

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**Tuesday, August 14, 2007
10:00 a.m.**

**Council Chambers
Fort Vermilion, Alberta**

AGENDA

				Page
CALL TO ORDER:	1.	a)	Call to Order	
AGENDA:	2.	a)	Adoption of Agenda	
ADOPTION OF THE PREVIOUS MINUTES:	3.	a)	Minutes of the July 25, 2007 Regular Council Meeting	9
BUSINESS ARISING OUT OF THE MINUTES:	4.	a)		
		b)		
DELEGATIONS:	5.	a)	Mackenzie Housing Management Board (1:00 p.m.)	
		b)	Footner Forest Products (3:00 p.m.)	
		c)		
GENERAL REPORTS:	6.	a)	Agricultural Service Board Meeting Minutes of March 9, 2007	25
		b)	Municipal Planning Commission Meeting Minutes of July 9 th and 24 th , 2007	31
PUBLIC HEARINGS:	7.	a)	Bylaw 638/07 Municipal Reserve Closure Part of Plan 062-4963, Block 1, Lot 11MR (SW 13-106-15-W5M) – La Crete Rural	83
		b)	Bylaw 640/07 Land Use Bylaw Amendment Add Hamlet Industrial District 3 "HI3"	93

- c) Bylaw 642/07 Land Use Bylaw Amendment to Rezone Part of SW 3-110-18-W5M from Rural Industrial District 1 (RI1) to Agricultural District 1 (A1) – High Level Rural 105

TENDERS:

- 8. a) Zama Waste Water Lagoon Tender

**COUNCIL
COMMITTEE, CAO
AND DIRECTORS
REPORTS:**

- 9. a) Council Committee Reports
- b) CAO & Director Reports 113

**CORPORATE
SERVICES**

- 10. a) La Crete Community Library 117
- b) Fort Vermilion Office Space 121
- c) Advance Vote 125
- d) Joint Elections 127
- e) Organizational Meeting 131
- f) Letter from Municipal Affairs 133
- g) Health Service Plan 137
- h) Keepers of the Water II Conference 141
- i) Mackenzie Library Request for Laptop 147
- j) Information/Correspondence 149
- k)

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

- 11. a) Bylaw 644/07 Off-Highway Vehicles 183
- b) Utility Right of Way Closures 93
- c) Zama Subdivision 195
- d) Lots 29 & 28, Block 4, Plan 962-4275 in Zama 199
- e) Development Permit 13-DP-07 Industrial Shop on SE 32-110-19-W5M (Inter-Municipal Development Plan Corridor) 205

- f) Encroachments 221
- g) Sewer Lift Station of Northeast Part of La Crete 229
- h) Rural High Level Fire Department 243
- i)
- j)

OPERATIONAL SERVICES:

- 12. a) Hill Crest Community School Intersection 245
- b) Letter to County Recreation Boards 249
- c) Equipment Purchase (Gravel Trailer) 253
- d) Road Protection Agreement 257
- e) Equipment Purchase (Tractor) 269
- f) Fort Vermilion Lift Station Upgrade 277
- g) Rural Waterline 279
- h)
- i)

IN CAMERA SESSION:

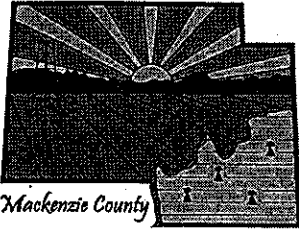
- 13. a) Town of High Level Negotiations
- b) Personnel
- c) Special Project Development
- d) Highway 88
- e) Forestry
- f)
- g)

NEXT MEETING DATE:

- 14. a) Regular Council Meeting
Wednesday, August 29, 2007

10:00 a.m.
Council Chambers, Fort Vermilion, AB

ADJOURNMENT: 15. a) Adjournment



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Minutes of the July 25, 2007 Regular Council Meeting

BACKGROUND / PROPOSAL:

Minutes of the July 25, 2007 Regular Council meeting are attached.

OPTIONS & BENEFITS:

N/A

COSTS & SOURCE OF FUNDING:

N/A

RECOMMENDED ACTION:

That the minutes of the July 25, 2007 Regular Council meeting be adopted as presented.

Author: C. Gabriel

Review Date: August 9, 2007

for
CAO *W*

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

Wednesday, July 25, 2007

10:00 a.m.

**Council Chambers
Fort Vermilion, AB**

PRESENT: Bill Neufeld Reeve
Walter Sarapuk Deputy Reeve
Peter Braun Councillor
John W. Driedger Councillor
Greg Newman Councillor
Jim Thompson Councillor
Stuart Watson Councillor

ABSENT: Ed Froese Councillor
Lisa Wardley Councillor

ADMINISTRATION: William (Bill) Kostiw Chief Administrative Officer
Carol Gabriel Executive Assistant
Joulia Whittleton Director of Corporate Services
John Klassen Manager of Utilities & Facilities
Eva Schmidt Planning Supervisor
Jason Gabriel Supervisor of Emergency Operations
Mark Schonken Public Works Coordinator

ALSO PRESENT: Susan McNeil, The Echo
Members of the public

Minutes of the Regular Council meeting for Mackenzie County held on Wednesday, July 25, 2007 at the Council Chambers in Fort Vermilion, Alberta.

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 07-07-678 MOVED by Councillor Driedger

That the agenda be adopted as presented.

CARRIED

**ADOPTION OF THE
PREVIOUS MINUTES:**

3. a) Minutes of the July 10, 2007 Regular Council Meeting

MOTION 07-07-679

MOVED by Councillor Braun

That the minutes of the July 10, 2007 Regular Council meeting be adopted as presented.

CARRIED

**BUSINESS ARISING
OUT OF THE MINUTES:**

4. a) None

GENERAL REPORTS:

**6. a) Mackenzie Housing Management Board Meeting
Minutes of May 31, 2007**

MOTION 07-07-680

MOVED by Deputy Reeve Sarapuk

That the Mackenzie Housing Management Board meeting minutes of May 31, 2007 be received for information.

CARRIED

**6. b) Municipal Planning Commission Meeting Minutes
of June 20, 2007**

MOTION 07-07-681

MOVED by Councillor Thompson

That the Municipal Planning Commission meeting minutes of June 20, 2007 be received for information.

CARRIED

8. b) CAO & Director Reports

MOTION 07-07-682

MOVED by Councillor Thompson

That the Director of Corporate Services, Manager of Utilities & Facilities, and the Chief Administrative Officer reports be accepted for information.

CARRIED

**CORPORATE
SERVICES:**

9. a) Hiring Policy – ADM046

MOTION 07-07-683

MOVED by Councillor Watson

That Hiring Policy – ADM046 be approved as presented.

CARRIED

9. c) Zama Trailer

MOTION 07-07-684
Requires 2/3

MOVED by Councillor Braun

That the 2007 Capital Budget be amended to include \$103,458 from the General Capital Reserve for the purchase of the trailer in Zama.

CARRIED

9. d) Request from La Crete & Area Chamber of Commerce

MOTION 07-07-685
Requires 2/3

MOVED by Councillor Driedger

That the La Crete & Area Chamber of Commerce be authorized to apply for a grant under the umbrella of the County.

CARRIED

9. e) June 30, 2007 Income Statement and Term Deposits report

MOTION 07-07-686

MOVED by Councillor Driedger

That the operating revenues and expenditures, term deposits and capital projects progress report for the period ended June 30, 2007 be received for information.

CARRIED

MOTION 07-07-687
Requires Unanimous

MOVED by Councillor Newman

That the delegation regarding ATV use be added to the agenda.

CARRIED

DELEGATIONS:

5. a) ATV Use

MOTION 07-07-688

MOVED by Councillor Newman

That the ATV Bylaw be brought back to the next Council meeting and that administration look at the feasibility of closing the utility right of ways.

CARRIED

9 g) Mighty Peace Tourist Association

MOTION 07-07-689
Requires 2/3

MOVED by Councillor Braun

That Mackenzie County contributes \$750.00 to the Mighty Peace Tourist Association for the cost sharing of the Prospects North Conference in Yellowknife.

CARRIED

9. h) Hamlet Boundaries

MOTION 07-07-690

MOVED by Councillor Braun

That the review of hamlet boundaries be tabled for further information.

CARRIED

9. i) Information/Correspondence

MOTION 07-07-691

MOVED by Deputy Reeve Sarapuk

That the information/correspondence items be accepted for information purposes.

CARRIED

Reeve Neufeld recessed the meeting at 11:06 a.m. and reconvened the meeting at 11:20 a.m.

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

10. a) Bylaw 641/07 Road Closure West Boundary of NW 25-104-14-W5M and West Boundary of SW 36-104-14-W5M (Savage Prairie)

MOTION 07-07-692

MOVED by Councillor Driedger

That the County continue to lease the fragmented land on SE 36-104-14-W5M and NE 26-104-14-W5M and enter into a Road License Agreement with the developer to farm the road allowance.

CARRIED

MOTION 07-07-693

MOVED by Councillor Braun

That first reading be given to Bylaw 641/07 being a Road Closure Bylaw for the closure of that portion of government road allowances lying west of the west boundary of NW 25-104-14-W5M and west of the west boundary of SW 36-104-14-W5M for the purpose of consolidating a portion of SE 35-104-14-W5M with SW 36-104-14-W5M and a portion of NE 26-104-14-W5M with NW 25-104-14-W5M. Further, the applicant shall be responsible for all costs associated with the road closure, land purchase, and consolidation of the parcels.

DEFEATED

10. b) Bylaw 642/07 Land Use Bylaw Amendment to Rezone Part of SW 3-110-18-W5M from Rural Industrial District 1 (RI1) to Agricultural District 1 (A1) (High Level Rural)

MOTION 07-07-694

MOVED by Councillor Braun

That first reading be given to Bylaw 642/07 being a Land Use Bylaw amendment to rezone Part of SW 3-110-18-W5M (Plan 922-3304, Block 1, Lot 1) from Rural Industrial District 1 (RI1) to Agricultural District 1 (A1).

CARRIED

10. c) Public Land Sale – NW & NE 8-116-22-W5M (Meander River)

MOTION 07-07-695

MOVED by Councillor Newman

That approval be given to the Public Lands Division for the sale of NW & NE 8-116-22-W5M north of Meander River to Dene Tha' First Nation for the purpose of a Wastewater Treatment Facility.

CARRIED

10. d) Public Land Sale – Section 1-110-20-W5M West of High Level

MOTION 07-07-696

MOVED by Councillor Thompson

That approval be given to Public Lands Division for the sale of Section 1-110-20-W5M in Rural High Level to be sold to Mackenzie Regional Waste Management Board for the purpose

of expanding the Regional Land Fill.

CARRIED

10. e) Undeveloped Road Allowance – South of SE 1-104-18-W5M (Blue Hills)

MOTION 07-07-697

MOVED by Councillor Watson

That Mackenzie County uphold the Road Licensing Agreement, between the County and the Fort Vermilion School Division, and allow the ice rink, sewage lagoon and trees to remain on the road allowances until the time that a road may be constructed on the road allowance.

CARRIED

10. f) Development Statistics Report January to June Comparison (2004 – 2007)

MOTION 07-07-698

MOVED by Councillor Driedger

That the Development Statistics Report January to June Comparison (2004 – 2007) be received for information.

CARRIED

10. g) Aerial Fire Apparatus – High Level Rural

MOTION 07-07-699

MOVED by Deputy Reeve Sarapuk

That the aerial fire apparatus – High Level Rural be moved in-camera.

CARRIED

MOTION 07-07-700

MOVED by Councillor Newman

That Council move in-camera at 11:47 a.m.

CARRIED

MOTION 07-07-701

MOVED by Councillor Braun

That Council move out of camera at 12:14 p.m.

CARRIED

Reeve Neufeld recessed the meeting at 12:14 p.m. and reconvened the meeting at 2:14 p.m.

OPERATIONAL SERVICES:

11. a) La Crete 99th Street Tender

MOTION 07-07-702

MOVED by Deputy Reeve Sarapuk

That the 99th street base/pave, north and south La Crete access overlay and 94th avenue widening tender Contract No. 1007116 be opened.

CARRIED

MOTION 07-07-703

MOVED by Councillor Braun

That the tender for the 99th street base/pave, north and south La Crete access overlay and 94th avenue widening tender Contract No. 1007116 be awarded to the lowest bidder subject to engineer confirmation and budget amendment.

CARRIED

PUBLIC HEARING:

- 7. a) Bylaw 636/07 Land Use Bylaw Amendment to Rezone Part of Fort Vermilion Settlement, Range 2, River Lot 8 from Hamlet Recreational District (REC) to Hamlet Residential District 1 (HR1) and Plan 2938RS, Block 3, Lots 1 through 6 from Hamlet Commercial Residential Transitional District (HRCT) to Hamlet Residential District 1 (HR1) – Fort Vermilion**

Reeve Neufeld called the public hearing for Bylaw 636/07 to order at 2:26 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 636/07 was properly advertised. Eva Schmidt, Planning Supervisor, 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 Amendment Bylaw. Eva Schmidt, Planning Supervisor, presented the Development Authority's submission and indicated that first reading was given on June 25, 2007.

Reeve Neufeld asked if Council has any questions of the proposed Land Use Amendment Bylaw. There were no

questions.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 636/07. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 636/07. There was no indication that anyone present wished to speak to the bylaw.

Reeve Neufeld closed the public hearing for Bylaw 636/07 at 2:31 p.m.

MOTION 07-07-704

MOVED by Councillor Driedger

That second reading be given to Bylaw 636/07 being a Land Use Bylaw amendment to rezone Pt of FORTVER, Range 2, River Lot 8 from Hamlet Recreational District (REC) to Hamlet Residential District 1 (HR1) and Plan 2938RS, Block 2, Lots 1 to 6 from Hamlet Commercial Residential Transitional District (HRCT) to Hamlet Residential District 1 (HR1).

CARRIED

MOTION 07-07-705

MOVED by Councillor Braun

That third reading be given to Bylaw 636/07 being a Land Use Bylaw amendment to rezone Pt of FORTVER, Range 2, River Lot 8 from Hamlet Recreational District (REC) to Hamlet Residential District 1 (HR1) and Plan 2938RS, Block 2, Lots 1 to 6 from Hamlet Commercial Residential Transitional District (HRCT) to Hamlet Residential District 1 (HR1).

CARRIED

Reeve Neufeld recessed the meeting at 2:42 p.m. and reconvened the meeting at 2:51 p.m.

9. b) Special Project Development

MOTION 07-07-706

Requires 2/3

MOVED by Deputy Reeve Sarapuk

That the 2007 Capital Budget be amended to include \$50,000 Special Projects Development Initiative from General Operating Reserve.

CARRIED

10. g) Aerial Fire Apparatus – High Level Rural

MOTION 07-07-707
Requires 2/3

MOVED by Councillor Thompson

That administration be authorized to purchase a used aerial fire apparatus for the High Level Rural Fire Department and that the 2007 capital budget be amended to include an additional \$150,000.00 for the purchase of a used aerial fire apparatus from the General Capital Reserve.

CARRIED

11. b) La Crete 99th Street

MOTION 07-07-708
Requires 2/3

MOVED by Councillor Driedger

That the 2007 capital budget be amended to include an additional \$800,000 from the Public Works Reserve with the total project cost of \$3,300,000 for the construction of the 99th street base/pave, north and south La Crete access overlay and 94th avenue widening.

CARRIED

11. c) Zama Water Treatment Plant Contract Documentation Completion

MOTION 07-07-709

MOVED by Councillor Watson

That the Zama water treatment plant contract documentation completion be received for information.

CARRIED

11. d) Fort Vermilion Caretaking Contract Tender

MOTION 07-07-710

MOVED by Councillor Newman

That administration be authorized to award the tender for the Fort Vermilion Caretaking Contract to the lowest bidder.

CARRIED

11. e) 102nd Street & 94th Avenue CAMRIF Project Tender Update (La Crete)

MOTION 07-07-711

MOVED by Deputy Reeve Sarapuk

That the 102nd street and 94th avenue CAMRIF project tender update in La Crete be received for information.

CARRIED

**11. f) 100th Street & 99th Avenue Traffic Lights
(La Crete)**

MOTION 07-07-712

Requires 2/3

MOVED by Councillor Braun

That the 2007 Capital Budget be amended to include \$72,800 in additional funding from the Road Reserve with the total approved cost of \$172,800 for the traffic lights installation on 100th Street and 99th Avenue in La Crete.

CARRIED

11. g) Public Works Projects Update

MOTION 07-07-713

MOVED by Councillor Newman

That the disaster services radio broadcasting be deleted from the 2007 capital projects.

CARRIED

MOTION 07-07-714

MOVED by Councillor Braun

That the Public Works projects update be received for information.

CARRIED

11. h) 24/7 Flashing Beacons

MOTION 07-07-715

MOVED by Councillor Driedger

That Mackenzie County purchase two 10 watt flashing beacon lights for Fort Vermilion 45th and 50th street to be funded from the General Operating Budget.

CARRIED

11. i) Resource Road Priority List

MOTION 07-07-716

MOVED by Deputy Reeve Sarapuk

That Mackenzie County accepts the Resource Road priority list as presented.

CARRIED

11. j) County Signage

MOTION 07-07-717

MOVED by Councillor Braun

That Mackenzie County proceed with ordering the County signs as amended.

CARRIED

IN CAMERA SESSION:

MOTION 07-07-718

MOVED by Councillor Newman

That consideration be given to move in-camera to discuss issues under the Freedom of Information and Protection of Privacy Regulations 18 (1) at 4:07 p.m.

12. a) Town of High Level Negotiations

12. b) Personnel

12. c) County Business Plan (Activation Analysis)

12. d) Highway 88

12. e) High Level Airport

12. f) Forestry

12. g) Caribou Resources

12. h) Waste Transfer Station Contracts

CARRIED

MOTION 07-07-719

MOVED by Councillor Watson

That Council move out of camera at 5:39 p.m.

CARRIED

12. c) County Business Plan (Activation Analysis)

MOTION 07-07-720

MOVED by Deputy Reeve Sarapuk

That Council proceed with tasks 1, 2, 3, 6, 7, and 9 as indicated in the proposed Action Plan prepared by Activation Analysis.

CARRIED

12. e) High Level Airport

MOTION 07-07-721

MOVED by Councillor Braun

That the County Planning Department look into the planning authority and procedures at the High Level airport and report to Council.

CARRIED

12. g) Caribou Resources

MOTION 07-07-722

MOVED by Councillor Watson

That Mackenzie County negotiate with Caribou Resources as discussed and recommended by the Finance Department.

CARRIED

12. h) Waste Transfer Station Contracts

MOTION 07-07-723

MOVED by Councillor Thompson

That the waste transfer station contracts be adjusted as negotiated and recommended by the Utilities Department.

CARRIED

NEXT MEETING DATE:

13. a) Regular Council Meeting

Regular Council Meeting
Tuesday, August 14, 2007
10:00 a.m.
Council Chambers, Fort Vermilion, AB

ADJOURNMENT:

14. a) Adjournment

MOTION 07-07-724

MOVED by Councillor Driedger

That the Regular Council meeting be adjourned at 5:44 p.m.

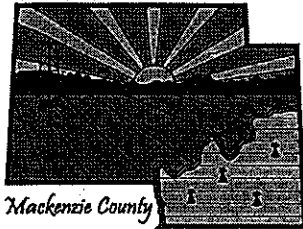
CARRIED

These minutes will be presented to Council for approval on Tuesday, August 14, 2007.

Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

DRAFT



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Agricultural Service Board Meeting Minutes March 9, 2007

BACKGROUND / PROPOSAL:

Information item. The adopted minutes of the March 9, 2007 meeting are attached.

OPTIONS & BENEFITS:

N/A

COSTS & SOURCE OF FUNDING:

N/A

RECOMMENDED ACTION:

That the Agricultural Service Board meeting minutes of March 9, 2007 be received for information.

Author: C. Gabriel

Review Date: August 9, 2007

for
CAO *AW*

**MACKENZIE COUNTY
AGRICULTURAL SERVICE BOARD MEETING**

**Friday, March 9, 2007
10:00 am
Heritage Centre
La Crete, AB**

PRESENT:	Greg Newman Bill Neufeld Joe Peters Eric Jorgensen	Chair Reeve, Council Representative Member at large Member at large
ABSENT:	Wayne Thiessen	Member at large
ALSO PRESENT:	William (Bill) Kostiw Grant Smith Wanita Mitchell	Chief Administrative Officer (CAO) Agricultural Fieldman Administrative Assistant, Recording Secretary

Minutes of the Agricultural Service Board meeting for Mackenzie County held on Friday, March 9, 2007 at the Heritage Centre in La Crete, Alberta.

CALL TO ORDER: 1. a) Call to Order

Chair Newman called the meeting to order at 10:11 a.m.

AGENDA: 2. a) Adoption of Agenda

MOTION 07- 009 MOVED by Joe Peters

That the agenda be adopted as presented with addition of:
6. e) Agricultural Conference

CARRIED

**ADOPTING OF THE
PREVIOUS MINUTES: 3. a) Minutes of the January 19, 2007 Agricultural
Service Board Meeting**

MOTION 07- 010 MOVED by Eric Jorgensen

That the minutes of the January 19, 2007 Agricultural Service Board meeting be amended as follows:

Add the word letter to section 7. a) That the Alberta Agricultural, Food & Rural Development letter be received for information.

CARRIED

3. b) Minutes of the November 27, 2006 Agricultural Service Board Meeting

MOTION 07-011

MOVED by Joe Peters

That the minutes of the November 27, 2006 Agricultural Service Board meeting be adopted as presented.

CARRIED

BUSINESS ARISING OUT OF THE MINUTES:

4. a) Frontier Veterinary Services Amendment & Memorandum of Agreement

MOTION 07-012

MOVED by Reeve Bill Neufeld

That the Frontier Veterinary Service Amendment & Memorandum of Agreement be received for information.

CARRIED

4. b) Blue Hills Open House

MOTION 07-013

MOVED by Joe Peters

That the Blue Hills Open House be table to next Agricultural Service Board meeting.

CARRIED

GENERAL REPORTS:

5. a) Agricultural Fieldman's Report

MOTION 07-014

MOVED by Eric Jorgensen

That the Agricultural Fieldman's report be accepted for information.

CARRIED

BUSINESS:

6. a) Pesticide Applicator Course

MOTION 07-015

MOVED by Eric Jorgensen

That administration find some people to train to a maximum cost of \$10,000.

CARRIED

**6.b) Mackenzie Applied Research Association (MARA)
Memorandum of Understanding**

MOTION 07-016

MOVED by Reeve Neufeld

That the Agricultural Service Board make a recommendation to Council to accept Mackenzie Applied Research (MARA) Memorandum of Understanding.

CARRIED

6. c) Farm Family Awards

MOTION 07-017

MOVED by Reeve Neufeld

That the Agricultural Service Board nominate Russell Friesen for the Farm Family Award.

CARRIED

6. d) Municipal District of Northern Lights No.22 Letter

MOTION 07-018

MOVED by Joe Peters

That the Agricultural Service Board send a letter of support to the Municipal District of Northern Lights No. 22. in regards to conference sites.

CARRIED

6. e) Agricultural Conference

MOTION 07-019

MOVED by Reeve Neufeld

That the Agricultural Conference be received for information.

CARRIED

**CORRESPONDENCE &
INFORMATION:**

7.a) Fusarium Survey

MOTION 07-020

MOVED by Eric Jorgensen

That Agricultural Service Board continue with the Fusarium Survey.

CARRIED

7. b) Seed Cleaning Plant Inspection

MOTION 07-021

MOVED by Eric Jorgensen

That the Seed Cleaning Plant Inspection be accepted for information purposes.

CARRIED

NEXT MEETING DATE:

8.a) Next Meeting Date

Set next meeting date for mid April which will include a Road Tour.

ADJOURNMENT:

9.a) Adjournment

MOTION 07-022

MOVED by Eric Jorgensen

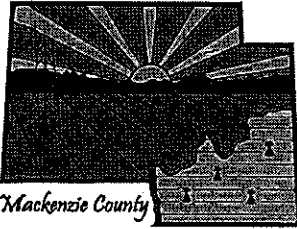
That the Agricultural Service Board Meeting be adjourned at 11:07 am.

CARRIED

These minutes were approved on June 5, 2007.

(signature on file)
Greg Newman, Chair

(signature on file)
Grant Smith, Agricultural Fieldman



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Municipal Planning Commission Meeting Minutes July 9th and 24th, 2007

BACKGROUND / PROPOSAL:

Information item. The adopted minutes of the July 9th and 24th, 2007 meeting are attached.

OPTIONS & BENEFITS:

N/A

COSTS & SOURCE OF FUNDING:

N/A

RECOMMENDED ACTION:

That the Municipal Planning Commission meeting minutes of July 9th and 24th, 2007 be received for information.

Author: C. Gabriel **Review Date:** August 9, 2007

W. Kostiw
CAO

**Mackenzie County
Municipal Planning Commission Meeting**

**Mustus Lake Center (County Office)
La Crete, Alberta**

Monday, July 9, 2007 @ 10:00 a.m.

PRESENT

Peter Braun	Chair, Councillor
Daryl Zielsdorf	Vice-Chair, MPC Member
Jack Eccles	MPC Member
Ed Froese	Councillor
Paul Driedger	Director of Planning
Eva Schmidt	Planning Supervisor
Vicky Krahn	Planning Administrative Support

ABSENT

Manfred Gross	MPC Member
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1. CALL TO ORDER

Peter Braun called the meeting to order at 10:10 a.m.

2. ADOPTION OF AGENDA

MOTION 07-207 MOVED by Daryl Zielsdorf

That the agenda be adopted with the following additions:

- 4p) Development Permit Application 195-DP-07
Daryl Dyck; Mobile Home with Variance, Addition, Deck
and 4' Fence with Variance
Plan 062 6292, Block 34, Lot 22; La Crete
- 5b) Subdivision Application
Part of SW 9-106-15-W5M; La Crete
Peter Fehr

CARRIED

3. ADOPTION OF MINUTES

MOTION 07-208 **MOVED** by Councillor Froese

That the minutes of the June 20, 2007 Municipal Planning Commission meeting be adopted as presented.

CARRIED

4. DEVELOPMENT PERMIT APPLICATIONS

- a) **Development Permit Application 249-DP-06
William Friesen for the Buffalo Head Prairie
Mennonite School
NE 13-106-14-W5M; La Crete Rural**

MOTION 07-209 **MOVED** by Jack Eccles

That Development Permit 249-DP-06, condition #6 be amended to: Provide a four (4) foot high chain link fence, with secure gates, 25 feet east of the school building (as shown on the attached drawing) north and south to the property lines. Mackenzie County encourages the school to completely enclose the playground area.

Addition of condition #8: Appropriate safety measures shall be taken to ensure the children are not in close proximity to the private sewage disposal system.

CARRIED

- b) **Development Permit Application 153-DP-07
Agricultural Society; Public Use – Stock Car Race Track,
Bleachers and Control Tower
NE 32-105-15-W5M; La Crete Rural**

MOTION 07-210 **MOVED** by Daryl Zielsdorf

That Development Permit 153-DP-07 on NE 32-105-15-W5M in the name of Agricultural Society be amended to include:

2. The stock car race track shall be situated along the south border of the quarter section.

11. All trees on the west half of the quarter be left as a buffer; prior to any changes being made a development permit is required.

CARRIED

- c) **Development Permit Application 163-DP-07
Eagles Nest Bible Camp; Intensive Recreation (Shower
and change room and additional cabin)
SE 1-109-16-W5M; Rocky Lane Rural**

MOTION 07-211. MOVED by Daryl Zielsdorf

That Development Permit 163-DP-07 on SE 1-109-16-W5M in the name of Eagles Nest Bible Camp, be approved with the following conditions:

1. Minimum building setbacks: 41.15 meters (135 feet) from any road allowances and 15.24 meters (50 feet) from any other property line.
2. The architecture, construction materials and appearance of buildings shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
3. PRIOR to installation of a new access or changing location of existing access, complete a Request for Access form by contacting the Road/Maintenance Department for Mackenzie County at 928-3983. Access to be constructed to Mackenzie County standards and at the developer's expense.
4. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighboring properties.

CARRIED

**d) Development Permit Application 171-DP-07
Mackenzie County; Truck Wash Bay
Plan 972 0389, Lot 14; Fort Vermilion**

MOTION 07-212 **MOVED** by Councillor Froese

That Development Permit 171-DP-07 on Plan 9720389, Lot 14 (Fort Vermilion) in the name of Mackenzie County, be approved with the following conditions:

1. Minimum structure setbacks: 9.1 meters (30 feet) front yard; 9.1 meters (30 feet) rear yard; 3.05 meters (10 feet) interior side yard; 9.1 meters (30 feet) exterior side yard, from the property lines.
2. Any exterior renovations/changes require that the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards.
3. The addition (wash bay) shall be constructed and finished with similar construction materials as the existing maintenance shop and shall compliment the natural features of the site.
4. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighboring properties.

CARRIED

**e) Development Permit Application 172-DP-07
Steven Thiessen; Dwelling – Duplex with Variance
Plan 912 2041, Block 19, Lot 6; La Crete**

MOTION 07-213 **MOVED** by Daryl Zielsdorf

That Development Permit 172-DP-07 on Plan 912 2041, Block 19, Lot 6 in the name of Steven Thiessen, be refused and that the applicant be informed that if he wishes to pursue construction of a duplex to apply for rezoning of the subject property.

CARRIED

Note: The Hamlet of La Crete needs to have more zones where duplexes will be allowed. This is to be included when the Land Use Bylaw is being reviewed.

