

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**Wednesday, November 23, 2016
10:00 a.m.**

**Fort Vermilion Council Chambers
Fort Vermilion, Alberta**

PRESENT:

Bill Neufeld	Reeve
Lisa Wardley	Deputy Reeve
Jacque Bateman	Councillor
Peter F. Braun	Councillor
Elmer Derksen	Councillor (left the meeting at 4:05 p.m.)
John W. Driedger	Councillor
Eric Jorgensen	Councillor (arrived at 10:23 a.m., stepped out from 12:13 p.m. – 2:09 p.m., and left the meeting at 3:57 p.m.)
Josh Knelsen	Councillor
Walter Sarapuk	Councillor
Ray Toews	Councillor

REGRETS:

ADMINISTRATION:

Len Racher	Chief Administrative Officer
Ron Pelensky	Director of Community Services
David Fehr	Director of Operations
Byron Peters	Director of Planning & Development
Fred Wiebe	Director of Utilities
Carol Gabriel	Director of Legislative & Support Services/Recording Secretary

ALSO PRESENT: Members of the Public and the Media

Minutes of the Regular Council meeting for Mackenzie County held on November 23, 2016 in the Fort Vermilion Council Chambers.

CALL TO ORDER: 1. a) Call to Order

Reeve Neufeld called the meeting to order at 10:01 a.m.

AGENDA: 2. a) Adoption of Agenda

MOTION 16-11-857

MOVED by Councillor Braun

That the agenda be approved with the following additions:

- 9. f) La Crete Agricultural Society Letter of Support
- 9. g) FarmTech Conference
- 13. a) Snow Removal

CARRIED

3. a) Minutes of the November 8, 2016, Regular Council Meeting

MOTION 16-11-858

MOVED by Councillor Driedger

That the minutes of the November 8, 2016 Regular Council Meeting be adopted as presented.

CARRIED

3. b) Minutes of the November 22, 2016, Budget Council Meeting

MOTION 16-11-859

MOVED by Councillor Toews

That the minutes of the November 22, 2016 Budget Council Meeting be adopted as presented.

CARRIED

**COUNCIL
COMMITTEE
REPORTS:**

5. a) Council Committee Reports

Councillor Jorgensen arrived at 10:23 a.m.

MOTION 16-11-860

MOVED by Councillor Driedger

That the Council committee reports be received for information.

CARRIED

5. b) Finance Committee Meeting Minutes

MOTION 16-11-861

MOVED by Deputy Reeve Wardley

That the Finance Committee unapproved meeting minutes of November 7, 2016 be received for information.

CARRIED

5. c) Public Works Committee Meeting Minutes

MOTION 16-11-862

MOVED by Councillor Sarapuk

That the Public Works Committee unapproved minutes of November 10, 2016 be received for information.

CARRIED

GENERAL REPORTS:

6. a) None

TENDERS:

7. a) None

ADMINISTRATION:

9. a) Bylaw 1055-16 Honorariums and Related Expense Reimbursement for Councillors and Approved Committee Members

MOTION 16-11-863

Requires 2/3

MOVED by Deputy Reeve Wardley

That third reading be given to Bylaw 1055-16 being the Honorariums and Related Expense Reimbursement for Councillors and Approved Committee Members, in order to save the tax payers additional travel costs.

Councillor Derksen requested a recorded vote.

In Favor

Councillor Toews
Councillor Driedger
Reeve Neufeld
Deputy Reeve Wardley
Councillor Knelsen
Councillor Bateman

Opposed

Councillor Derksen
Councillor Sarapuk
Councillor Jorgensen
Councillor Braun

DEFEATED

Reeve Neufeld recessed the meeting at 10:44 a.m. and reconvened the meeting at 10:55 a.m.

9. b) Boreal Housing Foundation – Member Honorariums

MOTION 16-11-864

MOVED by Councillor Bateman

That a revised letter of support be sent to Alberta Seniors and

Housing regarding the Boreal Housing Foundation Ministerial Order and that a letter be sent to the Boreal Housing Foundation (with a copy to Alberta Seniors and Housing) to recommend that the housing foundation bill back each member for honorarium and expense costs for each of their participating members.

CARRIED

9. c) Caribou Update

MOTION 16-11-865

MOVED by Councillor Jorgensen

That the Provincial Engagement Strategy for Caribou be TABLED to the afternoon.

DEFEATED

MOTION 16-11-866

MOVED by Deputy Reeve Wardley

That the Provincial Engagement Strategy for Caribou be TABLED to the in-camera session.

