

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**Monday, February 13, 2012
10:00 a.m.**

**Council Chambers
Fort Vermilion, Alberta**

PRESENT:

Bill Neufeld	Reeve
Walter Sarapuk	Deputy Reeve (arrived at 10:05 a.m.)
Jacque Bateman	Councillor
Peter F. Braun	Councillor
Elmer Derksen	Councillor
Dicky Driedger	Councillor
John W. Driedger	Councillor
Odell Flett	Councillor
Eric Jorgensen	Councillor (arrived at 10:05 a.m.)
Lisa Wardley	Councillor

REGRETS:

ADMINISTRATION:

J. Roy Brideau	Chief Administrative Officer
Joulia Whittleton	Director of Corporate Services
Fred Wiebe	Supervisor of Utilities
Byron Peters	Project/Construction Superintendent
Liane Lambert	Development Officer
Carol Gabriel	Executive Assistant

ALSO PRESENT: Members of the public.

Minutes of the Regular Council meeting for Mackenzie County held on February 13, 2012 in the Council Chambers at the Fort Vermilion County Office.

CALL TO ORDER: 1. a) Call to Order

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

AGENDA: 2. a) Adoption of Agenda

MOTION 12-02-080 MOVED by Councillor Flett

That the agenda be adopted with the following additions:

11. e) Mighty Peace Watershed Alliance Annual General Meeting

11. f) Letter of Support for Post Office in Tompkins Landing

CARRIED

**STRATEGY & POLICY
SESSION:**

3. a) None

**ADOPTION OF
PREVIOUS MINUTES:**

4. a) **Minutes of the January 23, 2012 Regular Council Meeting**

MOTION 12-02-081

MOVED by Councillor Wardley

That the minutes of the January 23, 2012 Regular Council meeting be adopted as presented.

CARRIED

4. b) **Minutes of the February 6, 2012 Special Council (Budget) Meeting**

MOTION 12-02-082

MOVED by Councillor Braun

That the minutes of the February 6, 2012 Special Council budget meeting be adopted as presented.

CARRIED

GENERAL REPORTS:

6. a) **Mackenzie Housing Management Board Meeting Minutes**

Deputy Reeve Sarapuk and Councillor Jorgensen arrived at 10:05 a.m.

MOTION 12-02-083

MOVED by Councillor J. Driedger

That the Mackenzie Housing Management Board meeting minutes be received for information.

CARRIED

6. b) **Agricultural Service Board Meeting Minutes – November 16, 2011**

MOTION 12-02-084

MOVED by Deputy Reeve Sarapuk

That the Agricultural Service Board meeting minutes of November 16, 2011 be received for information.

CARRIED

6. c) Municipal Planning Commission Meeting Minutes – January 19, 2012

MOTION 12-02-085

MOVED by Councillor Wardley

That the Municipal Planning Commission meeting minutes of January 19, 2012 be received for information.

CARRIED

6. d) Rural Waterline Committee Minutes – November 10, 2011

MOTION 12-02-086

MOVED by Councillor J. Driedger

That the Rural Waterline Committee meeting minutes of November 10, 2011 be received for information.

CARRIED

**COMMUNITY &
PROTECTIVE
SERVICES:**

7. a) None

**OPERATIONAL
SERVICES:**

8. a) Bylaw 849-12 – Water and Sewer System

MOTION 12-02-087

MOVED by Councillor Wardley

That first reading be given to Bylaw 849-12 being the Water and Sewer System Bylaw for Mackenzie County as amended.

CARRIED

MOTION 12-02-088

MOVED by Councillor Braun

That second reading be given to Bylaw 849-12 being the Water and Sewer System Bylaw for Mackenzie County.

CARRIED

MOTION 12-02-089

Requires Unanimous

MOVED by Councillor Derksen

That consideration be given to go to third reading of Bylaw 849-12 being the Water and Sewer System Bylaw for Mackenzie County.

CARRIED UNANIMOUSLY

MOTION 12-02-090

MOVED by Deputy Reeve Sarapuk

That third reading be given to Bylaw 849-12 being the Water and Sewer System Bylaw for Mackenzie County.

CARRIED

Reeve Neufeld recessed the meeting at 10:54 a.m. and reconvened the meeting at 11:06 a.m.

