

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

**Tuesday, July 8, 2003
10:00 a.m.**

**Council Chambers, Municipal District of Mackenzie Office
Fort Vermilion, Alberta**

PRESENT:

Bill Neufeld	Reeve
Walter Sarapuk	Deputy Reeve
Betty Bateman	Councillor
John W. Driedger	Councillor
Pat Kulscar	Councillor
Michael Nanooch	Councillor
Greg Newman	Councillor
Joe Peters	Councillor
Wayne Thiessen	Councillor
Willie Wieler	Councillor

ABSENT:

ALSO PRESENT:

Harvey Prockiw	Chief Administrative Officer
Barb Spurgeon	Executive Assistant
Bill Landiuk	Director of Corporate Services
Paul Driedger	Director of Planning and Emergency Services
Michel Savard	Director of Operational Services
Grant Smith	Agricultural Fieldman

Minutes of the regular Council meeting for the Municipal District of Mackenzie No. 23 held on Tuesday, July 8, 2003 in the Council Chambers of the Municipal District of Mackenzie office, Fort Vermilion, Alberta.

CALL TO ORDER: 1. a) Call to Order

Reeve Neufeld called the meeting to order at 10:07 a.m.

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

MOTION 03-346 **MOVED** by Councillor Wieler

Requires
Unanimous
Consent

That the agenda be adopted as amended by adding:

- 5.a) LaCrete Recreational Society
- 9.b) High Level East Flood Control Project
- 10.d) Zama Industrial Water Wells
- 10.e) Rural Water Points
- 12.f) August Zone Meeting

CARRIED

**ADOPTION OF
THE PREVIOUS
MINUTES:**

3. a) **Minutes of the June 23, 2003
Regular Council Meeting**

MOTION 03-347 **MOVED** by Councillor Bateman

That the minutes of the June 23, 2003 Regular 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) **La Crete Recreation Society**

Reeve Neufeld welcomed the delegation from the La Crete Recreational Society at 10:13 a.m. and introductions were made.

Mr. P. Braun addressed Council and requested an advance on the 2004 funding.

Reeve Neufeld thanked the delegation from the La Crete Recreational Society, who left the table at 10:25 a.m.

PUBLIC
HEARINGS:

6. a) Bylaw 318/02 – Road Allowance Closure
Adjacent to south boundary of SE 14-105-16-W5M

Reeve Neufeld called the public hearing for Bylaw 318/02 to order at 10:25 a.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 318/02 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 a submission was received from the Mackenzie Municipal Services Agency. Paul Driedger proceeded to read the submission from the Subdivision Authority.

Reeve Neufeld asked if Council had any questions of the proposed Land Use Bylaw Amendment. There were none.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 318/02. Paul Driedger answered that there was one. A phone call from Mr. Peter Wall who is opposed the closure of the road.

Reeve Neufeld asked if there was anyone present who would like to speak in regards of the proposed Bylaw 318/02. There was no indication that anyone present wished to speak.

Reeve Neufeld closed the public hearing for Bylaw 318/02 at 10:31 a.m.

MOTION 03-348
Bylaw 318/02
Second Reading

MOVED by Councillor Newman

That second reading be given to Bylaw 318/02 being a bylaw for the Closure of Road Allowance adjacent to the south boundary of SE 14-105-16-W5M.

CARRIED

MOTION 03-349 **MOVED** by Councillor Peters
Bylaw 318/02
Third Reading

That third reading be given to Bylaw 318/02 being a bylaw for the Closure of Road Allowance adjacent to the south boundary of SE 14-105-16-W5M.

CARRIED

**6. b) Bylaw 356/03 – Municipal Development Plan
Confined Feeding Operations**

Reeve Neufeld called the public hearing for Bylaw 356/03 to order at 10:37 a.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 356/03 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 a submission was received from the Mackenzie Municipal Services Agency. Paul Driedger proceeded to read the submission from the Subdivision Authority.