**f) Development Permit Application 175-DP-07
Buffalo Head Prairie Co-op; Retail Store Addition
NE 23-104-15-W5M (Plan 042 2184, Block 2, Lot 2)
Buffalo Head Prairie**

MOTION 07-214 MOVED by Jack Eccles

That Development Permit 175-DP-07 on Plan 042 2184, Block 2, Lot 2 (NE 23-104-15-W5M) in the name of Buffalo Head Prairie Co-op, be approved with the following conditions:

1. Minimum building setbacks: 41.15 meters (135 feet) from any road allowances and 15.24 meters (50 feet) from any other property lines.
2. The architecture, construction materials and appearance of the addition shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
3. **PRIOR** to installation of a new access or changing location of existing access off of Savage Prairie Road (Township Road 104-4), complete a Request for Access form by contacting the Road/Maintenance Department for Mackenzie County at 928-3983. Access to be constructed to Mackenzie County standards and at the developers expense.
4. **PRIOR** to installation of a new access or changing location of existing access off of Highway 697, contact Alberta Transportation at 624-6280. Access to be constructed to Alberta Transportation standards.
5. Comply with applicable legislation under the Public Health Act and obtain the appropriate approvals prior to commencement of development. Contact the Health Inspector at 926-7000.
6. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.

CARRIED

**g) Development Permit Application 180-DP-07
Ed Harder Construction; Repair Shop Addition –
Commercial and Industrial Vehicles and Equipment
Plan 962 1721, Block 18, Lot 8; La Crete**

MOTION 07-215 **MOVED** by Councillor Froese

That Development Permit 180-DP-07 on Plan 962 1721, Block 18, Lot 8 in the name of Ed Harder Construction, be approved with the following conditions:

1. Minimum building setbacks: 9.1 meters (30 feet) front yard; 9.1 meters (30 feet) rear yard; 3.05 meters (10 feet) interior side yard; 9.1 meters (30 feet) exterior side yard, from the property lines.
2. No part of any building shall be on Right-of-Way Plan 802 3201.
3. The architecture, construction materials and appearance of the addition shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
4. Building to be connected to the Municipal water and sewer system and the cost of connection fees will be borne by the owner where applicable.
5. PRIOR to installation of a new access or changing location of existing access, complete a Request for Access form by contacting the Road/Maintenance Department for Mackenzie County at 928-3983. Access to be constructed to Mackenzie County standards and at the developer's expense.
6. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighboring properties.

CARRIED

**h) Development Permit Application 181-DP-07
Peter and Susan Klassen; Mobile Home, Addition
and Deck
NW 5-106-15-W5M (Plan 062 4641, Block 1, Lot 8)
River Drive Developments**

MOTION 07-216 MOVED by Jack Eccles

That Development Permit 181-DP-07 on Plan 062 4641, Block 1, Lot 8 (NW 5-106-15-W5M) in the name of Peter and Susan Klassen, be approved with the following conditions:

1. Minimum building setbacks: 38.1 meters (125 feet) front yard; 7.6 meters (25 feet) rear yard; 7.6 meters (25 feet) side yard, from the property lines.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site and the aesthetics of the neighbouring houses to the satisfaction of the Development Department.
3. Mackenzie County shall not be held liable for any concerns, issues or damages related to and/or resulting from the water tables and any other water problems as a result of the low land levels of the proposed development. It is the responsibility of the developer to ensure that adequate drainage and other precautions are taken to avoid water seepage into any buildings.
4. Building to be connected to the Municipal water and the cost of connection fee will be borne by the owner where applicable.
5. All sewage disposal systems to be in conformance with the Alberta Private Sewage Treatment and Disposal Regulations.
6. PRIOR to installation of a new access or changing location of existing access, complete a Request for Access form by contacting the Road/Maintenance Department for Mackenzie County at 928-3983. Access to be constructed to Mackenzie County standards and at the developers expense.

7. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.

CARRIED

- i) **Development Permit Application 182-DP-07
Rogers Wireless Inc.; Communication Tower
NW 15-106-15-W5M; La Crete Rural**

MOTION 07-217 **MOVED** by Daryl Zielsdorf

That Development Permit 182-DP-07 on NW 15-106-15-W5M in the name of Rogers Wireless Inc., be approved with the following conditions:

1. Minimum setbacks: 41.14 meters (135 feet) from any road allowance; 15.34 meters (50 feet) from any other property lines.
2. This permit is subjected to APPROVAL from NAV Canada, Alberta Infrastructure and Transportation and all required conditions.
3. A chain link fence must surround the compound at all times.
4. PRIOR to installation of a new access or changing location of existing access, complete a Request for Access form by contacting the Operational Services Department for Mackenzie County at 928-3983. Access to be constructed to Mackenzie County standards and at the developer's expense.
5. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.

CARRIED

**j) Development Permit Application 185-DP-07
Frank Friesen.; Ancillary Building (Garage/Hobby Shop)
with Variance
Plan 052 3706, Block 30, Lot 17;La Crete**

MOTION 07-218 **MOVED** by Councillor Froese

That Development Permit 185-DP-07 on Plan 052 3706, Block 30, Lot 17 in the name of Frank Friesen, be approved with the following conditions:

1. A variance of 72 square feet for the total area of the ancillary building (garage/hobby shop) is hereby granted. The maximum area of the ancillary building (garage/hobby shop) shall be 576 square feet.
2. Minimum building setbacks: 7.62 meters (25 feet) front yard; 2.43 meters (8 feet) rear yard or 1.52 meters (5 feet) when using subsurface utilities; 1.52 meters (5 feet) side yard, from the property lines.
3. This garage is for residential purposes only and no commercial activity is permitted in this building or district.
4. A garage door shall be placed in the south side of the ancillary building (garage/hobby shop).
5. A continual peaked roof shall be constructed on the ancillary building (garage/hobby shop) and the total height of the building shall not exceed 15 feet.
6. The ancillary building (garage/hobby shop) shall be constructed and finished with similar construction materials as the residence and shall compliment the natural features of the residence and site.
7. No ancillary building erected/or moved onto the site shall be used as a dwelling.
8. PRIOR to installation of a new access or changing location of existing access, complete a Request for Access form by contacting the Road/Maintenance Department for Mackenzie County at 928-3983. Access to be constructed to Mackenzie County standards and at the developer's expense.

9. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.

CARRIED

**k) Development Permit Application 187-DP-07
Fort Vermilion School Division
Portable Classrooms (Two)
Plan 3279KS, Lot 1; Fort Vermilion**

MOTION 07-219 **MOVED** by Daryl Zielsdorf

That Development Permit 187-DP-07 on Plan 3279KS, Lot 1 in the name of Fort Vermilion Public School be approved with the following conditions:

1. Minimum structure setbacks: 7.6 meters (25 feet) front yard; 7.6 meters (25 feet) rear yard; 3.0 meters (10 feet) interior side yard; 7.6 meters (25 feet) exterior side yard, from the property lines.
2. All portable classrooms shall conform to the Alberta Building Code.
3. The undercarriage of the portable classrooms shall be screened from view by skirting or such other means satisfactory to the Development Authority.
4. Any exterior renovations/changes require that the architecture, construction materials and appearance of buildings and other structures shall be to accepted standards.
5. The portable classroom units shall be constructed and finished with similar construction materials as the St. Mary's Elementary School and shall compliment the natural features of the site. This condition must be completed within one year after occupancy.
6. Building to be connected to the Municipal water and sewer system and the cost of connection fees will be borne by the owner where applicable.
7. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighboring properties.

CARRIED

**l) Development Permit Application 189-DP-07
Lindsay Graham; Fence with Variance
Plan 032 5174, Block 21, Lot 56; La Crete**

MOTION 07-220 **MOVED** by Jack Eccles

That Development Permit 189-DP-07 on Plan 032 5174, Block 21, Lot 56 in the name of Lindsay Graham, be approved with the following conditions:

1. Approval of a fence with variance as noted in condition 2.
2. Maximum height of fence: Five (5) feet front yard, west boundary (south of the house) and the most westerly 25 feet of the south side yard.
3. The fence must not encroach onto adjacent properties.

CARRIED

**m) Development Permit Application 191-DP-07
Fort Vermilion School Division
Portable Classroom (Storage)
Plan 762 1591, Block A, Lot 4; Fort Vermilion**

MOTION 07-221 **MOVED** by Daryl Zielsdorf

That Development Permit 191-DP-07 on Plan 762 1591, Block A, Lot 4 in the name of Fort Vermilion Public School be approved with the following conditions:

1. Minimum structure setbacks: 7.6 meters (25 feet) front yard; 7.6 meters (25 feet) rear yard; 3.0 meters (10 feet) interior side yard; 7.6 meters (25 feet) exterior side yard, from the property lines.
2. All portable classrooms shall conform to the Alberta Building Code.
3. The undercarriage of the portable classrooms shall be screened from view by skirting or such other means satisfactory to the Development Authority.
4. Any exterior renovations/changes require that the architecture, construction materials and appearance

of buildings and other structures shall be to accepted standards.

5. The portable classroom units shall be constructed and finished with similar construction materials as the Fort Vermilion Public School and shall compliment the natural features of the site. This condition must be completed within one year after occupancy.
6. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighboring properties.

CARRIED

- n) **Development Permit Application 192-DP-07
Fort Vermilion School Division; Day Care Facility and
Playground
Plan 962 4008, Block 5, Lot 34 ; La Crete**

MOTION 07-222 **MOVED** by Councillor Froese

That Development Permit 192-DP-07 on Plan 962 4008, Block 5, Lot 34 in the name of Daniel Dyck for Fort Vermilion School Division, be approved with the following conditions:

1. All renovations and construction, including the playground equipment and fence, shall conform to the Alberta Building Code.
2. The playground site area (lot) shall have a positive surface drainage without adversely affecting the neighboring properties.

CARRIED

- o) **Development Permit Application 194-DP-07
Noralta Aviation Leasing Ltd.; Aircraft Hanger
SE 8-111-19-W5M (Plan 982 1131; Area 7; Lots C5 & C6)
High Level Airport**

MOTION 07-223 **MOVED** by Jack Eccles

That Development Permit 194-DP-07 on Plan 982 1131; Area 7; Lot C5 & C6 (SE 8-111-19-W5M) in the name of Noralta Aviation Leasing Ltd. be approved with the following conditions:

1. Minimum aircraft hanger setbacks shall be: 9.1 meters (30 feet) from the lease boundary line fronting the taxiway; 3.05 meters (10 feet) from the north lease boundary line; 3.05 meters (10 feet) from the yard fronting the internal road and 9.14 meters (30 feet) from the yard fronting First Street.
2. Submit written approval by NAV Canada to the Mackenzie County office by September 15, 2007.
3. All the conditions and requirements set forth by NAV Canada, Transport Canada and/or other Government Agencies shall be adhered to.
4. Building to be connected to the municipal water and sewer system and the cost of connection fees will be borne by the owner where applicable.
5. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
6. Provide adequate off street parking as follows: The minimum parking standards are 1 space per 37.16 square meters (400 sq. ft.) of building area, which in this case being the majority of the building is for aircraft storage, 24 parking stalls will suffice. *"One parking space, including the driveway area, shall occupy 28 square meters (300 square feet)."*
7. PRIOR to installation of a new access or changing location of existing access, complete a Request for Access form by contacting the Road/Maintenance Department for Mackenzie County at 928-3983. Access to be constructed to Mackenzie County standards and at the developers expense.
8. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.

CARRIED

**p) Development Permit Application 195-DP-07
Darryl Dyck; Mobile Home with Variance, Addition, Deck
and 4' Fence with Variance
Plan 062 6292, Block 34, Lot 22; La Crete**

MOTION 07-224 MOVED by Jack Eccles

That Development Permit 195-DP-07 on Plan 062 6292, Block 34, Lot 22 in the name of Darryl Dyck, be approved with the following conditions:

1. A variance of 5 feet (1.52 meters) of the front yard setback is hereby granted for the placement of the mobile home.
2. A variance of 1 foot (0.31 meters) of the side yard (the most westerly 25 feet) is hereby granted.
3. The front of the mobile home shall be 6.1 meters (20 feet) from the front property line. The minimum setbacks for the side and rear yard are: 2.43 meters (8 feet) rear yard or 1.52 meters (5 feet) when using subsurface utilities; 1.52 meters (5 feet) side yard, from the property lines.
4. The mobile home shall face 102nd Avenue and be situated on the north side of the lot, as proposed.
5. Maximum height of fence: Four (4) feet side yard for the first 20 feet from 102nd Avenue.
6. The fence must not encroach onto adjacent properties.
7. The architecture, construction materials and appearance of the mobile home, addition and deck shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
8. The undercarriage of the mobile home and addition shall be screened from view by skirting or such other means satisfactory to the Development Authority.
9. The Municipality has assigned the following address to the noted property 11102 –102nd Avenue. You are required to display the address (11102) to be clearly legible from the street and be on a contrasting

background. The minimum size of the characters shall be four inches in height.

10. Building to be connected to the Municipal water and sewer system and the cost of connection fees will be borne by the owner where applicable.

11. Provide adequate off street parking as follows: The minimum parking shall be 300 square feet per vehicle owned plus an additional 500 square feet for off street parking. *"One parking space, including the driveway area, shall occupy a minimum of 300 square feet."* The driveway shall be 10 meters (32.8 feet) from the intersection corner of the property.

12. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighboring properties.

CARRIED

5. SUBDIVISION APPLICATIONS

**a) Subdivision Application 35-SUB-07
SW 04-107-13-W5M; Wolfe Lake Road
Abe and Mary Krahn**

MOTION 07-225 MOVED by Councillor Froese

That subdivision application 35-SUB-07 in the name of Abe and Mary Krahn on SW 04-107-13-W5M be approved with the following conditions:

1. This approval is for 1 lot, 2.09 hectares (5.17 acres) in size.
2. Any outstanding property taxes are to be paid on the land proposed to be subdivided or arrangements made which are satisfactory to the municipality.
3. Applicant/developer shall enter into a Developer's Agreement with the Mackenzie County which shall contain, but is not limited to:

- a. Provision of access to the subdivision and to the balance of the quarter in accordance with Mackenzie County standards and at the developer's expense.
- b. The existing pumpout sewer system must be removed and replaced with an approved field system which shall conform to the Alberta Private Sewage Treatment and Disposal Regulations. An approved Sewage permit from Superior Safety Codes must be submitted to Mackenzie County prior to the subdivision plan being registration at Alberta Land Titles.
- c. Prior to any development on the proposed subdivision, the developer shall obtain a development permit from the Municipality.
- d. Dedication of the most westerly 5.18 meters of the proposed subdivision for future road widening.
- e. The existing 30meter drainage easement must remain on the subdivision.
- f. Provision of utility right-of-way as required by Northern Lights Gas Co-op.

CARRIED

b) Subdivision Application
Part of SW 9-106-15-W5M; La Crete
Peter Fehr

A subdivision application has been submitted by Peter Fehr to subdivide a portion of SW 9-106-15-W5M within the Hamlet of La Crete. This subdivision would create two lots, as well as separate the yard site from the quarter section.

The tentative plan prepared by Barlow Surveying is being presented to the Municipal Planning Commission for review.

Administration stated that the park can not be deferred to the adjacent because that would mean that the County would need to purchase the land which is something that the County does not want to do. Furthermore, this developer has not provided any Municipal Reserve for the quarter section in question.

The Municipal Planning Commission questioned if the proposed road would be crossing right over top the neighbors existing dwelling on the adjacent subdivision. Administration commented that it does and that that portion of the future plan needs to be revised.

The Director of Planning has had numerous conversations with Barlow Surveying in regards to the future lot layout of this quarter section. The future plan needs quite a bit of revamping but the subdivision proposal looks alright.

The Municipal Planning Commission commented that they do not have a concern with the subdivision proposal.

Administration needs to work with the surveyor/developer to draft a tentative plan that the County can accept.

MOTION 07-226 **MOVED** by Jack Eccles

That the subdivision application for Peter Fehr on Part of SW 9-106-15-W5M be received as information.

CARRIED

6. MISCELLANEOUS ITEMS

a) La Crete Municipal Nursing Association

The letter addressed to the La Crete Municipal Nursing Association was reviewed by the Municipal Planning Commission and received as information.

b) Action List

The June 20, 2007 action list was reviewed by the Municipal Planning Commission.

7. **IN CAMERA**

There are no In Camera items to discuss.

8. **NEXT MEETING DATES**

Municipal Planning Commission meeting dates are scheduled as follows:

- Tuesday, July 24, 2007 in Fort Vermilion at 6:00 p.m.
- Wednesday, August 1, 2007 in La Crete at 10:00 a.m.
- Thursday, August 23, 2007 in Fort Vermilion at 6:00 p.m.

8. **ADJOURNMENT**

MOTION 07-227 **MOVED** by Daryl Zielsdorf

That the meeting be adjourned at 11:30 a.m.

CARRIED

These minutes were adopted this 24th day of July 2007.

**Mackenzie County
Municipal Planning Commission Meeting**

**Council Chambers
Fort Vermilion, Alberta**

Tuesday, July 24, 2007 @ 6:00 p.m.

PRESENT

Peter Braun	Chair, Councillor
Daryl Zielsdorf	Vice-Chair, MPC Member
Manfred Gross	MPC Member
Eva Schmidt	Planning Supervisor
Vicky Krahn	Planning Administrative Support

ABSENT

Jack Eccles	MPC Member
Ed Froese	Councillor
Paul Driedger	Director of Planning

1. CALL TO ORDER

Peter Braun called the meeting to order at 6:06 p.m.

2. ADOPTION OF AGENDA

MOTION 07-228 **MOVED** by Daryl Zielsdorf

That the agenda be adopted as presented.

CARRIED

3. ADOPTION OF MINUTES

MOTION 07-229 **MOVED** by Daryl Zielsdorf

That the minutes of the July 9, 2007 Municipal Planning Commission meeting be adopted as presented.

CARRIED

4. DEVELOPMENT PERMIT APPLICATIONS

- a) Development Permit Application 79-DP-07
United Farmers of Alberta; Ancillary Building – Shed
and Storage Bins with Leg
Plan 982 5602, Block 19, Lot 4; La Crete**

MOTION 07-230 MOVED by Manfred Gross

That Development Permit 79-DP-07 on Plan 982 5602, Block 19, Lot 4 in the name of United Farmers of Alberta, be approved with the following conditions:

1. Minimum building setbacks: 30.48 meters (100 feet) front yard (from 100th street); 3.0 meters (10 feet) rear yard; 1.5 meters (5 feet) side yard, from the property lines.
2. No person shall erect, place or maintain within the site triangle, a wall fence, shrub, trees, hedges, or any object over three feet in height above the lowest street grade adjacent to the intersection.
3. The architecture, construction materials and appearance of the storage bins, leg and shed shall be accepted standards and shall compliment the natural features and character of the site and neighbourhood.
4. PRIOR to installation of a new access or changing location of existing access, complete a Request for Access form by contacting the Road/Maintenance Department for Mackenzie County at 928-3983. Access to be constructed to Mackenzie County standards and at the developers expense.
5. The total site area (lot) shall have a positive surface drainage.

CARRIED

**b) Development Permit Application 197-DP-07
William J. S. Martens; Fence with Variance and Deck
Plan 752 1580, Block 5, Lot 16; La Crete**

MOTION 07-231 **MOVED** by Daryl Zielsdorf

That Development Permit 197-DP-07 on Plan 752 1580, Block 5, Lot 16 in the name of William J.S. Martens, be approved with the following conditions:

1. Approval of a fence with variance as noted in condition 2.
2. Maximum height of fence: Four (4) feet west side yard.
3. The fence must not encroach onto adjacent properties.
4. Minimum deck setbacks: 7.6 meters (25 feet) front yard; 2.4 meters (8 feet) rear yard; 1.2 meters (5 feet) side yard, from the property lines.
5. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
6. The total site area (lot) shall have a positive surface drainage that does not adversely affect the surrounding neighbors.

CARRIED

**c) Development Permit Application 199-DP-07
Mackenzie Housing Management Board; Ancillary
Building (Workshop – Building Maintenance)
Plan 188TR, Block 5, Lot 23; Fort Vermilion**

Daryl Zielsdorf declared conflict of interest as he is a member of Mackenzie Housing Management Board; therefore the Municipal Planning Commission does not have a quorum. The development permit application is to be taken to the August 1, 2007 Municipal Planning Commission meeting.

**d) Development Permit Application 202-DP-07
Pine Lodge Bible Camp; Intensive Recreational Use –
[Bible Camp, Two Cabins and Ancillary Building (Pole
Building) and Sign]
East half 1-106-16-W5M; La Crete Rural**

MOTION 07-232 MOVED by Daryl Zielsdorf

That Development Permit 202-DP-07 on East ½ 1-106-16-W5M in the name of Pine Lodge Bible Camp be approved with the following conditions:

1. Minimum building setbacks: 41.15 meters (135 feet) from any road allowances and 15.24 meters (50 feet) from any other property lines.
2. The architecture, construction materials and appearance of the cabins and ancillary building (pole building) shall be accepted standards and shall compliment the natural features and character of the site and neighbourhood.
3. Comply with applicable legislation under the Public Health Act and obtain the appropriate approvals prior to commencement of development. Contact the Health Inspector at 926-7000.
4. All sewage disposal systems to be in conformance with the Alberta Private Sewage Treatment and Disposal Regulations.
5. The sign shall be located a minimum of:
 - a) 200 meters (656.16 feet) from regulatory signs.
 - b) 3 meters (9 feet) from the shoulder of the road.
6. The sign shall be a minimum of 1.5 meters (4.92 feet) to a maximum of 2.5 meters (8.2 feet) in height above the shoulder of the road.
7. PRIOR to installation of a new access or changing location of existing access, complete a Request for Access form by contacting the Road/Maintenance Department for Mackenzie County at 928-3983. Access to be constructed to Mackenzie County standards and at the developers expense.

8. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.

CARRIED

- e) **Development Permit Application 205-DP-07
Helena Wall; Mobile Home and Deck
Plan 862 1341, Block 17, Lot 22; La Crete**

MOTION 07-233 MOVED by Manfred Gross

That Development Permit 205-DP-07 on Plan 862 1341, Block 17, Lot 22 in the name of Helena Wall, be approved with the following conditions:

1. The front of the mobile home shall be 7.62 meters (25 feet) from the front property line. The minimum front yard setback for the deck is: 7.62 meters (25 feet). The minimum setbacks for the side and rear yard are: 2.43 meters (8 feet) rear yard or 1.52 meters (5 feet) when using subsurface utilities; 1.52 meters (5 feet) side yard, from the property lines.
2. The mobile home shall be situated on the southwest side of the lot, parallel to the southwest property line.
3. The undercarriage of the mobile home shall be screened from view by skirting or such other means satisfactory to the Development Authority.
4. The architecture, construction materials and appearance of mobile home and addition shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
5. The Municipality has assigned the following address to the noted property 10201-103 Avenue. You are required to display the address (10201) to be clearly legible from the street and be on a contrasting background. The minimum size of the characters shall be four inches in height.
6. Building to be connected to the Municipal water and sewer system and the cost of connection fees will be borne by the owner where applicable.

7. Provide adequate off street parking as follows: The minimum parking shall be 300 square feet per vehicle owned plus an additional 500 square feet for off street parking. *"One parking space, including the driveway area, shall occupy 300 square feet."*
8. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.

CARRIED

- f) **Development Permit Application 206-DP-07
Party Creations; Home Based Business (Cakes and
Party Supplies)
Plan 962 3343, Block 2, Lot 1; La Crete**

MOTION 07-234 **MOVED** by Manfred Gross

That Development Permit 206-DP-07 on Plan 962 3343, Block 2, Lot 1 in the name of Party Creations, be approved with the following conditions:

1. This permit may be revoked at any time, if, in the opinion of the Development Authority, the home based business has become detrimental or otherwise incompatible with the amenities of the neighborhood.
2. The home based business shall not involve the storage of goods in the public view, a change in appearance of the residence or its accessory buildings.
3. Shall not employ any employees who do not reside on-site.
4. An unlighted sign to identify the home based business may be placed on the exterior of the house or garage and the sign shall not exceed 1.1 meters (12 square feet).
5. At all times, the privacy of the adjacent dwellings shall be preserved and the home based business shall not unduly offend the surrounding residents by way of excessive lighting, noise, traffic, congestion, late visitations by clients, etcetera.

CARRIED

5. SUBDIVISION APPLICATIONS

- a) **Subdivision Application 27-SUB-07**
NE 10-106-15-W5M; La Crete
Dan Derksen/Henry Fehr

MOTION 07-235 **MOVED** by Daryl Zielsdorf

That the construction of the lift station for Subdivision Application 27-SUB-07 on NE 10-106-15-W5M in the name of Dan Derksen/Henry Fehr be deferred to Council for decision.

CARRIED

- b) **Subdivision Application 32-SUB-07**
NW 2-106-15-W5M; La Crete
Isaac F. Dyck

MOTION 07-236 **MOVED** by Daryl Zielsdorf

That subdivision application 32-SUB-07 in the name of Isaac F. Dyck on NW 2-106-15-W5M be approved with the following conditions:

1. This approval is for a one lot subdivision, approximately 17.42 acres (7.05 hectares) in size.
2. Any outstanding property taxes are to be paid on the land proposed to be subdivided or arrangements made which are satisfactory to the municipality.
3. Applicant/developer shall enter into a Developer's Agreement with the Mackenzie County which may contain, but is not limited to:
 - a) Provision of access to the subdivisions and the balance of the quarter in accordance to the Mackenzie County standards and at the developer's expense.
 - b) All sewage disposals shall conform to the

Alberta Private Sewage Treatment and Disposal Regulations.

- c) Provision of municipal servicing (water and sewer) to the lot at such time as the Municipal services become available to the subdivision.
- d) Prior to any development on the proposed subdivision, the developer shall obtain a development permit from the Municipality.
- e) Negotiations for easements as required by utilities companies.
- f) Dedication of a 10 meter road plan along the most westerly portion of the proposed subdivisions for future road widening.
- g) Provision of municipal reserve in the form of money in lieu of land. Specific amount is based on 10% of the subject land and based on the current assessed value. The current municipal assessed value for this property is \$100.88 per acre. Municipal reserve is charged at 10%, which is \$10.09 per subdivided acre.
- h) Provision of a future lot layout plan that is satisfactory to the Subdivision Authority.

CARRIED

- c) **Subdivision Application 38-SUB-07
SW 19-110-18-W5M; High Level Rural
Paul Steffenson**

MOTION 07-237 **MOVED** by Manfred Gross

That subdivision application 38-SUB-07 in the name of Paul Steffenson on SW 19-110-38-W5M be approved with the following conditions:

1. This approval is for a single lot subdivision, 4.05 hectares (10 acres) in size, in the north corner,

abutting the north and west property lines of SW 19-110-38-W5M.

2. Any outstanding property taxes are to be paid on the land proposed to be subdivided or arrangements made which are satisfactory to the municipality.
3. Applicant/developer shall enter into a Developer's Agreement with the Mackenzie County which shall contain, but is not limited to:
 - a. Provision of access to the subdivision and the balance of the quarter in accordance with Mackenzie County standards and at the developer's expense.
 - b. All sewage disposals shall conform to the Alberta Private Sewage Treatment and Disposal Regulations.
 - c. Prior to any development on the proposed subdivision, the developer shall obtain a development permit from the Municipality.

CARRIED

- d) **Subdivision Application 39-SUB-07**
North half of SE 13-110-19-W5M; High Level Rural
Robert Cooper

MOTION 07-238 **MOVED** by Daryl Zielsdorf

That subdivision application 39-SUB-07 in the name of Robert Cooper on North half of SE 13-110-19-W5M be approved with the following conditions:

1. This approval is for a single lot subdivision, 4.05 hectares (10 acres) in size.
2. Any outstanding property taxes are to be paid on the land proposed to be subdivided or arrangements made which are satisfactory to the municipality.

3. Applicant/developer shall enter into a Developer's Agreement with Mackenzie County which shall contain, but is not limited to:
 - a. Provision of access to the subdivision and to the balance of the quarter in accordance with Mackenzie County standards and at the developer's expense.
 - b. All sewage disposals shall conform to the Alberta Private Sewage Treatment and Disposal Regulations.
 - c. Prior to any development on the proposed subdivision, the developer shall obtain a development permit from the Municipality.
 - d. Provision of utility right-of-way as required by Northern Lights Gas Co-op.
 - e. Provision of municipal reserve in the form of money in lieu of land. Specific amount is based on 10% of the subject land and based on the current assessed value. The current municipal assessed value for this property is \$749.94 per acre. Municipal reserve is charged at 10%, which is \$74.99 per subdivided acre. 10 acres times \$74.99 equals \$749.90.

CARRIED

- e) **Subdivision Application 44-SUB-07**
Part of SW 9-106-15-W5M; La Crete
Peter Fehr

MOTION 07-239 **MOVED** by Manfred Gross

That the subdivision application fee for subdivision 44-SUB-07 in the name of Peter Fehr on SW 9-106-15-W5M be required to be paid in full.

CARRIED

6. **MISCELLANEOUS ITEMS**

a) **Action List**

The July 9, 2007 action list was reviewed by the Municipal Planning Commission.

7. **IN CAMERA**

MOTION 07-240 **MOVED** by Manfred Gross

That the Municipal Planning Commission go in camera at 7:10 p.m. to discuss Safety Code compliance.

