

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**Tuesday, September 8, 2009
10:00 a.m.**

**Council Chambers
Fort Vermilion, Alberta**

PRESENT:

Greg Newman	Reeve
Peter F. Braun	Deputy Reeve
Dicky Driedger	Councillor
John W. Driedger	Councillor
Ed Froese	Councillor
Bill Neufeld	Councillor
Walter Sarapuk	Councillor (arrived at 10:09 a.m.)
Ray Toews	Councillor
Lisa Wardley	Councillor
Stuart Watson	Councillor

ABSENT:

ADMINISTRATION:

William (Bill) Kostiw	Chief Administrative Officer
Joulia Whittleton	Director of Corporate Services
Ryan Becker	Director of Planning & Emergency Services
John Klassen	Director of Operations (South)
Dave Crichton	Director of Operations (North)
Carol Gabriel	Executive Assistant

ALSO PRESENT: Media and members of the public.

Minutes of the Regular Council meeting for Mackenzie County held on September 8, 2009 at the Council Chambers in Fort Vermilion, Alberta.

CALL TO ORDER: 1. a) Call to Order

Reeve Newman called the meeting to order at 10:05 a.m.

AGENDA: 2. a) Adoption of Agenda

MOTION 09-09-709 **MOVED** by Deputy Reeve Braun

That the agenda be adopted with the following additions:
11. e) Rural Waterline

CARRIED

**ADOPTION OF
PREVIOUS MINUTES:**

3. a) Minutes of the August 26, 2009 Regular Council Meeting

MOTION 09-09-710

MOVED by Councillor J. Driedger

That the minutes of the August 26, 2009 Regular Council meeting be adopted as presented.

CARRIED

**BUSINESS ARISING
OUT OF THE MINUTES:**

4. a) MK Strategies & Ratepayer Letter

Councillor Toews requested an update on the MK Strategies issue and Motion 09-08-701 regarding a ratepayer letter.

DELEGATIONS:

5. a) RCMP

No delegation was present.

5. b) Stewart & Weir

No delegation was present.

GENERAL REPORTS:

6. a) Municipal Planning Commission Meeting Minutes – July 16 & August 6, 2009

MOTION 09-09-711

MOVED by Councillor Froese

That the Municipal Planning Commission meeting minutes of July 16 and August 6, 2009 be received for information.

Councillor Sarapuk arrived at 10:09 a.m.

CARRIED

6. b) Agricultural Service Board Meeting Minutes – May 6, June 18, and August 10, 2009

MOTION 09-09-712

MOVED by Councillor Neufeld

That the Agricultural Service Board meeting minutes of May 6, June 18, and August 10, 2009 be received for information.

CARRIED

6. c) Mackenzie Housing Management Board Meeting Minutes – June 30, 2009

MOTION 09-09-713

MOVED by Councillor Sarapuk

That the Mackenzie Housing Management Board meeting minutes of June 30, 2009 be received for information.

CARRIED

**COUNCIL COMMITTEE,
CAO AND DIRECTORS
REPORTS:**

9. a) Council Committee Reports

Councillor Neufeld had no items to report.

Councillor Froese reported on the Municipal Planning Commission.

Councillor Sarapuk reported on the grow north meeting (site location), and meeting with Dr. Duckett, President of Alberta Health Services.

Reeve Newman reported on the meeting with Dr. Duckett, President of Alberta Health Services.

Deputy Reeve Braun reported on the AAMD&C zone meeting, REDI tourism meeting, La Crete library meeting, Finance Committee meeting, attended the presentation by MP Chris Warkentin to the La Crete Agricultural Society, Municipal Planning Commission meetings, La Crete Building Committee and the Parks and Recreation Committee meetings.

Councillor J. Driedger reported on drainage meetings, Equipment Committee meeting, AAMD&C zone meeting, Community Futures, La Crete Building Committee meeting, attended the presentation by MP Chris Warkentin, Parks and Recreation Committee, and the La Crete Building Committee meeting.

Councillor Watson reported on the Canadian Diabetes Association golf tournament.

Councillor Wardley reported on the La Crete Library meeting, Zama Building progress meetings, visit by Minister Danyluk, and the Safer Communities Innovation Fund (SCIF) meeting.

Councillor Toews reported on the Airport Committee and the Finance Committee meetings.

Councillor D. Driedger reported on the Agricultural Land Task Force and the Tompkins Ferry Review Committee meeting.

MOTION 09-09-714

MOVED by Councillor Sarapuk

That the Council committee reports be received for information.

