

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

**Board Room of the Fort Vermilion School Division Central Office
Fort Vermilion, Alberta**

Tuesday March 17, 1998

PRESENT:

Ernest Dyck	Vice-Chairperson
Elmer Derksen	Councillor
Reuben Derksen	Councillor
Bill Fedeyko	Councillor
Bill Neufeld	Councillor
Jake L. Peters	Councillor
Frank Rosenberger	Councillor
Walter Sarapuk	Councillor
Reg Scarfe	Councillor

ABSENT:

Betty Bateman	Chairperson
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ALSO PRESENT:

Bryan Clark	Official Administrator
John Maine	Chief Administrative Officer
Eva Schmidt	Executive Assistant to the C.A.O.
	Recording Secretary
Paul Driedger	Manager of Planning/Development and Emergency Services
Marco Braat	Superintendent of Utilities
Willie Froese	Superintendent of Roads
Chris Kelland	Agricultural Fieldman

Minutes of the regular meeting of the Council for the Municipal District of Mackenzie No. 23, held on Tuesday, March 17, 1998, in the Board Room of the Fort Vermilion School Division Central Office, Fort Vermilion, Alberta.

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

Vice Chairperson Dyck called the meeting to order at 5:05 pm.

**ADOPTION OF
AGENDA:** 2 a) **Adoption of Agenda**

The following additions were made to the agenda:

5b) Highway 88 Committee Report

MOTION 98-064 **MOVED** by Councillor Neufeld that the agenda be adopted with additions.

CARRIED UNANIMOUS

**ADOPTION OF
MINUTES AND
BUSINESS ARISING
FROM MINUTES:** 3 a) **Minutes of the February 24, 1998 Council Meeting**

The following amendments were made to the Minutes of the February 24, 1998 Council meeting:

Motion 98-032 shall be amended to read Opposed Councillor E. Derksen and In favour Councillor R. Derksen.

Motion 98-033 shall be amended to read Opposed Councillor E. Derksen and In favour Councillor R. Derksen.

MOTION 98-065 **MOVED** by Councillor E. Derksen that the Minutes of the February 24, 1998 Council meeting be adopted as amended.

CARRIED UNANIMOUS

3 b) Minutes of the March 3, 1998 Special Council Meeting

MOTION 98-066 **MOVED** by Councillor Neufeld that the Minutes of the March 3, 1998 Special Council meeting be adopted as presented.

CARRIED UNANIMOUS

**STAFF/COMMITTEE/
DEPARTMENTAL
REPORTS:**

5 a) C.A.O.'s Report

MOTION 98-067 **MOVED** by Councillor Peters that the C.A.O.'s report be accepted as presented.

CARRIED UNANIMOUS

5 b) Highway 88 Committee Report

Councillor Fedeyko advised that he will be meeting with Peace River MLA Gary Friedel in Edmonton during the Alberta Association of Municipal Districts and Counties convention.

**INTRODUCTION
OF BYLAWS:**

**6 a) Bylaw 116/98 - Land Use Bylaw Amendment
Pt. SW 13-106-15-W5M**

MOTION 98-068 **MOVED** by Councillor R. Derksen that third reading be given to Bylaw 116/98 Land Use Bylaw Amendment to change Part of SW 13-106-15-W5M from Agricultural District 1 "A1" to Country Residential District 1 "CR1".
Bylaw 116/98
Third Reading

Vice Chairperson Dyck asked Councillor Peters to abstain from voting on Bylaw 116/98n since he did not attend the Public Hearing held on this Bylaw.

In Favour:

Councillor Dyck
Councillor E. Derksen
Councillor R. Derksen
Councillor Neufeld
Councillor Rosenberger
Councillor Scarfe

Opposed:

Councillor Fedeyko
Councillor Sarapuk

Councillor Peters abstained from voting on Bylaw 116/98 since he did not attend the Public Hearing held on this Bylaw.

CARRIED NOT APPROVED by Bryan Clark, Official Administrator, due to the Land Use Bylaw Amendment being contrary to Section 5.2.A of the Municipal District of Mackenzie Land Use Bylaw and Sections 3.1 and 3.8 of the Municipal District of Mackenzie General Municipal Plan.