CARRIED

MOTION 07-241 **MOVED** by Daryl Zielsdorf

That the Municipal Planning Commission come out of camera at 7:25 p.m.

CARRIED

8. **NEXT MEETING DATES**

Municipal Planning Commission meeting dates are scheduled as follows:

- Wednesday, August 1, 2007 in La Crete at 10:00 a.m.
- Thursday, August 23, 2007 in Fort Vermilion at 6:00 p.m.

9. **ADJOURNMENT**

MOTION 07-242 **MOVED** by Manfred Gross

That the meeting be adjourned at 7:32 p.m.

CARRIED

These minutes were adopted this 1st day of August 2007.

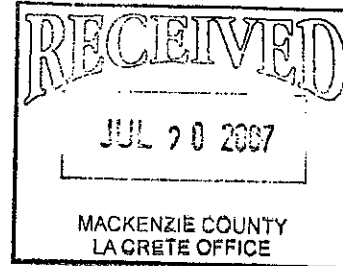
NOTICE OF TRANSMITTAL

Our File: S07/MACK/CO-030

July 16, 2007

Isaac Dyck
Box 212
La Crete AB T0H 2H0

✓ Paul Driedger
Mackenzie County
Box 640
Fort Vermilion AB T0H 1N0



Re: Board Order: MGB 091/07

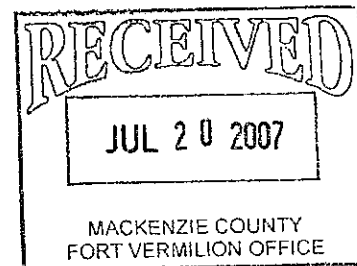
Enclosed is one copy of Board Order MGB 091/07 which has been issued as a result of the hearing held on June 11, 2007.

Please quote our Board Order number in any future correspondence.



Municipal Government Board

- cc: - Heinrich and Margaret Fehr
- Bernhard and Helena Wiebe
- Nicky and Margaret Wiebe
- 599081 Alberta Ltd.
- Susana Friesen
- 391367 Alberta Ltd.
- Cornelius and Aganetha Krahn
- Isaac and Susan Janzen
- Alberta Treasury Branches
- Melody McMurphy, Atco Electric
- Telus
- Mortgages, Alberta Agricultural Development Corporation
- Northern Lights Gas Co-op Ltd.
- Pioneer Farms
- Water Management, Terry Sawchuk, Alberta Environment
- Robert Lindsay, Alberta Infrastructure and Transportation





IN THE MATTER OF THE *Municipal Government Act* being Chapter M-26 of the Revised Statutes of Alberta 2000 (Act).

AND IN THE MATTER OF A SUBDIVISION APPEAL lodged by Isaac Dyck (Appellant).

BEFORE:

Members

D. Thomas, Presiding Officer
W. Morgan, Member
L. Patrick, Member

Case Managers

K. Lau
A. Turcza-Karhut

This is an appeal to the Municipal Government Board (MGB) from a decision of Municipal District of Mackenzie Subdivision Authority (SA), respecting the proposed subdivision of NW 01-106-15-W5M. Upon notice being given to the interested parties, a hearing was held in the City of Grande Prairie, in the Province of Alberta, on June 11, 2007.

JURISDICTION OF THE MGB

This appeal is before the MGB because the land that is subject of the proposed subdivision is located within 0.8 kilometres of Highway 697 which has a speed of 80 kilometres per hour or greater and Alberta Infrastructure and Transportation (AIT) did not grant an unconditional variance of the distance requirement pursuant to section 678(2.1) of the Act.

PROPOSAL

The proposal is to subdivide a parcel of approximately 10 acres from a previously subdivided quarter section of 149.02 acres for residential use.

BACKGROUND

The subject parcel is a previously subdivided quarter section, adjacent to the east boundary of the hamlet of La Crete along Highway 697. The previous subdivision was a 10 acre agriculture subdivision which was the existing farmstead adjacent to Highway 697. Access to the proposed parcel and the remnant parcel are to be provided by a joint direct access to Highway 697. The speed limit of Highway 697 is 100 km/h. The proposed parcel is a pan-handle L-shaped parcel

that is comprised of mostly bush and trees and is fairly flat. The quarter section is currently districted as Agricultural District 1 (A1) under the Municipal District of Mackenzie's Land Use Bylaw (LUB), and the proposed parcel would qualify as a vacant parcel. The subject quarter section is also adjacent to an airport to the south.

While the proposed parcel is not adjacent to a local road or right-of-way, the proposed subdivision is designed such that the proposed parcel and remnant lot could share the existing direct highway access onto Highway 697.

On February 20, 2007 the Appellant applied for the proposed subdivision. Telus, ATCO Electric, Northern Lights Gas Co-op, Alberta Environment, Alberta Infrastructure and Transportation (AIT), and Sustainable Resource Development, as well as adjacent landowners, were given notice of the application.

ATCO Electric had no objections, but noted that any existing power line easements and/or utility right-of-ways must remain in place. The conditions ATCO noted were added to the decision of the SA.

AIT also commented on the proposed subdivision. The proposed subdivision does not meet the requirements of sections 14 and 15(2) of the Subdivision and Development Regulation. There was no service road right of way dedicated to any public road and therefore there is currently no legal means of access to any part of this quarter section. AIT granted a variance to the requirements of section 14 subject to conditions that were added to the decision of the SA.

After reviewing ATCO Electric and AIT's comments the County approved the subdivision subject to the following conditions:

1. Any outstanding property taxes are to be paid on the land proposed to be subdivided or arrangements made which are satisfactory to the municipality.
2. Applicant/developer shall enter into a Developer's Agreement with the Mackenzie County which may contain, but is not limited to:
 - a. Provision of access to the subdivision and the balance of the quarter in accordance with Mackenzie County standards and at the developer's expense.
 - b. All sewage disposals shall conform to the Alberta Private Sewage Treatment and Disposal Regulations.
 - c. Prior to any development on the proposed subdivision the developer shall obtain a development permit from the Municipality.
 - d. Provision of utility right-of-way as required by Northern Lights Gas Co-op.
 - e. Subdivision must meet Alberta Infrastructure and Transportation's requirements as follows:
 - a. Dedication of a 30 metre wide service road right-of-way by plan of survey across the highway frontage of the NW 1-106-15-W5M from the north boundary of this quarter

- section to the north boundary of the existing subdivision parcel at no cost to the department.
- b. Construction of a service road from the existing field access to the point along the service road where a driveway is to the proposed parcel. Construction of the service road is to be to the satisfaction of the municipality and at no cost to this department.
 - c. A roadside development permit shall be obtained from Alberta Infrastructure and Transportation for the residential development of the proposed lot, construction of the required service road and possible improvements to the existing field access necessary to support residential use of this approach prior to undertaking of any of this work.
 - f. Subdivision must meet ATCO Electric's conditions as follows:
 - a. Any existing power line easements and/or utility right-of-ways must remain in place
 - b. No driveways or approaches may be installed under power line without first obtaining a Crossing Agreement from ATCO Electric.
 - c. Costs associated with changes required to correct any line clearance problems as a result of the development shall be borne by the developer.
 - d. Any costs incurred for the relocation or repair of the existing electrical facilities will be the responsibility of the developer.
 - e. No work shall proceed under the power line without written permission from ATCO Electric
 - f. There must be 9 metres clearance from all building, trees, and materials to the power line. The existing and any future power line route will require maintenance of a cleared right-of-way to ground level and to a minimum width of 7.0 metres on either side of the route. The owner should be aware of the potential for brushing along the existing and possible future power line alignment.

The Appellant appealed condition 2(e) on the basis that there is no safety hazard in using the joint existing access, as well as there is no need for the service road that is required.

ISSUES

1. Is the site suitable for the use intended?
2. Is the requirement for dedication of service road right-of-way required? If it is, should it be dedicated by way of caveat agreement or by plan of survey?
3. Is the construction of the service road necessary, as a condition of subdivision?

LEGISLATION

In order to decide the disputed issues in this subdivision appeal, the MGB looks to the direction in the following Act, Regulations, Bylaws and Statutory Plans.

Municipal Government Act

Section 617 is the main guideline from which all other provincial and municipal planning documents flow. Therefore, in reviewing subdivision appeals, each and every plan must comply with the philosophy expressed in 617.

617 The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted

(a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and

(b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,

without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

Upon appeal, the MGB becomes the subdivision authority and has a duty to consider the legislation regarding the direction municipal subdivision authorities are given. The most pertinent legislation relative to decisions of the subdivision authority is section 654(1) and (2) of the Act. The MGB cannot approve a subdivision unless convinced that the site is suitable for the intended use, as per section 654(1)(a) of the Act.

654(1) A subdivision authority must not approve an application for subdivision approval unless

(a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,

(b) the proposed subdivision conforms to the provisions of any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,

(c) the proposed subdivision complies with this Part and the regulations under this Part, and

(d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.

(2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,

(a) the proposed subdivision would not

(i) unduly interfere with the amenities of the neighbourhood, or

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcel of land,

and

(b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.

Section 680(2) of the Act requires that MGB decisions conform to the uses of land referred to in the relevant land use district of the LUB. It does not require that the MGB abide by the regulations in the LUB or the provisions of the MDP, although regard must be given to them.

680(2) In determining an appeal, the board hearing the appeal

- (a) must have regard to any statutory plan;*
- (b) must conform with the uses of land referred to in a land use bylaw;*
- (c) must be consistent with the land use policies;*
- (d) must have regard to but is not bound by the subdivision and development regulations;*
- (e) may confirm, revoke or vary the approval or decision or any condition imposed by the subdivision authority or make or substitute an approval, decision or condition of its own;*
- (f) may, in addition to the other powers it has, exercise the same power as a subdivision authority is permitted to exercise pursuant to this Part or the regulations or bylaws under this Part.*

Section 661 allows the SA to require the owner of a parcel of land to provide lands for roads, public utilities and environmental reserve to the provincial government or a municipality. Land provided by a landowner under this section will not be compensated for.

661 The owner of a parcel of land that is the subject of a proposed subdivision must provide, without compensation,

- (a) to the Crown in right of Alberta or a municipality, land for roads, public utilities and environmental reserve, and*
- (b) subject to section 663, to the Crown in right of Alberta, a municipality, one or more school authorities or a municipality and one or more school authorities, land for municipal reserve, school reserve, municipal and school reserve, money in place of any or all of those reserves or a combination of reserves and money, as required by the subdivision authority pursuant to this Division.*

Alberta Subdivision and Development Regulation - Alberta Regulation 43/2002

While the MGB is not bound by the Subdivision and Development Regulation, it is the MGB's practice to evaluate the suitability of a proposed site for the purpose intended using the criteria in Section 7.

7 In making a decision as to whether to approve an application for subdivision, the subdivision authority must consider, with respect to the land that is the subject of the application,

- (a) its topography,*
- (b) its soil characteristics,*

- (c) storm water collection and disposal,
- (d) any potential for the flooding, subsidence or erosion of the land,
- (e) its accessibility to a road,
- (f) the availability and adequacy of a water supply, sewage disposal system and solid waste disposal,
- (g) in the case of land not serviced by a licensed water distribution and wastewater collection system, whether the proposed subdivision boundaries, lot sizes and building sites comply with the requirements of the Private Sewage Disposal Systems Regulation (AR 229/97) in respect of lot size and distances between property lines, buildings, water sources and private sewage disposal systems as identified in section 4(4)(b) and (c),
- (h) the use of land in the vicinity of the land that is the subject of the application, and
- (i) any other matters that it considers necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the subdivision is intended.

Section 9 ensures that newly subdivided lots have legal access

- 9 Every proposed subdivision must provide to each lot to be created by it
- (a) direct access to a road, or
 - (b) lawful means of access satisfactory to the subdivision authority.

Sections 14 and 15 set out requirements that subdivision authority must follow if the subject land is within 0.8 kilometres of highway with a speed limit of 80 kilometres or greater. AIT may vary these requirements, as per section 16.

14 Subject to section 16, a subdivision authority shall not in a municipality other than a city approve an application for subdivision if the land that is the subject of the application is within 0.8 kilometres of the centre line of a highway right of way where the posted speed limit is 80 kilometres per hour or greater unless

- (a) the land is to be used for agricultural purposes on parcels that are 16 hectares or greater,
- (b) a single parcel of land is to be created from an unsubdivided quarter section to accommodate an existing residence and related improvements if that use complies with the land use bylaw,
- (c) an undeveloped single residential parcel is to be created from an unsubdivided quarter section and is located at least 300 metres from the right of way of a highway if that use complies with the land use bylaw,
- (d) the land is contained within an area where the municipality and the Minister of Infrastructure and Transportation have a highway vicinity management agreement and the proposed use of the land is permitted under that agreement, or

- (e) *the land is contained within an area structure plan satisfactory to the Minister of Infrastructure and Transportation and the proposed use of the land is permitted under that plan.*

15(1) In this section, "provide" means dedicate by caveat or by survey or construct, as required by the subdivision authority.

(2) Subject to section 16, if the land that is the subject of an application for subdivision is within an area described in section 5(5)(d), a service road satisfactory to the Minister of Transportation must be provided.

(3) Subsection (2) does not apply if the proposed parcel complies with section 14 and access to the proposed parcel of land and remnant is to be by means other than a highway.

16 (1) The requirements of sections 14 and 15 may be varied by a subdivision authority with the written approval of the Minister of Infrastructure and Transportation

Public Highway Development Act

23(1) A person

(a) is not, of right, entitled to any direct access to or from a controlled highway or controlled street from or to any land adjacent to it, and

(b) does not have any right of easement, light, air or view to, from or over a controlled highway or controlled street.

(2) No person is entitled as of right to any compensation solely by reason of the designation of a highway as a controlled highway or the designation of a street as a controlled street.

MUNICIPAL BYLAWS AND STATUTORY PLANS

Municipal District of Mackenzie No. 23 General Municipal Plan (356/03)

3.8 Country Residential

Introduction

In the past, the demand for country residential development has generally been for either farmstead separations or single parcel country residential subdivisions.

In consideration of the vast area and the existing infrastructure in Municipal District of Mackenzie No. 23, road access is a concern associated with country residential developments. In order to minimize the costs of road construction, the use of existing road systems will be a major consideration when reviewing country residential subdivisions.

Country residential development in the Municipal District is also influenced by the availability of a potable water supply. Sources of good quality potable groundwater are not readily accessible in certain areas of the Municipal District which means that most rural residential developments must depend on surface water supplies. This factor imposes constraints on the design and size of country residential parcels.

Other factors to consider include: provision of municipal services; impacts on the agricultural community; the natural environment; the protection of better agricultural land; and any impacts on urban centres. The following objectives and policies reflect the intent of Municipal District of MacKenzie No. 23 in terms of the development of country residential lots.

Objective: To accommodate the separation of a farmstead from a quarter-section in the Municipal District.

The Municipal District shall:

- a) Allow for the separation of one existing farmstead from an unsubdivided quarter section, lake lot, river lot, or settlement lot; and
- b) Ensure that the size of any subdivision for farmstead separation purposes shall be kept to the minimum size required to accommodate the proposed use.

Objective: To accommodate the separation of an abandoned farmstead from a quarter-section in the Municipal District.

The Municipal District shall:

- a) Review each proposed subdivision in terms of the servicing available to the abandoned farmstead site, the present on-site and adjacent land uses, and the suitability of the site for the proposed use.

Objective: To accommodate single lot vacant country residential developments.

The Municipal District:

- a) May allow the sub subdivision of a single vacant country residential parcel from an unsubdivided quarter section;
- b) Shall encourage the location of proposed subdivisions on undeveloped parcels to poorer agricultural land and/or locations which would minimally interfere with farming operations on other adjacent land uses;

- c) Shall allow the subdivision of cut-off parcels which in the opinion of the Municipal District are impractical to farm, and are considered suitable for residential development;
- d) Shall ensure that all developments are adequately serviced;
- e) Should keep all lots to the minimum size necessary for the intended use;
- f) shall discourage the concentration of country residential subdivisions in agricultural areas; and
- g) May allow for the development of minor agricultural or industrial storage as ancillary uses on larger parcels.

Objective: To minimize the negative effects of single parcel country residential developments on the agricultural land base.

The Municipal District:

- a) Shall not allow single parcel country residential development on better agricultural land.

Objective: To maintain the rural character of the Municipal District and to allow for growth of the established urban areas within the Municipal District.

The Municipal District:

- a) Shall not allow the subdivision of land within the Municipal District for multi-lot country residential purposes.

Bylaw 070/96

Objective: To accommodate country residences in a manner which balances the demand for rural living with a commitment to preserving the rural character of the area.

The Municipal District:

- a) May allow the subdivision of land within the Municipal District for multi-lot country residential purposes;
- b) Shall encourage the location of proposed multi-lot subdivisions to poor agricultural land and/or locations which would minimally interfere with farming operations or other adjacent land uses;
- c) Shall not allow multi-lot country residential developments on better agricultural land;
- d) Shall ensure that all developments are adequately serviced;

- e) Shall promote multi-lot country residential development which is compatible with the capabilities and characteristics of the natural environment, and surrounding land uses; and
- f) Shall promote multi-lot country residential developments to locate in the vicinity of a forest-based industrial activity.

Municipal District of Mackenzie No. 23 Land Use Bylaw (462/04)

7.3 Agricultural District 1 (A1)

The purposes of this Land Use District are: to conserve land for a wide range of agricultural uses, to minimize the fragmentation of agricultural land, and to limit non-agricultural land uses to those which would not interfere with agricultural practices.

A. PERMITTED USES

- a) Ancillary Building/Use
- b) Bunkhouse
- c) Extensive Agriculture
- d) Garden Suite
- e) Handicraft Business
- f) Home Based Business
- g) Intensive Agriculture (1) and (2)
- h) Farm Building
- i) Mobile Home
- j) Modular Home
- k) Single Detached Dwelling

B. DISCRETIONARY USES

- a) Abattoir
- b) Auction mart
- c) Autobody
- d) Bed and Breakfast
- e) Cemetery
- f) Church
- g) Communication Tower
- h) Confined Feeding Operation
- i) Contractor's Business
- j) Farm Subsidiary Business
- k) Forestry Lookout Tower
- l) Industrial Camps

- m) Intensive Recreational Use
- n) Kennel
- o) Public use
- p) Retail Store
- q) Sewage Lagoon
- r) Sewage Treatment Plant
- s) Stripping Top Soil
- t) Tradesmen's business
- u) Veterinary Clinic
- v) Waste Transfer Station
- w) Water Reservoir or Dugout

C. PARCEL DENSITY

Residential Uses: Three (3) parcels per quarter section, rive lot or original titled property with the balance of the quarter section, rive lot or original titled property being one of the parcels; with the subdivided parcels being any two of the following:

- a) Existing farmstead or homestead,
- b) Vacant parcel
- c) Fragmented parcel

D. LOT AREA

Country Residential Uses:

Minimum Lot Area: 1.2 hectares (3.0 acres)

Maximum Lot Area: up to 4.05 hectares (10.0 acres) unless:

- a) an existing residence requires the approval of a larger parcel size to meet setback requirements or to include the entire yardsite;
- b) the parcel is fragmented to such a degree that a 4.05 hectares (10.0 acres) subdivision would render the remaining portion of the fragmented parcel difficult or useless for farming; or
- c) the bank of a natural water course or road plan is used as a boundary.

E. NUMBER OF DWELLING UNITS

A maximum of one dwelling unit shall be permitted on each of the following:

- a) a rural subdivision, and
- b) a rural subdivision that is a farmstead or homestead separation, and
- c) the balance of the quarter section

to a maximum of three dwellings on a quarter section, river lot or original titled property.

An additional dwelling unit may be allowed in this land use district if it is a Garden Suite or in accordance with Section 4.9 (Dwelling Units Per Parcel).

F. MINIMUM FRONT YARD SETBACK

- a) Lot fronting on a provincial highway, rural road, or undeveloped road allowance:
 - i. 4.1 metres (135 feet) from right-of-way, or
 - ii. 64 metres (210 feet) from centre line

G. MINIMUM SIDE YARD SETBACK

- a) 15.2 metres (50 feet);
- b) Unless a corner parcel where the minimum side yard shall be the same as the front yard unless otherwise required by the Development Officer.

H. MINIMUM REAR YARD SETBACK

15.2 metres (50 feet) unless otherwise required by the Development Officer.

I. LANDSCAPING

In addition to Section 4.23 of this Bylaw, the Development Officer may require any discretionary use to be screened from view with a vegetated buffer strip and/or other screening of a visually pleasing nature, satisfactory to the Development Officer.

J. OTHER REQUIREMENTS

The Development Officer may decide on such other requirements as are necessary having due regards to the nature of a proposed development and the purpose of this District.

For Agricultural subdivisions, those boundaries not adjacent to quarter section boundaries shall allow at least 100 metres between the subdivision boundary and the boundary of the quarter section.

SUMMARY OF THE SA's POSITION

The SA stated that the proposed subdivision meets the criteria established by the County's LUB and was conditionally approved by the County's Municipal Planning Commission. The SA further stated that the conditions of approval were standard conditions that covered areas of concern such as providing access to both the proposed subdivision and the balance of the quarter section, sewer systems, utility easements and that further development on the proposed parcel would be subject to an approved development permit.

The SA noted that this parcel is adjacent to the Hamlet of La Crete boundary, which in 2005 had 12 quarter sections added to the Hamlet boundary which is expected to be sufficient to allow growth for the next couple decades. The SA stated that the County has no requirements for a service road along the east side of Highway 697 nor does the County require a road to be constructed from the point of access to the body of the subdivision. The County requires the applicant to construct a driveway only from the point of access off of Highway 697 to the proposed yard site.

SUMMARY OF AIT'S POSITION

AIT stated that Highway 697 is a minor two lane highway with a posted speed limit of 100 km/h. It is classified as a Class 2 highway which is intended to address intra-regional travel. The Hamlet of La Crete is located immediately west of this land is the major destination for vehicles travelling this highway. A traffic impact assessment done on behalf of the municipality for the Coal Street intersection (94 Avenue) opposite the north boundary of this quarter section in 2005 found the traffic volume on Highway 697 past this land was 670 vehicles per day and projected it to grow to 1005 by 2025. 19.2% of the traffic counted was commercial vehicles possibly because 94 Avenue serves as a key access into the Hamlet of La Crete's industrial area. AIT further stated that Highway 697 currently operates as a high speed regional transportation corridor and can continue to do so in a safe and efficient manner into the foreseeable future if inappropriate development does not occur and suitable access management measures are undertaken.

AIT stated that the proposed parcel does not meet the requirements for section 9 of the Subdivision and Development Regulation as currently there is no direct access to a road or legal means of access to NW 01-106-15-W5M or the existing subdivided parcel. Highway 697 is a controlled highway and therefore not a road as defined in Part 17 of the Act. Subject to section 23 of the *Public Highways Development Act*, all direct access to a controlled highway are of a temporary nature permitted for a specific purpose and therefore, while providing physical access, cannot be considered a legal means of access. AIT explained that it is its policy that all new subdivisions be directed to access local roads as opposed to creating new access points or using existing access points to the highways. The existing physical access to the subject land is a long-term temporary agricultural access from Highway 697. The proposal does not meet the requirements of sections 14 and 15 of the Subdivision and Development Regulation, as the proposal is for the creation of a single residential parcel from a previously subdivided parcel.

AIT further asserted that because there is no public road right of way adjacent to any part of the subject property legal means of access is required for the proposed parcel and remnant lands. AIT does not support the conversion of the existing field access into a long-term access for residential purposes. AIT can support its use a short-term temporary public road intersection, provided that the necessary service road right-of-way is provided to allow the intersection to be moved in the future to consolidate it with the existing intersection at 94 Avenue so as to make the access

conform to its access management standards. The provision of a service road dedication from the north boundary of the existing subdivision to the north boundary of the quarter section would permit AIT to address its concerns and ensure that Highway 697 continues to operate in a safe and efficient manner in the future.

AIT stated that they do not support the expansion of urban type development across Highway 697. Such a development would have an adverse impact on the provincial highway due to the amount of crossing traffic this scenario would cause. There are adequate lands to the north, west and south of the Hamlet of La Crete for this community to expand into without requiring it to jump this provincial highway. As the full build out of this land is not an outcome that AIT desires, an area structure plan was not seen by AIT as an appropriate tool.

AIT concluded that subject to section 15(2) of the Subdivision and Development Regulation, AIT requests that a 30 metre wide service road be dedicated from the north boundary of the existing subdivision to the north boundary of the quarter section. Section 15(3) does not apply because there is an existing direct highway access and the proposed subdivision does not comply with section 14 of the Subdivision and Development Regulation. AIT is willing to accept the service road dedication by caveat. The developer will, however, be required to construct physical access from the existing highway access location to the proposed yard site. Subject to section 2 of the Highway Development Control Regulation, such construction will require a permit AIT.

SUMMARY OF THE APPELLANT'S POSITION

The Appellant stated that the reason he applied for subdivision is that he intends to sell the proposed parcel. The Appellant does not believe there is any safety hazards to the public as the proposed subdivision and the remnant would be using the same access point, therefore no new highway access points. The Appellant feels the service road requirement and construction are too onerous on his part, to give up the land at no cost and to be required to pay to build the service road.

The Appellant stated that there is a good building site on the proposed parcel as it is flat, with a small seasonal watercourse that runs through a portion of the proposed lot. The soil is sandy loam.

FINDINGS

Upon hearing and considering the representations and the evidence of the parties shown on Appendix A, and upon having read and considered the documents shown on Appendices B and C attached, the MGB finds the facts in the matter to be as follows.

1. The site is suitable for the use intended, which is residential.

2. Road right-of-way dedication is required to provide legal access to the proposed and remnant parcels.
3. Dedication of road right-of-way by caveat as agreed upon meets the requirements to provide legal access for both the proposed and remnant parcel.
4. Construction of the service road is not required at this time.

In consideration of the above and having regard to the provisions of the Act, the MGB makes the following decision for the reasons set out below.

DECISION

The appeal is allowed and the decision of conditional approval of the SA is varied as follows:

1. Condition 2e is varied as follows:
 - 2.e.a. Dedication of a 30 metre wide service road right-of-way by caveat agreement across the highway frontage of the NW 1-106-15-W5M from the north boundary of this quarter section to the north boundary of the existing subdivision parcel at no cost to the department.
 - 2.e.b. This condition is deleted.
 - 2.e.c. A road side development permit shall be obtained from Alberta Infrastructure and Transportation for the residential development of the proposed lot and possible improvements to the existing field access necessary to support residential use of this approach prior to undertaking any of this work.
2. Conditions 1-2d and 2f are confirmed as issued.

In summary, the conditions of approval are as listed:

1. Any outstanding property taxes are to be paid on the land proposed to be subdivided or arrangements made which are satisfactory to the municipality.
2. Applicant/developer shall enter into a Developer's Agreement with the Mackenzie County which may contain, but is not limited to:
 - a. Provision of access to the subdivision and the balance of the quarter in accordance with Mackenzie County standards and at the developer's expense.
 - b. All sewage disposals shall conform to the Alberta Private Sewage Treatment and Disposal Regulations.
 - c. Prior to any development on the proposed subdivision the developer shall obtain a development permit from the Municipality.
 - d. Provision of utility right-of-way as required by Northern Lights Gas Co-op.
 - e. Subdivision must meet Alberta Infrastructure and Transportation's requirements as follows:

- a. Dedication of a 30 metre wide service road right-of-way by caveat across the highway frontage of the NW 1-106-15-W5M from the north boundary of this quarter section to the north boundary of the existing subdivision parcel at no cost to the department.
- b. A roadside development permit shall be obtained from Alberta Infrastructure and Transportation for the residential development of the proposed lot and possible improvements to the existing field access necessary to support residential use of this approach prior to undertaking of any of this work.
- f. Subdivision must meet ATCO Electric's conditions as follows:
 - g. Any existing power line easements and/or utility right-of-ways must remain in place
 - h. No driveways or approaches may be installed under power line without first obtaining a Crossing Agreement from ATCO Electric.
 - i. Costs associated with changes required to correct any line clearance problems as a result of the development shall be borne by the developer.
 - j. Any costs incurred for the relocation or repair of the existing electrical facilities will be the responsibility of the developer.
 - k. No work shall proceed under the power line without written permission from ATCO Electric
 - l. There must be 9 metres clearance from all building, trees, and materials to the power line. The existing and any future power line route will require maintenance of a cleared right-of-way to ground level and to a minimum width of 7.0 metres on either side of the route. The owner should be aware of the potential for brushing along the existing and possible future power line alignment.

FURTHER, the Appellant shall provide documentation to the Municipal District of Mackenzie No. 23 to demonstrate that the above noted conditions have been met, prior to the endorsement pursuant to sections 657 and 682 of the Act.

AND FURTHER, this decision is valid for a period of one year from the date of this Order.

REASONS

The MGB accepts the agreement from the SA and the Appellant that the site is suitable for the use intended, as the terrain is flat with a large area for a building site, is well drained and on sandy loam soil. As well, water supply will not be a problem as the SA stated that in this rural area water is usually provided for by cisterns.

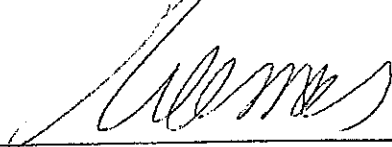
The requirement of the construction of the service road was withdrawn by AIT. AIT, the SA and the Appellant agreed that the road right-of-way of 30 metres is to be dedicated by caveat instead of by plan of survey. The MGB finds the agreed to dedication by caveat to be appropriate measure to ensure for future access management and to allow future legal access to the proposed parcel and remnant parcel as MGB recognizes that all parcels must have either direct access to a road or legal alternative to direct access. Current traffic volumes do not justify a service road by

plan of survey, but the dedication by caveat is justified and required due to the potential for future development within the Hamlet of La Crete and the airport in close proximity.

