

**MUNICIPAL DISTRICT OF MACKENZIE NO. 23  
REGULAR COUNCIL MEETING**

**Tuesday, May 4, 2004  
1:00 p.m.**

**Zama Community Hall  
Zama City, Alberta**

**PRESENT:**

Bill Neufeld	Reeve
Betty Bateman	Councillor
John W. Driedger	Councillor
Pat Kulscar	Councillor
Greg Newman	Councillor
Odell Flett	Councillor
Wayne Thiessen	Councillor
Joe Peters	Councillor

**ABSENT:**

Willie Wieler	Councillor
Walter Sarapuk	Deputy Reeve

**ALSO PRESENT:**

Harvey Prockiw	Chief Administrative Officer
Barb Spurgeon	Executive Assistant
Bill Landiuk	Director of Corporate Services
Michel Savard	Director of Operational Services
Paul Driedger	Director of Planning, Emergency, and Enforcement Services

Minutes of the regular Council meeting for the Municipal District of Mackenzie No. 23 held on Tuesday, May 4, 2004 in the Community Hall, Zama City, Alberta.

**CALL TO ORDER: 1. a) Call to Order**

Reeve Neufeld called the meeting to order at 1:34 p.m.

**AGENDA:**                    2.     a)     Adoption of Agenda

**MOTION 04-307**  
Requires Unanimous  
Consent

**MOVED** by Councillor Thiessen

That the agenda be adopted as amended with the following additions:

- 5. b)     Zama Recreation Board
- 10. l)    Rural Water Services Board
- 12.e)    MD Library Board
- 12.f)    AAMD&C Office Grand Opening
- 13. a)    Policing

**CARRIED**

**DELEGATIONS:**        5.     b)     Zama Recreation Board

Reeve Neufeld welcomed Jacqui Bateman at 1:38 p.m.

Ms. Bateman reviewed with Council the need for Capital Funding for the expansion of the Zama Community Hall.

Reeve Neufeld thanked Ms. Bateman, who left the meeting at 1:59 p.m.

**MOTION 04-308**        **MOVED** by Councillor Bateman

That the Zama City Hall expansion be approved.

**CARRIED**

**MOTION 04-309**        **MOVED** by Councillor Bateman  
Requires 2/3 Majority

That the Zama Recreational Board receive \$30,000 Capital grant funding for 2004.

**CARRIED**

**ADOPTION OF  
THE PREVIOUS  
MINUTES:**

3.     a)     Minutes of the April 20, 2004  
Regular Council Meeting

**MOTION 04-310**        **MOVED** by Councillor Kulscar

That the minutes of the April 20, 2004 Regular Council meeting be adopted as presented.

**CARRIED**

3. a) **Minutes of the April 21, 2004  
Special Council Meeting**

**MOTION 04-311** **MOVED** by Councillor Peters

That the minutes of the April 21, 2004 Special Council meeting be adopted as presented.

**CARRIED**

**BUSINESS ARISING  
OUT OF THE  
MINUTES:**

4. a)

There were no items under this heading.

**DELEGATIONS:** 5. a) **DCL Siemens**

Reeve Neufeld welcomed Dan McGuigan and Jim Clark at 2:02 p.m.

Mr. McGuigan and Mr. Clark presented Council the draft report of the Zama water system study.

Reeve Neufeld thanked Mr. McGuigan and Mr. Clark, who left the table at 3:14 p.m.

**MOTION 04-312** **MOVED** by Councillor Newman

That the Hamlet of Zama Water Treatment Plant Feasibility Study presented by DCL Siemens be adopted with Option #3; and further that an application for funding be made to Alberta Transportation.

**CARRIED**

10. d) **Hamlet of La Crete Water Supply System Upgrading  
Contract 1- Raw Water Supply Line  
Tender Recommendation**

**MOTION 04-313** **MOVED** by Councillor Thiessen

That Contract 1 – Raw Water Supply Line for the Water Treatment Plant upgrade in La Crete be awarded to In-Line Contracting Ltd. for \$1,440,584.60 plus GST.