8. b) Policy PW009 Dust Control Policy

MOTION 12-02-091

MOVED by Councillor D. Driedger

That dust control product be available at full cost recovery and that the seniors be subsidized at 50%.

Councillor Derksen requested a recorded vote.

In Favor:

Councillor J. Driedger
Councillor Wardley
Councillor D. Driedger
Councillor Braun
Councillor Bateman

Opposed:

Councillor Derksen
Councillor Flett
Reeve Neufeld
Deputy Reeve Sarapuk
Councillor Jorgensen

DEFEATED

MOTION 12-02-092

MOVED by Councillor Wardley

That DL 10-40 be removed from Policy PW009 Dust Control.

CARRIED

MOTION 12-02-093

MOVED by Councillor Braun

That Policy PW009 Dust Control Policy be adopted as amended.

CARRIED

Reeve Neufeld recessed the meeting at 12:06 p.m. and reconvened the meeting at 1:00 p.m.

PUBLIC HEARINGS:

10. a) Bylaw 844-11 Land Use Bylaw Amendment to Rezone Part of FORTVER, Range 2, Lot 7A from Urban Fringe “UF” to Direct Control “DC” (Fort Vermilion)

Reeve Neufeld called the public hearing for Bylaw 844-11 to order at 1:00 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 844-11 was properly advertised. Liane Lambert, Development Officer, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Neufeld asked the Development Authority to outline the proposed Land Use Bylaw Amendment. Liane Lambert, Development Officer, presented the Development Authority's submission and indicated that first reading was given on January 10, 2012.

Reeve Neufeld asked if Council has any questions of the proposed Land Use Bylaw Amendment. The following questions/comments were made by Council:

- How is this different from the plan three weeks ago? The area has been significantly reduced from the original area presented to Council on January 10th.
- Did the County make concessions? There is a natural three meter buffer.
- The preamble states that this is the opening of a historical gravel pit, is it an expansion as opposed to re-opening? The application reads that the plan is to exhaust the pit (see application) and testing may result in further expansion. Request is to rezone a portion of the land to Direct Control. The secondary process is to

apply for a development permit which would be presented to Council under the Direct Control zoning.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 844-11.

- The following written submissions were read aloud and are attached to the minutes:
 - Reg and Genny McLean
 - Ilene Lizotte
 - L. Marilyn Eek
 - Dr. Wendy Quist
 - Arthur Mercredi
 - Audrey Randle
 - Wayne Mercredi

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 844-11.

In Opposition:

- Ray Toews spoke in opposition to the proposed bylaw. This area is a historic area. In regards to the flood plain, with the dams in place it may not be as applicable. The existing pit is already below the flood level. This whole area is a gravel pit which was evident in a recent experience with a broken waterline, the ground is porous. We are concerned with the hole at the pit now. Why should it be acceptable in Fort Vermilion? It should be reclaimed. We would like to see a development plan. Maybe you can make a park or a recreational area, marina, etc.
- Noreen McAteer spoke in opposition to the proposed bylaw. Agrees with the submissions received and read. Take opposition to it being called a historical gravel pit. Would like to see it reclaimed to its original history.

In Favor:

- Joe Hustler from Knelsen Sand & Gravel spoke in favor of the proposed bylaw. Process started when doing a renewal with Alberta Environment (AE). Our approval is still valid with AE however they needed the zoning to be proper and needed to be changed. AE approval expired in 2008 and the renewal has taken some time. AE never considered the zoning in the past. The activity on the site has been ongoing since the 70's. This is a renewal on an existing pit. We have not operated at the pit for the past 7 – 8 years and we have been working at

the Scarf pit. The Fort Vermilion site is going to be used for asphalt and the usage will have peaks and valleys. It is not a year round operation. We will be supplying local demands which will keep costs down. We are considering additional testing for future expansion. This pit has been active for years.

- Ryan Becker from Knelsen Sand & Gravel spoke in favor of the proposed bylaw. We are willing to work with any residents to deal with any issues or special requirements. We want to work with the people once we get to the Development Permit stage. We have no intention to destroy anyone's property value.