Given the above, condition 2(e) was varied to remove the requirement of construction and changed the requirement of the 30 metre road right-of-way dedication from plan of survey to dedication by caveat.

DATED at the City of Edmonton, in the Province of Alberta, this 16th day of July, 2007.

MUNICIPAL GOVERNMENT BOARD



D. Thomas, Presiding Officer

APPENDIX "A"

PERSONS WHO WERE IN ATTENDANCE OR MADE SUBMISSIONS OR GAVE EVIDENCE AT THE HEARING:

<u>NAME</u>	<u>CAPACITY</u>
Isaac Dyck	Appellant
Paul Driedger	Municipal District of Mackenzie – Director of Planning and Emergency Services
Robert Lindsay	Alberta Infrastructure and Transportation – Development and Planning Technologist

APPENDIX "B"

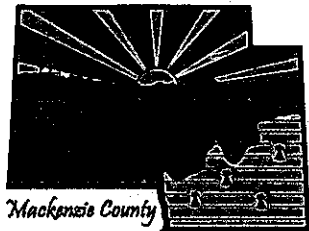
DOCUMENTS RECEIVED PRIOR TO THE HEARING AND MADE AVAILABLE AT THE HEARING:

<u>NO.</u>	<u>ITEM</u>
1	Information Package (36 pages)

APPENDIX "C"

DOCUMENTS RECEIVED AT THE HEARING AND CONSIDERED BY THE MGB.

<u>NO.</u>	<u>ITEM</u>
2	Submission of Municipal District of Mackenzie
3	Aerial photo submitted by Municipal District of Mackenzie
4	Submission of Alberta Infrastructure and Transportation



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Paul Driedger, Director of Planning and Emergency Services
Title:	PUBLIC HEARING Bylaw 638/07 Municipal Reserve Closure Part of Plan 062 4963, Block 1, Lot 11MR (SW 13-106-15-W5M) (La Crete Rural)

BACKGROUND / PROPOSAL:

Bylaw 638/07, was given first reading at the July 10th, 2007 Council meeting, being a Land Use Bylaw amendment for the cancellation of a portion of Plan 062 4963, Block 1, Lot 11MR (SW 13-106-15-W5M) for the purpose of consolidation with NW 13-106-15-W5M.

This municipal reserve closure was submitted in conjunction with a subdivision application for the lands lying to the north of the municipal reserve lot. The approved subdivision requires a portion of the municipal reserve lot in order to provide access to the subdivision. This matter was presented to the Municipal Planning Commission at their May 24th, 2007 meeting where it received approval subject to the closure of a portion of the municipal reserve lot.

OPTIONS & BENEFITS:

The municipal reserve on SW 13-106-15-W5M was provided in order to serve as a buffer between the rural country residential development and its neighbouring agricultural district. The portion proposed for closure is immediately adjacent to the internal subdivision road and intersects the point of Lot 12. The landowner of Lot 12 does not have any concerns with regard to the proposed closure.

The access to the subdivision on the NW 13-106-15-W5M has been approved at the center of the curve of the internal subdivision road. This location was reviewed by the

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: *ES*

CAO *to*

Roads Department to ensure that adequate visibility was provided to traffic leaving or entering the approved subdivision and the existing residential subdivision. The access location was found to provide good visibility and no traffic safety problems were perceived.

Upon completion of this Bylaw the lands will be sold to the developer at the current assessed value.

COSTS & SOURCE OF FUNDING:

All costs will be borne by the applicant.

RECOMMENDED ACTION:

MOTION 1

That second reading be given to Bylaw 638/07 being a Land Use Bylaw Amendment for the cancellation of a portion of Plan 062 4963, Block 1, Lot 11MR (SW 13-106-15-W5M) for the purpose of consolidation with NW 13-106-15-W5M.

MOTION 2

That third reading be given to Bylaw 638/07 being a Land Use Bylaw Amendment for the cancellation of a portion of Plan 062 4963, Block 1, Lot 11MR (SW 13-106-15-W5M) for the purpose of consolidation with NW 13-106-15-W5M.

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: 

CAO

Mackenzie County

PUBLIC HEARING FOR LAND USE BYLAW AMENDMENT

BYLAW _____

Order of Presentation

_____ This Public Hearing will now come to order at _____.

_____ Was the Public Hearing properly advertised?

_____ Will the Development Authority _____, please outline the proposed Land Use Bylaw Amendment and present his submission.

_____ Does the Council have any questions of the proposed Land Use Bylaw Amendment?

_____ Were any submissions received in regards to the proposed Land Use Bylaw Amendment? *If yes, please read them.*

_____ Is there anyone present who would like to speak in regards of the proposed Land Use Bylaw Amendment?

_____ If YES: Does the Council have any questions of the person(s) making their presentation?

_____ This Hearing is now closed at _____.

REMARKS/COMMENTS:

BYLAW NO. 638/07

BEING A BYLAW OF
MACKENZIE COUNTY
IN THE PROVINCE OF ALBERTA

FOR THE PURPOSE OF CLOSING A PORTION OF MUNICIPAL RESERVE
BEING A PART OF PLAN 062 4963, BLOCK 1, LOT 11MR
IN ACCORDANCE WITH SECTIONS 70, 674 AND 675 OF THE
MUNICIPAL GOVERNMENT ACT, CHAPTER M-26,
REVISED STATUTES OF ALBERTA 2000.

WHEREAS, Council of Mackenzie County has determined that the Municipal Reserve, as outlined on Schedule A attached hereto, be subject to a disposal, and

WHEREAS, notice of intention of the Council to pass a bylaw will be published in a locally circulated newspaper in accordance with the Municipal Government Act, and

NOW THEREFORE, be it resolved that the Council of Mackenzie County does hereby close and sell the Municipal Reserve described as follows, subject to the rights of access granted by other legislation or regulations:

Part of PLAN 062 4963, Block 1, Lot 11MR in accordance with Schedule A.
Excepting thereout all mines and minerals.

First reading given on the 10 day of July, 2007.

Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

Second Reading given on the _____ day of _____, 2007.

Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

Third Reading and Assent given on the _____ day of _____, 2007.

Bill Neufeld, Reeve

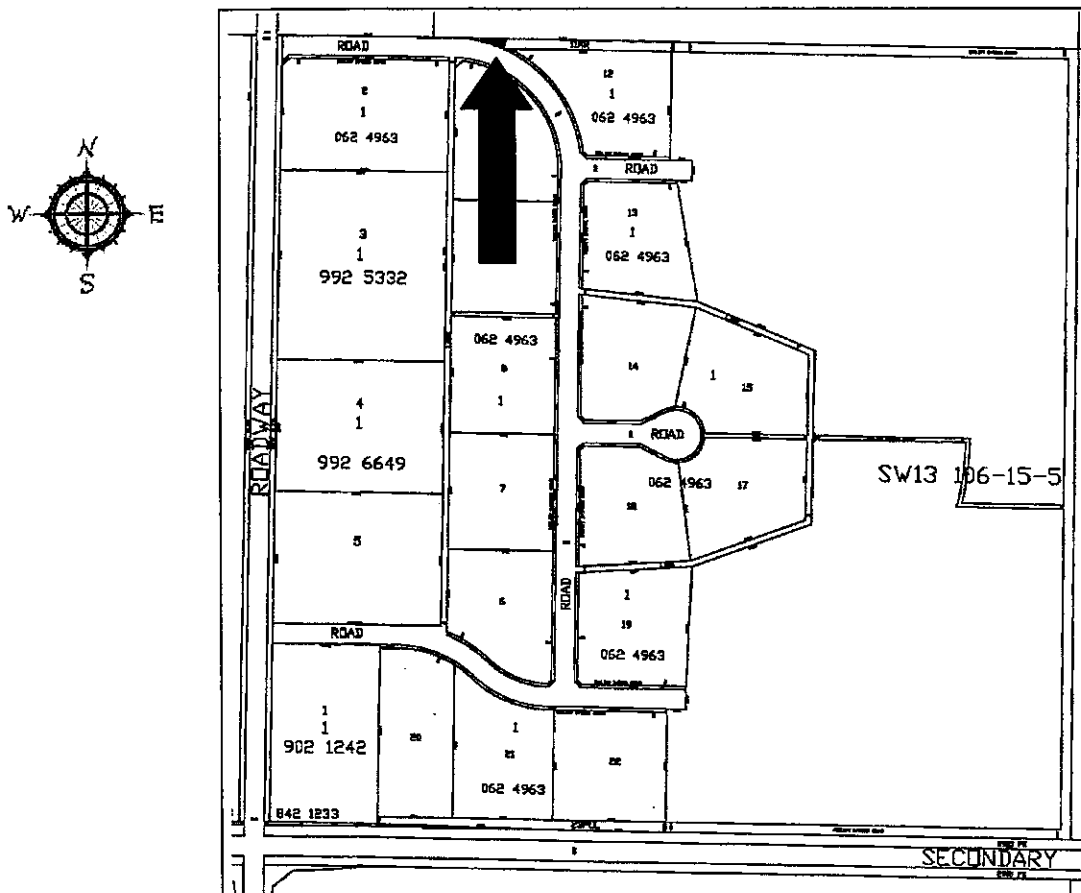
Carol Gabriel, Executive Assistant

BYLAW No. 638/07

SCHEDULE "A"

1. That the land use designation of the following property known as:

That a portion of the property known as Plan 062 4963, Block 1, Lot 11MR, as highlighted (containing 0.015 hectares), be closed.



Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

EFFECTIVE THIS _____ DAY OF _____, 2007.



LAND USE BYLAW AMENDMENT APPLICATION

APPLICATION NO. _____

NAME OF APPLICANT David Froese		
ADDRESS Box 2219		
TOWN LA CRETE AB		
POSTAL CODE T0H 2H0	PHONE (RES) 8-2601	BUS. 6-0189

COMPLETE IF DIFFERENT FROM APPLICANT

NAME OF REGISTER OWNER MACKENZIE COUNTY		
ADDRESS Box 1690		
TOWN LA CRETE AB		
POSTAL CODE T0H 2H0	PHONE (RES)	BUS. 928-3983

LEGAL DESCRIPTION OF THE LAND AFFECTED BY THE PROPOSED AMENDMENT

QTR./S.	SEC.	TWP.	RANGE	M.	OR	PLAN 062 49/03	BLK	LOT 11M
---------	------	------	-------	----	----	-------------------	-----	------------

LAND USE CLASSIFICATION AMENDMENT PROPOSED:

FROM: MB TO: A1

REASONS SUPPORTING PROPOSED AMENDMENT:

A portion of MB Lot is required to be amended to A1 in order to provide access to a subdivision as approved by the Municipal Planning Commission.

The portion of MB Lot subject to rezoning will be sold to the developer.

I/WE HAVE ENCLOSED THE REQUIRED APPLICATION FEE OF \$ 150.00 RECEIPT NO. 77796

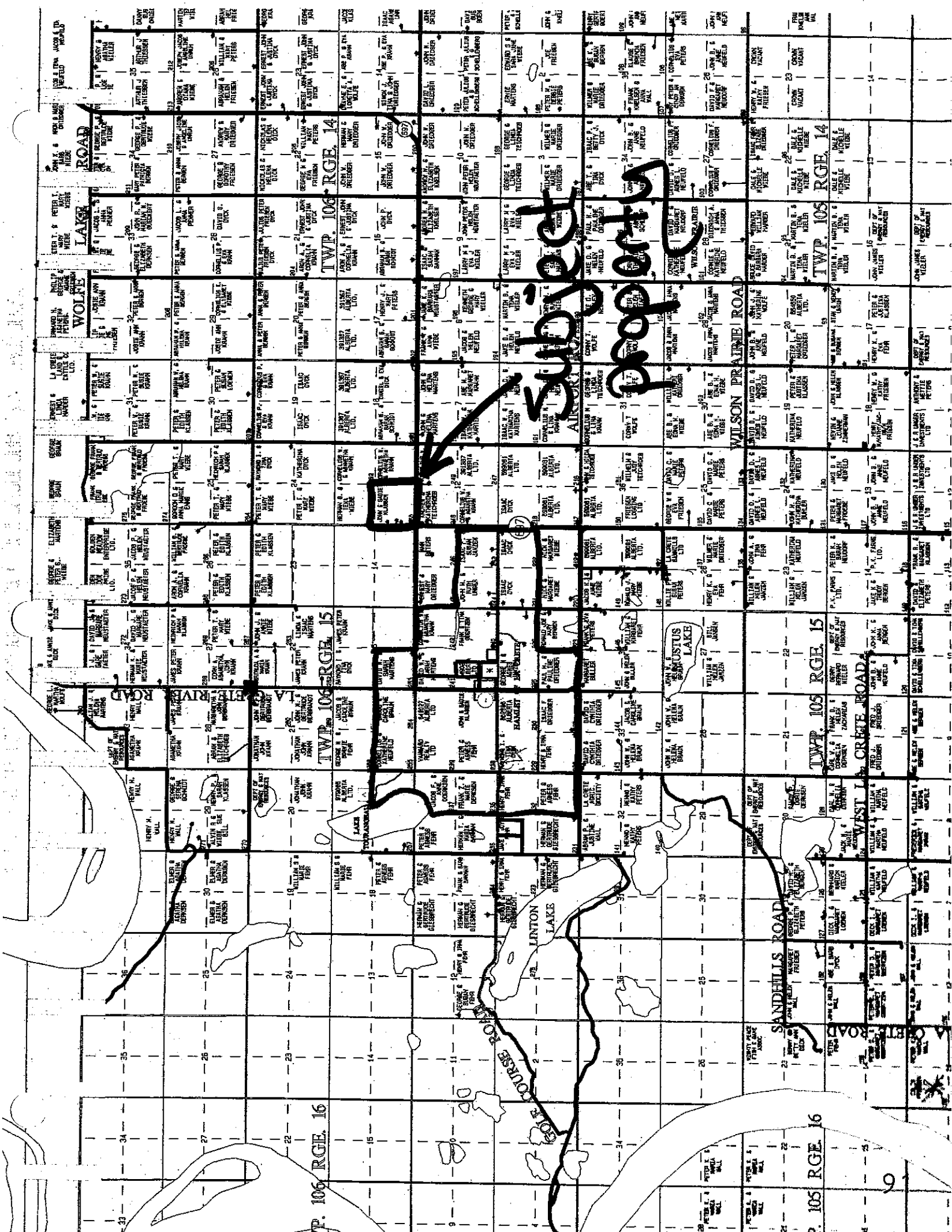
[Signature] June 15/07

APPLICANT DATE

NOTE: REGISTERED OWNER'S SIGNATURE REQUIRED IF DIFFERENT FROM APPLICANT.

[Signature] June 27/07

REGISTERED OWNER DATE



Subject Properties

VP. 106 RGE. 16

P. 105 RGE. 16

TWP. 105 RGE. 15

TWP. 105 RGE. 15

TWP. 106 RGE. 14

TWP. 106 RGE. 14

WILSON PRINCE ROAD

SANDHILLS ROAD

WEST 105 CREEK ROAD

LAKE ROAD

LAKE ROAD

WOLF CREEK ROAD

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Development permit numbers drop

Susan McNeil

Development permit statistics for the first half of 2007 are at a four year low. From January to June, 170 development permits were received by Mackenzie County compared to 184 permits last year at the same time.

In 2005, there were 195 permits and in 2004, 188 permits had been granted by the same time.

The construction value of the permits has dropped accordingly. This year the 170 permits were worth \$13.8 million. By contrast, the 188 permits four years ago were worth over \$30 million.

As is typical, most of the development is residential and it is mostly in La Crete. Of the 79 permits in the hamlet so far, 60 were for residences and 13 were commercial.

However, High Level rural showed a jump in activity for the first half of the year with 21 permits issued, 15 of which were for residences.

La Crete north also had 21 permits issued with 18 for residences. La Crete south was busy with 16 total permits (11 residential) and Zama had 12 permits issued but only five were residential. Four were industrial.

Overall, residential activity accounted for about \$10.1 million of the total value of the permits issued.

Single family dwellings are outstripping the historically high demand for mobile homes. In some years, mobile homes have been more popular than stick built homes.

This year, of the 93 permits issued for dwelling places across the County, 58 were for single family buildings and 35 were for mobile homes.

The top three busiest wards of La Crete hamlet, La Crete north and High Level rural showed the same trend.

In La Crete, 23 houses were constructed versus 12 mobile homes moved onto lots. North of the hamlet, 11 single family dwellings were built compared to

eight mobile home developments.

Near High Level, there were 10 single family homes compared to four mobile homes.

Average value of the homes installed also varies across the three busiest wards.

In La Crete, the average mobile homes was worth about \$49,000 and the average stick built home was worth \$146,000. North of La Crete, the mobile home was worth \$45,000 and the house was valued at \$178,000.

Near High Level, the mobile homes were more costly with an average of \$127,000 and the houses were worth about \$170,000.

The number of subdivisions increased from 24 last year to 39 applications this year, only one lower than the 40 applications seen in 2004.

For the second year in a row, the rural area north of La Crete saw the highest amount of subdivisions.

There were 11 applications in that ward this year, com-

pared to 8 applications last year.

High Level rural saw a big jump in subdivisions with eight applications this year. In 2006, there were three subdivisions in that ward.

La Crete hamlet had seven subdivisions so far this year, six urban and one rural.

All told, 645.14 acres were subdivided in the first six months of the year. Of those, about 450 were rural and about 193 were urban.

This year's numbers are almost double the amount of land subdivided last year (340 acres) but not as high as the first six months of 2004 when about 710 acres were subdivided.

The demand for small acreages seems to have waned. In 2004, multi lot acreages (three to five acres) ate up 170 acres in La Crete north alone. High Level rural was the only other ward to have any of the small acreages created that year.

In 2005, only High Level area had any of the

acreages created and in 2006, a total of about 76 acres were subdivided into small parcels and only in the same two areas.

This year, only High Level rural has had any applications for small acreage development and that was nine acres.

Council has placed a moratorium in further multi-lot rural acreages so there will not be any more until it is lifted.




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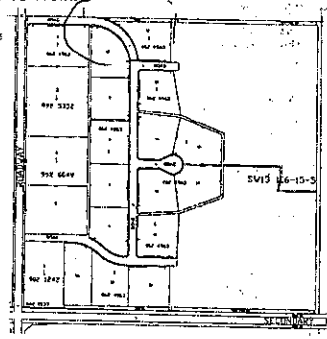


MACKENZIE COUNTY

**NOTICE OF PUBLIC HEARING
PROPOSED LAND-USE BYLAW NO 638/07**

PURSUANT TO THE MUNICIPAL GOVERNMENT ACT, being Chapter M-26 of the Statutes of Alberta, notice is hereby given that the Council of Mackenzie County will hold a public hearing prior to the second reading of Bylaw No. 638/07 for an amendment to Land-Use Bylaw No. 462/04. The proposed amendment is:

That the subject parcel known as a portion of Plan 062 4963, Block 1, Lot 11MR in the La Crete area and identified in the sketch below, be closed for the purpose of consolidation with the lands known as NW 13-106-15-W5M.



The Public Hearing is to be held at 1:00 p.m., Tuesday, August 14, 2007 in the Mackenzie County Council Chamber in Fort Vermilion. The proposed bylaw may be viewed at the Mackenzie County office in La Crete during regular office hours. Please submit written submissions to the Development Officer prior to 4:30 p.m., Friday August 10, 2007. If you have any questions regarding the hearing, or the bylaw, please call Mackenzie County's Development Officer at 928-3983.

MACKENZIE COUNTY				
APPROVED DEVELOPMENT PERMITS				
Permit No.	Legal Description	Address	Development	Applicant
79-DP-07	Pin 982 2602; Bl 19, L 4	10301-100 St. La Crete	Ancillary Building - Shed & Storage Bins with Leg	United Farmers of Alberta
197-DP-07	Pin 752 1580, Bl 5 L 16	10218-98 Ave. La Crete	Fence with Variance & Deck	William J.S. Martens
202-DP-07	Ex 1-106-16-W5M	La Crete Rural	Intensive Recreational Use (Bible Camp, Two Cabins & Ancillary Building (Pole Building) & Sign)	Pine Lodge Bible Camp
205-DP-07	Pin 662 1341, Bl 17, L 22	10201-103 Ave La Crete	Mobile Home & Deck	Helena Wall
206-DP-07	Pin 962 3343, Bl 2, L 1	9102-101 St., La Crete	Home Based Business (Cakes & Party Supplies)	Party Creations

Any person affected by the above decision may appeal that decision to the Secretary of the Subdivision and Development Appeal Board in writing, containing a statement of the grounds of appeal & appeal fee, in person or by registered mail, so as to reach the Secretary no later than August 15, 2007 which is 14 days following the date of this notice. The required appeal fee is \$250.00.


Appeals shall be sent to: SECRETARY OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD
Box 640
Fort Vermilion, ALBERTA, T0H 1N0

What you need to know about

changes to landlord and tenant legislation

- ▶ **Rent can now only increase once a year**
As of April 24, 2007, rent can only go up if there hasn't been an increase in the previous 365 days.
- ▶ **A full year's notice is required for condo conversions or major renovations**
If a landlord is ending a rental agreement to do major renovations on the property or convert it into condominiums, they must now give the tenant a full year's notice. No rent increases are allowed during that year.

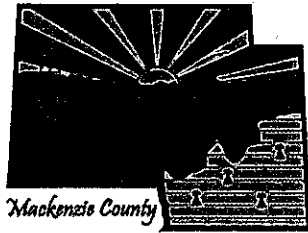
To find out more about these changes, call toll-free 1 877 427 4088 or visit www.servicalberta.gov.ab.ca.

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MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Paul Driedger, Director of Planning and Emergency Services
Title:	PUBLIC HEARING Bylaw 640/07 Land Use Bylaw Amendment Add Hamlet Industrial District 3 "HI3"

BACKGROUND / PROPOSAL:

Bylaw 640/07, was given first reading at the July 10th, 2007 Council meeting, being a Land Use Bylaw amendment for the addition of a Hamlet Industrial District 3 (HI3).

The Land Use Bylaw does not have a district for light industrial use. It has two industrial districts, one for general industrial development and the other for industrial development in "isolated, natural resource hamlets and settlements".

In La Crete there is an Industrial District adjacent to Hamlet Country Residential, which has caused a lot of issues with local residents because of noise and dust generated by the industrial development. We currently have a subdivision application for the development of a second quarter section that is also adjacent to the same residential subdivision.

If the Land Use Bylaw had a light industrial district then we could request that the industrial lots immediately adjacent to the residential district be rezoned to light industrial to try to make the two districts more compatible.

OPTIONS & BENEFITS:

Hamlet Industrial District 1 "HI1" in the Land Use Bylaw allows:

7.14 HAMLET INDUSTRIAL DISTRICT 1 "HI1"

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: *ES*

for
CAO *Sh*

- (1) Auto wrecker.
- (2) Equipment rentals facility.
- (3) Industrial camp.
- (4) Oil field services
- (5) Storage yard.

The proposed Hamlet Industrial District 3 "HI3" as follows:

7.15.A. HAMLET INDUSTRIAL DISTRICT 3 "HI3"

The general purpose of this district is to permit lighter industrial development in established hamlets.

A. DISCRETIONARY USES

- (1) Agricultural machinery sales and service
- (2) Auto body shop
- (3) Cardlock 2
- (4) Contractor's Service
- (5) Industrial Camp storage and offices
- (6) Mobile/modular home sales and service
- (7) Professional Offices
- (8) Public Use
- (9) Repair Shop – Commercial and Industrial Vehicle and Equipment
- (10) Repair Shop – Vehicle and Small Engine Repair and Maintenance
- (11) Truck wash

B. MINIMUM LOT AREA

As required by the Development Authority.

C. MINIMUM TOTAL FLOOR AREA

As required by the Development Authority.

D. MINIMUM FRONT YARD SETBACK

9.1 metres (30 feet) or as required by the Development Authority.


E. MINIMUM SIDE YARD SETBACK

As required by the Development Authority.

F. MINIMUM REAR YARD SETBACK

Author: Eva Schmidt,
Planning Supervisor

Reviewed by:



CAO

Mackenzie County

PUBLIC HEARING FOR LAND USE BYLAW AMENDMENT

BYLAW _____

Order of Presentation

_____ This Public Hearing will now come to order at _____.

_____ Was the Public Hearing properly advertised?

_____ Will the Development Authority _____, please outline the proposed Land Use Bylaw Amendment and present his submission.

_____ Does the Council have any questions of the proposed Land Use Bylaw Amendment?

_____ Were any submissions received in regards to the proposed Land Use Bylaw Amendment? *If yes, please read them.*

_____ Is there anyone present who would like to speak in regards of the proposed Land Use Bylaw Amendment?

_____ If YES: Does the Council have any questions of the person(s) making their presentation?

_____ This Hearing is now closed at _____.

REMARKS/COMMENTS:

BYLAW NO. 640/07

**BEING A BYLAW OF THE
MACKENZIE COUNTY**

**IN THE PROVINCE OF ALBERTA
TO AMEND THE
MACKENZIE COUNTY LAND USE BYLAW**

WHEREAS, the Mackenzie County has adopted the Mackenzie County Land Use Bylaw, and

WHEREAS, the Council of the Mackenzie County, in the Province of Alberta, has deemed it desirable to amend the Mackenzie County Land Use Bylaw to amend the Hamlet Industrial District 1 "HR1" zoning.

NOW THEREFORE, the Council of the Mackenzie County, in the Province of Alberta, duly assembled, hereby enacts as follows:

That the following district be added to the Mackenzie County Land Use Bylaw:

7.15.A. HAMLET INDUSTRIAL DISTRICT 3 "HI3"

The general purpose of this district is to permit lighter industrial development in established hamlets.

A. DISCRETIONARY USES

- (1) Agricultural machinery sales and service
- (2) Auto body shop
- (3) Cardlock 2
- (4) Contractor's Service
- (5) Industrial Camp storage and offices
- (6) Mobile/modular home sales and service
- (7) Professional Offices
- (8) Public Use
- (9) Repair Shop – Commercial and Industrial Vehicle and Equipment
- (10) Repair Shop – Vehicle and Small Engine Repair and Maintenance
- (11) Truck wash

B. MINIMUM LOT AREA

As required by the Development Officer.

Second reading given on the _____ day of _____, 2007.

Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

Third reading given on the _____ day of _____, 2007.

Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

C. MINIMUM TOTAL FLOOR AREA

As required by the Development Officer.

D. MINIMUM FRONT YARD SETBACK

9.1 metres (30 feet) or as required by the Development Officer.

E. MINIMUM SIDE YARD SETBACK

As required by the Development Officer.

F. MINIMUM REAR YARD SETBACK

9.1 metres (30 feet) or as required by the Development Officer.

G. THE DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards to the satisfaction of the Development Officer.

H. ON-SITE PARKING

In accordance to Section 4.28 of this Bylaw.

I. LANDSCAPING

In accordance to Section 4.23 of this Bylaw.

First reading given on the _____ day of _____, 2007.

Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

County adopts hiring policy

Susan McNeil
Mackenzie County has adopted a new hiring policy. According to the policy, all hiring for positions will be done through the Human Resource office and in accordance with the collective agreement with Alberta Union of Public Employees. The policy also creates rules for how family members of current staff or councillors will be hired.

Family is not excluded from applying but can no longer work under their family member. Changes aren't retroactive so people in conflict of the new policy will not have to worry about job changes. However, if they make a personal decision that creates a direct reporting relationship (i.e. through a marriage), one of the affected em-

ployees will be transferred to a comparable position within the organization.

Discrimination in favour or against relatives of employees/councillors is forbidden and all

familial relationships will have to be declared as soon as the County employee realizes a family member has applied for a job.

The hiring team will be at

least three people, none of whom can be a family member.

Council, as always, keeps the task of hiring the Chief Administrative Officer who in turn will hire all executive positions.

Council adopted the new council meeting policy at their July 25 regular

Continued from page 3...

New building

help from Mackenzie County in applying for a \$50,000.00 grant to help finish the exterior.

Council passed a motion, but barely, to allow the Chamber to apply for a grant under the County's name.

Chambers often don't qualify when applying for provincial grants.

Some of the councillors said that the Chamber should apply under the La Crete Agricultural Society's name rather than the County.

"I'm a little leery about bending the rules," said Deputy Reeve Walter Sarapuk.

He and several other councillors were worried about the

potential for the County to be held responsible if the project had a shortfall.

Both Council, John W. Driedger, La Crete north, and Peter Braun, La Crete, said they would personally sign for any shortfall.

"There will be no shortfall the County will have to pay," said Braun.



MACKENZIE COUNTY

NOTICE OF PUBLIC HEARING PROPOSED LAND-USE BYLAW NO 640/07

PURSUANT TO THE MUNICIPAL GOVERNMENT ACT, being Chapter M-26 of the Statutes of Alberta, notice is hereby given that the Council of Mackenzie County will hold a public hearing prior to the second reading of Bylaw No. 640/07 for an amendment to Land-Use Bylaw No. 462/04. The proposed amendment is:

That the following district be added to the Mackenzie County Land Use Bylaw:

7.15.A. HAMLET INDUSTRIAL DISTRICT 3 "H13"

The general purpose of this district is to permit lighter industrial development in established hamlets.

