

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**October 24, 2018
10:00 a.m.**

**Fort Vermilion Council Chambers
Fort Vermilion, AB**

PRESENT:

Josh Knelsen	Reeve
Walter Sarapuk	Deputy Reeve (arrived at 10:04 a.m.)
Jacque Bateman	Councillor
Peter F. Braun	Councillor
Cameron Cardinal	Councillor
David Driedger	Councillor
Eric Jorgensen	Councillor
Anthony Peters	Councillor
Ernest Peters	Councillor
Lisa Wardley	Councillor

REGRETS:

ADMINISTRATION:

Len Racher	Chief Administrative Officer
Byron Peters	Deputy CAO
David Fehr	Director of Operations
Doug Munn	Director of Community Services
Carol Gabriel	Director of Legislative & Support Services/Recording Secretary
Bill McKennan	Director of Finance
Don Roberts	Zama Site Manager

ALSO PRESENT: Members of the public.
Dan Fletcher, Chief Administrative Officer, Town of High Level
Rodney Schmidt, Fire Chief, Town of High Level
Neil Simpson, Deputy Chief, Fort Vermilion Fire
Larry Schartner, Firefighter, Fort Vermilion Fire
Lisa Schartner, Firefighter, Fort Vermilion Fire
Carson Flett

Minutes of the Regular Council meeting for Mackenzie County held on October 24, 2018 in the Council Chambers at the Fort Vermilion County Office.

CALL TO ORDER: 1. a) Call to Order

Reeve Knelsen called the meeting to order at 10:00 a.m.

AGENDA:

2. a) Adoption of Agenda

MOTION 18-10-838

MOVED by Councillor Driedger

That the agenda be approved with the following additions:

- 9. c) Metis Region 6 Meeting
- 10. a) Alberta Biodiversity Monitoring Institute
- 12. a) Cemeteries
- 13. a) Ratepayer Concern

CARRIED

**MINUTES FROM
PREVIOUS MEETING:**

3. a) Minutes of the October 9, 2018 Regular Council Meeting

MOTION 18-10-839

MOVED by Councillor Wardley

That the minutes of the October 9, 2018 Regular Council Meeting be adopted as presented.

CARRIED

3. b) Minutes of the October 23, 2018 Organizational Council Meeting

MOTION 18-10-840

MOVED by Councillor E. Peters

That the minutes of the October 23, 2018 Organizational Council Meeting be adopted as presented.

CARRIED

3. c) Business Arising out of the Minutes

MOTION 18-10-841

MOVED by Councillor Driedger

That the business arising out of the minutes be received for information.

CARRIED

**COUNCIL COMMITTEE
REPORTS:**

5. a) Council Committee Reports

Deputy Reeve Sarapuk joined the meeting at 10:04 a.m.

Councillor Jorgensen stepped out of the meeting at 10:38 a.m.

MOTION 18-10-842

MOVED by Councillor Braun

That the Council committee reports be received for information.

CARRIED

5. b) Public Works Committee Meeting Minutes

MOTION 18-10-843

MOVED by Councillor Driedger

That the Public Works Committee unapproved minutes of October 11, 2018 be received for information.

CARRIED

GENERAL REPORTS:

6. a) Disaster Recovery Program (DRP) Updates

Councillor Jorgensen rejoined the meeting at 10:43 a.m.

MOTION 18-10-844

MOVED by Councillor Cardinal

That the disaster recovery program update be received for information.

CARRIED

ADMINISTRATION:

9. a) Disaster Recovery Program – Letter of Appreciation

MOTION 18-10-845

MOVED by Councillor Jorgensen

That a letter be sent to the Minister of Municipal Affairs, Minister of Indigenous Relations, and MLA Debbie Jabbour expressing our appreciation for moving forward the Disaster Recovery Program (DRP) application for the ice jam event and requesting that consideration be given to the remaining four applications.

CARRIED

9. b) Caribou

MOTION 18-10-846

MOVED by Councillor E. Peters

That the caribou update be received for information.

CARRIED

Reeve Knelsen recessed the meeting at 10:56 a.m. and reconvened the meeting at 11:03 a.m.

Councillor Jorgensen stepped out of the meeting at 10:56 a.m.

TENDERS:

7. a) Proposals for Farm Land Development

MOTION 18-10-847

MOVED by Councillor Bateman

That the Proposals for Farm Land Development be readvertised.