**CARRIED**

Reeve Neufeld recessed the meeting at 3:15 p.m.

Reeve Neufeld reconvened the meeting at 3:28 p.m.

**10. e) Hamlet of La Crete Water Supply System Upgrading  
Contract 2 -Pumping and Water Treatment Facilities  
Tender Recommendation**

**MOTION 04-314** **MOVED** by Councillor Thiessen

That Contract 1 – Pumping and Water Treatment Facilities for the Water Treatment Plant upgrade in La Crete be awarded to JenCol Construction with optional items for \$6,466,237.71 plus GST.

**CARRIED**

**PUBLIC  
HEARINGS:**

**6. a) Bylaw 416/04 – Land Use Bylaw Amendment to  
Rezone From Agricultural District 1 “A1” to  
Rural Country Residential District 2 “RC2”  
NW 21-110-19-W5M**

Reeve Neufeld called the public hearing for Bylaw 416/04 to order at 3:37 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 413/04 was properly advertised. Paul Driedger 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. Paul Driedger presented the Development Authority’s submission.

Reeve Neufeld asked if Council had any questions of the proposed Land Use Bylaw Amendment.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 416/04. Paul Driedger answered that there were none.

Reeve Neufeld asked if there was anyone present who would like to speak in regards of the proposed Bylaw 416/04.

Reeve Neufeld closed the public hearing for Bylaw 416/04 at 3:39 p.m.

**MOTION 04-315**      **MOVED** by Councillor Thiessen

Bylaw 416/04  
Second Reading

That second reading be given to Bylaw 416/04 to re-zone Pt. NW 21-110-19-W5M from Agricultural District 1 "A1" to Rural Country Residential District 2 "RC2".

**CARRIED**

**MOTION 04-316**      **MOVED** by Councillor Kulscar

Bylaw 416/04

That third reading for Bylaw 416/04 to re-zone Pt. NW 21-110-19-W5M from Agricultural District 1 "A1" to Rural Country Residential District 2 "RC2" be tabled until an area structure plan is approved.

**CARRIED**

**6.      b)      PUBLIC HEARING**  
**Bylaw 421/04 – Land Use Bylaw Amendment**  
**to Add zonings and Conditions to**  
**Mobile Home Subdivisions**

Reeve Neufeld called the public hearing for Bylaw 421/04 to order at 3:41 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 421/04 was properly advertised. Paul Driedger 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. Paul Driedger presented the Development Authority's submission.

Reeve Neufeld asked if Council had any questions of the proposed Land Use Bylaw Amendment.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 421/04. Paul Driedger answered that there were none.

Reeve Neufeld asked if there was anyone present who would like to speak in regards of the proposed Bylaw 421/04.

Reeve Neufeld closed the public hearing for Bylaw 421/04 at 3:47 p.m.

**MOTION 04-317**      **MOVED** by Councillor Newman

Bylaw 421/04  
Second Reading

That second reading be given to Bylaw 421/04 being a Land Use Bylaw amendment to delete Mobile Home Subdivision District (MHS) and add Mobile Home Subdivision District 1 (MHS 1) and Mobile Home Subdivision District 2 (MHS 2) with amendments.

**CARRIED**

**MOTION 04-318**      **MOVED** by Councillor Peters

Bylaw 421/04  
Third Reading

That third reading be given to Bylaw 421/04 being a Land Use Bylaw amendment to delete Mobile Home Subdivision District (MHS) and add Mobile Home Subdivision District 1 (MHS 1) and Mobile Home Subdivision District 2 (MHS 2) with amendments.

**CARRIED**

6.      c)      **Bylaw 429/04 – Land Use Bylaw Amendment to  
Add Zonings and Conditions to  
Hamlet Country Residential Subdivisions**

Reeve Neufeld called the public hearing for Bylaw 429/04 to order at 3:48 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 429/04 was properly advertised. Paul Driedger 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. Paul Driedger presented the Development Authority's submission.