CARRIED

9. b) CAO & Director Reports

MOTION 09-09-715

MOVED by Councillor Watson

That two Councillors and the Chief Administrative Officer be authorized to attend the Alberta Forest Products Association conference.

CARRIED UNANIMOUSLY

MOTION 09-09-716

MOVED by Councillor Wardley

That the Chief Administrative Officer and Director reports be received for information.

CARRIED

**CORPORATE
SERVICES:**

10. a) Bylaw 736/09 Short Term Borrowing of Funds

MOTION 09-09-717

(requires 2/3)

MOVED by Deputy Reeve Braun

That first reading be given to Bylaw 736/09 being a bylaw authorizing the short term borrowing of funds.

CARRIED

MOTION 09-09-718

(requires 2/3)

MOVED by Councillor Neufeld

That second reading be given to Bylaw 736/09 being a bylaw authorizing the short term borrowing of funds.

CARRIED

MOTION 09-09-719

(requires unanimous)

MOVED by Councillor J. Driedger

That consideration be given to go to third reading of Bylaw 736/09 being a bylaw authorizing the short term borrowing of funds.

CARRIED UNANIMOUSLY

MOTION 09-09-720
(requires 2/3)

MOVED by Councillor Wardley

That third reading be given to Bylaw 736/09 being a bylaw authorizing the short term borrowing of funds.

CARRIED

Reeve Newman recessed the meeting at 10:56 a.m. and reconvened the meeting at 11:11 a.m. with all members present except Councillor Wardley.

10. b) Mackenzie County 4-Step Community Sustainability Plan

MOTION 09-09-721

MOVED by Councillor Toews

That a committee, chaired by the Reeve, be established for monitoring strategic direction during development of the Mackenzie County 4-Step Community Sustainability Plan.

CARRIED

10. c) Quarterly Investment Report – June 30, 2009

Councillor Wardley rejoined the meeting at 11:15 a.m.

MOTION 09-09-722

MOVED by Deputy Reeve Braun

That the quarterly investment report for the period ended June 30, 2009 be accepted for information.

CARRIED

MOTION 09-09-723

MOVED by Councillor J. Driedger

That the following Councillors be appointed to the Mackenzie County 4-Step Community Sustainability committee:

Nominated:
Deputy Reeve Braun
Councillor Froese
Councillor Wardley
Councillor Toews

Elected:
Deputy Reeve Braun
Councillor Froese
Councillor Wardley

CARRIED

MOTION 09-09-724

MOVED by Deputy Reeve Braun

That the ballots be destroyed.

CARRIED

**10. d) 2010 Budget Guideline and Budget Development
Policy FIN022**

MOTION 09-09-725

MOVED by Councillor Toews

That administration uses the following guidelines for the 2010 operating and capital budgets development:

- Level of mill rate remain status quo
- Level of service remain status quo
- User pay levels remain status quo
- Staffing levels remain status quo

CARRIED

MOTION 09-09-726

MOVED by Councillor Watson

That the following date be set for the 2010 operating and capital budget review and approval:

- October 28, 2009 – 12:00 p.m.

CARRIED

Reeve Newman recessed the meeting at 12:06 p.m. and reconvened the meeting at 12:51 p.m.

10. e) Electoral Boundaries Commission Seeks Public Input

MOTION 09-09-727

MOVED by Reeve Newman

That administration contact the other stakeholders regarding putting forward a joint proposal regarding electoral boundaries.

Councillor Neufeld requested a recorded vote.

In Favor:

Councillor D. Driedger
Councillor Toews
Councillor Wardley
Councillor Watson
Reeve Newman
Councillor Sarapuk
Councillor Froese

Opposed:

Councillor Neufeld
Councillor J. Driedger
Deputy Reeve Braun

CARRIED

10. f) La Crete Library

MOTION 09-09-728

MOVED by Deputy Reeve Braun

That the La Crete Building Committee assume the responsibility of continuing the La Crete library expansion discussions and report back to Council.

CARRIED

10. g) Inter-municipal Subdivision & Development Appeal Board – Council Appointment

MOTION 09-09-729

MOVED by Councillor Watson

That Councillor Toews be appointed to the Inter-municipal Subdivision & Development Appeal Board.

CARRIED

10. h) Inter-municipal Planning Commission – Council Appointment

MOTION 09-09-730

MOVED by Councillor Neufeld

That the following Councillors be appointed to the Inter-municipal Planning Commission:

1. Councillor Watson
2. Councillor J. Driedger

CARRIED

TENDERS:

8. a) Township Road 103-2 (Blue Hills)

MOTION 09-09-731

MOVED by Councillor D. Driedger

That the tenders for the Township Road 103-2 (Blue Hills) be opened.