CARRIED

ADMINISTRATION:

9. c) Metis Region 6 (ADDITION)

MOTION 18-10-848
Requires Unanimous

MOVED by Councillor E. Peters

That the Reeve, Councillor Cardinal and Councillor Wardley be authorized to meet with the Metis Region 6 to discuss economic development initiatives.

CARRIED UNANIMOUSLY

COMMUNITY SERVICES:

11. b) Handi-Van Operations

MOTION 18-10-849

MOVED by Councillor Braun

That the operation of the Handi-Van program be passed on to a non-profit community organization and that administration be directed to request Expressions of Interest from the community.

CARRIED

COMMUNITY SERVICES:

11. c) 2018 Campground Caretakers Bonus

MOTION 18-10-850

MOVED by Councillor Braun

That the 2018 Campground Caretaker bonuses be approved

as presented and that the updated chart for campground use be provided for information at the next council meeting.

CARRIED

Reeve Knelsen recessed the meeting at 11:28 a.m. and reconvened the meeting at 11:36 a.m. with all members present.

DELEGATIONS:

4. a) Dan Fletcher, Chief Administrative Officer, Town of High Level

COMMUNITY SERVICES:

11. a) High Level Invoice - May Wildfire Event

Dan Fletcher, Chief Administrative Officer, and Rodney Schmidt, Fire Chief, for the Town of High Level were present to discuss the wildland fire on May 12, 2018.

Councillor Jorgensen stepped out of the meeting at 11:56 a.m. and rejoined the meeting at 12:02 p.m.

MOTION 18-10-851
Requires 2/3

MOVED by Councillor Bateman

That the Town of High Level Invoice # IVC20689 (Wildland Fire Callout) in the amount of \$21,588.70 be approved for payment with funds coming from the 2018 operating budget and that appreciation be extended to the High Level Fire Department for responding.

CARRIED

DELEGATIONS:

4. b) Neil Simpson, Deputy Chief, Fort Vermilion Fire Department

MOTION 18-10-852

MOVED by Deputy Reeve Sarapuk

That Council move into a closed meeting at 12:09 p.m. to discuss personnel. *(FOIP, Div. 2, Part 1, s. 17, 24)*

CARRIED

The following individuals were present during the closed meeting. *(MGA Section 602.08(1)(6))*

- All Councillors
- Len Racher, Chief Administrative Officer

- Neil Simpson, Deputy Chief, Fort Vermilion Fire
- Larry Schartner, Firefighter, Fort Vermilion Fire
- Lisa Schartner, Firefighter, Fort Vermilion Fire

MOTION 18-10-853

MOVED by Councillor Jorgensen

That Council move out of a closed meeting at 12:38 p.m.

CARRIED

Reeve Knelsen recessed the meeting at 12:38 p.m. and reconvened the meeting at 1:08 p.m.

PUBLIC HEARINGS:

8. a) Bylaw 1101-18 Partial Road Closure and Purchase of Government Road Allowance South of Plan 112 5121, Block 01, Lot 01

Reeve Knelsen called the public hearing for Bylaw 1101-18 to order at 1:09 p.m.

Reeve Knelsen asked if the public hearing for proposed Bylaw 1101-18 was properly advertised. Byron Peters, Deputy CAO, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Knelsen asked the Development Authority to outline the proposed Partial Road Closure and Purchase of Government Road Allowance. Byron Peters, Deputy CAO, presented the Bylaw and indicated that first reading was given on May 23, 2018.

Mackenzie County received a request from a developer to purchase road allowance for consolidation to his existing yard site located on SW 14-104-18-W5M (Plan 112 5121, Block 01, Lot 01) to bring his existing infrastructure into compliance.

Due to an error in judgement, the developer's existing trailer was placed too close to the road allowance. According to the survey plan, the 10-acre subdivision was to start north of the road allowance but the applicant thought that the road allowance was part of his subdivision. Now the sewage system has been placed in the road allowance and the buildings are placed close to the property lines.

The applicant would like to purchase approximately 1.63 acres of the Road Allowance.

Before hiring a surveyor to draft a tentative plan with the exact measurements and acreage portions, the applicant wanted to know if the County was willing to consider his request and that the Minister of Transportation would sign off on the road closure. Should Council be prepared to sell the land and the Minister of Transportation agree to the road closure, the applicant will then hire a surveyor to start the process of a subdivision consolidation.

Reeve Knelsen asked if Council has any questions of the proposed Land Use Bylaw amendment.