A. DISCRETIONARY USES

- (1) Agricultural machinery sales and service
- (2) Auto body shop
- (3) Cardlock 2
- (4) Contractor's Service
- (5) Industrial Camp storage and offices
- (6) Mobile/modular home sales and service
- (7) Professional Offices
- (8) Public Use
- (9) Repair Shop - Commercial and Industrial Vehicle and Equipment
- (10) Repair Shop - Vehicle and Small Engine Repair and Maintenance
- (11) Truck wash

B. MINIMUM LOT AREA

As required by the Development Authority.

C. MINIMUM TOTAL FLOOR AREA

As required by the Development Authority.

D. MINIMUM FRONT YARD SETBACK

9.1 metres (30 feet) or as required by the Development Authority.

E. MINIMUM SIDE YARD SETBACK

As required by the Development Authority.

F. MINIMUM REAR YARD SETBACK

9.1 metres (30 feet) or as required by the Development Authority.

G. THE DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards to the satisfaction of the Development Authority.

H. ON-SITE PARKING

In accordance to Section 4.28 of this Bylaw.

I. LANDSCAPING

In accordance to Section 4.23 of this Bylaw.

The Public Hearing is to be held at 1:00 p.m., Tuesday, August 14, 2007 in the Mackenzie County Council Chambers in Fort Vermilion. The proposed bylaw may be viewed at the Mackenzie County office in La Crete during regular office hours. Please submit written submissions to the Development Officer prior to 4:30 p.m., Friday, August 10, 2007. If you have any questions regarding the hearing, or the bylaw, please call Mackenzie County's Development Officer at 928-3983.

LETTERS TO THE EDITOR...

Mayor responds to July 25th letter...

To the Editor...

I was reading with amazement last week's Letter to the Editor (July 25) written by the Parkins.

I suppose its content, however patronizing and full of bizarre conjectures, makes sense to those who look at things superficially and believe that if there is no agreement than both parties must be equally at fault. I can understand the frustration, most of us are in the same boat, but I wish people, especially leading citizens, would do some serious homework or they may do more harm than good.

I agree that the Provincial Government is finally paying attention to ending regional disputes. The Province for years saw and heard the complaints about the inequity where the urban centers lowest paid toiling in the hospitality industry and the retail sector are subsidizing the richest, living in nearby opulent country estates. Also, more and more people with a sense of fairness living outside the borders of urban centers are complaining that rural governments are making them into unwilling "free loaders".

In fact, Premier Stelmach and the Government is talking about Municipal Development Plans, (this time with revenue sharing) we have one, and the County is breaking it constantly, which is the only real dispute we have! Insinuating that the Province may do to one of Canada's constituted three levels of democratic governments what they do to their own board system like Hospital boards is bizarre. In extreme cases of irresponsibility, the Province may dismiss councils call for new election or install temporary administrators, like they did in MD 23 in the late nineties.

There was an intriguing suggestion (veiled threat) in the Parkins letter, the upcoming election. Yes, High Level could and maybe should have a brand new council, that's up to the residents of the Town. My question is - would a 'one issue' council elected to make a deal at 'any cost' be the best one to govern one of the fastest growing towns in Alberta? On the other side, would changing once again the (lone) councillor representing High Level Rural to the County make any difference at all in 'getting along'? Of course not! The ones farther from Town are the real problem, but because of the rural ward system they are in no danger of getting any political pressure to change on this issue, (a situation throughout Alberta, prompting the Government threat to step in).

As for most examples brought up in the letter written by the Parkins, unfortunately are either totally incorrect or irrelevant, like; we Northerners are producing \$125,000 per capita just into the export market, as opposed to \$13,800 for the rest, other figures are just as lopsided, so who is subsidizing whom? Also, thirty-four years ago we all were grateful (and still are) that the Ag. society listened to Al Adair's (our MLA then) suggestion to apply for a grant in order that the community could build a covered rink. But the Town at that time was 1510 population while the rural area only had a few hundred. In fact the Ag society those days was predomi-

nantly made up of Town residents, including me. By the way, the Ag society as a not for profit group enjoys tax exempted status in High Level as it should be, as a token of thanks to those who volunteer to make our lives better (they are only taxed for the resident portion, about \$500 a year, which also would now be off the tax roll if they would have taken out a permit when the trailer was removed). However, another not for profit organization 2 miles north of it, the golf course, which (I am told) is paying about \$8,000 taxes a year to the County. When asked of a previous County councillor why is this course taxed? I was told that it was because most of the people using it were from High Level.

I am not going to take up space to refute every other point the Parkins made, but since no municipality can plan or survive on intangibles, I ask a few questions instead.

Which Alberta Government Statute authorizes a council to commit financial suicide on behalf of the electorate, especially for the purpose of getting along?

Where do the Parkins think the line is where the assets of one set of taxpayers should be given to another (which is much richer) just to avoid duplication? Ten percent... half?

How much higher should the Town's tax rate go over the approximately 20 percent difference now to subsidize the County, just to get along, 10...20 percent more?

Would the Parkins enlighten the taxpayers of High Level and list which municipal services they have received from Mackenzie County for the taxes on their home?

Mike Mihaly,
Mayor, Town of High Level.

HAMMER EQUIPMENT INNOVATION SUPPORT

HAMMER EQUIPMENT SALES LTD.

is pleased to announce that

J.W. Repair of Lacrete

has now been approved as an authorized warranty repair depot for our entire product line.

Please contact: John Teichroeb or Willy Teichroeb at 780-928-2380 for all of your warranty requirements.

The Northern
PIONEER

PUBLISHED EVERY WEDNESDAY
BY MACKENZIE REPORT INC.

MAILING ADDRESS: Box 427, Fort Vermilion, AB, T0H 1N0
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Advertising: Lisa Unruh/NIKKI COLAS

Canada

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DEADLINES: The Northern Pioneer's deadline is Friday at 5:00 and material for the Mackenzie Report is Friday at noon.

SUBSCRIPTION RATES:
\$20 per year local (plus \$1.20 G.S.T.)
\$12.50 per year Senior Citizens (plus \$.75 G.S.T.)
(NOTE: Senior rate only applies to local mailing area)
\$30.00 per year outside local (plus \$1.80 G.S.T.)
\$90 per year outside Canada

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 **MACKENZIE COUNTY**
**NOTICE OF PUBLIC HEARING
 PROPOSED LAND-USE BYLAW NO 640/07**

Mann & Mann Insurance Brokers Ltd.
**Requires A Full-time
 Insurance Sales & Service Associate**
 Become a team player with our Agency. We offer a benefit package and competitive wage. Experience is an asset, but will train on the job. If you are outgoing & enjoy working with people, Please apply with resume to 9802 - 99th Street or email your resume to annette@männ-mann.ca Agents Insuring the North!

Employment Opportunity
 L&P Disposals is currently accepting resumes for **Full Time Class 1 Drivers**
 Please drop off resumes to 11200-93 Street or fax resumes to 780-926-3688.

PURSUANT TO THE MUNICIPAL GOVERNMENT ACT, being Chapter M-26 of the Statutes of Alberta, notice is hereby given that the Council of Mackenzie County will hold a public hearing prior to the second reading of Bylaw No. 640/07 for an amendment to Land-Use Bylaw No.462/04. The proposed amendment is:

**Employment Opportunity
 Driver Required
 Immediately**
 for Daily Delivery to Zama
 Valid Class 5 license.
 No experience necessary.
 Apply at Greyhound or call
 926-2233 or 926-3233




Request for Proposals
 Dene Tha' First Nation is seeking proposals to lease available farm lands on
 Bushe River IR 207,
 located east of High Level, Alberta,
 approximately 4 KM.
 For additional information please contact:
 Cary Chonkolay at 780-926-2422 or
 e-mail: caryc@denetha.ca

That the following district be added to the Mackenzie County Land Use Bylaw:

7.15.A. HAMLET INDUSTRIAL DISTRICT 3 "HI3"

The general purpose of this district is to permit lighter industrial development in established hamlets.

- A. DISCRETIONARY USES**
- (1) Agricultural machinery sales and service
 - (2) Auto body shop
 - (3) Cardlock 2
 - (4) Contractor's Service
 - (5) Industrial Camp storage and offices
 - (6) Mobile/modular home sales and service
 - (7) Professional Offices
 - (8) Public Use
 - (9) Repair Shop - Commercial and Industrial Vehicle and Equipment
 - (10) Repair Shop - Vehicle and Small Engine Repair and Maintenance
 - (11) Truck wash

THE ECHO
 Mackenzie Report Inc., publisher of The Echo, seeks part-time help in our printing facility located at 10006-97 Street in High Level to assist production staff in preparing and delivering printed products to customers.

We are looking for 2 or 3 individuals interested in casual labour over one or two days per week (Tuesdays and Wednesdays), consisting of 8 to 12 hours.

Ideal position for stay-at-home parent with school aged children or retired individuals.


Duties include: Inserting items into newspapers by hand, applying subscriber labels, strapping bundles, delivering newspapers to post office and to local businesses.


Requirements: Energetic, hard working, self motivated, enjoys working with others, flexible schedule, valid driver's license and own vehicle, ability to lift newspaper bundles and bags (10-40 lbs), able to work in a standing position for several hours.

Hourly wage: \$12.00
 (Plus vehicle expenses.)

Anyone interested please contact:

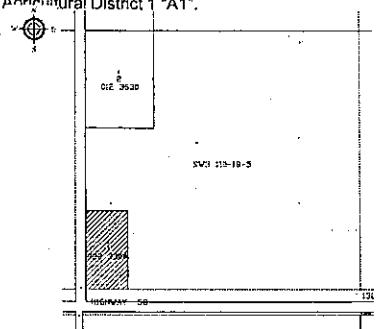
**Tom Mihaly,
 Publisher
 780-926-2000**
 (Please leave message)



 **MACKENZIE COUNTY**
**NOTICE OF PUBLIC HEARING
 PROPOSED LAND-USE BYLAW NO 642/07**

PURSUANT TO THE MUNICIPAL GOVERNMENT ACT, being Chapter M-26 of the Statutes of Alberta, notice is hereby given that the Council of Mackenzie County will hold a public hearing prior to the second reading of Bylaw No. 642/07 for an amendment to Land-Use Bylaw No. 462/04. The proposed amendment is:

That the subject parcel known as a Part of SW 3-110-18-WSM (Plan 922 3304, Block 1, Lot 1 in the High Level area and identified in the sketch below, be rezoned from Rural Industrial District 1: "RI1" to Agricultural District 1 "A1".



The Public Hearing is to be held at **1:00 p.m., Tuesday, August 14, 2007** in the Mackenzie County Council Chamber in Fort Vermilion. The proposed bylaw may be viewed at the Mackenzie County office in Fort Vermilion during regular office hours. Please submit written submissions to the Development Officer prior to **4:30 p.m., Friday August 10, 2007**. If you have any questions regarding the hearing, or the bylaw, please call Mackenzie County's Development Officer at 927-3718.

- B. MINIMUM LOT AREA**
 As required by the Development Authority.
- C. MINIMUM TOTAL FLOOR AREA**
 As required by the Development Authority.
- D. MINIMUM FRONT YARD SETBACK**
 9.1 metres (30 feet) or as required by the Development Authority.
- E. MINIMUM SIDE YARD SETBACK**
 As required by the Development Authority.
- F. MINIMUM REAR YARD SETBACK**
 9.1 metres (30 feet) or as required by the Development Authority.
- G. THE DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS**
 The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards to the satisfaction of the Development Authority.
- H. ON-SITE PARKING**
 In accordance to Section 4.28 of this Bylaw.
- I. LANDSCAPING**
 In accordance to Section 4.23 of this Bylaw.
- The Public Hearing is to be held at **1:00 p.m., Tuesday, August 14, 2007** in the Mackenzie County Council Chambers in Fort Vermilion. The proposed bylaw may be viewed at the Mackenzie County office in La Crete during regular office hours. Please submit written submissions to the Development Officer prior to **4:30 p.m., Friday, August 10, 2007**. If you have any questions regarding the hearing, or the bylaw, please call Mackenzie County's Development Officer at 928-3983.



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Paul Driedger, Director of Planning and Emergency Services
Title:	PUBLIC HEARING Bylaw 642/07- Land Use Bylaw Amendment to Rezone Part of SW 3-110-18-W5M from Rural Industrial District 1 (RI1) to Agricultural District 1 (A1) (High Level Rural)

BACKGROUND / PROPOSAL:

Bylaw 642/07, was given first reading at the July 25th, 2007 Council meeting, being a Land Use Bylaw amendment to rezone Part of SW 3-110-18-W5M (Plan 922 3304, Block 1, Lot 1) from Rural Industrial District 1 "RI1" to Agricultural District 1 "A1". The applicant requested the rezoning due to the property containing low-lying lands that are unsuitable for industrial purposes and better suited for residential development.

OPTIONS & BENEFITS:

The subject property is located east of High Level, adjacent to Highway 58 and 7 Mile Road. The majority of the lands within this area are zoned as Agricultural District 1.

COSTS & SOURCE OF FUNDING:



All costs will be borne by the applicant.

RECOMMENDED ACTION:

That second reading be given to Bylaw 642/07 being a Land Use Bylaw amendment to rezone Part of SW 3-110-18-W5M (Plan 922 3304, Block 1, Lot 1) from Rural Industrial District 1 (RI1) to Agricultural District 1 (A1).

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: 


CAO 

That third reading be given to Bylaw 642/07 being a Land Use Bylaw amendment to rezone Part of SW 3-110-18-W5M (Plan 922 3304, Block 1, Lot 1) from Rural Industrial District 1 (RI1) to Agricultural District 1 (A1).

Author: Eva Schmidt,
Planning Supervisor

Reviewed by:



CAO

Mackenzie County

PUBLIC HEARING FOR LAND USE BYLAW AMENDMENT

BYLAW _____

Order of Presentation

_____ This Public Hearing will now come to order at _____.

_____ Was the Public Hearing properly advertised?

_____ Will the Development Authority _____, please outline the proposed Land Use Bylaw Amendment and present his submission.

_____ Does the Council have any questions of the proposed Land Use Bylaw Amendment?

_____ Were any submissions received in regards to the proposed Land Use Bylaw Amendment? *If yes, please read them.*

_____ Is there anyone present who would like to speak in regards of the proposed Land Use Bylaw Amendment?

_____ If YES: Does the Council have any questions of the person(s) making their presentation?

_____ This Hearing is now closed at _____.

REMARKS/COMMENTS:

BYLAW NO. 642/07

**BEING A BYLAW OF
MACKENZIE COUNTY
IN THE PROVINCE OF ALBERTA**

**TO AMEND THE
MACKENZIE COUNTY LAND USE BYLAW**

WHEREAS, Mackenzie County has adopted the Mackenzie County Land Use Bylaw, and

WHEREAS, Mackenzie County has a General Municipal Plan adopted in 1995, and

WHEREAS, the Council of Mackenzie County, in the Province of Alberta, has deemed it desirable to amend the Mackenzie County Land Use Bylaw to accommodate a rural country residential subdivision.

NOW THEREFORE, THE COUNCIL OF MACKENZIE COUNTY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. That the land use designation of the subject parcel known as Part pf SW 3-110-18-W5M (Plan 922 3304, Block 1, Lot 1) be rezoned from Rural Industrial District 1 "RI1" to Agricultural District 1 "A1" as outlined in attached Schedule A.

First Reading given on the _____ day of _____, 2007.

Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

Second Reading given on the _____ day of _____, 2007.

Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

Third Reading and Assent given on the _____ day of _____, 2007.

Bill Neufeld, Reeve

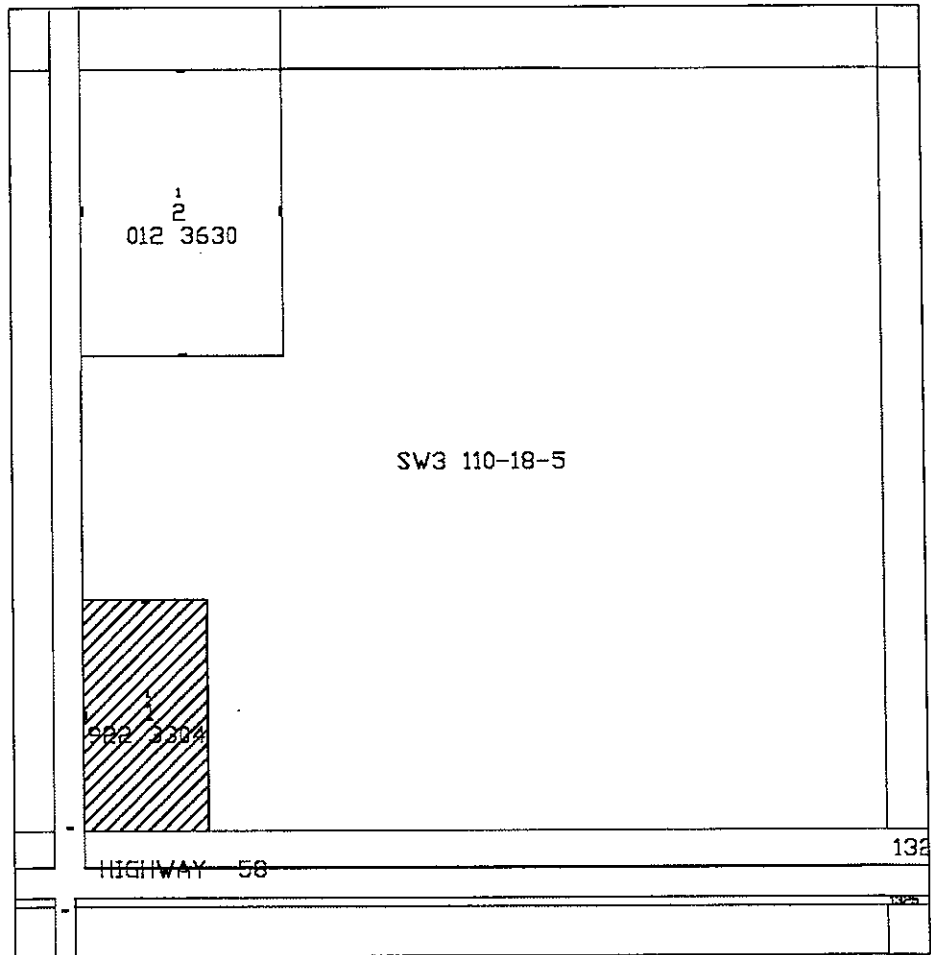
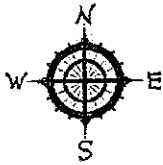
Carol Gabriel, Executive Assistant

BYLAW No. 642/07

SCHEDULE "A"

1. That the land use designation of the following property known as:

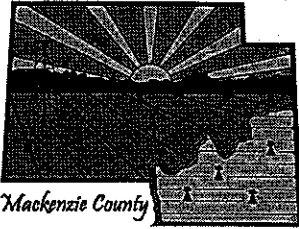
Part of SW 3-110-18-W5M (Plan 922 3304, Block 1, Lot 1) be rezoned from Rural Industrial District 1 "RI1" to Agricultural District 1 "A1" in Rural High Level.



Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

EFFECTIVE THIS _____ DAY OF _____, 2007.



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	CAO and Director Reports

BACKGROUND / PROPOSAL:

Reports by the Director of Corporate Services, Director of Planning & Emergency Services, Manager of Utilities and Facilities, and the Chief Administrative Officer will be presented on meeting day.

OPTIONS & BENEFITS:

For information.

COSTS & SOURCE OF FUNDING:

N/A

RECOMMENDED ACTION:

That the Director of Corporate Services, Director of Planning & Emergency Services, Manager of Utilities & Facilities, and the Chief Administrative Officer reports be accepted as presented.

for
CAO *[Signature]*

Manager of Utilities and Facilities Report For August 14, 2007 Regular Council Meeting

Utilities

- As of August 1, 2007 Dave C was promoted to a area supervisor for Fort Vermilion and Zama to assist with the major projects.
- Attended the preconstruction meeting in Zama for the water plant.
- Zama water supply tenders are out and due to close on the 16th of August.
- Trailers for Zama project have been ordered and the first one has arrived.

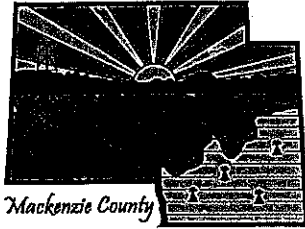
Parks and Playgrounds:

- Gazebo and washrooms for Zama Park will be deferred to next year at the request of the local Councilor and we will look at options for providing these facilities to another park.

La Crete and Zama Public Works

- The decision to purchase a tractor will need to be addressed in the near future due to the conversion/repairs needed on the snow blowing unit.
- The County's and private oil and calcium dust control have been completed at a substantial overage to the dust control budget.
- Attended a meeting in Grimshaw at EXH office to review projects.
- I was on 1 week vacation at the end of July and beginning of August.
- The La Crete south curve project is well under way and progressing nicely.
- Repaired some drainage erosion at seven mile corner.
- Crack sealing and line painting has been completed.
- We have replaced most of the culverts that were scheduled for replacement.
- Did some brushing within and around the Hamlet of La Crete.

**John Klassen
Manager of Utilities and Facilities
Mackenzie County**



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Joulia Whittleton, Director of Corporate Services
Title:	La Crete Community Library

BACKGROUND / PROPOSAL:

We received a request for a letter of support from the La Crete Community Library towards their project to construct a new facility or to purchase an existing building.

OPTIONS & BENEFITS:

Please see letter attached.

COSTS & SOURCE OF FUNDING:

NA

RECOMMENDED ACTION:

That a letter be provided to the La Crete Community Library in support of the construction of a new building or a purchase of an existing building to house the library.

Author: _____ Review Date: _____

Joulia Whittleton
CAO/CL

La Crete Community Library
Box 609
La Crete, Alberta
T0H 2H0
(780)928-3166

July 27, 2007

Mackenzie County
Attn: Joulia Whittleton
Box 640
Fort Vermilion, AB
T0H 1N0

Re: Letter of Support

Dear Joulia,

The La Crete Community Library seeks to secure a letter of support from the Mackenzie County.

The library has been housed in the La Crete Public School for 35+ years and has been fundamental in supporting our school division in their educational goals, supporting our community with good moral reading material, offering public internet access computers, offering library services to our community's seniors through an outreach program, and many other services that have benefited our community. Because of limited space the library cannot expand to meet the growing needs of our community in all existing and potential areas of library services; therefore the La Crete Community Library has been actively pursuing a stand alone library facility for some years now. We are in the process of securing grant monies in preparation of either constructing a new facility or purchasing an existing building. The grant application must include letters of support and we would like to request such a letter from your organization supporting the library in this project.

As time is crucial in applying for grants we would request a letter of support as soon as possible. If you are in support of the library's venture, your letter of support may be emailed to lc.library@hotmail.com or faxed to 928-3800 attention Joyce. If you have any questions please don't hesitate to call me at 928-3888.

Thank you for considering our request.

Sincerely,

Joyce Wieler
Chairperson,
La Crete Community Library Society

Joulia Whittleton

From: Joyce Wieler [joycewieler@hotmail.com]
Sent: Friday, July 27, 2007 2:50 PM
To: Joulia Whittleton
Subject: Request Letter of Support

Hello Joulia,

This is a follow-up from County Building Task Force meeting. Attached is the La Crete Library's letter requesting letters of support for their building venture grant applications.

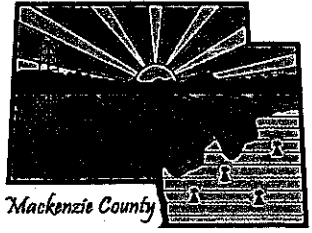
Thank you for the County's support.

Joyce

Chairperson

La Crete Community Library Society

Explore the seven wonders of the world [Learn more!](#)



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Fort Vermilion Office Space

BACKGROUND / PROPOSAL:

We are experiencing a shortage of office space at our Fort Vermilion office. Council and the Building Committee recognized the need to expand the existing Fort Vermilion building. A professional firm is being contacted to review the options. These options will be presented to the Building Committee and to Council.

OPTIONS & BENEFITS:

While an expansion plan is being prepared for the existing Fort Vermilion office building, Administration proposes to rent some space in Mackenzie Place at 4601-46 Street.

A proposal letter was received (attached). "Triple net" lease means a lease in which the lessee pays rent to the lessor, as well as all taxes, insurance, and maintenance expenses that arise from the use of the property.

COSTS & SOURCE OF FUNDING:

There are no funds allocated to this in our 2007 Operating Budget.

RECOMMENDED ACTION:

That administration allocates funds in the 2008 Operating Budget towards an office space lease in Mackenzie Place at 4601-46 Street.

July 30, 2007

Mackenzie County
Box 640
4511 - 46 Ave
Fort Vermilion, AB T0H 1N0

FAXED
7/31/07

Attention: Bill Kostiw, CAO

Thank you for interest in leasing office space in MacKenzie Place at 4601 - 46 Street, Fort Vermilion.

We are please to make you a lease proposal subject to drafting a formal lease agreement.

We are providing quotes for three rental components. The first component consists of three front offices, common area consisting of a vestibule, lobby, open stairwell area, lunch loft area, washrooms, janitor room and parking area is available to the County of Mackenzie for \$800.00/month triple net for a three year term.

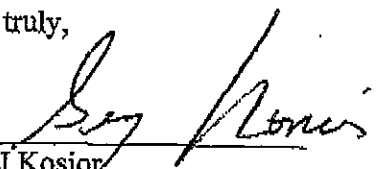
The second component consists of 900+ square feet of back office space with all the common areas and a back loading area and is available to the County of Mackenzie for \$800.00/month triple net for a three year term.

The third component has been completely sealed off from the office portion of the building and consists of a 2500 square foot shop with floor drainage channel, exhaust fans, commercial overhead door, piped for air with commercial compressor, parts room, office, washroom, graveled and fenced yard and is available to County of Mackenzie for \$1200.00/month for a three year term.

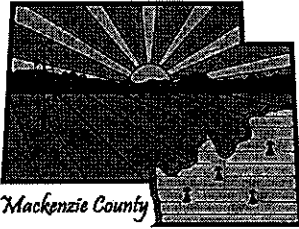
If you wished to lease all three components, the rent could be reduced from \$2800.00/month triple net to \$2500.00/month triple net. The "rack" rate for these areas total \$4080.00/month triple net.

The building has very recently undergone \$180,000.00 in improvements and renovations.

Yours truly,


Gerry J Kosior

p.s. As Joulia was leaving on vacation, she asked me to forward this to you.



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Advance Vote

BACKGROUND / PROPOSAL:

Section 73 of the Local Authorities Election Act states:

1. An elected authority may by resolution provide for holding an advance vote on any vote to be held in an election.
2. No advance vote shall be held within 24 hours of election day.
3. If a resolution is enacted under subsection (1), the returning officer must determine the days and hours when the advance vote is to be held.

OPTIONS & BENEFITS:

Note: Section 76 of the Local Authorities Election Act was repealed. The list of qualifications has been deleted; anyone is now eligible for advance voting.

COSTS & SOURCE OF FUNDING:

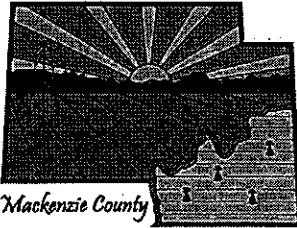
RECOMMENDED ACTION:

That the Advance Vote for the 2007 Municipal Election be held on October 11, 2007 from 1:00 p.m. to 8:00 p.m.

Author: C. Gabriel

Review Date: August 9, 2007

[Signature]
CAO



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Joint Elections

BACKGROUND / PROPOSAL:

The Fort Vermilion School Division has requested to enter into an agreement with the County to jointly conduct elections should there be elections in similar locations. See attached letter.

OPTIONS & BENEFITS:

To offer residents one voting location for both elections.

COSTS & SOURCE OF FUNDING:

RECOMMENDED ACTION:

That Mackenzie County enter into an agreement with the Fort Vermilion School Division for the purpose of conducting joint elections where applicable.

Author: C. Gabriel

Review Date: August 9, 2007

for
CAO *JH*

MEMORANDUM

Fort Vermilion School Division No. 52, P. O. Bag 1, Fort Vermilion, AB T0H 1N0

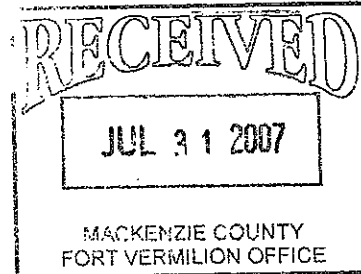
DATE: July 26, 2007

TO: Town of High Level
Town of Rainbow Lake
McKenzie County

ATTN: Returning Officers

FROM: Mr. Jeff Perry
Secretary Treasurer
Fort Vermilion School Division No. 52

RE: 2007 Elections



MESSAGE:

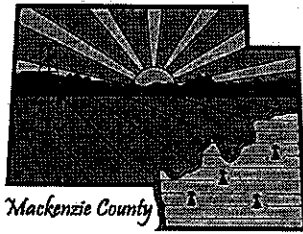
The Fort Vermilion School Division is interested in an agreement to jointly conduct elections with the Municipal Authority in the area we have schools located. I have identified the areas below where it would be beneficial for us to conduct our school board elections should we have an election in that ward.