CARRIED

Tender Results:

Pineridge Logging	\$580,499.98
Forest Trotter	\$446,300.00
Blue Hills Farms	\$624,600.00
Timberbound	\$630,203.00

Dechant Construction \$471,832.19

MOTION 09-09-732

MOVED by Deputy Reeve Braun

That Council reject all tenders due to budget constraints and that administration be instructed to review the scope of the Township Road 103-2 (Blue Hills) project and request proposals from bidders.

CARRIED

PUBLIC HEARINGS:

7. a) Bylaw 727/09 Land Use Bylaw Amendment to Address the Keeping of Animals in Rural Country Residential District 1, 2, 3 and 4 “RC1”, “RC2”, “RC3”, and “RC4”

Reeve Newman called the public hearing for Bylaw 727/09 to order at 1:09 p.m.

Reeve Newman asked if the public hearing for proposed Bylaw 727/09 was properly advertised. Ryan Becker, Director of Planning & Emergency Services, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Newman asked the Development Authority to outline the proposed land use bylaw amendment. Ryan Becker, Director of Planning & Emergency Services, presented the Development Authority's submission and indicated that first reading was given on August 11, 2009.

Reeve Newman asked if Council has any questions of the proposed land use bylaw amendment. A question was asked regarding the definition of non-domestic.

Reeve Newman asked if any submissions were received in regards to proposed Bylaw 727/09. Several submissions were received and read.

Reeve Newman asked if there was anyone present who would like to speak in regards to the proposed Bylaw 727/09. Dave Peters, developer of the land, spoke in opposition to the proposed Bylaw and stated that it seems to be more of a neighboring issue with only one person being opposed to the animals. He noted that the families are large and need the animals to feed their families. Henry Peters, landowner, also spoke in opposition to the proposed bylaw and indicated that a portion of his property taxes is for farmland.

Reeve Newman closed the public hearing for Bylaw 727/09 at

1:23 p.m.

MOTION 09-09-733

MOVED by Councillor J. Driedger

That an amendment be made to Bylaw 727/09 follows:

Fines shall be \$100 for the first offence and \$200 for a second and/or subsequent offence.

CARRIED

MOTION 09-09-734

MOVED by Councillor Neufeld

That Bylaw 727/09 be tabled to the Mackenzie County Land Use Bylaw review.

CARRIED

7. b) Bylaw 729/09 Land Use Bylaw Amendment to Rezone Multiple Properties (La Crete)

Councillor Neufeld declared himself in conflict and left the meeting at 1:31 p.m.

Reeve Newman called the public hearing for Bylaw 729/09 to order at 1:31 p.m.

Reeve Newman asked if the public hearing for proposed Bylaw 729/09 was properly advertised. Ryan Becker, Director of Planning & Emergency Services, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Newman asked the Development Authority to outline the proposed land use bylaw amendment. Ryan Becker, Director of Planning & Emergency Services, presented the Development Authority's submission and indicated that first reading was given on August 11, 2009.

Reeve Newman asked if Council has any questions of the proposed land use bylaw amendment. There were no questions.

Reeve Newman asked if any submissions were received in regards to proposed Bylaw 729/09. Three submissions were received and read.

Reeve Newman asked if there was anyone present who would like to speak in regards to the proposed Bylaw 729/09. William Fehr, landowner, indicated that he was relieved to hear that it

wouldn't be a problem for his property to remain commercial in the new proposed Land Use Bylaw.

Reeve Newman closed the public hearing for Bylaw 729/09 at 1:40 p.m.

MOTION 09-09-735

MOVED by Deputy Reeve Braun

That second reading be given to Bylaw 729/09 being a Land Use Bylaw amendment to rezone:

Plan 2504TR, Block 7, Lots 3 through 8, Plan 3969TR, Block 4, Lots 2 through 7, Plan 1160NY, Block 1, Lot 2 (being Title Number 022 234 423 and 062 523 892), Plan 962 4008, Block 5, Lot 35, Plan 5232TR, Block 6, Lot 3 (being Title Number 002 249 015 and 072 366 443), Plan 942 0787, Block 6, Lots 5 through 7, Plan 942 3391, Block 6, Lot 5, Plan 782 0147, Block 1, Lots 18, 36 and 37, Plan 782 0147, Block 15, Lots 1, 2, 13 and 14, Plan 1878TR, Lot B, Plan 872 1101, Lot C, Part of NE 4-106-15-W5M (being Title Number 092 021 621)

from Hamlet Residential-Commercial Transitional District "HRCT" to Hamlet Residential District 1 "HR1".