Council had the following questions/comments:

- Is there a Corridor for a waterline if we decide to extend? On the next township road north or south.*
- Is there available road allowance in both directions? Have some already been closed? No. There has been some road closures by the Blue Hills Motel area and one further east. This one is west of the store.*
- Is closure and sale to the owner of the yard to the south? The request is to the acreage to the north. Our policy leaves some room for discretion.*
- The map on page 45 shows over half of the road allowance is already cleared and being farmed, did they get approval? Have not looked into that.*
- Are the owners the same? No, there are three different landowners as well as the County if the province approves the closure.*
- Is that a borrow pit in between? Yes.*
- Are there trees on the highway road allowance? Don't think so.*

Reeve Knelsen asked if any submissions were received in regards to proposed Bylaw 1101-18. No submissions were received.

Reeve Knelsen asked if there was anyone present who would like to speak in regards to the proposed Bylaw 1101-18.

Dicky Driedger spoke in opposition to the proposed bylaw.

- Owns the south quarter.*
- The road was built in the wrong place.*
- Always wanted to build a secondary home and would like to build in the back of the quarter if I get my*

variances.

- *When the County was 50% trees, to remove trees from a road allowance wasn't a big deal. However now we need to keep tree lines and the trees.*
- *We need water lines, gas lines, etc. and don't see a good reason to remove road allowances.*
- *An access road alongside a highway is beneficial.*
- *The high way runs through Mr. Dredger's quarter and the land is already fragmented. Closing the road allowance will only fragment it further.*
- *Fragmented parcels are a good place for acreages to go.*

George Krahn, landowner, spoke in favour of the proposed bylaw.

- *Everything was surveyed and was told it was good.*
- *In 2012 when the site was developed, Barlow Surveying surveyed and everything was put in the right place and didn't know there was a road allowance.*
- *Wants to build a house on the site and now the issue has come up.*

Discussion was held regarding the location of the cistern that was installed in the wrong location on the site. Sewage falls under provincial rules and the County does not have jurisdiction to approve a variance.

Mr. Driedger stated that even if the road allowance gets closed, according to the County laws the pumpout has to be further away from his dugout. That is illegal regardless of what happens.

Mr. Krahn stated that the pumpout is in the middle of the acreage. The tank and the lines would have to be moved.

Byron Peters stated that the subject property may have been pinned from the south side which is where the issue may have come from.

Reeve Knelsen closed the public hearing for Bylaw 1101-18 at 1:32 p.m.

MOTION 18-10-854

MOVED by Councillor Bateman

That Bylaw 1101-18 being a partial road closure bylaw to close, sell and consolidate a portion of Government Road

Allowance adjacent to Plan 112 5121, Block 01, Lot 01 be DENIED.

CARRIED

PUBLIC HEARING:

8. b) Bylaw 1102-18 Partial Road Closure and Purchase of Government Road Allowance South of SE 15-104-18-W5M

Reeve Knelsen called the public hearing for Bylaw 1102-18 to order at 1:37 p.m.

Reeve Knelsen asked if the public hearing for proposed Bylaw 1102-18 was properly advertised. Byron Peters, Deputy CAO, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Knelsen asked the Development Authority to outline the proposed Partial Road Closure and Purchase of Government Road Allowance. Byron Peters, Deputy CAO, presented the Bylaw and indicated that first reading was given on May 23, 2018.

Mackenzie County received a request for a partial road closure located in the Blue Hills area. The applicant would like to close and purchase the road allowance located south of his quarter section SE 15-104-18-W5M for consolidation. His intent is to extend his farmable land to include the undeveloped road allowance.

The applicant would like to purchase approximately 6.01 acres from the Government Road Allowance.

Before hiring a surveyor to draft a tentative plan with the exact measurements and acreage portions, the applicant wanted to know if the County was willing to consider his request and that the Minister of Transportation would sign off on the road closure. Should Council be prepared to sell the land and the Minister of Transportation agree to the road closure, the applicant will then hire a surveyor to start the process of a subdivision consolidation.

Reeve Knelsen asked if Council has any questions of the proposed Land Use Bylaw amendment.

Council had the following questions:

- *Is this along the same road allowance as Bylaw 1101-18? Yes.*

Reeve Knelsen asked if any submissions were received in regards to proposed Bylaw 1102-18. No submissions were received.

Reeve Knelsen asked if there was anyone present who would like to speak in regards to the proposed Bylaw 1102-18.