Reeve Neufeld asked if Council had any questions of the proposed Land Use Bylaw Amendment.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 429/04. Paul Driedger answered that there were none.

Reeve Neufeld asked if there was anyone present who would like to speak in regards of the proposed Bylaw 429/04.

Reeve Neufeld closed the public hearing for Bylaw 429/04 at 3:55 p.m.

**MOTION 04-319**

Bylaw 429/04

Second Reading

**MOVED** by Councillor Bateman

That second reading be given to Bylaw 429/04 being a Land Use Bylaw amendment to delete Hamlet Country Residential District "HCR" and add Hamlet Country Residential District 1 "HCR1" and Hamlet Country Residential District 2 "HCR2" with amendments.

**CARRIED**

**MOTION 04-320**

Bylaw 429/04

Third Reading

**MOVED** by Councillor Driedger

That third reading be given to Bylaw 429/04 being a Land Use Bylaw amendment to delete Hamlet Country Residential District "HCR" and add Hamlet Country Residential District 1 "HCR1" and Hamlet Country Residential District 2 "HCR2" with amendments.

**CARRIED**

**6. d) Bylaw 433/04 – Land Use Bylaw Amendment  
NW 5-106-15-W5M  
From Rural Country Residential District  
"RC1" & "RC2" to Rural Country  
Residential District 3 "RC 3"**

Reeve Neufeld called the public hearing for Bylaw 433/04 to order at 3:56 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 433/04 was properly advertised. Paul Driedger 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. Paul Driedger presented the Development Authority's submission.

Reeve Neufeld asked if Council had any questions of the proposed Land Use Bylaw Amendment.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 433/04. Paul Driedger answered that there were none.

Reeve Neufeld asked if there was anyone present who would like to speak in regards of the proposed Bylaw 433/04.

Reeve Neufeld closed the public hearing for Bylaw 433/04 at 3:57 p.m.

**MOTION 04-321**      **MOVED** by Councillor Peters

Bylaw 433/04  
Second Reading

That second reading be given to Bylaw 433/04 being a Land Use Bylaw amendment to rezone Pt. NW 5-106-15-W5M from Rural Country Residential District 1 "RC1" and Rural Country Residential District 2 "RC2" to Rural Country Residential District 3 "RC 3".

**CARRIED**

**MOTION 04-322**      **MOVED** by Councillor Flett

Bylaw 433/04  
Third Reading

That third reading be given to Bylaw 433/04 being a Land Use Bylaw amendment to rezone Pt. NW 5-106-15-W5M from Rural Country Residential District 1 "RC1" and Rural Country Residential District 2 "RC2" to Rural Country Residential District 3 "RC 3".

**CARRIED**

**COUNCIL  
COMMITTEE AND  
CAO REPORTS:**

**7.      a)      Council Committee Reports**

Councillor Bateman reported on the Zama Recreational Board.  
Councillor Flett reported on the MD Library Board and ratepayer's meetings.

Councillor Kulscar reported on the Fire Services Task Force, Solid Waste Task Force, Marketing Alberta Workshop, Ratepayers meetings, Policing Task Force, and Fairview College Advisory Committee.

Councillor Driedger reported on the Ratepayer meetings, and Solid Waste Task Force.

Councillor Newman reported on the ASB, Policing Task Force and ratepayer's meetings.

Councillor Peters reported on the ASB, Fire Task Force, Ratepayers and Vet Advisory Committee.

Councillor Thiessen reported on the Ag Land Task Force.

Reeve Neufeld reported on the Ag Land Task Force, Policing Task Force, and Ratepayers meetings.

**MOTION 04-323**      **MOVED** by Councillor Newman

That the Council Committee verbal reports be received as information.

**CARRIED**



7. b) **CAO Report**

**MOTION 04-324** **MOVED** by Councillor Driedger

That the written report submitted by the Chief Administrative Officer be accepted as presented.