Reeve Neufeld asked if Council had any questions of the proposed Land Use Bylaw Amendment. There were none.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 356/03. 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 356/03. There was no indication that anyone present wished to speak.

Reeve Neufeld closed the public hearing for Bylaw 356/03 at 10:38 a.m.

MOTION 03-350
Bylaw 356/03
Second Reading

MOVED by Deputy Reeve Sarapuk

That second reading be given to Bylaw 356/03 being a bylaw to establish guidelines for Confined Feeding Operations in the Municipal District of Mackenzie Municipal Development Plan.

CARRIED

MOTION 03-351
Bylaw 356/03
Third Reading

MOVED by Councillor Nanooch

That third reading be given to Bylaw 356/03 being a bylaw to establish guidelines for Confined Feeding Operations in the Municipal District of Mackenzie Municipal Development Plan.

CARRIED

**6. c) Bylaw 357/03 – Land Use Bylaw
Confined Feeding Operations**

Reeve Neufeld called the public hearing for Bylaw 357/03 to order at 10:47 a.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 357/03 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 a submission was received from the Mackenzie Municipal Services Agency. Paul Driedger proceeded to read the submission from the Subdivision Authority.

Reeve Neufeld asked if Council had any questions of the proposed Land Use Bylaw Amendment. There were none.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 357/03. 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 357/03. There was no indication that anyone present wished to speak.

Reeve Neufeld closed the public hearing for Bylaw 357/03 at 11:03 a.m.

Reeve Neufeld recessed the meeting at 11:05 a.m.

Reeve Neufeld reconvened the meeting at 11:10 a.m.

MOTION 03-352
Bylaw 357/03
Second Reading

MOVED by Councillor Thiessen

That second reading be given to Bylaw 357/03 being a Land Use Bylaw amendment to bring the Confined Feeding Operations in line with the Municipal District of Mackenzie Municipal Development Plan.

CARRIED

MOTION 03-353
Bylaw 357/03

MOVED by Deputy Reeve Sarapuk

That third reading be **tabled** for Bylaw 357/03 being a Land Use Bylaw amendment to bring the Confined Feeding Operations in line with the Municipal District of Mackenzie Municipal Development Plan.

CARRIED

6. d) Bylaw 369/03 – Land Use Bylaw Amendment From Agricultural District 1 to Rural Country Residential District NW 35-105-15-W5M

Reeve Neufeld called the public hearing for Bylaw 369/03 to order at 11:10 a.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 369/03 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 a submission was received from the Mackenzie Municipal Services Agency. Paul Driedger proceeded to read the submission from the Subdivision Authority.

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

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 369/03. 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 369/03. There was no indication that anyone present wished to speak.

Reeve Neufeld closed the public hearing for Bylaw 369/03 at 11:30 a.m.

MOTION 03-354
Bylaw 369/03
Second Reading

MOVED by Councillor Wieler

That second reading be given to Bylaw 369/03 being a bylaw to re-zone Part of NW 35-105-W5M from Agriculture District 1 "A1" to Rural Country Residential District "RC."

CARRIED

MOTION 03-355
Bylaw 369/03
Third Reading

MOVED by Councillor Wieler

That third reading be given to Bylaw 369/03 being a bylaw to re-zone Part of NW 35-105-W5M from Agriculture District 1 "A1" to Rural Country Residential District "RC."

DEFEATED

6. e) **Bylaw 373/03 – Land Use Bylaw Amendment**
Auction Mart

Reeve Neufeld called the public hearing for Bylaw 373/03 to order at 11:44 a.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 373/03 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 a submission was received from the Mackenzie Municipal Services Agency. Paul Driedger proceeded to read the submission from the Subdivision Authority.

Reeve Neufeld asked if Council had any questions of the proposed Land Use Bylaw Amendment. There were none.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 373/03. 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 373/03. There was no indication that anyone present wished to speak.