Peter Harms spoke in opposition to the proposed bylaw. There are a lot of young people in our community and business opportunities. Closing the road allowance would cut off access to the north side of the highway. Do not want it closed.

Dicky Driedger also indicated that he was opposed to the proposed bylaw.

Reeve Knelsen closed the public hearing for Bylaw 1102-18 at 1:39 p.m.

MOTION 18-10-855

MOVED by Councillor Braun

That Bylaw 1102-18 being a partial road closure bylaw to close, sell and consolidate a portion of Government Road Allowance adjacent to SE 15-104-18-W5M be forwarded to the Minister of Transportation for approval.

DEFEATED

PUBLIC HEARING:

8. c) Bylaw 1103-18 Partial Road Closure and Purchase of Government Road Allowance South of SW 14-104-18-W5M

Reeve Knelsen called the public hearing for Bylaw 1103-18 to order at 1:40 p.m.

Reeve Knelsen asked if the public hearing for proposed Bylaw 1103-18 was properly advertised. Byron Peters, Deputy CAO, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Knelsen asked the Development Authority to outline the Partial Road Closure and Purchase of Government Road Allowance. Byron Peters, Deputy CAO, presented the Bylaw and indicated that first reading was given on May 23, 2018.

Mackenzie County received a request for a partial road closure located in the Blue Hills area. The applicant would like to close and purchase the road allowance located south of his quarter section SW 14-104-18-W5M for consolidation. His intent is to extend his farmable land to include the undeveloped road allowance.

The applicant would like to purchase approximately 4.38 acres, which is all of the Government Road Allowance south of his property.

Before hiring a surveyor to draft a tentative plan with the exact measurements and acreage portions, the applicant wanted to know if the County was willing to consider his request and that the Minister of Transportation would sign off on the road closure. Should Council be prepared to sell the land and the Minister of Transportation agree to the road closure, the applicant will then hire a surveyor to start the process of a subdivision consolidation.

Reeve Knelsen asked if Council has any questions of the proposed Land Use Bylaw amendment.

Council had the following questions:

- Is this the same quarter section as the previous? Yes.*
- Who is applying? It is a different landowner however they applied at similar times.*

Reeve Knelsen asked if any submissions were received in regards to proposed Bylaw 1103-18. No submissions were received.

Reeve Knelsen asked if there was anyone present who would like to speak in regards to the proposed Bylaw 1103-18. No one was present to speak to the proposed bylaw.

Reeve Knelsen closed the public hearing for Bylaw 1103-18 at 1:42 p.m.

MOTION 18-10-856

MOVED by Councillor Wardley

That Bylaw 1103-18 being a partial road closure bylaw to close, sell and consolidate a portion of Government Road Allowance adjacent to SW 14-104-18-W5M be DENIED.

CARRIED

MOTION 18-10-857
Requires 2/3

MOVED by Councillor Jorgensen

That the road closure application fees be refunded to the applicants of Bylaw 1101-18, Bylaw 1102-18, and Bylaw 1103-18.

CARRIED

DELEGATIONS:

4. c) Carson Flett – Petition for Teacher for Indigenous Language Curriculum

MOTION 18-10-858

MOVED by Councillor Jorgensen

That the petition for teacher for indigenous language curriculum be received for information.

CARRIED

AGRICULTURE SERVICES:

10. a) Alberta Biodiversity Monitoring Institute (ADDITION)

MOTION 18-10-859
Requires Unanimous

MOVED by Councillor Jorgensen

That a letter be provided to the Alberta Biodiversity Monitoring Institute in support of the Pilot Wildlife Monitoring Program Using Remote Cameras, in principle.

CARRIED UNANIMOUSLY

Reeve Knelsen recessed the meeting at 2:19 p.m. and reconvened the meeting at 2:29 p.m.

FINANCE:

12. a) Cemeteries (ADDITION)

MOTION 18-10-860
Requires Unanimous

MOVED by Councillor Bateman

That administration research the cemetery grant for the High Level cemetery and bring back to Council.

CARRIED UNANIMOUSLY

OPERATIONS:

13. a) Ratepayer Concern (ADDITION)

MOTION 18-10-861

MOVED by Councillor Wardley

Requires Unanimous

That the ratepayer concern regarding contract grader operators be received for information.

CARRIED

**PLANNING &
DEVELOPMENT:**

14. a) Public Notification Process for Development Permits

MOTION 18-10-862

MOVED by Councillor Cardinal

That the public notification process for development permits include the County's Facebook page.