The following questions/comments followed from Council to the applicant:

- The portion along River Road has already been reclaimed.
- Do you have a reclamation plan or timeline for the exhaustion of the pit? Depends on the number of projects that require the product.
- Is there a plan available prior to third reading? Depends on the in-depth plan required. Council has the final say under the Direct Control zoning. We are open to public input.
- Will there be an asphalt plant on site? Under Direct Control Council can say no.
- Reclamation doesn't mean bringing it back to ground level. The province has guidelines, some areas have different requirements. Standards have changed over the years.
- On the map it shows a new mining area of 9.1 hectares – this is an expansion not just a re-opening. We don't need approval from AE to test; the entire boundary is the pit.

Reeve Neufeld closed the public hearing for Bylaw 844-11 at 1:45 p.m.

MOTION 12-02-094

MOVED by Councillor Wardley

That second reading be given to Bylaw 844-11, being a Land Use Bylaw to rezone Part of FORTVER, Range 2, Lot 7A from Urban Fringe "UF" to Direct Control "DC" to accommodate a Natural Resources Extraction Industry as amended.

CARRIED

MOTION 12-02-095

MOVED by Deputy Reeve Sarapuk

That third reading of Bylaw 844-11 being a Land Use Bylaw to rezone Part of FORTVER, Range 2, Lot 7A from Urban Fringe "UF" to Direct Control "DC" to accommodate a Natural Resources Extraction Industry be TABLED.

CARRIED

Reeve Neufeld recessed the meeting at 1:55 p.m. and reconvened the meeting at 2:07 p.m.

DELEGATION:

5. a) Eric Burton, Alberta Treasury Board and Enterprise – Community Investment Readiness

Presentation by Eric Burton from Alberta Treasury Board and Enterprise on the Northern Alberta Community Investment Readiness Pilot Project.

**PLANNING &
DEVELOPMENT:**

**9. a) Bylaw 851-12 Amendment to Bylaw 826-11
Subdivision Plan Cancellation Plan 082 5028 Block
1, Lots 2 through 4 (High Level Rural)**

MOTION 12-02-096

MOVED by Councillor Bateman

That first reading be given to Bylaw 851-12 being an amendment to Bylaw 826-11 in accordance to Alberta Land Titles recommendation as amended.

CARRIED

MOTION 12-02-097

MOVED by Councillor Braun

That second reading be given to Bylaw 851-12 being an amendment to Bylaw 826-11 in accordance to Alberta Land Titles recommendation.

CARRIED

MOTION 12-02-098

Requires Unanimous

MOVED by Councillor J. Driedger

That consideration be given to go to third reading of Bylaw 851-12 being an amendment to Bylaw 826-11 in accordance to Alberta Land Titles recommendation.

CARRIED UNANIMOUSLY

MOTION 12-02-099

MOVED by Councillor Derksen

That third reading be given to Bylaw 851-12 being an amendment to Bylaw 826-11 in accordance to Alberta Land Titles recommendation.

CARRIED

9. b) Bylaw 852-12 Land Use Bylaw Amendment Rezoning Plan 922 0041, Block 1, Lot 1 (NW 12-104-18-W5M) from Agricultural “A” to Highway Development “HD” (Bluehills)

MOTION 12-02-100

MOVED by Councillor Bateman

That first reading be given to Bylaw 852-12, being a Land Use Bylaw amendment to rezone Plan 922 0041, Block 1, Lot 1 (NW 12-104-18-W5M) from Agricultural (A) to Highway Development (HD) to accommodate the operation of a Service Station and Convenience Store, subject to public hearing input.

CARRIED

9. c) Bylaw 853-12 Land Use Bylaw Amendment to Add Manufactured Home – Double Wide, Manufactured Home - Modular Home, Garage – Attached, Garage – Detached and Shop to the Hamlet General “HG” Zoning

MOTION 12-02-101

MOVED by Councillor Wardley

That first reading be given to Bylaw 853-12, being a Land Use Bylaw Amendment to add Manufactured Homes – Double Wide, Manufactured Home – Modular Homes, Garage-Attached, Garage-Detached and Shop to the Hamlet General “HG” zoning, subject to public hearing input.

CARRIED UNANIMOUSLY

OPERATIONAL SERVICES:

8. c) Policy UT004 Utility Connections

MOTION 12-02-102

MOVED by Councillor Bateman

That Policy UT004 Utility Connections be approved as amended.

CARRIED

8. d) Policy RESV018 Water Reserve Fund

MOTION 12-02-103

MOVED by Councillor Derksen

That Policy RESV018 Water Reserve Fund be TABLED to the next meeting.