Reeve Neufeld closed the public hearing for Bylaw 373/03 at 11:48 a.m.

MOTION 03-356
Bylaw 373/03
Second Reading

MOVED by Councilor Nanooch

That second reading be given to Bylaw 373/03 being a Land Use Bylaw amendment to add "Auction Mart" to Section 5.2.A Agricultural District 1 "A1" B. Discretionary Uses.

CARRIED

MOTION 03-357
Bylaw 373/03
Third Reading

MOVED by Councillor Newman

That third reading be given to Bylaw 373/03 being a Land Use Bylaw amendment to add "Auction Mart" to Section 5.2.A Agricultural District 1 "A1" B. Discretionary Uses.

CARRIED

**COUNCIL
COMMITTEE AND
CAO REPORTS:**

7. a) **Council Committee Reports**

Councillors provided verbal reports on meetings attended since previous reporting.

Deputy Reeve Sarapuk reported on the Tolko Tree Planting Ceremony.

Councillor Driedger reported on Mackenzie Housing Management Board.

Councillor Peters reported on the CFO Conference.

Councillor Nanooch reported on the Finance Committee and Highway 88 Task Force.

Councillor Bateman reported no meetings.

Councillor Wieler reported on the Highway 88 Task Force and CFO Conference.

Councillor Newman reported on the CFO Conference.

Councillor Kulscar reported on the Finance Committee, Regional Waste Management Authority, Annual General Meeting for Mighty Peace Tourist Association, and Fire Conference.

Councillor Theissen reported no meetings.

Reeve Neufeld reported on the Reeves Meeting.

MOTION 03-358 **MOVED** by Councillor Dreideger

That the Council Committee verbal reports be received as information.

CARRIED

Reeve Neufeld recessed the meeting at 12:03 p.m.

Reeve Neufeld reconvened the meeting at 12:50 p.m.

7. b) CAO Report

Harvey Prockiw gave a verbal report.

MOTION 03-359 **MOVED** by Councillor Kulscar

That the verbal CAO report be accepted as presented.

CARRIED

GENERAL REPORTS:

8. a) Action List

MOTION 03-360 **MOVED** by Councillor Bateman

That the Action List be accepted for information.

CARRIED

AGRICULTURAL SERVICES:

9. a) **AAMDC&C Response to AOPA Questionnaire**

MOTION 03-361 **MOVED** by Councillor Nanooch

That the Council representatives on the Agricultural Service Board complete the AAMD&C survey on confined feeding operations issues.

CARRIED

9 b) **High Level East Flood Control Project**

MOTION 03-362 **MOVED** by Councillor Thiessen

That Administration be authorized to proceed with Phase 1 of the High Level Flood Control Project to SE 109-12-W5M and provide options to complete the balance of project.

CARRIED

OPERATIONAL SERVICES:

10. a) **Results of Bylaw 341 – Solid Waste Fees**

MOTION 03-363
Bylaw 376/03
First Reading

MOVED by Councillor Bateman – 1st reading

That first reading be given to Bylaw 376/03 being a Bylaw to establish a Fee Schedule for Solid Waste Disposal to amend Bylaw 341/02.

CARRIED

MOTION 03-364
Bylaw 376/03
Second Reading

MOVED by Deputy Reeve Sarapuk

That second reading be given to Bylaw 376/03 being a Bylaw to establish a Fee Schedule for Solid Waste Disposal to amend Bylaw 341/02.

CARRIED

MOTION 03-365
Requires
Unanimous
Consent

MOVED by Councillor Newman

That consideration be given to go to third reading of Bylaw 376/03 being a bylaw to amend Bylaw 341/02 to establish a Fee Schedule for Solid Waste Disposal.