Councillor Toews requested a recorded vote.

In Favor

Councillor Driedger
Reeve Neufeld
Deputy Reeve Wardley
Councillor Knelsen
Councillor Bateman
Councillor Braun

Opposed

Councillor Derksen
Councillor Toews
Councillor Sarapuk
Councillor Jorgensen

CARRIED

9. d) Electoral Reform

MOTION 16-11-867

MOVED by Councillor Toews

That a letter be sent to the Prime Minister and the Special Committee on Electoral Reform requesting that a referendum be held prior to the implementation of any proposed changes to the current first-past-the-post voting system for federal elections.

CARRIED

**9. e) Memorandum of Understanding – First Nation
Communication Protocol**

MOTION 16-11-868

MOVED by Councillor Bateman

That Mackenzie County initiate discussions with First Nations with the intention of creating a Memorandum of Understanding for a communication protocol between Mackenzie County and our First Nation neighbours.

CARRIED

**9. f) La Crete Agricultural Society Letters of Support
(ADDITION)**

MOTION 16-11-869

Requires Unanimous

MOVED by Councillor Braun

That a letter of support be provided to the La Crete Agricultural Society for their application to the Community Facility Enhancement Program for capital funding to enclose the museum south shed to better preserve the local historical vehicles and equipment.

CARRIED UNANIMOUSLY

MOTION 16-11-870

Requires Unanimous

MOVED by Councillor Knelsen

That a letter of support be provided to the La Crete Ferry Campground Society for their application to the Community Facility Enhancement Program for funding to purchase and install playground equipment.

CARRIED UNANIMOUSLY

9. g) FarmTech Conference (ADDITION)

Reeve Neufeld turned over the chair to Deputy Reeve Wardley.

MOTION 16-11-871

Requires Unanimous

MOVED by Reeve Neufeld

That Councillor Sarapuk be authorized to attend the FarmTech Conference in January 2017.

CARRIED UNANIMOUSLY

Reeve Neufeld resumed the chair.

Reeve Neufeld recessed the meeting at 11:32 a.m. and reconvened the meeting at 11:42 a.m.

**AGRICULTURE
SERVICES:**

10. a) None

**COMMUNITY
SERVICES:**

11. a) None

OPERATIONS:

13. a) Snow Removal (ADDITION)

MOTION 16-11-872

Requires Unanimous

MOVED by Councillor Knelsen

That Cornie Zacharias qualify for snow removal under the Winter Road Maintenance/Snowplowing Indicator Policy under handicapped status and that the Policy be brought back to Council for review.

DEFEATED

MOTION 16-11-873

Requires Unanimous

MOVED by Councillor Knelsen

That the Winter Road Maintenance/Snowplowing Indicator Policy be brought back for review.

CARRIED UNANIMOUSLY

**PLANNING &
DEVELOPMENT:**

**14. a) Bylaw 1056-16 Municipal Reserve Partial Closure Plan
992 0893, Block 2, Lot 13 MR (NE 3-106-15-W5M)**

MOTION 16-11-874

MOVED by Councillor Driedger

That first reading be given to Bylaw 1056-16, being a Municipal Reserve Closure Bylaw to cancel a portion of Plan 992 0893, Block 1, Lot 13MR, subject to public hearing input.

CARRIED

INFORMATION:

16. a) Information/Correspondence

Councillor Jorgensen left the meeting at 12:13 p.m.

MOTION 16-11-875

MOVED by Deputy Reeve Wardley

That Mackenzie County sponsor the Growing the North Conference as a Silver Sponsor.

CARRIED

MOTION 16-11-876

MOVED by Councillor Derksen

That the information/correspondence items be received for information.

CARRIED

Reeve Neufeld recessed the meeting at 12:17 p.m. and reconvened the meeting at 1:00 p.m.

FINANCE:

12. a) Tax Recovery Public Auction

Peng Tian, Director of Finance, and Jeri Phillips, Assessment/Taxation Clerk, joined the meeting.

Reeve Neufeld declared the public auction open at 1:01 p.m.

Len Racher, Chief Administrative Officer, read the format of the public auction process.

MOTION 16-11-877

MOVED by Councillor Braun

That the following properties be removed from the 2016 auction list due to property taxes being paid and removed from notification.

- Tax Roll 117447
- Tax Roll 077048

CARRIED

MOTION 16-11-878

MOVED by Deputy Reeve Wardley

That Council proceeds with the public auction for the following properties:

- Tax Roll 219457
- Tax Roll 300574

CARRIED

Len Racher called for bids for the following properties.