CARRIED

Reeve Neufeld recessed the meeting at 3:17 p.m. and reconvened the meeting at 3:30 p.m.

**CORPORATE
SERVICES:**

11. a) Bylaw 850-12 Fee Schedule Bylaw

MOTION 12-02-104
Requires 2/3

MOVED by Councillor Bateman

That third reading be given to Bylaw 850-12 being the Fee Schedule Bylaw for Mackenzie County as amended.

CARRIED

11. b) Bylaw 854-12 Fee Schedule Bylaw

MOTION 12-02-105

MOVED by Councillor Bateman

That council move in-camera at 4:35 p.m.

CARRIED

MOTION 12-02-106

MOVED by Councillor Bateman

That council move out of camera at 5:03 p.m.

CARRIED

MOTION 12-02-107
Requires 2/3

MOVED by Councillor Wardley

That first reading be given to Bylaw 854-12 being the Fee Schedule Bylaw for Mackenzie County as amended.

Deputy Reeve Sarapuk requested a recorded vote.

In Favor:

Councillor Flett
Councillor J. Driedger
Councillor Wardley
Reeve Neufeld
Councillor Bateman
Councillor D. Driedger
Councillor Jorgensen
Councillor Braun

Opposed:

Councillor Derksen
Deputy Reeve Sarapuk

CARRIED

MOTION 12-02-108
Requires 2/3

MOVED by Councillor D. Driedger

That second reading be given to Bylaw 854-12 being the Fee Schedule Bylaw for Mackenzie County.

DEFEATED

11. c) Development Statistics Report

MOTION 12-02-109

MOVED by Councillor Wardley

That the development statistics report be received for information.

CARRIED

11. d) La Crete Agricultural Society – Letter of Support Request

MOTION 12-02-110

MOVED by Councillor Braun

That a letter of support be provided to the La Crete Agricultural Society for their project manager application under the Communities Initiatives Program grant.

CARRIED

MOTION 12-02-111

MOVED by Councillor J. Driedger

That a letter of support be provided to the La Crete Agricultural Society for the Northern Alberta Fun Flyer's shed expansion project under the Communities Facilities Enhancement

Program grant.

CARRIED

11. e) Mighty Peace Watershed Alliance Annual General Meeting (ADDITION)

MOTION 12-02-112
Requires Unanimous

MOVED by Councillor Wardley

That the Reeve and one Councillor be authorized to attend the Mighty Peace Watershed Alliance Annual General Meeting in Peace River on March 24, 2012.

CARRIED UNANIMOUSLY

11. f) Letter of Support for Post Office in Tompkins Landing (ADDITION)

MOTION 12-02-113
Requires Unanimous

MOVED by Councillor Bateman

That a letter of support be provided for the post office in Tompkins Landing.

CARRIED UNANIMOUSLY

**INFORMATION/
CORRESPONDENCE:**

12. a) Information/Correspondence

MOTION 12-02-114

MOVED by Councillor Jorgensen

That information/correspondence be received for information.

CARRIED

IN CAMERA SESSION:

MOTION 12-02-115

MOVED by Councillor Bateman

That Council move in-camera to discuss issues under the Freedom of Information and Protection of Privacy Regulations 18 (1) at 5:50 p.m.

- 13. a) Legal
- 13. b) Labour
- 13. c) Land

CARRIED

MOTION 12-02-116

MOVED by Councillor Flett

That Council move out of camera at 7:00 p.m.

CARRIED

13. a) Legal

MOTION 12-02-117

MOVED by Councillor Braun

That the seniors housing be TABLED to the next meeting.

CARRIED UNANIMOUSLY

13. b) Labour

MOTION 12-02-118

MOVED by Councillor Wardley

That the CAO evaluation be TABLED to March 15, 2012 at 9:00 a.m. and that the Council meeting start at 11:00 a.m.

CARRIED

**NEXT MEETING
DATE:**

14. a) Regular Council Meeting
Wednesday, February 29, 2012
4:00 p.m.
High Level Rural Hall

ADJOURNMENT:

15. a) Adjournment

MOTION 12-02-119

MOVED by Councillor Jorgensen

That the regular council meeting be adjourned at 7:06 p.m.

CARRIED

These minutes were approved by Council on February 29, 2012.

(original signed)

Bill Neufeld
Reeve

(original signed)

J. Roy Brideau
Chief Administrative Officer