Ward 1	Rainbow Lake / Zama City	1 Trustee	Town of Rainbow Lake
Ward 2	High Level	2 Trustees	Town of High Level
Ward 3	Rocky Lane	1 Trustee	McKenzie County
Ward 4	Fort Vermilion	1 Trustee	McKenzie County
Ward 5	Bluemenort	1 Trustee	McKenzie County
Ward 6	La Crete	1 Trustee	McKenzie County
Ward 7	Buffalo Head Prairie / Tompkins Landing	1 Trustee	McKenzie County

We look forward to hearing from you as soon as possible. If you should have any questions or concerns, please do not hesitate to contact my office. (927-3766)

Jeff Perry

/jm



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Organizational Meeting

BACKGROUND / PROPOSAL:

Administration recommends that the Organizational Meeting be held on a separate date than the regularly scheduled Council meeting on October 24th. The organizational meeting will be held in conjunction with the Organizational Alignment – Council Orientation Session being facilitated by Activation Analysis on October 22nd and 23rd.

OPTIONS & BENEFITS:

COSTS & SOURCE OF FUNDING:

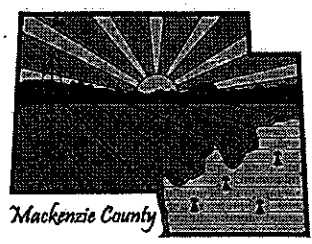
RECOMMENDED ACTION:

That the Organizational meeting be held on Monday, October 22, 2007 at 10:00 a.m. at the Fort Vermilion Council Chambers.

Author: C. Gabriel

Review Date: August 9, 2007

hcr
CAO *dl*



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Letter from Municipal Affairs

BACKGROUND / PROPOSAL:

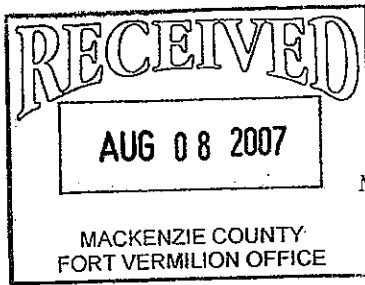
See attached letter from the Minister of Municipal Affairs and Housing regarding regional negotiations.

OPTIONS & BENEFITS:

COSTS & SOURCE OF FUNDING:

RECOMMENDED ACTION:

That the letter from the Minister of Municipal Affairs and Housing dated August 1, 2007 be received for information.



ALBERTA
MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

*Office of the Minister
MLA, Lac La Biche - St. Paul*

AR34358

August 1, 2007

His Worship Mike Mihaly, Mayor
Town of High Level
9813 - 102 Street
High Level, Alberta T0H 1Z0

Reeve Bill Neufeld
Mackenzie County
PO Box 640
Fort Vermillion, Alberta T0H 1N0

Dear Mayor Mihaly and Reeve Neufeld:

Thank you for advising me of the status of the negotiations between your municipalities on a shared services agreement.

The Government of Alberta understands that some municipalities in the province are facing challenges with intermunicipal cooperation, and I am convinced that municipalities working together are in the best position to reach solutions that meet their unique needs. It is my hope that another attempt will be made at reaching a mutually advantageous solution to this issue.

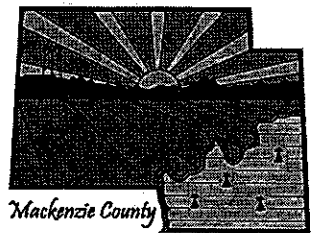
Intermunicipal cooperation is a top priority and we are working to provide services, such as mediation, to help municipalities work together for their mutual benefit. Mediation is a process that has delivered proven results in many municipal disputes throughout Alberta. However, it is a process that takes patience and commitment.

I have asked Mr. Bill Diepeveen, Manager, Municipal Dispute Resolution Initiative, to provide you with information on the full range of services we can provide for you. If you require any further information on this matter, please contact Mr. Diepeveen toll-free at 310-0000, then (780) 422-8848.

Again, I appreciate being made aware of your situation and hope that a satisfactory resolution can be developed.

Sincerely,

Ray Danyluk
Minister



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Health Service Plan

BACKGROUND / PROPOSAL:

See attached letter from the Northern Lights Health Region. The Health Region is requesting a meeting in August or early September in regards to the Health Service Plan for the west side of the region.

OPTIONS & BENEFITS:

COSTS & SOURCE OF FUNDING:

RECOMMENDED ACTION:

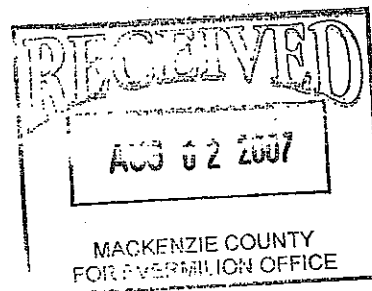
For discussion.

for
CAO *JA*

Madge Applin
Telephone: 780.841.3225
Fax: 780.926.7379
E-mail: mapplin@nlhr.ca

2007 July 27

Reeve Bill Neufeld
Mackenzie County
Box 640
Fort Vermilion AB T0H 1N0



Dear Reeve Neufeld:

Re: Health Service Plan

In consultation with Alberta Health and Wellness, Northern Lights Health Region is developing a Health Service Plan for the west side of the Region. The development of the Service Plan will involve three major phases: evaluating the health needs and current services in our communities, planning of future health services, and identifying the resources that will be needed to implement the plan.

The Service Plan is important to sustaining a healthy future for our communities. In light of this, the project is structured to maximize input from a wide range of stakeholders and the public at key points in the project so that planning is as open and transparent as possible.

We would like to meet with you in August or early September as we begin this project. Please contact Denise Blackwell of Blackwell Management Group at 780.467.8760 at your earliest convenience to arrange a date and time.

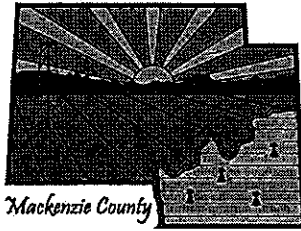
Thank you for your continued contribution to our communities.

Sincerely,



Madge Applin
VP Health Services – West

MA/cs



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Keepers of the Water II Conference

BACKGROUND / PROPOSAL:

See attached information regarding the Keepers of the Water II – Keeping the Peace conference to be held in Fort St. John on September 27th to 29th, 2007.

OPTIONS & BENEFITS:

COSTS & SOURCE OF FUNDING:

\$300 registration fee plus travel expenses

RECOMMENDED ACTION:

That two Councillors and one member of administration be authorized to attend the Keepers of the Water II – Keeping the Peace Conference on September 27 – 29, 2007.

Author: _____ Review Date: _____

William Kostiw
CAO



Keepers of the Water III

Keeping the Peace

The Peace River and Arctic Ocean Basin need your voice

Join us in Fort St. John, BC for the Keepers of the Water III: Keeping the Peace watershed gathering at the North Peace Cultural Centre from Thursday, September 27 to Saturday, September 29, 2007.

Hosted by the West Moberly First Nations, Peace Valley Environment Association, and Sauleau First Nations, this gathering weaves up-to-date issues and facts on our Basin with light entertainment, cultural activities, family events, and feasts to engage people of all ages and backgrounds.

The first Keepers of the Water gathering (2006 Liidlii Kue, Denendeh) drew national attention to the northern part of the Arctic Ocean Basin, a watershed that covers one-fifth of Canada's landmass and is one of the largest and most pristine freshwater basins in the world. This year's conference calls us southward, uniting around its lifeblood, the Peace River sub-basin. Participants from First Nations and every level of Canadian government, area industries, science, academia, stewardship councils, environmental organizations, alternative energy fields, special interest groups, and local communities will join in building a foundation for a unified watershed strategy.

Be informed. Be involved. Be heard. Be a part of this historic and democratic effort to produce a viable action plan for securing responsible stewardship of our waters.

Check out some keynote speaker and guest participant profiles, discover more about the planned activities, and learn how you might be a part of this by visiting our website: <http://keepersofthewater.ca>. Register today!

Register online, or by email, fax, or post.

website: <http://keepersofthewater.ca>

email: info@keepersofthewater.ca

fax: (250) 785-6378

postal mail: c/o Norine Wark,
RR1 S6 C5, Dawson Creek, BC V1G 4E7

Advance registration closes
Friday, September 7, 2007.

Title (circle one): **Chief** **Councilor** **Dr.** **Mr.** **Mrs.** **Ms.** Number of people attending:

Name: _____

Organization/Community: _____

Mailing Address: _____

Phone: _____

Fax: _____

eMail: _____

Names of family members or others accompanying this registrant; please indicate ages for those under 18*:

1	3	5
2	4	6

Children (12/under) and Elders: **FREE**
Students**: **\$50**

General Public: **\$100**
Corporate and Government: **\$300**

Total registration fees:

Notes: * Only one registration package will be provided per registration form.

** Students in financial need may apply for a limited number of complimentary registrations; submit a written request to the address above.

143



Keepers of the Water

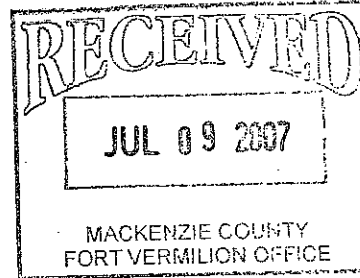
II

Keeping the Peace



Municipal District of Mackenzie No. 23
Box 640
Fort Vermillion, AB T0H 1N0

June 28, 2007



Dear John W. Driedger:

"Water is a sacred gift, an essential element that sustains and connects all life. It is not a commodity to be bought or sold. All people share an obligation to cooperate to ensure that water in all of its forms is protected and conserved with regard to the needs of all living things today and for future generations tomorrow."

- The Keepers of the Water Declaration, Fall 2006

Mother Earth is reeling under the impact of unrelenting attacks upon her lands, skies and waters by shortsighted, self-indulgent governments and greedy multi-national corporations. Their policies rob us of our traditions and erode our Treaty Rights, while their pollution poisons every strand in the web of life. Preserving our traditions, our culture - *our way of life* - is becoming increasingly difficult for our lands cannot nurture or sustain us once Mother Earth's resources have been fully exploited.

Today's greatest human demand is for more energy, but Mother Earth's rapidly depleting resources will soon run out. We believe that this crisis can be averted, but it requires new thinking, new technologies and new energy sources. Government and industry are dragging their heels, though, because those who profited most from last century's technologies are afraid of losing their economic monopoly.

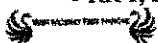
We are being called to task. We must show humanity the benefits of working in harmony with nature, for many have lost their understanding of the web of life and no longer feel bound to Mother Earth.

Please join us for Keepers of the Water II: Keeping the Peace. This conference is designed to heighten awareness of the current state of affairs throughout the Arctic Ocean Drainage Basin. This year's main focus will be on the Peace River, for once again the BC and Alberta governments are turning to outdated technologies to harness energy, further depleting downstream flows, and adding even greater stress on the dying Peace/Athabasca Delta ecosystem.

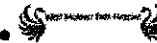
Keepers of the Water II: Keeping the Peace

• www.keepersofthewater.ca • info@keepersofthewater.ca •

• RR 1, S6, C 5, Dawson Creek, BC V1G 4E7 • Phone: (250) 843-7310 • Fax: (250) - 785 - 6378 •



• WMFN, P.O. Box 90, Moberly Lake, BC V0C 1X0 • Phone: (250) 788-3663 •



• SFN, P.O. Box 330, Moberly Lake, BC V0C 1X0 • Phone: (250) 788-3955 •



Keepers of the Water II Keeping the Peace



Keynote speakers, panel debaters, guest presenters and participants from all levels of government, area industries, science and academia, environmental groups and private citizens will join First Nations peoples in voicing concerns, suggesting solutions and developing a grassroots Watershed plan designed to protect all life within our Basin and beyond.

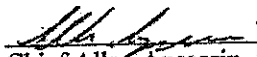
This three day conference will be held from September 27 to September 29, 2007 at the North Peace Cultural Centre in Fort St. John, BC. The event offers stimulating keynote speeches, tours and up-to-date information on all river systems within our area, and a sustainability and alternative energy trade fair. We are delighted to offer a Cultural Village, traditional feast and other Indigenous experiences as well. A host of entertaining activities sure to please the whole family is planned throughout each day and evening of the conference.


Keynote speaker profiles, conference topics, online registration and other important information will be posted on our soon-to-be-launched website: <http://www.keepersofthewater.ca>, so be sure to check it often for new updates. An online forum and library will be started before the conference, and maintained as long as there is sufficient public interest.

If you would like to contribute to the Cultural Village, please let us know as soon as possible. We would like to encourage you to add a cultural display to the Village. Please contact us if you are interested in learning more about this educational opportunity. Our contact information is found at the bottom of this page and on the enclosed attachments.

We cordially invite you to join us for this memorable event. Your voice is urgently needed. Help us assert our Treaty Rights – including our right to clean, abundant fresh water - now and for eons to come. Gather with us this September; united we will succeed!

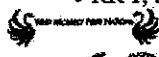
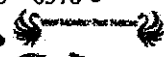


Respectfully Yours,

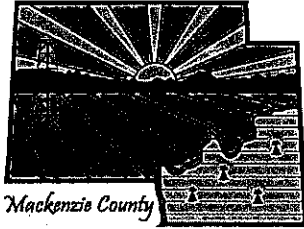

Chief Allan Apsassin, Saulteau First Nations


Chief Roland Willson, West Moberly First Nations

Keepers of the Water II: Keeping the Peace

• www.keepersofthewater.ca • info@keepersofthewater.ca •
• RR 1, S6, C 5, Dawson Creek, BC V1G 4E7 • Phone: (250) 843-7310 • Fax: (250) - 785 - 6378 •

 • WMFN, P.O. Box 90, Moberly Lake, BC V0C 1X0 • Phone: (250) 788-3663 • 
 • SFN, P.O. Box 330, Moberly Lake, BC V0C 1X0 • Phone: (250) 788-3955 • 



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Joulia Whittleton, Director of Corporate Services
Title:	Mackenzie County Library Board – request for a laptop computer

BACKGROUND / PROPOSAL:

We received an inquiry from the Mackenzie Library Board with respect to availability of an older laptop computer that we may consider donating to the Board. The Board doesn't require a high tech unit, but need something for recording minutes of their meeting, letter writing, etc. Their existing stationary unit is very old with malfunctioning monitor.

OPTIONS & BENEFITS:

We have an older unit available with approximate \$300.00 value.

COSTS & SOURCE OF FUNDING:

NA

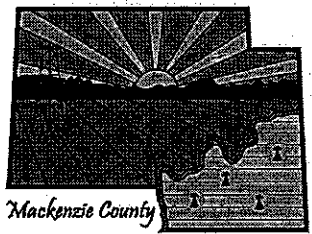
RECOMMENDED ACTION:

That the old laptop computer be donated to the Mackenzie County Library Board

Author: _____

Review Date: _____

for
CAO *[Signature]*



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Information/Correspondence

BACKGROUND / PROPOSAL:

The following items are attached for information purposes:

	Page
• Pitch-In Alberta	151
• AB Municipal Affairs – Re: 2006 Calgary Equalized Assessment Appeal to the MGB	153
• CAANA	161
• High Level Get to Know You Night	165
• FCM Members' Advisory – August 8, 2007	167
• Emergency Management Act	169
• REDI – Return on Investment Analysis	173
• 6 th Annual Minister's Awards for Municipal Excellence	175
• Action List	177

OPTIONS & BENEFITS:

For information.

COSTS & SOURCE OF FUNDING:

N/A

RECOMMENDED ACTION:

That the information/correspondence items be accepted for information purposes.

Author: W. Kostiw

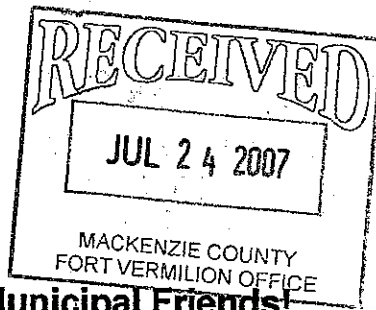
Review Date: August 9, 2007

W. Kostiw
CAO

PITCH-IN ALBERTA

Volunteers *in Action!*

c/o National Office
Box 45011, Ocean Park R.P.O.
White Rock, B.C., V4A 9L1
Website: www.pitch-in.ca



Misha van Veen: 1-877-4-PITCH-IN
misha@pitch-in.ca

Patron, PITCH-IN CANADA
The Governor General of Canada

Greetings to all of our Municipal Friends!

We hope that all of your 2007 PITCH-IN Week campaigns were successful!

If you did not take part then this conference is a must! It is a great chance for you to learn about what PITCH-IN Week is, who is PITCH-IN CANADA, and what you can do within your municipality to combat litter, and waste management issues, as well meet your municipal neighbours and see what programs are working for them!

SHARE-LEARN-NETWORK! This year's topics will include: *waste management, litter, beautification, graffiti, and civic pride programs that work –and don't!*

Jump on the green band wagon and join your municipal neighbours at PITCH-IN CANADA'S first series of municipal conference to be held this October in Hamilton, Edmonton, and Vancouver.

The PITCH-IN Team is excited! and getting prepared to pack 40 years of experience and expertise into a one-day conference/workshop for our municipal partners. The conference will feature

- a local trade show to display what your municipal partners have been doing within their community,
- workshops, and roundtables sessions for you and your colleagues to discuss issues and to share knowledge of what has worked in your community.

Come to share and learn what is working within our communities to make them clean, green, and beautiful!

If you are interested in attending please turn over, fill out the form and fax or mail it back to our national office.

We look forwards to seeing and meeting you in October!



www.pitch-in.ca



CivicPride



MUNICIPAL CONFERENCE

SHARE-LEARN-NETWORK

WASTE MANAGEMENT, LITTER, BEAUTIFICATION, GRAFFITI, CIVIC PRIDE PROGRAMS THAT WORK – AND DON'T

A one-day workshop on programs to improve waste management practices in the community

Topics will include:

- **Legislation and Enforcement** – find out what works and what does not
- **Education** – involving residents and businesses in waste management programs
- **Graffiti** – what other municipalities are doing about it? Have their programs been successful?
- **How do you set up a year-round Program** to involve the community in keeping your community litter-free? A presentation on a program that works.
- **How do you involve schools** and what programs are available to you *at no charge*?
- **Techniques for involving the community** in PITCH-IN CANADA's OPERATION: Clean Sweep program, The 20-Minute Makeover and other programs
- **Measuring results** - make the case for existing and future budgets
- **e-Waste** – What is being done to help communities dispose of this waste
- **and much more....**

WHAT: Evening reception, one-day workshop, display of materials, network and share

WHO: Individuals responsible for waste management, litter control, graffiti, "Adopt" Programs, PITCH-IN Week and other public participation and community-based programs

WHERE: Hamilton, Ontario Edmonton, Alberta Vancouver, BC

WHEN: September + October, 2007. You will be contacted with exact dates.

COST: Municipal Patrons of PITCH-IN CANADA \$ 149
Non-Patrons \$ 249

To determine interest in this workshop please complete the following:

YES we are interested in attending this workshop. We would send _____ person(s).

We would attend the workshop in (check one):

Hamilton Edmonton Vancouver

We would be interested in sharing our program with other municipalities YES NO

We will bring local materials to share with other municipalities YES NO

Name of Community/Organization.....

Address.....

City/Town/Village..... Prov Postal Code.....

Tel ()..... Fax ()..... Email

Contact Name.....Position.....

Send or Fax to: PITCH-IN CANADA, National Office
Box 45011, Ocean Park PO, WHITE ROCK, BC, V4A 9L1
Fax: 604-535-4653 Phone:1-877-4-PITCH-IN email: misha@pitch-in.ca

July 24, 2007

Mr. William (Bill) Kostiw
PO Box 640
Fort Vermilion, Alberta
T0H 1N0

Dear Mr. Kostiw:

This letter is to inform you that the Municipal Government Board (MGB) has ordered the Ministry to provide your municipality's property and assessment information to the City of Calgary (Calgary) for its appeal of the 2006 equalized assessment. Your municipality's assessor submitted the information through *milenet* into the Ministry's Assessment Shared Services Environment (ASSET) system. Following is a brief summary of events that led to the MGB's notice of decision.

In November 2005, Calgary filed an appeal of the 2006 equalized assessment with the MGB, citing that its equalized assessment was not fair and equitable compared to other municipalities' equalized assessment. Subsequently, the MGB notified all municipalities in the province of the appeal as a decision in favour of Calgary could affect the amount of education requisition for every other municipality for the applicable years.

To help establish its case, Calgary asked for all of the equalized assessment related information in the Ministry's possession. These include:

- information used to prepare the assessments for all properties in each municipality in the province,
- all of the information that the Ministry used to audit the assessments, and
- all of the information that the Ministry used to prepare each municipality's 2006 equalized assessment.

Much of the information sought by Calgary is contained in the ASSET system and is subject to the *milenet* agreement.

Since the onset of this appeal (and in previous appeals), the Ministry took the position that it is contractually bound by the confidentiality provisions of the *milenet* agreement. Any information in ASSET can not be disclosed or be made accessible to any party that is not a signatory to the agreement. Calgary is not a signatory to the *milenet* agreement.

In accordance with the *milenet* agreement, each municipality is recognized as being the owner of the information that is submitted into the ASSET system. If someone who is not authorized to access *milenet* makes a request to the Ministry for information in the system, that person or entity is to be directed to the applicable municipality for the information. The Ministry felt that Calgary was attempting to gain access to the information in the ASSET system indirectly (through the course of its 2006 equalized assessment appeal), which they can not do directly (by being a signatory to the *milenet* agreement).

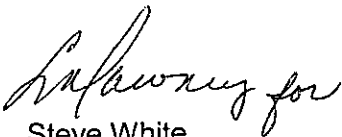
.../2

Despite the Ministry's objections, the MGB has ordered (MGB decisions DL 165/06 and DL 082/07) to disclose to Calgary and the intervenors in the appeal all of the information relevant to the preparation of the 2006 equalized assessments, including information contained in the ASSET system. The MGB also imposed confidentiality provisions. This will require Calgary, the intervenors, and every person who accesses or uses the disclosed information on behalf of Calgary, to sign a written confidentiality undertaking not to use or disclose any portion of the information for any purpose other than the appeal.

A copy of the undertaking that was approved by the MGB is enclosed for your information. The MGB decisions regarding this appeal are available on the MGB website at http://www.municipalaffairs.gov.ab.ca/mgb_BoardOrderSearch.cfm.

Please note that this letter is being sent to all municipalities in the province that signed the *milenet* agreement. If you have any questions, please contact Lynda Downey at (780) 422-8313.

Sincerely,



Steve White
Executive Director

Enclosure

cc: Sean Sexton
Municipal Government Board

Andrew Sims
Municipal Government Board

Gord Sharek
Sharek Logan Collingwood van Leenen LLP

Adrian Jewell
Sharek Logan Collingwood van Leenen LLP

Olugbenga Shoyele
Sharek Logan Collingwood van Leenen LLP

A. Paul Frank
City of Calgary

Ingrid Johnson
City of Edmonton

Joanne Parkin
City of Red Deer

IN THE MATTER OF THE 2006 CALGARY EQUALIZED ASSESSMENT APPEAL TO THE MUNICIPAL GOVERNMENT BOARD;

AND IN THE MATTER OF the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended;

BETWEEN:

THE CITY OF CALGARY

Appellant

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA, as represented by
the MINISTER OF MUNICIPAL AFFAIRS, on behalf of the Assessment Services Branch**

Respondent

- and -

**THE CITY OF EDMONTON; and
THE CITY OF RED DEER**

Intervenors

**AGREEMENT WITH RESPECT TO CONFIDENTIALITY, USE AND NON-DISCLOSURE
(THE "AGREEMENT")**

Pursuant to the decision of the Municipal Government Board (the "Board"), MGB Order DL 165/06, the City of Calgary, as a party to that decision and to the 2006 Calgary Equalized Assessment appeal, hereby agrees as follows:

1. For the purposes of this Agreement, the following definitions apply:
 - (a) "Authorized Users" mean the individuals, experts or other representatives of the Appellant who are authorized pursuant to this Agreement to access or review the Disclosed Information.
 - (b) "Board" means the Municipal Government Board of Alberta

- (c) "Disclosed Information" means the information and data disclosed by the Minister in the 2006 Calgary Equalized Assessment appeal, and all copies thereof in whole or in part.
 - (d) "Minister" means the Minister of Municipal Affairs.
- 2. Prior to attaining access and use of the Disclosed Information, the City of Calgary shall sign this Agreement, and a duly executed copy of this Agreement shall be provided forthwith to the Board and to the Minister.
- 3. (a) Legal counsel for the Appellant, after complying with Paragraph 2 herein, may only give the Disclosed Information to an Authorized User after the Authorized User has signed an Acknowledgment Agreement in the form attached to this Agreement as Schedule "A" and a duly executed copy of the Acknowledgment Agreement has been provided to the Board. Legal Counsel for the Appellant may only give the Disclosed Information to a person who has signed an Acknowledgment Agreement. The Board will notify the Respondent of the number of Acknowledgment Agreements it has received at the 2006 Equalized Assessment merit hearing. The Board will provide copies of all of the signed Acknowledgment Agreements it receives to the Respondent upon the conclusion of the merit hearing.

(b) Notwithstanding (a), should a person become an Authorized User after the conclusion of the 2006 Equalized Assessment appeal merit hearing and prior to the conclusion of any judicial review and appeals therefrom, Legal Counsel for the Appellant will within five working days provide the Respondent a copy of the Acknowledgement Agreement duly signed by the Authorized User.
- 4. For greater certainty, legal counsel for the Appellant are subject to an implied undertaking to only use the Disclosed Information for the purposes and scope of the 2006 Calgary Equalized Assessment appeal, and any judicial review and appeal therefrom.
- 5. The City of Calgary agrees not to disclose, reveal, publish or transfer, or in any way make known, to any other person or entity the Disclosed Information or any portion of the contents thereof except as set out in this Agreement, and the Disclosed Information is hereby acknowledged to be confidential information which shall be treated in the strictest confidence.
- 6. The Disclosed Information and all summaries, aggregates or analyses from the Disclosed Information or communications based upon or derived therefrom shall only be used by the City of Calgary for the purposes and scope of the 2006 Calgary Equalized Assessment appeal and any Judicial reviews or appeals therefrom and for no other purpose or use.

7. The City of Calgary must notify the Minister immediately of any actual or reasonably suspected breach of this Agreement and pursue all reasonable steps available to the City of Calgary to remedy the breach.
8. The City of Calgary agrees that the Disclosed Information shall be sealed by the Board and that the Disclosed Information in the possession, custody or control of the City of Calgary and any Authorized Users be destroyed upon the conclusion of the subject appeal, and any judicial review and appeals therefrom.
9. The undersigned has authority to sign this Agreement.

IN WITNESS WHEREOF THE PARTIES HAVE DULY EXECUTED THIS AGREEMENT.

Witness' Signature

Signature of the Party hereto

Name

Name

Position/Title and Organization

Position/Title and Organization

Date

Date

SCHEDULE "A"

IN THE MATTER OF THE 2006 CALGARY EQUALIZED ASSESSMENT APPEAL TO THE MUNICIPAL GOVERNMENT BOARD;

AND IN THE MATTER OF the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended;

BETWEEN:

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Appellant

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA, as represented by
the MINISTER OF MUNICIPAL AFFAIRS, on behalf of the Assessment Services Branch**

Respondent

- and -

**THE CITY OF EDMONTON; and
THE CITY OF RED DEER**

Intervenors

I, _____ of _____, hereby
acknowledge and agree:

1. THAT I have been provided with a copy of and have read and understand the "AGREEMENT WITH RESPECT TO CONFIDENTIALITY, USE AND NON-DISCLOSURE" made between The City of Calgary and Her Majesty the Queen in Right of Alberta regarding the City of Calgary's appeal of its 2006 Equalized Assessment, and I agree that the definitions specified therein apply to this Acknowledgment Agreement
2. THAT I am employed by _____, in the capacity of _____.
3. THAT I will not, at any time, use the Disclosed Information now provided to me or any copies, summaries, aggregates or analyses from that Disclosed Information, or communications based upon or derived therefrom for any purpose other than the 2006 Calgary Equalized Assessment Appeal.
4. THAT I will not, at any time, disclose, reveal, publish or transfer or in any way make known to any other person or entity the Disclosed Information or any portion of the contents thereof.

5. That the Disclosed Information is hereby acknowledged by me to be confidential information which shall be treated in the strictest confidence.
6. THAT I will notify Legal Counsel for the City of Calgary immediately of any actual or reasonably suspected breach of this Acknowledgment Agreement and pursue all reasonable steps available to me to remedy the breach.
7. THAT upon completion of the City of Calgary's 2006 Equalized Assessment Appeal or Judicial Review or appeals therefrom I will ensure that all Disclosed Information in my possession, custody or control is destroyed.

Witness' Signature



PREMIER OF ALBERTA

July 20, 2007

Mr. George de Rappard
Executive Director
Caana
107, 4990 - 92 Avenue
Edmonton AB T6B 2V4

Dear Mr. de Rappard:

I would like to acknowledge receipt of your July 16, 2007 letter and accompanying attachments. Thank you for taking the time to share the motions passed at the June 8, 2007 meeting of the Northern Mayors and Reeves, and the June 15, 2007 meeting of the North West Alberta Mayors, Reeves, Chiefs, Chairpersons and CEO's.

I note that you have provided a copy of your correspondence to the Honourable Luke Ouellette, Minister of Infrastructure and Transportation, for his review as well.

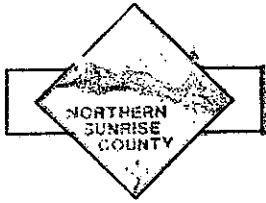
Thank you again for getting in touch with me.