No bidders were present and no bids were received.

Reeve Neufeld declared the public auction closed at 1:06 p.m.

MOTION 16-11-879

MOVED by Councillor Braun

That Mackenzie County requests the Registrar to cancel the existing Certificate of Title for the following parcels of land and issue new Certificates of Title in the name of Mackenzie County.

- Tax Roll 219457

CARRIED

MOTION 16-11-880

MOVED by Deputy Reeve Wardley

That the following properties remain in the current owners name and that the County continues to attempt to collect property taxes and that the property be inspected and reassessed.

- Tax Roll 300574

CARRIED

Peng Tian, Director of Finance, and Jeri Phillips, Assessment/Taxation Clerk, left the meeting.

PUBLIC HEARINGS:

8. a) Bylaw 1027-16 Land Use Bylaw Amendment to Rezone Part of NE 11-106-15-W5M from Agricultural "A" to La Crete Highway Commercial District "HC2" (La Crete Rural)

Reeve Neufeld called the public hearing for Bylaw 1027-16 to order at 1:10 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 1027-16 was properly advertised. Byron Peters, Director of Planning & Development, 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. Byron Peters, Director of Planning & Development, presented the Development Authority's submission and indicated that first reading was given on October 26, 2016.

Reeve Neufeld asked if Council has any questions of the proposed land Use Bylaw Amendment. Council had the following questions/comments:

- There are no immediate concerns from administration.
- Servicing will be addressed through the Municipal Planning Commission, Administration and Development

Agreement stages.

- If a hotel/motel would not be allowed as a permitted use, what about a medical facility? Section 7 supersedes anything listed in any district.
- A caveat could be put on the title to ensure that landowners are aware of the zoning in this area.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 1027-16. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 1027-16.

Kevin Unrau, adjacent landowner, spoke in opposition to the proposed bylaw:

- Concerned with the property value of his property and that it will go down drastically with the proposed rezoning and will be unable to sell.
- The County is releasing more commercial land with agricultural land in between.
- Feels that there is enough industrial/commercial land already and the economy has slowed down.

Council had the following questions/comments:

- Do you own your driveway? There is an easement on the land title and quarter section (right of access)
- Is this a full quarter? Yes. The rezoning is only on the north half.
- This intersection was discussed with Alberta Transportation (regarding future turning lanes, lighting, etc.). May have the opportunity to partner with Alberta Transportation on costs.

John Driedger, owner/developer, spoke in favor of the proposed rezoning:

- Don't know how someone can stop this development.
- Kevin Unrau's property is away from the main road and shouldn't be affected.
- Construction won't begin right away.
- It makes no sense to stop it, he can't stop La Crete from growing.
- We have a major intersection there and there is no room inside of the hamlet to grow.

Reeve Neufeld closed the public hearing for Bylaw 1027-16 at 1:27 p.m.

MOTION 16-11-881

MOVED by Councillor Braun

That second reading be given to Bylaw 1027-16 being a Land Use Bylaw Amendment to rezone Part of NE 11-106-15-W5M from Agricultural "A" to La Crete Highway Commercial District "HC2" for commercial development.

CARRIED

MOTION 16-11-882

MOVED by Deputy Reeve Wardley

That third reading be given to Bylaw 1027-16 being a Land Use Bylaw Amendment to rezone Part of NE 11-106-15-W5M from Agricultural "A" to La Crete Highway Commercial District "HC2" for commercial development.

CARRIED

PUBLIC HEARINGS:

8. b) Bylaw 1054-16 Land Use Bylaw Amendment to Rezone Plan 032 5939, Block, Lot 5 from Hamlet Country Residential "HCR1" to Hamlet Industrial "HI1" (La Crete)

Reeve Neufeld called the public hearing for Bylaw 1054-16 to order at 1:29 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 1054-16 was properly advertised. Byron Peters, Director of Planning & Development, 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. Byron Peters, Director of Planning & Development, presented the Development Authority's submission and indicated that first reading was given on October 26, 2016.

Reeve Neufeld asked if Council has any questions of the proposed land Use Bylaw Amendment. Council had the following questions/comments:

- Were the adjacent landowners sent the list of permitted/discretionary uses under the HI1 zoning so they would know what was allowed? No.

- With industrial and residential development there should be a buffer.
- Opposed to the rezoning in a residential area.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 1054-16. Three written submissions in opposition to the rezoning were received from the following and are attached to the minutes.