6 c) Bylaw 119/98 – Land Use Bylaw Amendment

MOTION 98-069 **MOVED** by Councillor Neufeld that first reading be given to Bylaw 119/98 Land Use Bylaw Amendment to add Land Use Policy Section 7.2(2) to allow for re-application for the same or similar amendment within the six month period if approved by the Development Officer.
Bylaw 119/98
First Reading

In Favour:

Councillor E. Derksen
Councillor Neufeld
Councillor Peters

Opposed:

Councillor R. Derksen
Councillor Fedeyko
Councillor Rosenberger
Councillor Scarfe
Councillor Dyck

Councillor Sarapuk

DEFEATED

6 d) Bylaw 120/98 – Land Use Bylaw Amendment To Correct Some Technical Errors

MOTION 98-070
Bylaw 120/98
First Reading

MOVED by Councillor Neufeld that first reading be given to Bylaw 120/98 Land Use Bylaw Amendment for technical amendments.

CARRIED UNANIMOUS

MOTION 98-071
Bylaw 120/98
Second Reading

MOVED by Councillor R. Derksen that second reading be given to Bylaw 120/98 Land Use Bylaw Amendment for technical amendments.

CARRIED UNANIMOUS

MOTION 98-072

MOVED by Councillor Rosenberger to go to third reading of Bylaw 120/98 Land Use Bylaw Amendment for technical amendments, at this meeting.

CARRIED UNANIMOUS

MOTION 98-073
Bylaw 120/98
Third Reading

MOVED by Councillor R. Derksen that third and final reading be given to Bylaw 120/98 Land Use Bylaw Amendment for technical amendments, at this time.

CARRIED UNANIMOUS

8 g) Subdivision Application 98MK006 NW 22-106-15-W5M

MOTION 98-074

MOVED by Councillor E. Derksen that subdivision application 98MK006, on NW 22-106-15-W5M, be postponed for further information; pending letters from the other members of the family whose names appear on the title.

In Favour:

Councillor Dyck
Councillor E. Derksen
Councillor R. Derksen
Councillor Neufeld
Councillor Peters
Councillor Scarfe

Opposed:

Councillor Rosenberger
Councillor Fedeyko
Councillor Sarapuk

CARRIED

8 f) Subdivision Application 98MK003 Pt. SW 13-106-15-W5M

MOTION 98-075

MOVED by Councillor Fedeyko that the developer of subdivision application 98MK003 provide Council with a certified engineering report regarding clean water, adequate sewage disposal system, and flooding ramifications regarding development for the entire parcel rezoned in Bylaw 116/98, being Part of SW 13-106-15-W5M.

CARRIED UNANIMOUS

Vice Chairperson Dyck recessed the meeting at 6:25 pm.

Vice Chairperson Dyck reconvened the meeting at 6:29 pm.

PUBLIC HEARING

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

Vice Chairperson Dyck called the Public Hearing to order at 6:29 pm.

BYLAWS: **2** **a)** **Bylaw 117/98 – Land Use Bylaw Amendment
Part of NE 33-105-15-W5M**

Vice-Chairperson Dyck asked if proposed Bylaw 117/98 Land Use Bylaw Amendment was properly advertised. Paul Driedger, Manager of Planning/Development and Emergency Services, stated Bylaw 117/98 was advertised in accordance with the Municipal Government Act.

Vice-Chairperson Dyck asked Paul Driedger to make his submission. Paul Driedger read his submission for Bylaw 117/98. **(Schedule A)**

Paul Driedger read the submission received from the Mackenzie Municipal Services Agency on Bylaw 117/98. **(Schedule B)**

Vice-Chairperson Dyck asked if Council had any questions regarding the submission of either Paul Driedger or Mackenzie Municipal Services Agency.

Councillor Sarapuk asked if there is farmland to the east of the proposed subdivision. Paul Driedger stated that the land east of the proposed subdivision is being farmed.

Councillor Neufeld asked if there is a gas line running across the property. George Froese pointed out where the gas line is situated on the proposed subdivision.

Vice-Chairperson Dyck asked if any submissions were received. Paul Driedger stated that no submissions were received.

Vice-Chairperson Dyck asked if any members of the public would like to speak to the proposed Bylaw 117/98. There was no indication that members of the public wanted to speak.

Vice-Chairperson Dyck asked if there were any further questions. There were none.

Vice-Chairperson Dyck declared the Public Hearing closed at 6:45 pm.

DELEGATIONS: **4** **a)** **Jacob T. and Katie Wolfe Farm**

Councillor Dyck welcomed Jacob T. Wolfe to the meeting at 6:46 pm.