Sincerely yours,


Ed Stelmach

ES/dm

cc: Honourable Luke Ouellette

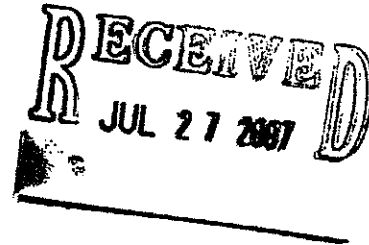


Northern Sunrise County

www.northernsunrise.net

Bag 1300
Peace River, AB
T8S 1Y9
Phone: 780-624-0013
Fax: 780-624-0023

July 24, 2007



Hon. Luke Ouellette, MLA
Minister
Alberta Infrastructure and Transportation
320 Legislature Building
10800 - 97 Avenue
Edmonton, AB T5K 2B6

Dear Mr. Ouellette:

RE: CAANA "Open Skies" Policy Throughout Alberta

The Council of Northern Sunrise County passed a motion at their June 28, 2007 Council meeting in support of CAANA's "Open Skies Policy.

Northern Sunrise County supports the Alberta Commuter Air Strategy that fosters Open Skies, supports an accessible and efficient air service and is guided by principles that are market driven and is customer destination preferred to generate activity and revenue for ALL airports in Alberta.

Recently, the Peace River Region lost its only regularly scheduled air service. This is a huge loss to the north. Passengers from the Peace River and High Level areas now have to drive to Grande Prairie to access a regularly scheduled flight to any destination. The cost of doing business for northern companies has just increased again.

It is time that the Edmonton Airports Authority realizes just where their biggest customer base is, and that is northern Alberta. It is time that the Edmonton Airports Authority reverses its decision regarding closing the City Centre Airport and allowing more than 9 passengers per plane to land at that strategically located airport. If the City Centre Airport closes permanently, air ambulances from all over the provinces will be forced to land at the International Airport, adding an hour to the critical time frame for getting patients to emergency care.

.../2

Hon. Luke Ouellette
July 24, 2007
Page 2

Small, rural airports will cease to exist if the current policy is allowed to continue. Alberta was built on small, rural communities. The Edmonton Airports Authority would do well to remember this.

We look forward to your comments on this important matter.

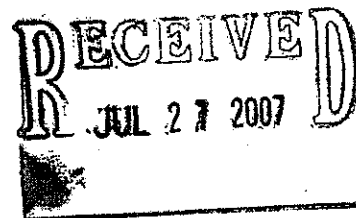
Yours truly,



Agnes Knudsen
Reeve

c.c. Hon. Ed Stelmach, MLA, Premier of Alberta
Hon. Ray Danyluk, MLA, Minister, Municipal Affairs
Hon. Iris Evans, MLA, Minister, Employment, Immigration and Industry
Chris Warkentin, MP
Frank Oberle, MLA
Pearl Calahasen, MLA
Peace River and District Chamber of Commerce
✓ Wayne Ayling, Chairman, CAANA

J:\2007 DATA\CORRESPONDENCE 2007\JULY\Hon. Luke Ouellette.CAANA Open Skies Policy.July 24.doc





10511 103 Street
High Level, Alberta
T0H 1Z0
Tel: (780) 821-4012
Fax: (780) 926-2899
E-mail: ncarmichael@highlevel.ca

To All Community Groups, Organizations, Agencies and Home-based Businesses:

Family & Community Support Services extends an invitation to you to participate in the

**Get To Know You Night
Wednesday, September 12, 2007
At the High Level Arena, 6:30 – 9:30**

Set up time will begin at 3:30 p.m. Pre-registration is required. Spaces will be issued on a first come, first served basis.

Your space will not be reserved until payment is received.

Costs:

Non-Profit	\$20/table
Home-based business	\$20/table

Registration

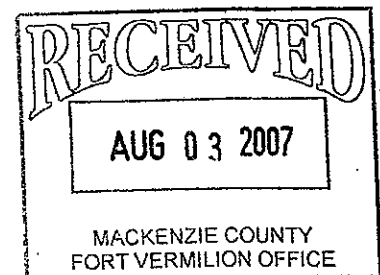
All registration forms must be submitted with PAYMENT by Friday, September 7, 2007. All forms can be dropped off at FCSS or mailed to the above address. Refunds will not be issued after the deadline. If an invoice is required, pre-register as soon as possible. All cheques are payable to the Town of High Level. Cash will be accepted in person only. Receipts will be issued upon receipt of payment. Please complete the bottom portion of this letter, and return it with your registration.

Information:

If you require power, please provide your own extension cord(s). Power availability is limited. All participants are encouraged to sell, canvass, and/or have door prizes. These draws will be made at the end of the evening. A welcome table will be set-up to accept donations of non-perishable food items for the Food Bank.

In lieu of food, a loonie will be charged per person for admission to the event..

For additional information, please call Nici at 821-4012.



HIGH LEVEL... GATEWAY TO THE SOUTH



TOWN OF
HIGH LEVEL



10511 103 Street
High Level, Alberta
T0H 1Z0
Tel: (780) 821-4012
Fax: (780) 926-2899
E-mail: ncarmichael@highlevel.ca

For additional information, please call Nici at 821-4012.

Business/Organization Name: _____ Ph: _____

Contact Person: _____ Address: _____

Number of tables _____ Are you participating in the Trade Show? Yes No Table # _____

Number of Presenters at each table _____

If you wish to be placed next to another business/organization, please state your preference and we will do our best to accommodate your request. _____

Check one:

Agency: _____ Service Group: _____ Organization: _____ Home-based Business: _____

Paid: Yes No Date paid: _____

Payment: Cash _____ Cheque _____ Cheque # _____ Receipt # _____ P.O. # _____

Date Payment Received: _____

Payment Received by: _____



Federation of Canadian Municipalities

Fédération canadienne des municipalités

August 8, 2007

Please Distribute to All Members of Council

info to council

MEMBERS' ADVISORY

NEW RULES RESTRICT FEDERAL EMPLOYEES TO RUN FOR AND HOLD MUNICIPAL OFFICE

With municipal elections in Alberta this fall, FCM would like to remind its members that, under new rules, federal public servants who want to run for or hold municipal elected office require permission from the Public Service Commission of Canada (PSC). Since this is a new requirement, Alberta local governments may want to ensure that all potential candidates are aware of these new rules.

The new *Public Service Employment Act*, which came into force on January 1, 2006, requires an employee of the Government of Canada who wants to run for or hold municipal elected office to request permission from the Public Service Commission. The PSC may, as a condition of granting permission, require the employee to take leave without pay during the electoral period and, if elected, take leave without pay while holding office or resign from the federal public service. The PSC may also grant unconditional permission for an employee to run for or hold a municipal elected office.

The PSC permission process assesses the nature and visibility of an employee's position and prospective elected office. The goal is to ensure that a federal employee's ability to perform his or her duties in a politically impartial manner would not be impaired or perceived to be impaired. The PSC is given considerable discretion on when and how to grant permission to federal employees to run for and hold municipal election office.

These new rules bring federal rules more closely in line with those of many provinces and territories, most of which are much more stringent in the treatment of their own employees running for municipal office. The PSC's rulings to date appear to have been fair and reasonable. The PSC is aware of the potential negative effects of these new rules, particularly in small communities where the federal government is a large employer, and has been diligent in considering the special context and challenges faced by municipal office holders in those communities. However, municipal elections in several provinces in the fall of 2006 showed that few federal employees were aware of these new rules.

Alberta municipalities are urged to ensure that all potential candidates are made aware of these new rules so that those who are federal employees have time to apply for permission from the PSC.

More information is available from the PSC at http://www.psc-cfp.gc.ca/centres/contact_e.htm. The FCM staff contact on this issue is Michael Buda, Manager, Strategic Coordination, 613-907-6271.



ALBERTA

MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

Office of the Minister

MLA, Lac La Biche - St. Paul

AR34483

July 31, 2007

Mr. Art Lamoureux
President
Association of Summer Villages of Alberta
PO Box 17, Site 19, RR1
Gunn, Alberta T0E 1A0

Dear Mr. Lamoureux:

I am pleased to advise you and your association that the amendments to the *Disaster Services Act* (now called the *Emergency Management Act*) took effect on June 14, 2007. There are important changes in the legislation that provide opportunities for us to work together to improve public safety for the people of Alberta.

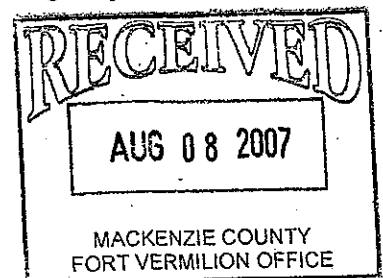
The first substantive change in the act is that summer villages have been added to the definition of "local authorities," which gives them the authority to declare a state of local emergency and the opportunity to access grants which may enhance their emergency response capabilities. This change was made in response to comments made to Municipal Affairs and Housing staff at an Association of Summer Villages of Alberta conference in 2006. Those in attendance made it clear that they were concerned about the risks and disadvantages associated with their villages being outside the province's emergency management framework.

The act also officially establishes the Alberta Emergency Management Agency (AEMA), which combines the offices of the Fire Commissioner and Emergency Management Alberta, to provide a one-window approach in dealing with emergencies. David Hodgins has been appointed as the AEMA's managing director, and he will be reporting directly to me as we work to further strengthen Alberta's emergency management framework. I have asked Dave to ensure that the agency works closely with summer villages over the next year to help them meet their new requirements under the act.

We want to ensure that all levels of government and responders in the private and volunteer sectors are able to work effectively together in protecting Albertans, which is why the AEMA will be taking every opportunity to connect with municipalities and keep them involved in the agency's work. Together, we can succeed in further establishing Alberta's emergency management framework as a world leader in the field.

Sincerely,

Ray Danyluk
Minister



cc: All Alberta Mayors and Reeves
Mr. Bob Hawkesworth, President, Alberta Urban Municipalities Association
Mr. Don Johnson, President, Alberta Association of Municipal Districts & Counties

104 Legislature Building, Edmonton, Alberta Canada T5K 2B6 Telephone (780) 427 3744 Fax (780) 422 9550
4434 - 50th Avenue, St. Paul, Alberta, Canada T0A 3A2 Telephone (780) 645 6999 Fax (780) 645 5787
Toll Free From All Areas 1 866 674 6999

169



Aug 07, 2007 13:41 ET

Minister Day Announces the New Emergency Management Act

OTTAWA, ONTARIO--(Marketwire - Aug. 7, 2007) - Today, the Honourable Stockwell Day, Minister of Public Safety, made the following statement to mark the Emergency Management Act (EMA) coming into force on August 3, 2007.

"The priority of Canada's New Government is the safety and security of all Canadians. When an emergency strikes, lives are at stake and an effective response depends on clear roles and responsibilities. I am pleased to announce that Parliament has passed and brought into force the new Emergency Management Act," said Minister Day.

The new Act strengthens the Government of Canada's readiness to respond to all types of major emergencies, and updates our emergency management system for the 21st century.

The EMA gives responsibility to the Minister of Public Safety to provide national leadership by coordinating the Government of Canada's response to major emergencies.

It establishes clear roles and responsibilities in the case of an emergency.

The Act also enhances collaborative emergency management and improves information sharing with other levels of government as well as the private sector.

"The Emergency Management Act will greatly enhance the partnership that already exists between industry and the Government of Canada, as the protection accorded to information provided by industry to government will allow for a far greater depth of collaboration," said Mr. Francis Bradley, Vice President of the Canadian Electricity Association.

With this new Act, Canada will have a more comprehensive and harmonized approach to emergency management, and will be in a better position to respond to emergencies, confront new threats and protect our communities.

BACKGROUND

Emergency Management Act

When an emergency strikes, lives are at stake and effective response means knowing who is in charge. The Emergency Management Act (EMA) sets out clear roles and responsibilities for all federal ministers across the full spectrum of emergency management. This includes prevention/mitigation, preparedness, response and recovery, and critical infrastructure protection.

The Act is an important step forward in the Government of Canada's efforts to strengthen emergency management in Canada. The Act reinforces efforts to ensure that Canada is well prepared to mitigate, prepare for, respond to and recover from natural and human-induced risks to the safety and security of Canadians.

The new Act:

- Gives responsibility to the Minister of Public Safety to provide national leadership and set a clear direction for emergency management and critical infrastructure protection for the Government of Canada;
- Clearly establishes the roles and responsibilities of federal Ministers and enhances the Government of Canada's readiness to respond to all types of emergencies;
- Enhances collaborative emergency management and improves information sharing with other levels of government as well as the private sector; and
- Gives authority to the Minister of Public Safety, in consultation with the Minister of Foreign Affairs, to coordinate Canada's response to an emergency in the United States.

Protecting critical infrastructure is one of the emerging challenges of modern emergency management. Critical infrastructure consists of physical and information technology facilities, networks, services and assets that are vital to the health, safety, security or economic well-being of Canadians or the effective functioning of governments in Canada.

The primary goals of this information sharing are to assess threats and vulnerabilities, improve warning and reporting capabilities, and develop better defenses and responses to potential emergencies.

Ce document d'information est aussi disponible en français.
www.Securitepublique.gc.ca

For more information, please contact

Public Safety Canada
Media Relations
613-991-0657

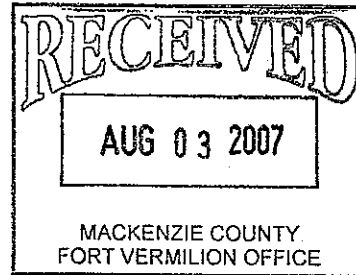
or

Office of the Honourable Stockwell Day
Minister of Public Safety
Melisa Leclerc
Director of Communications
613-991-2863

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**Regional Economic
Development Initiative**
for Northwest Alberta



Mr. Bill Neufeld
Reeve Mackenzie County
Box 640
Fort Vermilion, Alberta
T0H 1N0

August 1, 2007

Re: Return on Investment Analysis for Highway Infrastructure Development in Northwest Alberta

Reeve Bill Neufeld

The Regional Economic Development Initiative for Northwest Alberta (REDI) believes in the necessity of keeping regional and other vested stakeholders informed about its activities and successes. Our organization undertakes a number of exciting and successful initiatives each year and this past year has been no different.

Enclosed, you will a copy of the Return on Investment Analysis for Highway Infrastructure Development in Northwest Alberta that REDI contracted Meyers Norris Penney to complete. This study outlines tangible benefits that would be experienced if and when highways 58 and 88 are properly upgraded. As you aware, these roads are extensively traveled and amongst the most deserving for upgrades and maintenance. REDI has and will continue to advocate that these roads be upgraded and maintained on a regular basis. Improvements to both roads will aid communities in developing their economies and providing its citizens with safe transportation routes.

I would like to thank you for the time and consideration that you have extended to our organization. I trust that you will find the study informative and useful.

Sincerely

Walter Sarapuk
REDI Chair



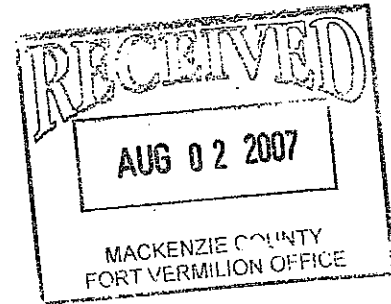
AR34504

ALBERTA
MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

Office of the Minister
MLA, Lac La Biche - St. Paul

July 30, 2007

Reeve Bill Neufeld
Mackenzie County
PO Box 640
Fort Vermilion, Alberta T0H 1N0



Dear Reeve Neufeld:

I am pleased to invite Mackenzie County to provide submissions for the sixth annual Minister's Awards for Municipal Excellence, which formally recognize local government excellence and promote knowledge sharing among municipalities. These awards offer an opportunity to recognize the truly great work being done by local governments in Alberta.

An independent review committee, comprised of representatives from various municipal associations, will recommend award recipients in four categories:

- Innovation Award – recognizes a leading practice embodying the first use of an idea in a municipal context in Alberta;
- Partnership Award – recognizes a leading municipal practice involving consultation, coordination, and cooperation with other municipalities, jurisdictions, or organizations;
- Smaller Municipality Award – recognizes the innovative practices developed by communities with less than 3,000 residents; and
- Outstanding Achievement Award – recognizes a municipality or municipal partnership that has helped to inspire action and change that has benefited local government practices in Alberta. *This award, chosen by the review committee, recognizes the best submission from the other categories.*

Submission forms and additional details may be found on the Municipal Excellence Network website (www.menet.ab.ca). The submission deadline is August 17, 2007.

.../2

Reeve Bill Neufeld
Page Two

I encourage you to share your success stories, and I look forward to celebrating these successes with your communities and your neighbours!

If you have any questions regarding the Minister's Awards for Municipal Excellence or the Municipal Excellence Network, please direct them to the Municipal Excellence team, at (780) 427-2225 or by e-mail at menet@gov.ab.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ray Danyluk', with a stylized flourish at the end.

Ray Danyluk
Minister

**Mackenzie County
Action List as of July 25, 2007**

Council Meeting Motions Requiring Action

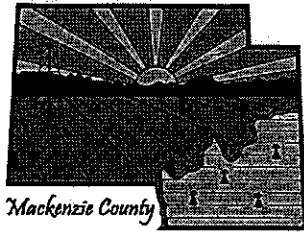
Motion	Action Required	Action By	Status
April 11, 2006 Council Meeting			
06-270	That the MD pursue an option to draft a memorandum of understanding for consultation with the First Nations.	Bill K. Joulia	Under review
May 9, 2006 Council Meeting			
06-339	That 15.9 acres of land on SE 16-106-15-W5 be acquired within the Hamlet of La Crete as a Municipal Park.	Paul	In progress
06-340	That the La Crete Recreation Society be authorized to proceed with a ball Park when the land has been acquired for a Municipal Park.	Paul	In progress
June 13, 2006 Council Meeting			
06-420	That administration reviews available options and develop a plan to divert water from the Hamlet of Zama.	John Bill	In progress
October 10, 2006 Council Meeting			
06-714	That the Wolfe Lake Water Point be referred to the Operations Committee for review.	John Paul Ed/Bill N.	In progress
06-727	That administration review health services in the municipality and report back to Council.	Bill N. Bill	Ongoing
October 25, 2006 Council Meeting			
06-799	That administration bring back the Land Purchase Policy for Council review with options.	Paul John Ed	Ongoing
November 9, 2006 Council Meeting			
06-831	That administration work with Apache on long term water and road agreements. (sour gas wells)	Bill John Joulia Lisa	In progress

Motion	Action Required	Action By	Status
06-835	That administration prepare a draft subdivision design for lots along Tower Road in Zama and other appropriate areas in conjunction with the storm water master plan.	Paul John Joulia Lisa	In progress
December 11, 2006 Special Council Meeting			
06-949	That administration investigate the purchase of the Fort Vermilion Medical Clinic.	Bill K. John D.	In progress
January 09, 2007 Council Meeting			
07-019	That administration develop a level of service for recreation boards regarding outdoor rinks and bring back to Council.	John Paul Peter	August 14/07
January 24, 2007 Council Meeting			
07-070	That Council consider setting a date to examine all of our bylaws that relate to public action.	Joulia Paul John	In progress
07-076	That the purchasing and tendering policy be moved to the Finance Committee for review.	Joulia	Finance Committee
07-080	That administration look at options for the La Crete and Zama airports.	Lisa Peter Bill N. Bill K.	In progress
07-093	That administration and the local Councillor negotiate a final settlement for the access request to NW 23-109-12 W5M, as discussed in-camera.	Bill K. Walter Joulia	In progress
February 13, 2007 Council Meeting			
07-108	That the Etna's Landing Campground request be tabled for further information and for discussion at Council's planning session.	Council Paul John	In progress
March 28, 2007 Council Meeting			
07-296	That Council review the 10 year infrastructure plans on an annual basis with engineers in each community.	LC – Bill, Peter, John K., Paul, Joulia FV – Bill K, Jim, Greg, Walter, Joulia Zama – Bill K, Lisa, Stuart, John K., Joulia	In progress
07-297	That the County proceed with changing signage.	Carol John K. Bill N.	In progress

Motion	Action Required	Action By	Status
May 8, 2007 Council Meeting			
07-430	That consideration of the purchase of a mowing/snowblowing unit be tabled for further information.	John Bill K. Ed	August 14/07
07-437	That administration and the Agriculture Service Board look into the High Level drainage project.	Bill K. Grant Stuart Walter	In progress
07-438	That administration investigate the feasibility of a forced road between the east half and west half of 31-109-18-W5M and NE and NW 30-109-18-W5M or other options.	Paul John Stuart	In progress
07-449	That Mackenzie County lobby the federal government and Assistant RCMP Commissioner in regards to the member shortage.	Bill K. Bill N. Greg	In progress
May 23, 2007 Council Meeting			
07-05-469	That administration investigate the issues regarding the St. Mary's Elementary School playground.	Paul John K. Jim	In progress
07-05-488	That administration review rezoning notification procedures.	Paul	In progress
June 12, 2007 Council Meeting			
07-06-549	That administration research and bring back costs and options on ATV signage in the hamlets.	Paul John K.	In progress
June 25, 2007 Council Meeting			
07-06-592	That administration proceed with traffic counts on the identified list of possible resource road projects for 2008.	John K. Paul	In progress
07-06-597	That the La Crete 99 th Street budget allocations be tabled to the August 14, 2007 meeting.	Bill K. Joulia	In-progress
07-06-605	That administration prepare a new presentation on Highway 88 as soon as possible.	Bill K. Bill N.	On hold
07-06-606	That the funding for the River Road project be redirected to the 45 th Street/Mackenzie Housing Subdivision project in Fort Vermilion and that the	John Joulia	In progress

Motion	Action Required	Action By	Status
	Alberta Municipal Infrastructure Program (AMIP) Supplementary Application be submitted.		
July 10, 2007 Council Meeting			
07-07-661	That administration bring back a three year proposal for the construction of the Tompkins Landing ice bridge.	Bill K.	In progress
07-07-663	That Mackenzie County proceed with the Blumenort intersection upgrade and accept the cost share offer from the province as presented.	John Bill K.	In progress August 14/07
07-07-667	That administration proceeds with request for proposals for the 2007 bridge maintenance contract.	Bill K. Joulia	In progress
07-07-671	That Mackenzie County oversees the operation of the FCSS program in Fort Vermilion for an interim period of one month.	Bill K. Joulia	In progress
07-07-672	That administration explore assessment options for Footner Forest Products.	Bill K.	In progress
07-07-673	That administration set up a meeting with the Town of Rainbow Lake regarding shared services.	Bill K.	
07-07-674	That administration investigate the purchase and placement of three trailers for the Zama project.	John Joulia	In progress
07-07-675	That the Reeve and Chief Administrative Officer be authorized to negotiate with Alberta Transportation for paving of Highway 88 as soon as possible.	Bill K. Bill N.	In progress
07-07-676	That administration be authorized to investigate the purchase of an aerial apparatus in consultation with Footner Forest Products.	Bill K. Bill N. Paul	In progress
July 25, 2007 Council Meeting			
07-07-688	That the ATV Bylaw be brought back to the next Council meeting and that administration look at the feasibility of closing the utility right of ways.	Paul	In progress August 14/07
07-07-690	That the review of hamlet boundaries be tabled for further information.	Bill K.	

Motion	Action Required	Action By	Status
07-07-692	That the County continue to lease the fragmented land on SE 36-104-14-W5M and NE 26-104-14-W5M and enter into a Road License Agreement with the developer to farm the road allowance.	Paul	In progress
07-07-707	That administration be authorized to purchase a used aerial fire apparatus for the High Level Rural Fire Department and that the 2007 capital budget be amended to include an additional \$150,000.00 for the purchase of a used aerial fire apparatus from the General Capital Reserve.	Bill K. Paul	In review
07-07-715	That Mackenzie County purchase two 10-watt flashing beacon lights for Fort Vermilion 45th and 50th street to be funded from the general operating budget.	John	
07-07-717	That Mackenzie County proceed with ordering the County signs as amended.	John K. Carol	
07-07-720	That Council proceed with tasks 1, 2, 3, 6, 7, and 9 as indicated on the proposed Action Plan prepared by Activation Analysis.	Bill K.	In progress
07-07-721	That the County Planning Department look into the planning authority and procedures at the High Level airport and report to Council.	Paul	
07-07-722	That Mackenzie County negotiate with Caribou Resources as discussed and recommended by the Finance Department.	Joulia	In progress
07-07-723	That the waste transfer station contracts be adjusted as negotiated and recommended by the Utilities Department.	John K.	



MACKENZIE COUNTY

REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Paul Driedger, Director of Planning and Emergency Services
Title:	Bylaw 644/07 Off-Highway Vehicles

BACKGROUND / PROPOSAL:

At the July 25th, 2007 Council Meeting, Council requested that the Off-Highway Vehicles Bylaw be amended to remove the clause relating to ATV usage for maintenance and servicing within a hamlet, as well as ensuring that time restrictions for use were listed in the bylaw.

OPTIONS & BENEFITS:

Section 4 (ii) relating to the use for maintenance and servicing was removed with exemptions for operators who are repairing the ATV in use as their primary source of employment, and for areas zoned as Hamlet General (Zama). Time restrictions were already listed in the bylaw prohibiting the use between 11:00 pm and 7:00 am.

COSTS & SOURCE OF FUNDING:

N/A

RECOMMENDED ACTION:

Motion 1

That first reading be given to Bylaw 644/07, being the Off-Highway Vehicles Bylaw.

Motion 2

That second reading be given to Bylaw 644/07, being the Off-Highway Vehicles Bylaw.

Motion 3

That consideration be given to go to third reading of Bylaw 644/07, being the Off-Highway Vehicles Bylaw, at this meeting.

Motion 4

That third reading be given to Bylaw 644/07, being the Off-Highway Vehicles Bylaw.

Author:	J. Gabriel	Review by:	CAO <i>[Signature]</i>
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BYLAW NO. 644/07

**BEING A BYLAW OF
MACKENZIE COUNTY
IN THE PROVINCE OF ALBERTA**

**TO REGULATE THE CONTROL, USE AND OPERATION OF OFF-HIGHWAY
VEHICLES WITHIN THE COUNTY**

WHEREAS the Traffic Safety Act, being Chapter T-6, and the Municipal Government Act, being Chapter M-26.1, both of the Statutes of Alberta, provides that a Municipal Council may enact a Bylaw respecting the safety, health and welfare of people and the protection of people and property; and to regulate the control, use and operation of off-highway vehicles;

AND WHEREAS it is deemed expedient by the Council of Mackenzie County to pass a Bylaw to regulate the operation of off-highway vehicles within the County;

NOW THEREFORE the Council of Mackenzie County, in the Province of Alberta, in regular session, duly assembled, enacts as follows:

SECTION 1 NAME OF BYLAW

This Bylaw may be cited as the "Off-Highway Vehicles Bylaw".

SECTION 2 INTERPRETATION

Where there is a conflict between this Bylaw and any other Bylaw pertaining to the operation of an off-highway vehicle within the County, the provisions of this Bylaw shall apply.

SECTION 3 DEFINITIONS

In this Bylaw:

- a) "Alley" for the purpose of speed control means a utility laneway intended chiefly to provide utility companies and residents with access to their utilities, rear of buildings, and parcels of land, but not for primary access;

- b) "Council" means Mackenzie County's Council, duly assembled and acting as such;
- c) "Hamlet" means the area contained within the boundaries of the Hamlets of Fort Vermilion, La Crete, and Zama City in the Province of Alberta;
- d) "Helmet" means a rigid safety helmet with chin strap attached which has been CSA approved for off-highway use;
- e) "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, square bridge, causeway, trestleway, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
 - (i) sidewalks (including the boulevard portion of a sidewalk),
 - (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - (iii) if a highway right-of-way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be:
- f) "Off-highway vehicle" means any motorized vehicle designated for cross-country travel on land, water, snow, ice, marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when designed for such travel.
 - (i) 4-wheel drive or low pressure tire vehicles,
 - (ii) motor cycles and related 2-wheel vehicles,
 - (iii) amphibious machines,
 - (iv) all terrain vehicles,
 - (v) miniature motor vehicles,
 - (vi) snow vehicles,
 - (vii) minibikes, and
 - (viii) any other means of transportation which is propelled by any power other than muscular power or wind,

but does not include

- (ix) motor boats, or
 - (x) any other vehicle exempted from all of the provisions of the Traffic Safety Act by the regulations;
- g) "Operator" means a person who drives or is on actual physical control of a vehicle;
- h) "Owner" means a person who owns, rents or has the exclusive use of that vehicle under a lease or for any period;
- i) "Peace Officer" means a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, or a Special Constable appointed pursuant to the provisions of the Police Act of Alberta;
- j) "Residential Area" means an area within the boundaries of a Hamlet that is zoned for residential use pursuant to the Municipal District's current Land Use Bylaw;
- k) "Roadway" means that part of a highway intended for use by vehicular traffic;
- l) "Street furniture" means every curb, sidewalk, pole, traffic sign, waste receptacle, tree, plant, grass, or any other property belonging to the Municipality that is capable of being marked, defaced or damaged in any way;
- m) "County" means the area contained within the boundaries of Mackenzie County;

Save as herein otherwise provided, the terms and expressions in this Bylaw have the same meaning as in the Traffic Safety Act, the Interpretation Act, and the Municipal Government Act respectively.