- John & Helen Schmidt
- Pete & Judy Schmidt
- Ben & Margaret Neustaeter

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 1054-16. There was no one present to speak to the proposed Bylaw.

John Schmidt, adjacent landowner, spoke in opposition to the proposed rezoning:

- If this rezoning is approved I lose one more comrade to fight against the development on the west, being the gravel stock yard.
- There is more activity on the lands than the map provided shows.
- We want to try to remove the gravel yard.

Council had the following questions/comments:

- Are you opposed to the rezoning? Yes.
- Are you okay with the permitted uses allowed in the rezoning? As long as nothing is being done similar to the gravel yard.
- What is a storage yard? Gravel storage is included.
- This would be a buffer to the residents.
- What's to gain by the residents by not rezoning? Peace and quiet and it stays residential.
- What was the use for the rezoning? The use can change from the original intent, it depends on what is permitted under the rezoning.
- All three written letters received were from the properties next to the said property.

Reeve Neufeld closed the public hearing for Bylaw 1054-16 at 1:49 p.m.

MOTION 16-11-883

MOVED by Councillor Driedger

That second reading be given to Bylaw 1054-16 being a Land Use Bylaw Amendment to rezone Plan 032 5939, Block 1, Lot 5 from Hamlet Country Residential 1 “HCR1” to Hamlet Industrial 1 “HI1” to accommodate light industrial development and to ensure that an adequate buffer is maintained on the north and east side of the parcel.

DEFEATED

Reeve Neufeld recessed the meeting at 1:58 p.m. and reconvened the meeting at 2:09 p.m.

Councillor Jorgensen rejoined the meeting at 2:09 p.m.

DELEGATIONS:

4. a) Grant Charles – 2013 43rd Ave Water/Sewer Project

MOTION 16-11-884

MOVED by Deputy Reeve Wardley

That a bylaw be brought back to rescind Bylaw 904-13 being a bylaw to impose a local improvement tax for Water and Sewer Extension on 43 Avenue and a portion of 50 Street in the Hamlet of Fort Vermilion.

CARRIED

12. b) Financial Reports – January 1 to October 31, 2016

MOTION 16-11-885

MOVED by Councillor Braun

That the financial reports for the period of January 1 – October 31, 2016 be accepted for information.

CARRIED

UTILITIES:

15. a) None

Reeve Neufeld recessed the meeting at 2:47 p.m. and reconvened the meeting at 2:59 p.m.

**IN-CAMERA
SESSION:**

17. In-Camera Session

MOTION 16-11-886

MOVED by Councillor Sarapuk

That Council move in-camera to discuss issues under the Freedom of Information and Protection of Privacy Regulations 18 (1) at 2:59 p.m.

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

CARRIED

Councillor Jorgensen left the meeting at 3:57 p.m.

MOTION 16-11-887

MOVED by Councillor Driedger

That Council move out of camera at 4:02 p.m.

CARRIED

Councillor Knelsen stepped out of the meeting at 4:02 p.m.

17. b) Labour

MOTION 16-11-888

MOVED by Councillor Toews

That the labour report be received for information.

CARRIED

MOTION 16-11-889

MOVED by Deputy Reeve Wardley

That the Tri-Council Species at Risk Committee members be invited to the invitation only meeting with Deputy Minister Andre Corbould on December 15, 2016.

CARRIED

MOTION 16-11-890

MOVED by Councillor Braun

That the Species at Risk Committee proceed with developing draft caribou range plans for discussion with Deputy Minister Andre Corbould on December 15, 2016.

CARRIED

Councillor Knelsen rejoined the meeting at 4:05 p.m.

Councillor Derksen left the meeting at 4:05 p.m.

MOTION 16-11-891

MOVED by Deputy Reeve Wardley

That the Species at Risk Committee be authorized to meet with

Mary-Jane Roberts, Director of the Species at Risk Act.

CARRIED

NOTICE OF MOTION: 18. a) None

NEXT MEETING DATES: 19. a) Budget Council Meeting
Monday, December 12, 2016
10:00 a.m.
Fort Vermilion Council Chambers

b) Regular Council Meeting
Tuesday, December 13, 2016
10:00 a.m.
Fort Vermilion Council Chambers

ADJOURNMENT: 20. a) Adjournment

MOTION 16-11-892 **MOVED** by Councillor Braun

That the council meeting be adjourned at 4:06 p.m.

CARRIED

These minutes were approved by Council on December 13, 2016.

(original signed)

Bill Neufeld
Reeve

(original signed)

Len Racher
Chief Administrative Officer