**CARRIED**

**GENERAL REPORTS:**

8. a) **Action List on Council Motions**

**MOTION 04- 325** **MOVED** by Councillor Bateman

That the Action List be accepted for information.

**CARRIED**

**AGRICULTURAL SERVICES:**

9. a) **Blue Hills Drainage**

**MOTION 04- 326** **MOVED** by Councillor Bateman

Requires 2/3 Majority

That the 2004 Capital Budget be amended to include:

<u>Project</u>	<u>Funding</u>	<u>Cost</u>
Blue Hills Drainage	Drainage Reserve	\$47,500

**CARRIED**

9. b) **Mosquito Control**

**MOTION 04- 327** **MOVED** by Councillor Thiessen

That the report on the Alberta Mosquito Control Program be received as information.

**CARRIED**

9. c) **Agricultural Fieldman Summary of Activities**

**MOTION 04- 328** **MOVED** by Councillor Newman

That the written Summary of Activities submitted by the Agricultural Fieldman be accepted as presented.

**CARRIED**

Reeve Neufeld recessed the meeting at 4:20 p.m.

Reeve Neufeld reconvened the meeting at 4:31 p.m.

**MOTION 04-329** **MOVED** by Councillor Kulscar

That a letter be written to Alberta Health and Wellness requesting consideration on the funding formula for Mosquito Control Program.

**CARRIED**

**OPERATIONAL  
SERVICES:**

10. a) **Policy PW010 – Road Protection Agreement**

**MOTION 04-330** **MOVED** by Councillor Bateman

That Policy PW010 – Road Protection Agreement, be received as information.

**CARRIED**

10. b) **Policy PW034- Nonconforming Roads**

**MOTION 04-331** **MOVED** by Councillor Driedger

That Policy PW034 – Nonconforming Roads in Road Allowances be adopted as presented.

**CARRIED**

10. c) **Engineering Guidelines &  
Minimum Servicing Standards**

**MOTION 04- 332** **MOVED** by Councillor Kulscar

That the Engineering Guidelines and Minimum Servicing Standards be adopted as presented.

**CARRIED**

**MOTION 04- 333** **MOVED** by Councillor Thiessen

That Policy PW023 – Rural Road Specifications be rescinded.

**CARRIED**

10. f) **Assumption Hill Bypass**

**MOTION 04- 334** **MOVED** by Councillor Kulscar

That a letter be sent to the Dene Tha First Nation requesting they be invited to participate in funding the Assumption Hill Bypass Project.

**CARRIED**

**MOTION 04- 335** **MOVED** by Councillor Newman

That EXH Engineering Services Ltd. be approved to provide engineering services for the Assumption Hill Bypass Project at a cost not to exceed \$337,000 with \$152,000 funding from the 2004 Capital Budget (6-32-30-20) and \$185,000 from the 2005 Capital Budget.

**CARRIED**

10. g) **Provision of Engineering Services –  
Fort Vermilion Water Main Replacements**

**MOTION 04- 336** **MOVED** by Councillor Thiessen

That GPEC Consulting be approved to provide engineering services for the Fort Vermilion Water main Replacement Projects at a cost not to exceed \$90,800 plus GST.

**CARRIED**

10. h) **94<sup>th</sup> Avenue Servicing – Engineering Services**

**MOTION 04- 337** **MOVED** by Councillor Driedger

That GPEC Consulting be approved to provide engineering services for the 94<sup>th</sup> Avenue servicing project for \$79,880 plus GST.

**CARRIED**

10. i) **Solid Waste Task Force**

**MOTION 04- 338** **MOVED** by Councillor Peters

That Mackenzie Regional Waste Management Commission be requested to undertake a study with the following two goals:

1. Investigate the feasibility of the development of additional Class II and Class III Landfills in the region.
2. Provide recommendation in assuming the responsibility in managing all of the facets of the solid waste management within the region.

**CARRIED**

10. j) **Towards the Implementation of a Community Aggregate Payment.**

**MOTION 04-339** **MOVED** by Councillor Newman

That consideration of the Implementation of Community Aggregate Payment be postponed to the next meeting.