DEFEATED

10. b) BF 78212 (Heliport Road)

MOTION 03-366
Requires
2/3 majority

MOVED by Councillor Kulscar

That the Capital budget be amended by adding project BF78212 (the bridge on Heliport Road) for replacement in 2003 subject to Alberta Transportation funding approval and that the unbudgeted expenditures in the amount of \$600,000 be funded from the General Operating Reserve (12-711).

CARRIED

10. c) Little Red River Cree Nation and Municipal District of Mackenzie Operations And Maintenance Agreement

MOTION 03-367

MOVED by Councillor Peters

That the update on the operation and maintenance agreement for the Highway 58 Extension between Little Red River Cree Nation and the Municipal District of Mackenzie be accepted as information.

CARRIED

10. d) Zama Industrial Water Wells

Councillor Bateman requested that the pumps be maximized to improve the raw water truck fill flow rates.

10. e) Rural Water Points

A general discussion was held on the maintenance program and water treatment processes for the rural water points. Administration will bring back a report to a future Council meeting.

**PLANNING, EMERGENCY,
AND ENFORCEMENT**

SERVICES:

11. a) **Bylaw 375/03 – Land Use Bylaw Amendment
Part of NW 31-109-13-W5
Agricultural 1 to Direct Control District**

MOTION 03-368

Bylaw 375/03

First Reading

MOVED by Deputy Reeve Sarapuk

That first reading be given to Bylaw 375/03 being a bylaw to re-zone Part of NW 31-109-13-W5M from Agricultural District 1 “A1” to Direct 2 “DC2.”

CARRIED

11. b) **Curb and Gutter on 109 Street in La Crete**

MOTION 03-369

MOVED by Councillor Wieler

That curb/gutter be constructed on the La Crete thoroughfare, being 98 Avenue, 109 Street, and 107 Avenue; further that the developer pay for the curb & gutter up front, to be reimbursed by the Municipality in accordance with municipal policy, and that frontage be charged to the lots adjacent to the local improvements.

CARRIED

11. c) **Policy DEV001 – Urban Development**

MOTION 03-370

MOVED by Councillor Thiessen

That Policy DEV001 – Urban Development Standards be taken back to the Development Task Force for review.

CARRIED

11. d) **Policy DEV003 – Park Development**

MOTION 03-371

MOVED by Councillor Newman

That Policy DEV003 – Park Development be received as information.

CARRIED

11. e) **Municipal Emergency Plan**

MOTION 03-372 **MOVED** by Councillor Bateman

That the Municipal Emergency Plan be adopted.

CARRIED

11. f) **Fire Invoices**

MOTION 03-373 **MOVED** by Deputy Reeve Sarapuk

That the following Fire Invoice amounts be waived as allowed for in Bylaw 199/00:

Incident 34-LCFR-02	Invoice #1396	
Hi-way Plaza	Dumpster Fire	\$252.00

Incident 10-FVFR-02	Invoice#1173	
Peter Peters	Grain Dryer Fire	\$1,138.75

Incident 10-FVFR-02	Invoice#1409	
FV RCMP	Search/Rescue	\$1,125.00

CARRIED

11. g) **Enforcement Services
Statistics Report for April & May, 2003**

MOTION 03-374 **MOVED** by Councillor Wieler

That the Enforcement Services statistics report for April and May, 2003 be received as information.

CARRIED

11. h) **Comprehensive Growth Management Strategy
"Terms of Reference"**

MOTION 03-375 **MOVED** by Councillor Wieler

That the MMSA draft terms of Reference to be received as information.

CARRIED

MOTION 03-376 MOVED by Councillor Kulscar

That a Special Council meeting be set prior to the end of September to discuss the Growth management Plan

CARRIED

Reeve Neufeld recessed the meeting at 2:10 p.m.

Reeve Neufeld reconvened the meeting at 2:15 p.m.

**CORPORATE
SERVICES:**

12. a) **Policy FIN023 – Local Improvement
Charge Cancellation**

MOTION 03-377 MOVED by Councillor Peters

That Schedule A attached to Policy FIN023 be amended to include the La Crete & Area Chamber of Commerce.

