildcounty.com>  
Cc: Wayne Franklin  
<Wayne.Franklin@thorhildcounty.com>  
Subject: Confidential Document

Good Afternoon Council,

Wayne Franklin has requested that I advise Council that we have receive a confidential document regarding judicial review that is available at the office for your review.

Regards,

**Shirley Moerman**  
Executive Assistant  
Direct 780-398-2812  
Toll free 1-877-398-3777  
<http://www.thorhildcounty.com>

This is Exhibit "M" referred to in the Affidavit of  
Dan Buryn  
Sworn before me this 11 day  
of May A.D., 2017  
[Signature]  
A Commissioner for Oaths  
in and for the Province of Alberta



This communication is intended for the recipient to whom it is addressed, and may contain confidential, personal, and or privileged information. Please contact the sender immediately if you are not the intended recipient of this communication, and do not copy,

Good morning Wayne,  
Regarding the performance of the lawyer, he is maintaining the unprofessional conduct as his previous colleagues from law firm 3. Council is once again deprived of proper representation and the future of our community is at risk as I believe the actions of the lawyer are neglecting the County's best interests putting the judicial review at very serious risk.

The meeting of the 12th was inexcusable being so close to a filing deadline and Council should have received a draft record as promised, prior to this meeting date.

He failed to provide the important information for the 13th as promised and is disregarding important information in favor of the County. And Council was to be provided with the record prior to filing on the 21st and failed to provide that information also. Council was not provided an opportunity to ensure proper facts of matters before filing the record.

The incompetence is very obvious as the lawyer was not capable of providing an electronic copy of the record filed on Friday. So very pathetic that members of the public have access to the record before Council does.

We should not be in this negative situation,  
Dan

Sent from my Samsung Galaxy smartphone.

----- Original message -----  
From: Wayne Franklin  
<Wayne.Franklin@thorhildcounty.com>  
Date: 04-24-2017 07:39 (GMT-07:00)  
To: Council <Council@thorhildcounty.com>  
Cc:  
Subject: Judicial Review

This is Exhibit " N " referred to in the  
Affidavit of  
Dan Bury  
Sworn before me this 11 day  
of May A.D., 20 17  
[Signature]  
A Commissioner for Oaths  
in and for the Province of Alberta

Good Morning Councillors

I have just received confirmation from our lawyer that the brief was filed on Friday. A hard copy has already been sent but I have requested that it be forwarded electronically so I can be sure it is here today for you to see.

I'll forward it as soon as I receive it.



In Camera

Resolution 216-2017

Moved by Councillor Sisson that Council move into in camera at 1:29 pm with W. Franklin in attendance.

CARRIED

J. Cornelius left the meeting at 1:29 pm.

Out of In Camera

Resolution 217-2017

Moved by Councillor Sisson that Council move out of in camera at 1:56 pm.

CARRIED

Recess

Reeve Croswell recessed the meeting at 1:56 pm.

Reconvened

Reeve Croswell reconvened the meeting at 2:03 pm.

In Camera

Resolution 218-2017

Moved by Councillor Buryn that Council move into in camera at 2:03 pm with W. Franklin, J. Cornelius, E. Leblanc and Daina Young in attendance.

This is Exhibit "O" referred to in the Affidavit of Dan Buryn CARRIED

Daina Young left the meeting at 3:25 pm.

Sworn before me this 11 day

E. Leblanc left the meeting at 3:29 pm.

of May A.D., 2017

[Signature]  
A Commissioner for Oaths  
in and for the Province of Alberta

Out of In Camera

Resolution 219-2017

Moved by Councillor Buryn that Council move out of in camera at 3:31 pm.

CARRIED

Recess

Reeve Croswell recessed the meeting at 3:32 pm.

Reconvened

Reeve Croswell reconvened the meeting at 3:35 pm.