Jacob Wolfe presented his submission regarding the drainage problem on NW 20, SW 29, and SE 30-103-17-W5M. **(Schedule C)**

MOTION 98-076 **MOVED** by Councillor R. Derksen that the M.D. of Mackenzie request an engineered study regarding the drainage problem of the Blue Hills area, and that the cost of the study be recovered from Alberta Environment.

CARRIED **UNANIMOUS**

6 **b)** **Bylaw 117/98 – Land Use Bylaw Amendment
Pt. NE 33-105-15-W5M**

MOTION 98-077
Bylaw 117/98
Second Reading **MOVED** by Councillor R. Derksen that second reading be given to Bylaw 117/98 Land Use Bylaw Amendment to change Part of NE 33-105-15-W5M from Agricultural District 1 “A1” to Country Residential District 1 “CR1”.

In Favour:
Councillor Dyck
Councillor E. Derksen
Councillor R. Derksen
Councillor Neufeld
Councillor Peters

Opposed:
Councillor Fedeyko
Councillor Sarapuk

Councillor Rosenberger
Councillor Scarfe

CARRIED

MOTION 98-078
Bylaw 117/98
Third Reading

MOVED by Councillor R. Derksen that third and final reading be given to Bylaw 117/98 Land Use Bylaw Amendment to change Part of NE 33-105-15-W5M from Agricultural District 1 "A1" to Country Residential District 1 "CR1", at this time.

In Favour:

Councillor Dyck
Councillor E. Derksen
Councillor R. Derksen
Councillor Neufeld
Councillor Peters
Councillor Rosenberger
Councillor Scarfe

Opposed:

Councillor Fedeyko
Councillor Sarapuk

CARRIED NOT APPROVED by Bryan Clark, Official Administrator, due to the Land Use Bylaw Amendment being contrary to Section 5.2.A of the Municipal District of Mackenzie Land Use Bylaw and Sections 3.1 and 3.8 of the Municipal District of Mackenzie General Municipal Plan.

TABLED ITEMS:

7 a) Motions 98-015 and 98-016

Paul Driedger stated that this item had already been dealt with by the Subdivision and Development Appeal Board.

MOTION 98-079

MOVED by Councillor Neufeld that item 7a) be received as information.

CARRIED UNANIMOUS

7 b) Intensive Livestock Operations

MOTION 98-080

MOVED by Councillor Fedeyko that item 7b) Intensive Livestock Operations, be tabled to the next meeting.

CARRIED UNANIMOUS

7 c) Subdivision Application 97MK101

MOTION 98-081

MOVED by Councillor Peters that approval be recommended on subdivision application 97MK101 on SE 16-106-15-W5M.

In Favour:

Councillor Dyck
Councillor E. Derksen
Councillor R. Derksen
Councillor Fedeyko
Councillor Neufeld
Councillor Peters
Councillor Rosenberger
Councillor Scarfe

Opposed:

Councillor Sarapuk

CARRIED MOTION OVERRULED by Bryan Clark, Official Administrator, and refusal recommended on subdivision application 97MK101, due to the application being contrary to Section 2.2, 3.1, and 3.8 of the Municipal District of Mackenzie General Municipal Plan and Section 5.3.A of the Municipal District of Mackenzie Land Use Bylaw and Section 3.8 of the Hamlet of La Crete Community Development Plan.

MOTION 98-082

MOVED by Councillor Fedeyko that approval be recommended on subdivision

application 97MK101 on SE 16-106-15-W5M subject to the following but not be limited to:

1. The most southerly 5.18 meters of the proposed subdivision, designated for future road widening, shall be transferred to the municipality prior to or in conjunction with registration of title.
2. Enter into a developer's agreement with the municipality.
3. Provision of offsite levy in the amount of \$200.
4. Provision of access to both parcels to municipality standards and at the developers expense.
5. All sewage disposal shall conform to the Plumbing Regulation.
6. Property taxes are to be paid.
7. The applicant be required to hook up to the municipal water and sewer system when the La Crete Hamlet expansion surrounds the acreage.

In Favour:

Councillor Dyck
Councillor E. Derksen
Councillor Fedeyko
Councillor Neufeld
Councillor Peters
Councillor Rosenberger
Councillor Sarapuk
Councillor Scarfe

Opposed:

Councillor R. Derksen

CARRIED MOTION OVERRULED by Bryan Clark, Official Administrator, and refusal recommended on subdivision application 97MK101, due to the subdivision application being contrary to Section 2.2, 3.1 and 3.8 of the Municipal District of Mackenzie General Municipal Plan and Section 5.3.A of the Municipal District of Mackenzie Land Use Bylaw and Section 3.8 of the Hamlet of La Crete Community Development Plan.