**CARRIED**

10. k.) **Director's Report**

**MOTION 04- 340** **MOVED** by Councillor Thiessen

That the written report submitted by the Director of Operational Services be accepted as presented.

**CARRIED**

10. l) **Rural Water Services Board**

**MOTION 04- 341** **MOVED** by Councillor Newman

That Peggy Shirt, Daryl Zielsdorf, Bill Boese, John Simpson, David Froese, George Teichroeb, and Frank H. Wiebe be appointed to the Rural Water Services Board.

**CARRIED**

**MOTION 04-342      MOVED** by Councillor Kulscar

That Councillor Newman and Councillor Driedger be appointed to the Rural Water Services Board as Council representatives

**CARRIED**

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

11.    a)    **Bylaw 436/04 – Land Use Bylaw Amendment to Rezone From Hamlet Residential District 1 “HR1” to Hamlet Residential District 1A “HR1A” and Hamlet Residential District 1B “HR1B”  
Part of SW 9-106-15-W5M**

**MOTION 04-343      MOVED** by Councillor Bateman

Bylaw 436/04  
First Reading

That first reading be given to Bylaw 436/04 to re-zone Pt. SW 9-106-15-W5M from Hamlet Residential District 1 “HR1” to Hamlet Residential District 1A “HR1A” and Hamlet Residential District 1B “HR1B”.

**CARRIED**

11.    b)    **Bylaw 438/04 Land Use Bylaw Amendment Plan 2938RS, Block 01, Lot 02, Fort Vermilion Hamlet Commercial District 1 “HC1” to  
Direct Control District 2 “DC2**

**MOTION 04-344      MOVED** by Councillor Driedger

Bylaw 438/04  
First Reading

That first reading be given to Bylaw 438/04 being a bylaw to re-zone Plan 2938RS, Block 01, Lot 02 from Hamlet Commercial District 1 “HC1” to Direct Control District 2 “DC2”.

**CARRIED**

11. c) **Bylaw 441/04 Land Use Bylaw Amendment  
NW 21-110-19-W5  
Agricultural District 1 "A1" to  
Rural Country Residential District 2 "RC2"**

**MOTION 04-345**  
Bylaw 441/04  
First Reading

**MOVED** by Councillor Newman

That first reading be given to Bylaw 441/04 being a bylaw to re-zone part of NW 21-110-19-W5 from Agricultural District 1 "A1" to Rural Country Residential District 2 "RC2".

**CARRIED**

11. d) **Bylaw 442/04 – Land Use Bylaw Amendment  
To Amend Bylaw 414/04  
Parcel Density & Farmstead Separation**

**MOTION 04-346**  
Bylaw 442/04  
First Reading

**MOVED** by Councillor Driedger

That first reading be given to Bylaw 442/04, being a Land Use Bylaw Amendment to remove "maximum 20 acres" from Section 5.2.A.C(1) Residential Uses and add Section 1.2 Definitions "Natural Water Course".

**CARRIED**

11. e) **Moratorium on Land Sale**

**MOTION 04-347**

**MOVED** by Councillor Thiessen

That a request be made to the Honorable Mike Cardinal, Minister of Sustainable Resource Development, to lift the moratorium on the sale of public land within the Municipal District of Mackenzie, effective immediately.

**CARRIED**

**MOTION 04-348**

**MOVED** by Councillor Newman

That the MD participate in a Land Use Planning process with appropriate stakeholders for the purpose of expanding agricultural land.

**CARRIED**

11. f) **Special Constable Program – Letter from ASCA**

**MOTION 04-349** **MOVED** by Councillor Bateman

That the letter from the Alberta Special Constable Association be forwarded to the Policing Task Force.

**CARRIED**

11. g) **Development Permit Statistics Report  
January – March Comparisons (2002-2004)**

**MOTION 04-350** **MOVED** by Councillor Peters

That the January – March (2002-2004) Development Permit Statistics Report be received for information.