CARRIED

MOTION 09-09-736

MOVED by Councillor Toews

That third reading be given to Bylaw 729/09 being a Land Use Bylaw amendment to rezone:

Plan 2504TR, Block 7, Lots 3 through 8, Plan 3969TR, Block 4, Lots 2 through 7, Plan 1160NY, Block 1, Lot 2 (being Title Number 022 234 423 and 062 523 892), Plan 962 4008, Block 5, Lot 35, Plan 5232TR, Block 6, Lot 3 (being Title Number 002 249 015 and 072 366 443), Plan 942 0787, Block 6, Lots 5 through 7, Plan 942 3391, Block 6, Lot 5, Plan 782 0147, Block 1, Lots 18, 36 and 37, Plan 782 0147, Block 15, Lots 1, 2, 13 and 14, Plan 1878TR, Lot B, Plan 872 1101, Lot C, Part of NE 4-106-15-W5M (being Title Number 092 021 621)

from Hamlet Residential-Commercial Transitional District "HRCT" to Hamlet Residential District 1 "HR1".

CARRIED

Councillor Neufeld rejoined the meeting at 1:43 p.m.

7. c) Bylaw 730/09 Land Use Bylaw Amendment to Rezone Part of NE 24-105-15-W5M (Plan 072 7058, Block 1, Lot 1) from Agricultural District 1 “A1” to Public/Institutional District “HP” (Wilson Prairie Area)

Reeve Newman called the public hearing for Bylaw 730/09 to order at 1:43 p.m.

Reeve Newman asked if the public hearing for proposed Bylaw 730/09 was properly advertised. Ryan Becker, Director of Planning & Emergency Services, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Newman asked the Development Authority to outline the proposed land use bylaw amendment. Ryan Becker, Director of Planning & Emergency Services, presented the Development Authority's submission and indicated that first reading was given on August 11, 2009.

Reeve Newman asked if Council has any questions of the proposed land use bylaw amendment. There were no questions.

Reeve Newman asked if any submissions were received in regards to proposed Bylaw 730/09. One submission was received and read.

Reeve Newman asked if there was anyone present who would like to speak in regards to the proposed Bylaw 730/09. There was no one present to speak to the proposed bylaw.

Reeve Newman closed the public hearing for Bylaw 730/09 at 1:46 p.m.

MOTION 09-09-737

MOVED by Councillor Froese

That second reading be given to Bylaw 730/09 being a Land Use Bylaw amendment to rezone Part of NE 24-105-15-W5M (Plan 072 7058, Block 1, Lot 1) from Agricultural District 1 “A1” to Public/Institutional District “HP”.

CARRIED

MOTION 09-09-738

MOVED by Deputy Reeve Braun

That third reading be given to Bylaw 730/09 being a Land Use Bylaw amendment to rezone Part of NE 24-105-15-W5M (Plan 072 7058, Block 1, Lot 1) from Agricultural District 1 “A1” to Public/Institutional District “HP”.

CARRIED

**OPERATIONAL
SERVICES:**

11. a) RInC Application Funding Confirmation

MOTION 09-09-739
(requires 2/3)

MOVED by Councillor Wardley

That the 2009 operating budget be amended to include an additional \$71,280 from the general operating budget for the RInC grant application.

CARRIED UNANIMOUSLY

**11. b) Sale of La Crete Public Works Shop & Adjacent
Property**

MOTION 09-09-740

MOVED by Deputy Reeve Braun

That Mackenzie County accept the highest offer for the sale of the current La Crete Public Works Shop and adjacent property and that the possession date be negotiated.

CARRIED

11. c) Paving at Mackenzie Housing

MOTION 09-09-741

MOVED by Reeve Newman

That the paving of the parking lots for both seniors residents in La Crete and Fort Vermilion be deferred to the 2010 budget.

CARRIED

11. d) Blumenort Cemetery & Area Storm Water

MOTION 09-09-742

MOVED by Councillor Neufeld

That the County pay fifty percent (50%) of the project costs for site rehabilitation to a maximum of \$3,000.00 for the Blumenort cemetery and area storm water to be funded from the general operating budget.

CARRIED

Reeve Newman recessed the meeting at 2:04 p.m. and reconvened the meeting at 2:16 p.m.

11. e) Rural Waterline (ADDITION)

MOTION 09-09-743

MOVED by Councillor D. Driedger

That administration be authorized to bring in industry experts to discuss options for rural water.