CARRIED

MOTION 03-378 MOVED by Councillor Kulscar

That a refund in the amount of \$542.64 for 2003 be approved and forwarded to the La Crete & Area Chamber of Commerce

CARRIED

12. b) **La Crete Recreation Society – Additional
Funding Request**

Councillor Bateman requested a recorded vote on Motion 03-379

MOTION 03-379 MOVED by Councillor Wieler

Requires 2/3
Majority

That approval be given for an additional operating grant in the amount of \$60,000 to the La Crete Recreation Society for an over-expenditure in their 2003 budget; with the understanding that no capital grant will be forthcoming to the La Crete Recreation Society in 2004 and 2005, further that a review of funding to all Recreational societies will be complete prior to August 31, 2003.

In Favor
Reeve Neufeld
Councillor Wieler
Deputy Reeve Sarapuk
Councillor Peters
Councillor Driedger
Councillor Nanooch
Councillor Thiessen
Councillor Newman

Opposed
Councillor Bateman
Councillor Kulscar

CARRIED

12. c) **2003 Census**

MOTION 03-380 **MOVED** by Councillor Bateman

That the 2003 census data compiled by the Municipal District of Mackenzie be forwarded to Alberta Municipal Affairs.

CARRIED

12. d) **Board Governance**

MOTION 03-381 **MOVED** by Councillor Wieler

That the proposal from Pommen Group be received for information.

CARRIED

12. e) **Hutch Lake Concern**

MOTION 03-382 **MOVED** by Councillor Bateman

That a letter be written to Barry and Beckie Toker in response to their concerns on the cottage area at Hutch Lake.

CARRIED

12. f) **August Zone Meeting**

MOTION 03-383 **MOVED** by Councillor Wieler

That Reeve and Councillors be authorized to attend the August Zone meeting in Grande Prairie on August 8, 2003.

CARRIED

MOTION 03-384 MOVED by Councillor Newman

Requires
Unanimous
Consent

That the Reeve's meeting be added to the agenda as item 13. b.

CARRIED

DATE OF NEXT MEETING:

14. a) **Special Council Meeting**
 July 10, 2003 – 1:00 p.m.
 MD Council Chambers – Fort Vermilion
- b) **Regular Council Meeting**
 July 22, 2003 – 6:00 p.m.
 MD Council Chambers – High Level

MOTION 03-385 MOVED by Councillor Driedger

That the Council Meeting scheduled for July 22, 2003 be rescheduled for July 25, 2003.

CARRIED

MOTION 03-386 MOVED by Councillor Thiessen

That consideration be given to go in camera to discuss issues under the Freedom of Information and Protection of Privacy Act, Alberta Regulation 200/95 Section 18 (2:54 p.m.).

CARRIED

IN CAMERA SESSION:

13. a) **Personnel**

MOTION 03-387 MOVED by Councillor Thiessen

That Council come out of camera (3:17 p.m.).

CARRIED

MOTION 03-388 MOVED by Councillor Kulscar

That the Rosenberger Drainage Project be approved with funding coming from a grant from Alberta Transportation and GST if applicable to be paid from general Capital Reserve (97-760).

CARRIED

MOTION 03-389 MOVED by Councillor Nanooch

That EXH Engineering Services Ltd. be authorized to provide engineering services not exceeding \$211,295 for the Rosenberger Drainage Project.

CARRIED

ADJOURNMENT: 15. a) **Adjournment**

MOTION 03-390 MOVED by Councillor Driedger

That the Regular Council meeting be adjourned (3:20 p.m.)

CARRIED

These minutes were adopted this 25th day of July, 2003.

"B. Neufeld" (Signed)
Bill Neufeld, Reeve

"B. Spurgeon" (Signed)
Barbara Spurgeon,
Executive Assistant