CARRIED

**PLANNING &
DEVELOPMENT:**

14. b) Zama Airport – Private Lease

MOTION 18-10-863

MOVED by Councillor Wardley

That administration explores options and legalities for leasing the south end of the Zama airstrip to private parties and bring back the options to Council.

CARRIED

UTILITIES:

15. a) Zama Lift Station Upgrade Project

Reeve Knelsen recessed the meeting at 3:10 p.m. and reconvened the meeting at 3:21 p.m.

**INFORMATION /
CORRESPONDENCE:**

16. a) Information/Correspondence

MOTION 18-10-864

MOVED by Councillor Wardley

That the appraisal report for non-profit buildings be presented to the Community Services Committee for review.

CARRIED

MOTION 18-10-865

MOVED by Councillor Jorgensen

That all Councillors be authorized to attend the Community Conversation regarding health needs in High Level on

November 8, 2018.

CARRIED

MOTION 18-10-866

MOVED by Deputy Reeve Sarapuk

That the information/correspondence items be received for information.

CARRIED

UTILITIES:

15. a) Zama Lift Station Upgrade Project

MOTION 18-10-867

MOVED by Councillor Braun

That the Zama Lift Station Upgrade Project be TABLED to the next meeting for more information.

CARRIED

UTILITIES:

15. b) Zama Water Treatment Improvements Project

MOTION 18-10-868

MOVED by Councillor Braun

That the Zama Water Treatment Improvements Project be TABLED to the next meeting.

CARRIED

CLOSED MEETING:

17. Closed Meeting

MOTION 18-10-869

MOVED by Councillor Bateman

That Council move into a closed meeting at 3:55 p.m. to discuss the following:

- 17. b) Legal Opinion on Tax Write Offs and Collection Outcomes (*FOIP, Div. 2, Part 1, s. 23, 24, 27*)
- 17. c) Union Negotiations (Standing Item) (*s. 23, 24*)

CARRIED

The following individuals were present during the closed meeting discussion. (*MGA Section 602.08(1)(6)*)

- All Councillors
- Len Racher, Chief Administrative Officer
- Byron Peters, Deputy CAO

- David Fehr, Director of Operations
- Bill McKennan, Director of Finance
- Carol Gabriel, Director of Legislative & Support Services

MOTION 18-10-870

MOVED by Councillor Driedger

That Council move out of a closed meeting at 5:07 p.m.

CARRIED

17. b) Legal Opinion on Tax Write Offs and Collection Outcomes

MOTION 18-10-871
Requires 2/3

MOVED by Councillor Braun

That the Tax Roll accounts as detailed in Appendix I (attached) be deemed as uncollectable, reflected as bad debt, and written off.

CARRIED

MOTION 18-10-872

MOVED by Deputy Reeve Sarapuk

That administration apply for reimbursement under the Provincial Education Requisition Credit Program for educational taxes being written off.

CARRIED

17. c) Union Negotiations

MOTION 18-10-873

MOVED by Councillor E. Peters

That the Reeve and the following Councillors be appointed to the Ad Hoc Union Negotiating Advisory Committee:

- Councillor Braun
- Councillor Wardley
- Councillor A. Peters

CARRIED

MOTION 18-10-874

MOVED by Councillor Wardley

That Council move into a closed meeting at 5:19 p.m. to discuss personnel (s. 17, 24).

CARRIED

The following individuals were present during the closed meeting discussion. (*MGA Section 602.08(1)(6)*)

- All Councillors

MOTION 18-10-875

MOVED by Councillor Bateman

That Council move out of a closed meeting at 5:37 p.m.

CARRIED

NOTICE OF MOTION: 18. a) None

NEXT MEETING DATE: 19. a) Next Meeting Dates

Regular Council Meeting
November 13, 2018
10:00 a.m.
Fort Vermilion Council Chambers

Committee of the Whole Meeting
November 27, 2018
10:00 a.m.
Fort Vermilion Council Chambers

Regular Council Meeting
November 28, 2018
10:00 a.m.
Fort Vermilion Council Chambers

ADJOURNMENT: 20. a) Adjournment

MOTION 18-10-876 **MOVED** by Councillor Jorgensen

That the council meeting be adjourned at 5:38 p.m.

CARRIED

These minutes were approved by Council on November 13, 2018.

(original signed)

Joshua Knelsen
Reeve

(original signed)

Len Racher
Chief Administrative Officer