**CARRIED**

11. h) **Director's Report**

**MOTION 04-351** **MOVED** by Councillor Newman

That the written report submitted by the Director of Planning, Emergency, and Enforcement Services be accepted as presented.

**CARRIED**

**CORPORATE  
SERVICES:**

12. a) **Bylaw 432/04 – 2004 Tax Bylaw**

**MOTION 04- 352** **MOVED** by Councillor Thiessen

Bylaw 432/04

First Reading

Requires 2/3 Majority

That first reading be given to Bylaw 432/04, being a bylaw to set the 2004 tax rates for the Municipal District of Mackenzie No. 23.

**CARRIED**

**MOTION 04- 353** **MOVED** by Councillor Kulscar

Bylaw 432/04

Second Reading

Requires 2/3 Majority

That second reading be given to Bylaw 432/04, being a bylaw to set the 2004 tax rates for the Municipal District of Mackenzie No. 23.

**CARRIED**

**MOTION 04- 354**  
Requires Unanimous  
Consent

**MOVED** by Councillor Bateman

That consideration be given to go to third reading for Bylaw 432/04.

**CARRIED**

**MOTION 04- 355**  
Bylaw 432/04  
Third Reading  
Requires 2/3 Majority

**MOVED** by Councillor Flett

That third reading be given to Bylaw 432/04, being a bylaw to set the 2004 tax rates for the Municipal District of Mackenzie No. 23.

**CARRIED**

12. b) **Bylaw 437/04 – Debenture Borrowing for the La Crete Water Treatment Facility**

**MOTION 04- 356**  
Bylaw 437/04  
First Reading

**MOVED** by Councillor Bateman

That first reading be given to Bylaw 437/04, being a bylaw to authorize the debenture borrowing for the La Crete Water Treatment Facility.

**CARRIED**

12. c) **Bylaw 443/04 – Council Procedural Bylaw**

**MOTION 04- 357**  
Bylaw 443/04

**MOVED** by Councillor Thiessen

That consideration of Bylaw 443/04, being a bylaw to provide the organizational procedural matters of Council, Council Committees and Councillors be tabled until the next meeting.

**CARRIED**

12. d) **Strategic Planning**

**MOTION 04-358**

**MOVED** by Councillor Bateman

That the 2004 strategic planning session be held after the fall election with an outside facilitator.

**CARRIED**



**12. e) Municipal Library Board**

**MOTION 04-359** **MOVED** by Councillor Flett

That Treena Ward be appointed to the Mackenzie Municipal Library Board for a three-year term effective May 1, 2004.

**CARRIED**

**12. f) AAMD&C Office Grand Opening**

**MOTION 04-360** **MOVED** by Councillor Peters

That Reeve Neufeld and Deputy Reeve Sarapuk be authorized to attend the Grand Opening of the AAMD&C Office in Nisku on May 27<sup>th</sup> 2004.

**CARRIED**

**MOTION 04-361** **MOVED** by Councillor Bateman

That consideration be given to move in camera to discuss issues under the Freedom of Information and Protection of Privacy, Alberta Regulation 200/95. (5:54 p.m.)

**CARRIED**

**IN-CAMERA**

**13. a) Policing Task Force**

Freedom of Information and Protection of Privacy, Alberta Regulation 200/95 Section 16. (1)(c)

**MOTION 04-362** **MOVED** by Councillor Thiessen

That Council come out of camera. (5:57 p.m.).

**CARRIED**

**MOTION 04-363** **MOVED** by Councillor Kulscar

That the Municipal District of Mackenzie proceed with enforcement as presented.

**CARRIED**

**ADJOURNMENT: 15. a) Adjournment**

**MOTION 04- 364 MOVED** by Councillor Thiessen

That the Regular Council meeting be adjourned (6:08 p.m.)

**CARRIED**

These minutes were adopted this 18<sup>th</sup> day of May 2004

---

Bill Neufeld, Reeve

---

Barbara Spurgeon,  
Executive Assistant