CARRIED

**PLANNING,
EMERGENCY, AND
ENFORCEMENT
SERVICES:**

12. a) Bylaw 733/09 Fee Schedule

MOTION 09-09-744

MOVED by Councillor Froese

That first reading be given to Bylaw 733/09, being a fee schedule bylaw amendment to authorize the Planning and Development Department to issue stop orders to individuals or companies regarding unauthorized development prior to issuing the penalty fees and to amend the Subdivision Time Extension Fees to \$500 for all multi-lot subdivisions and \$250 for all single lot subdivisions.

CARRIED

MOTION 09-09-745

MOVED by Deputy Reeve Braun

That second reading be given to Bylaw 733/09, being a fee schedule bylaw amendment to authorize the Planning and Development Department to issue stop orders to individuals or companies regarding unauthorized development prior to issuing the penalty fees and to amend the Subdivision Time Extension Fees to \$500 for all multi-lot subdivisions and \$250 for all single lot subdivisions.

CARRIED

MOTION 09-09-746
(requires unanimous)

MOVED by Councillor J. Driedger

That consideration be given to go to third reading of Bylaw 733/09, being a fee schedule bylaw amendment to authorize the Planning and Development Department to issue stop orders to individuals or companies regarding unauthorized development prior to issuing the penalty fees and to amend the Subdivision Time Extension Fees to \$500 for all multi-lot subdivisions and \$250 for all single lot subdivisions.

DEFEATED

12. b) Bylaw 735/09 Municipal Development Plan

MOTION 09-09-747

MOVED by Councillor J. Driedger

That first reading be given to Bylaw 735/09 being the Municipal Development Plan for Mackenzie County.

CARRIED

MOTION 09-09-748

MOVED by Reeve Newman

That administration be authorized to set up a meeting between Council and the First Nations for consultation on the Municipal Development Plan to be held within the next month.

CARRIED UNANIMOUSLY

12. c) Zama Fire Hall/Public Works Shop

MOTION 09-09-749

MOVED by Councillor Wardley

That Council approve the design of the Zama Fire Hall/Public Works facility as presented and that administration be authorized to proceed to tender.

CARRIED

**INFORMATION/
CORRESPONDENCE**

13. a) Information/Correspondence

MOTION 09-09-750

MOVED by Councillor Neufeld

That the information/correspondence items be accepted for information purposes.

CARRIED

IN CAMERA SESSION:

MOTION 09-09-751

MOVED by Councillor Watson

That Council move in-camera to discuss issues under the Freedom of Information and Protection of Privacy Regulations 18 (1) at 2:36 p.m.:

14. a) Personnel

14. b) Special Projects

- 14. c) Legal
- 14. d) Inter-municipal Relations
- 14. e) CO₂ EOR Negotiations
- 14. f) AUPE Negotiations

CARRIED

MOTION 09-09-752

MOVED by Councillor D. Driedger

That Council move out of camera at 3:12 p.m.

CARRIED

14. a) Personnel

MOTION 09-09-753

MOVED by Councillor Wardley

That the personnel update be received for information.

CARRIED

14. b) Special Projects

MOTION 09-09-754

MOVED by Councillor D. Driedger

That the special projects update be received for information.

CARRIED

14. c) Legal

MOTION 09-09-755

MOVED by Deputy Reeve Braun

That the legal update be received for information.

CARRIED

14. d) Inter-municipal Relations

MOTION 09-09-756

MOVED by Councillor Neufeld

That the inter-municipal relations be received for information.

CARRIED

14. e) CO₂ EOR Negotiations

MOTION 09-09-757

MOVED by Councillor Watson

That the CO₂ EOR negotiations be received for information.

CARRIED

14. f) AUPE Negotiations

MOTION 09-09-758

MOVED by Councillor Sarapuk

That the AUPE negotiations be received for information.

CARRIED

MOTION 09-09-759

MOVED by Councillor Froese

That Council meet with the Minister Morton and MLA Frank Oberle on Saturday, September 12, 2009 and that a list of issues be forwarded in advance.

CARRIED

NEXT MEETING DATE:

Regular Council Meeting
Wednesday, September 23, 2009
4:00 p.m.
Council Chambers, Fort Vermilion, AB

ADJOURNMENT:

16. a) Adjournment

MOTION 09-09-760

MOVED by Councillor D. Driedger

That the Council meeting be adjourned at 3:14 p.m.

CARRIED

These minutes were approved on September 23, 2009.

Original Signed

Greg Newman
Reeve

Original Signed

William Kostiw
Chief Administrative Officer