NEW BUSINESS:

8 a) Amend Motion 97-663

MOTION 98-083

MOVED by Councillor E. Derksen that Motion 97-663 be amended to read that Councillor Scarfe be appointed to the Mackenzie Economic Development Board as an alternate member.

CARRIED UNANIMOUS

8 b) Resolution to commit \$15,000 to the Restructuring Committee

Bryan Clark informed Council that the Municipal Restructuring Committee has decided to hire an independent consultant to provide financial and operating information to the Municipal Restructuring Committee based on four proposals. The Minister has been asked to defer the deadline set for the Municipal Restructuring Committee's recommendation.

MOTION 98-084

MOVED by Councillor Fedeyko that the Municipal District of Mackenzie commit \$15,000 (fifteen thousand dollars) toward the engagement of an independent consultant to provide the necessary information the Restructuring Committee deems necessary to arrive at a viable and workable solution to restructuring.

In Favour:

Councillor Rosenberger
Councillor Scarfe
Councillor Neufeld
Councillor Sarapuk
Councillor Fedeyko

Opposed:

Councillor Dyck
Councillor Peters
Councillor E. Derksen
Councillor R. Derksen

CARRIED

8 c) Letter from the Town of High Level

MOTION 98-085

MOVED by Councillor Fedeyko that the M.D. of Mackenzie retain Lot 3, Block 6, Plan 832-3083 for the High Level Seed Cleaning Co-op and trade lot 4, Block 6, Plan 832-3083 for Lot 27, Block 5, Plan 832-3083.

In Favour:

Councillor Dyck
Councillor Fedeyko
Councillor Neufeld
Councillor Peters
Councillor Sarapuk

Opposed:

Councillor E. Derksen
Councillor R. Derksen
Councillor Rosenberger
Councillor Scarfe

CARRIED

**8 d) Fort Vermilion Grazing Association Representation/
Veterinary Advisory**

This item needs to be brought back to Council in the form of an amending bylaw.

8 e) Contract Graders

MOTION 98-086

MOVED by Councillor R. Derksen that the M.D. of Mackenzie extend the existing grader contracts on an hourly rate pending the outcome of the Municipal Restructuring.

In Favour:

Councillor Dyck
Councillor E. Derksen
Councillor R. Derksen
Councillor Neufeld
Councillor Peters
Councillor Rosenberger
Councillor Scarfe

Opposed:

Councillor Fedeyko
Councillor Sarapuk

CARRIED

8 h) La Crete Recreation Society – 1998 Grant Advance

MOTION 98-087

MOVED by Councillor Sarapuk that the M.D. of Mackenzie approve a 1998 grant advance to the La Crete Recreation in the amount of \$30,000; being the same amount advanced to the Fort Vermilion Recreation Board.

CARRIED UNANIMOUS

**INFORMATION
ITEMS:**

9. a) AAMD&C – Convention Call Spring '98
- b) AAMD&C – Resolutions & Program 1998 Spring Convention
- c) AAMD&C – Maintenance Costs for Railway Crossings
- d) AAMD&C – Convention Evaluations – Fall 1997
- e) AAMD&C – Environmental Harmonization Accord
- f) AAMD&C – Comparative Equalized Assessment 1997 vs. 1998
- g) AAMD&C – Executive Meeting Highlights Feb. 26/98
- h) Contact – Feb. 4/98
- i) Contact – Feb. 18/98
- j) Contact – March 4/98
- k) Mackenzie Municipal Services Agency

Canadian Heritage Rivers System, Peace River

l) Northwest Corridor Development Corporation

MOTION 98-088 **MOVED** by Councillor Peters that items 9a) to 9l) be received for information.

CARRIED UNANIMOUS

The next Council meeting will be held at 5 p.m. on April 21, 1998 in High Level.

MOTION 98-089 **MOVED** by Councillor Peters that the meeting be adjourned at 8:15 pm.

CARRIED UNANIMOUS

These minutes were adopted this _____ day of _____, 1998.

Ernest Dyck, Vice-Chairperson

John A. Maine, C.A.O.

Approved:

Bryan Clark, Official Administrator