Resolution 220-2017

Moved by Councillor Buryn that legal Counsel be directed to ensure that the letter from Minister Bilous dated October 19, 2015, and the Thorhild

County Regular Council Meeting Minutes of September 22, 2015, be part of the written submissions for the Judicial Review Application of May 19, 2017.

Councillor Buryn requested a recorded vote:

In Favour

Councillor Buryn

Opposed

Reeve Crowell

Councillor Sisson

Councillor Hanasyk

DEFEATED

Resolution 221-2017

Moved by Councillor Buryn that legal Counsel be directed to ensure that the FINAL REPORT OF THE INSPECTION AND INQUIRY INTO THE R.M. OF SHERWOOD NO. 159 - Volume 1 of 2 (Final Report) - The Honorable R.L. Barclay Q.C., Inspector/Inquiry Officer, be part of the written submissions for the Judicial Review Application of May 19, 2017.

Councillor Buryn requested a recorded vote:

In Favour

Councillor Buryn

Opposed

Reeve Crowell

Councillor Sisson

Councillor Hanasyk

DEFEATED

Resolution 222-2017

Moved by Councillor Buryn that legal Counsel be directed to consult with the Honorable R.L. Barclay Q.C., current Conflict of Interest Commissioner & Registrar of Lobbyists for the Government of Saskatchewan, regarding specialized expert witness testimony and any recommendations that he may provide concerning Municipal Inspections/Inquiries, the Public Inquiries Act, and case law.

Councillor Buryn requested a recorded vote:

In Favour

Councillor Buryn

Opposed

Reeve Crowell

Councillor Sisson

Councillor Hanasyk

DEFEATED

Initials: Reeve \_\_\_\_ CAO \_\_\_\_

Resolution 223-2017

Moved by Councillor Buryn that legal Counsel be directed to ensure that the Special Council Meeting Minutes of Tuesday, January 3, 2017 and the Thorhild Official Administrator - Council Minutes - Notes/Approvals January 3, 2017, be part of the written submissions for the Judicial Review Application of May 19, 2017, and challenge the interference of legal matters by the Official Administrators by seeking the remedy of the writ of QUO WARRANTO, noted in the Canadian Encyclopedic Digest Western, 4th Edition, Carswell., and by any other appropriate legal remedy.

Councillor Buryn requested a recorded vote:

In Favour  
Councillor Buryn

Opposed  
Reeve Croswell  
Councillor Sisson  
Councillor Hanasyk

DEFEATED

Resolution 224-2017

Moved by Councillor Hanasyk that Council receives the legal brief for the Judicial Review dated May 19, 2017 as presented for information.

CARRIED

Adjournment

Reeve Croswell declared the meeting adjourned at 3:50 pm.

These minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CAO

Initials: Reeve \_\_\_\_\_ CAO \_\_\_\_\_

See page 4 of the Barclay Report. db

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Dan Buryn

Date: 05-02-2017 10:54 (GMT-07:00)

To: Kevin G

<kevin.grumetza@thorhildcounty.com>, Larry Sisson, Shelly Hanasyk <shelly.hanasyk@thorhildcounty.com>, Wayne Croswell Email, CAO Office <Wayne.Franklin@thorhildcounty.com>

Cc:

Subject: Written submissions-contain false and misleading information

Hello Everyone,

First see paragraph 51 "clearly negative."

A lawyer has a fiduciary duty to the client and the court. This false and misleading information creates very serious concerns as to why a lawyer would write what he did.

Is it incompetence? Is it the willful neglect of fiduciary duty? I need an answer to this and the submission has to be corrected.

I have identified other concerns with the submission and will forward them as well.

We need to act quickly in correcting this as false and misleading information will cause the court case very serious problems for a judgment in the County's favor.

Dan

Sent from my Samsung Galaxy smartphone.

This is Exhibit "P" referred to in the Affidavit of

Dan Buryn

Sworn before me this 11 day

of May A.D., 2017



A Commissioner for Oaths  
in and for the Province of Alberta