SECTION 4 OPERATION OF OFF-HIGHWAY VEHICLES

- a) No person shall operate an off-highway vehicle within the municipal boundaries of the Hamlet, except that
 - i) an operator of an off-highway vehicle is authorized to operate an off-highway vehicle on any alley or roadway to transport the off-highway vehicle by the most direct and shortest route of travel, from a residence to exit and to enter a Hamlet; or
 - ~~ii) the use is for the purpose of acquiring service or maintenance on the off-highway vehicle; or~~
 - ii) the use is within the areas of a Hamlet zoned for Hamlet General pursuant to the Municipal Land Use Bylaw; or
 - iii) The Council may, upon application from an association or society registered under the Societies Act whose mandate involves the operation of off-highway vehicles, approve the use of off-highway vehicles within the boundaries of the Hamlet for a specific period of time as a special event.

- b) No person shall operate an off-highway vehicle on any portion of a:
 - i) Recreation area,
 - ii) School ground,
 - iii) Park area,
 - iv) Developed or landscaped area,
 - v) Municipal airport including runway, airstrip, apron or other portion of the airport used for the movement of aircraft, or
 - vi) Private property without permission of the owner or occupant of such property, within the municipal boundaries of the Hamlet.

- c) ~~No person shall operate an off-highway vehicle for the purpose of acquiring service or maintenance in a Hamlet, except that~~
- ~~i) the operators primary employment is for the repair and maintenance of the off-highway vehicle in use, or~~
- ~~ii) the use is within the areas of a Hamlet zoned for Hamlet General pursuant to the Municipal Land Use Bylaw~~
- d) No person shall operate an off-highway vehicle anywhere within the municipal boundaries of the Hamlet between the hours of eleven (11) o'clock in the evening (p.m.) and seven (7) o'clock of the next forenoon (a.m.).
- e) No person shall operate an off-highway vehicle within the boundaries of the Hamlet in excess of:
- i) Twenty (20) kilometers per hour (12.4 miles per hour) on any alley, and
- ii) Thirty (30) kilometers per hour (18.6 miles per hour) on all highways within the boundaries of the Hamlet except an alley.
- f) No person shall in any way damage any street furniture on any highway or public place.
- g) The operator of, and passengers being carried or towed by, an off-highway vehicle within the Hamlet shall at all times wear a protection helmet, which has been CSA approved, when the off-highway vehicle is in motion.
- h) No person shall operate an off-highway vehicle in a manner that creates unnecessary noise.
- i) All off-highway vehicles must come to a complete stop before crossing a highway.
- j) All off-highway vehicles must adhere to all provincial and federal legislation.

SECTION 5 ENFORCEMENT PROVISIONS

- a) A person who contravenes any provision of this Bylaw is guilty of an offense.
 - i) The owner of an off-highway vehicle that is involved in a contravention of this Bylaw is guilty of any offense unless he or she proves to the satisfaction of the Judge that at the time of the offense the off-highway vehicle was not being driven or was not parked or left by him or any other person with his consent, express or implied.
 - ii) Notwithstanding sub-section b), if the owner was not driving the off-highway vehicle at the time the offense was committed, he is not in any event liable to imprisonment.
- b) A person who is guilty of an offense under Section 4 Subsection f), of this Bylaw is guilty of an offense and is liable on summary conviction to a fine of not less than one thousand (\$1,000.00) dollars plus reparations and in default of payment to imprisonment for a term not exceeding six (6) months.
- c) Except as otherwise provided in this Bylaw, a person who is guilty of an offense under this Bylaw for which a penalty is not otherwise provided is liable:
- d) For a first offense to a fine of not more than fifty (\$50.00) dollars and in default of payment to imprisonment for a term of not more than thirty (30) days, and
- e) For a second or subsequent offense, to a fine of not more than one hundred (\$100.00) and in default of payment to imprisonment for a term of not more than sixty (60) days.
- f) Nothing in Section 5, shall:
 - i) Prevent a person from exercising his right to defend any charge of contravening any provisions of this Bylaw, or

- ii) Prevent a Peace Officer from laying an information or complaint in lieu of serving a voluntary payment ticket.
- g) Where a Peace Officer believes that a person has contravened any provisions of this Bylaw other than Section 7, he may serve upon such a person a voluntary violation ticket allowing payment of the penalty specified in Section 5 Subsection f) of this Bylaw and such payment shall be accepted by the Municipality in lieu of the offense.

SECTION 6 SEIZURE OF OFF-HIGHWAY VEHICLE

- a) A Peace Officer who, on reasonable and probable grounds, believes that an offense under the provisions of this Bylaw has been committed may seize and detain an off-highway vehicle in respect of which the offense was committed until the final disposition of any proceedings that may be taken under this Bylaw.

SECTION 7 REPEAL

- a) This Bylaw shall replace Bylaw 594/06.

The provisions of this Bylaw shall become into full force and effect upon receiving third and final reading.

First Reading given on the _____ day of _____, 2007.

Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

Second Reading given on the _____ day of _____, 2007.

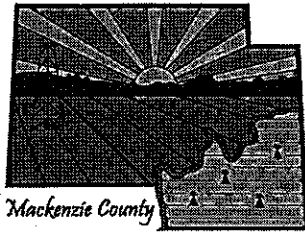
Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant

Third Reading and Assent given on the _____ day of _____ 2007.

Bill Neufeld, Reeve

Carol Gabriel, Executive Assistant



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Paul Driedger Director, Planning and Emergency Services
Title:	Utility Right of Way Closures

BACKGROUND / PROPOSAL:

At the July 25th, 2007 Council Meeting, Council requested that administration consider the closure of utility right of way lanes to all traffic within the Hamlets of La Crete and Fort Vermilion to reduce the amount of unnecessary ATV traffic.

OPTIONS & BENEFITS:

Options for the closure of the utility lanes could be completed by installing a single barrier in the middle of each lane and posting of signs stating "No Through Traffic". This would still allow for access by the adjacent land owners, utility companies, and for emergency services while preventing through traffic. For the most effective use the barriers should be adjacent to existing fences.


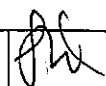
Concerns would be related to diverting more ATV traffic on Hamlet roads, however, this may also allow for a greater opportunity for education by enforcement agencies.

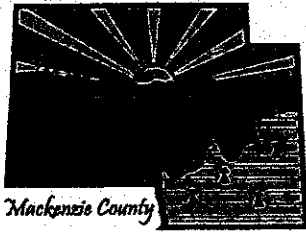
COSTS & SOURCE OF FUNDING:

Cost would be dependant on type of barrier and number of locations required and could be incorporated into the 2008 capital budget.

RECOMMENDED ACTION:

For discussion.

Author:	J. Gabriel	Review by:			
				 CAO	



**MACKENZIE COUNTY
REQUEST FOR DECISION**

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Paul Driedger, Director of Planning and Emergency Services
Title:	Zama Subdivision

BACKGROUND / PROPOSAL:

A local businessman from La Crete has expressed interest in purchasing land in Zama for the purpose of subdividing lots.

OPTIONS & BENEFITS:

Urban Systems is currently designing an industrial subdivision for Zama, which the County has committed to developing. Selling the land to a private developer to be subdivided would be beneficial to the municipality and would put land development in Zama on the same level as the other Hamlets.

COSTS & SOURCE OF FUNDING:

All costs to be borne by the developer.

RECOMMENDED ACTION:

~~MOTION 1~~ option 1:

That Administration enter into negotiations with Ernie Driedger for the sale of land in the Hamlet of Zama for the purpose of subdividing.

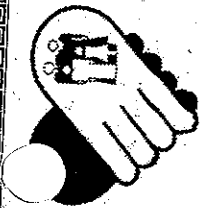
Option 2: (recommended)

That Administration request a proposal from the interested developer as described in the "Land Developers Wanted" advertising.

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: 

For
CAO 



The Victim Support Unit (VSU)
 is looking for an Assistant Coordinator for 20 hours a week to work out of Paddle Prairie. VSU provides support, information and referrals to individuals affected by crime and tragedy.

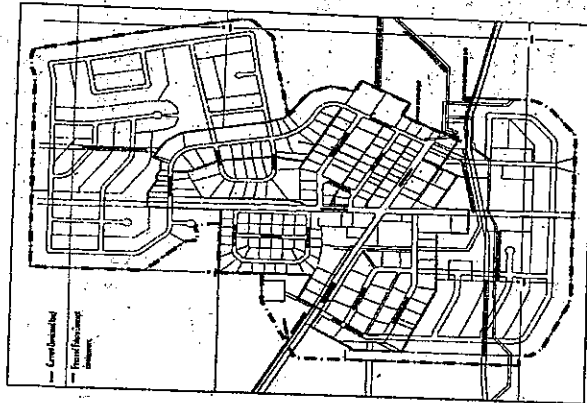
Wages between \$14 - \$16. Depending on experience and qualifications. Open until suitable candidate is found.

Fax your application to 926-3444, mail to Box 30 or drop off at the RCMP detachment. Call Cheryl @ 926-5000 for more information.

LAND DEVELOPERS WANTED!

ZAMA CITY, ALBERTA HAS LANDNEEDING TO BE DEVELOPED

Community Concept Plan

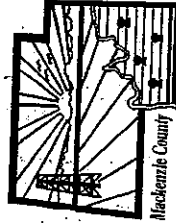


Mackenzie County is calling all interested developers to submit your Subdivision Development Proposal.

Please include with your proposal, items including:

- Amount of Land and Zoning required: (Industrial, Hamlet General and/or Residential)
- Outline of Development
- Timeline of Development
- Proposed Purchase Price for Land
- Finished Estimated Lot Prices

For more information, please contact the Director of Planning.



TEL - (780) 928-4993
FAX - (780) 928-4199

April 11, 2007

USED PRINTING PLATES FOR SALE

Aluminum Printing Plates available at

The Echo.
 Ideal for roofing, building repairs and many other applications for sheet metal.

Plate measures 35" x 23" x .008" (thickness).

.50 each or 100 for \$40.00!

CALL NOW!

926-2002

(DISPATCHER) (INEE)

The successful candidate should be energetic in good physical condition. A valid Drivers License is required.

Duties are to clean and service fishing tools. Liftin required. Computer skills would be an asset. Training will be provided. Drug and Alcohol Policy is in effect. Full benefits after three months.

Weatherford offers a competitive compensation and benefits package with opportunities for training and career development. If you enjoy a challenge and working with great people - make us a company choice. Please fax your resume to 926-4782 or drop off at our office located 9402-105 Avenue. No phone calls please.

Closing date for competition is April 30, 2007.

We thank all applicants for their interest however only those selected for interviews will be contacted.

EMPLOYMENT OPPORTUNITY

La Crete Co-op Limited is currently looking for a **Petroleum Driver** for the High Level location. This position requires a **full-time** commitment and will consist of delivering product to customers, facility and equipment maintenance. You will require a valid Class 3 driver's license with air brake endorsement and you must be willing to take additional training necessary to operate a fuel delivery unit. Any related experience will be an asset. Willing to train.

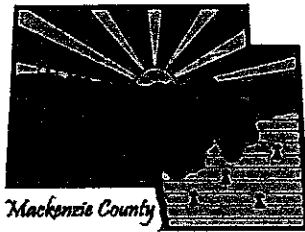
This full-time position comes with an attractive benefit package and competitive wages.

To apply, please submit resume to:

The General Manager
John R. Bruan
 10502 - 100 Street
 Box 60

La Crete, AB T0H 2H0
Phone: 928-3098 Fax: 928-3223
Email: johnb@lacreteco-op.com





MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Paul Driedger, Director of Planning and Emergency Services
Title:	Lots 29 & 28, Block 4, Plan 962 4275 in Zama

BACKGROUND / PROPOSAL:

On February 8, 2006 Council passed the following Motion 06-66:

That the MD of Mackenzie subdivision lots east of Tower Road in Zama, namely Plan 962 4275, Block 18, Lots 1-6 and adjoining Lots 7-12 and Plan 962 4275, block 4, Lot 29 be sold for \$1.00 per lot.

To date, all of these lots have been sold except for Lot 29, Block 4, Plan 962 4275 and the adjoining lot 28.

OPTIONS & BENEFITS:

Options:

Option 1

Administration recommends that Mackenzie County sells Lot 28 & 29, Block 4, Plan 962 4275 in Zama to the highest bidder.

Option 2

That the interested parties enter their names into a lottery to purchase the Lot 28 & 29, Block 4, Plan 962 4275 in Zama for \$1.00.

COSTS & SOURCE OF FUNDING:

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: _____

for
CAO

[Signature]

All costs will be borne by the applicant.

RECOMMENDED ACTION:

For Discussion

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: _____


CAO



_____200

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

Wednesday, February 8, 2006

Page 6 of 15

**8.1c) Integrated Land Use Planning – Terms
of Reference**

MOTION 06-65

MOVED by Councillor Braun

That the Terms of Reference for the Local Integrated Plan be approved as amended and presented.

CARRIED

ADDITION

8.1d) Land Sale - Zama Tower Road Development

MOTION 06-66

Requires Unanimous Vote

MOVED by Councillor Neudorf

That the MD of Mackenzie subdivision lots east of Tower Road in Zama, namely Plan 962 4275, Block 18, Lots 1-6 and adjoining Lots 7-12 and Plan 962 4275, Block 4, Lot 29 be sold for \$1.00 per lot.

CARRIED

**8.2 a) Borrowing Bylaw 540/06 – Zama Tower Road
Sewer Installation and Servicing**

MOTION 06-67

MOVED by Councillor Braun

That the funding for the approved 2006 Capital Zama Tower Road Sewer/Utility Connection project be amended as follows:

- \$275,000 by debenture, with cost recovery by imposing a local improvement charge; and
- \$35,000 from General Capital Reserve with the utility service connection fees imposed under Bylaw 548/06 placed back in to the General Capital Reserve upon collections.

CARRIED

MOTION 06-68

Bylaw 540/06
First Reading

MOVED by Councillor Froese

That first reading be given to Bylaw 540/06, being a bylaw authorizing a debenture borrowing in the amount of \$275,000 for Zama Tower Road Sewer Installation.

CARRIED

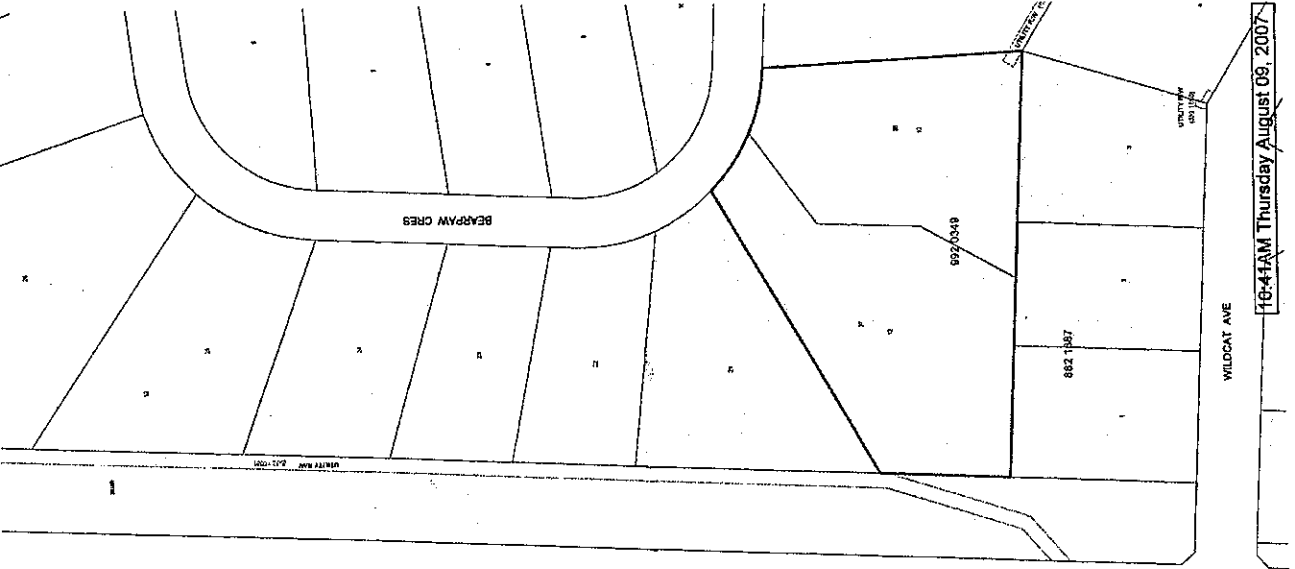
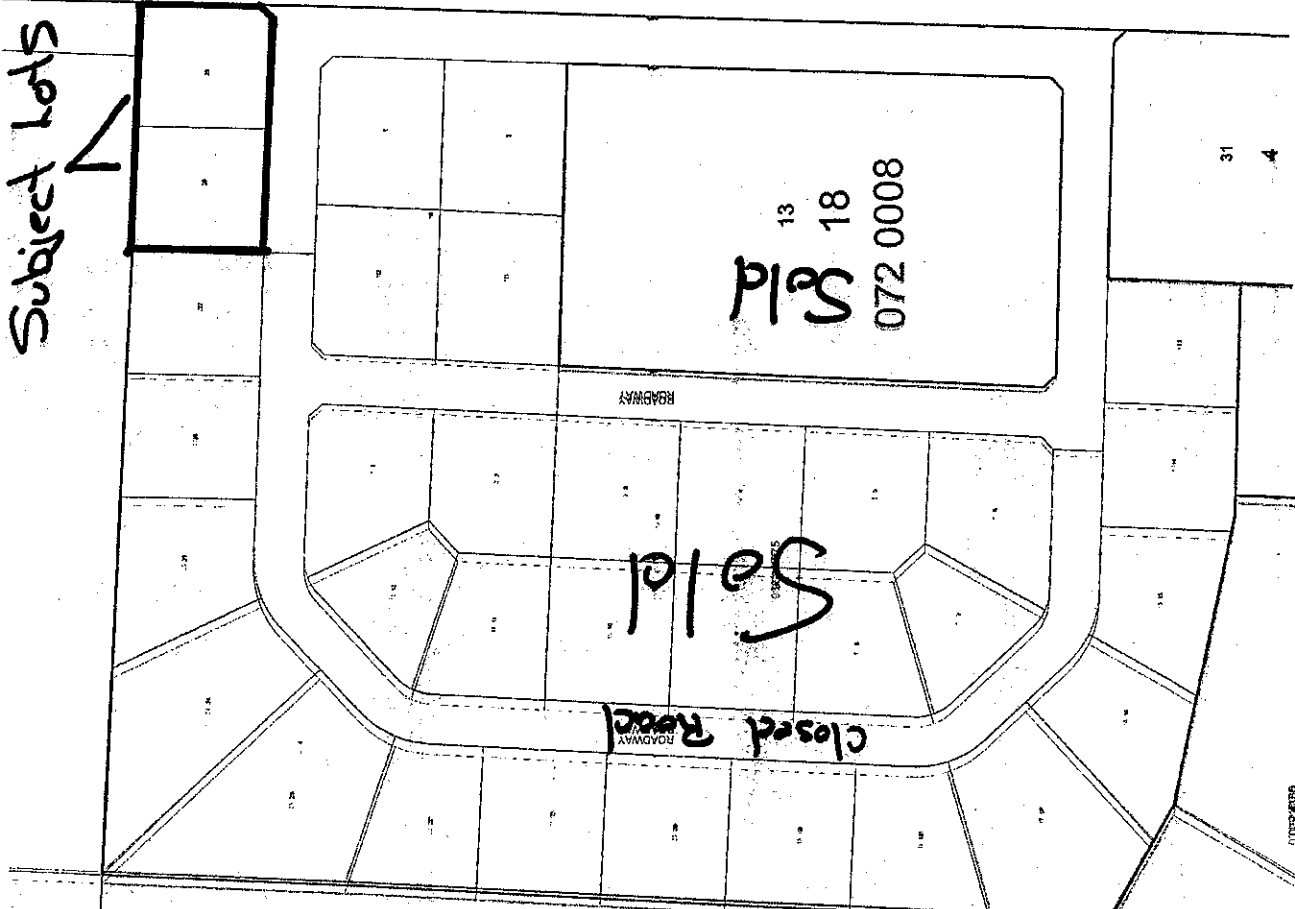
8.2 b) Mackenzie Applied Research Association

Address: 5500 Highway 100, Zamia City, Virginia

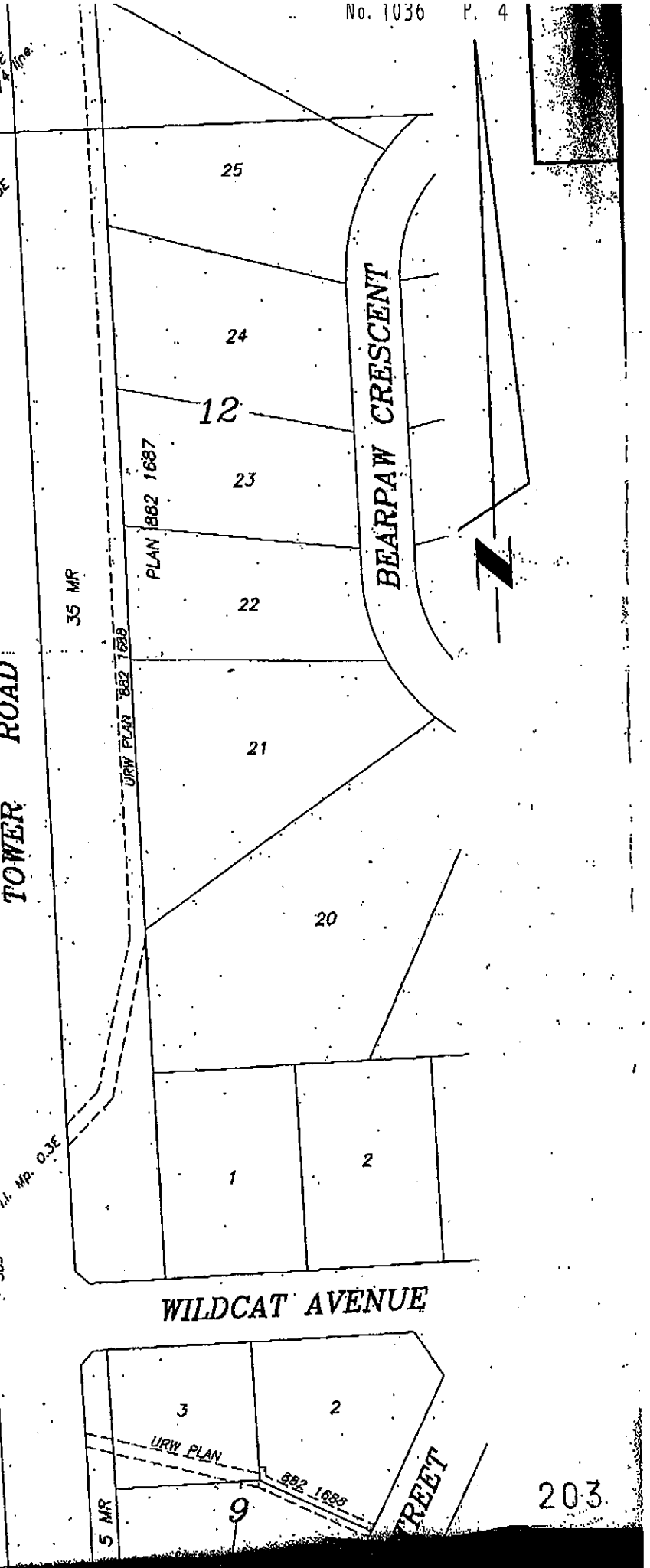
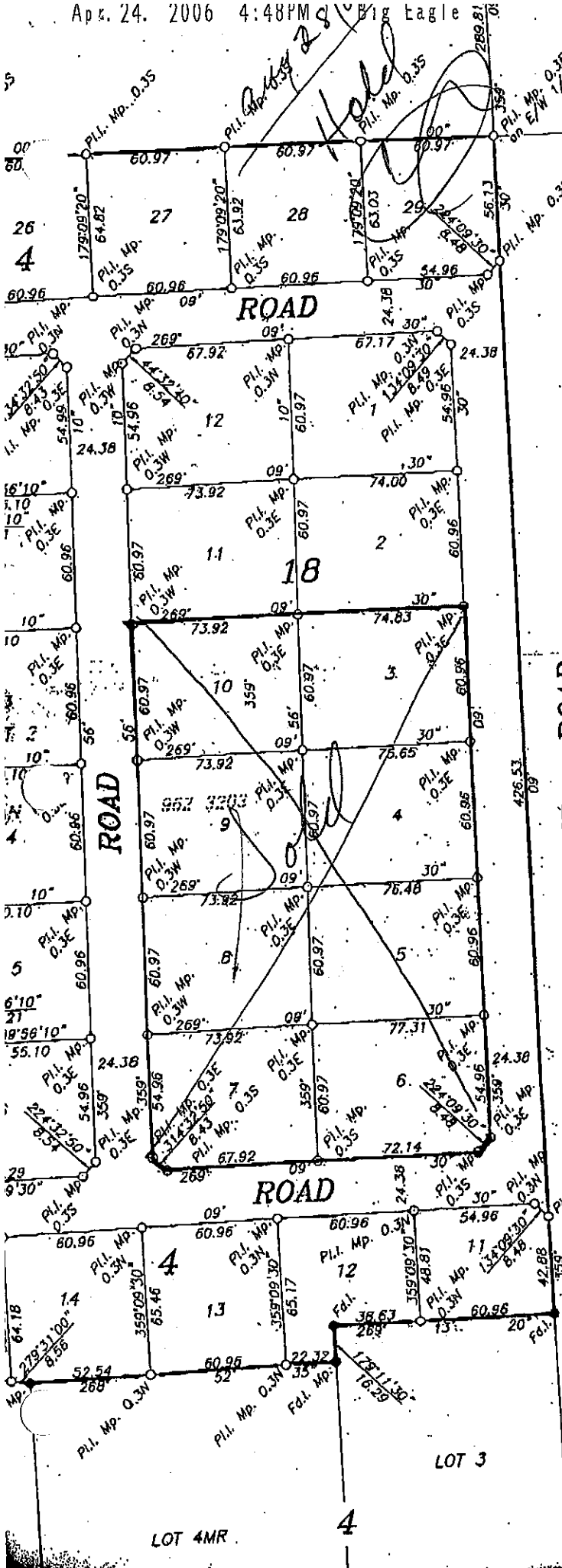
ZAMIA CITY

5500 Highway 100, Zamia City, Virginia

Subject Lots



10:41 AM Thursday August 09, 2007



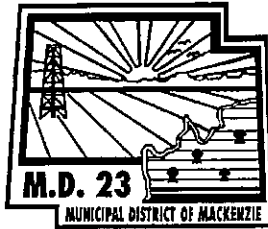
LOT 4MR

LOT 3

WILDCAT AVENUE

BEARPAW CRESCENT

203



M.D. of Mackenzie No. 23

Request For Decision

Agenda Item # _____

Meeting:	Regular Council Meeting
Meeting Date:	February 8, 2006
Presented By:	Eva Schmidt, Planning Supervisor
Title:	Sale of Zama Lots

BACKGROUND / PROPOSAL:

Council discussed the sale of MD lots along Tower Road in Zama at the budget meetings but no motion was made regarding how much the lots should be sold for.

DISCUSSION / OPTIONS / BENEFITS / DISADVANTAGES:

As you will recall, the MD will install water and sewer lines along the east side of the lots along Tower Road this year and charge the cost to the lots as frontage. Council discussed options to selling the lots and decided to service only those lots fronting Tower Road and anyone purchasing those lots would have the option to purchase the lot immediately to the west as well, as an unserviced lot.

If the lots are to be sold at assessed value, administration can proceed to sell the properties. However, if the lots are to be sold at less than assessed value Council needs to make a motion on what the lots will be sold for.

Council needs to be aware that selling the lots at less than assessed value could have negative impacts as other lands within the MD are not normally sold for less than assessed value. Assessed value for these lots are about \$6,000 per lot.

COSTS / SOURCE OF FUNDING:

N/A

RECOMMENDED ACTION:

That the MD of Mackenzie subdivision lots east of Tower Road in Zama be sold for \$_____ per lot.

Author: Eva Schmidt, Planning Supervisor	Review Date:	C.A.O.:
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MACKENZIE COUNTY
REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Paul Driedger, Director of Planning and Emergency Services
Title:	Development Permit 13-DP-07 Industrial Shop on SE 32-110-19-W5M (Inter-Municipal Development Plan Corridor)

BACKGROUND / PROPOSAL:

Administration was asked to bring Development Permit 13-DP-07 to Council as this permit is located within the Inter-Municipal Development Plan Corridor. The permit is for a shop to be used for a Salvage/Storage yard operation that was rezoned from Agricultural District 1 "A1" to Rural Industrial District 1 "RI1" in September 2002, prior to the passing of Bylaw 398/03 the Inter-Municipal Development Plan.

On January 25, 2007 a permit application was received for an industrial shop within the Inter-Municipal Development Plan corridor. Notification was sent to the Town of High Level and Alberta Infrastructure and Transportation (AIT) requesting comments. AIT responded requesting that the applicant submit a traffic impact study to assess the amount of traffic generated by the salvage/storage yard operation. The Town of High Level responded advising the County that generally all industrial development is to occur south of the Town of High Level. And that the Town would not permit water services to the development.

On February 27, 2007 permit 13-DP-07 was reviewed by the Municipal Planning Commission. The MPC did not approve the development permit but rather made a motion requiring the developer to provide a Traffic Impact Assessment (TIA) to assess the amount of traffic generated by the salvage/storage yard operation for Development Permit 13-DP-07 on SE 32-110-19-W5M in the name of Bill Jenkins.

Author: Eva Schmidt,
 Planning Supervisor

Reviewed by: ES hcao fw

A letter was sent to Mr. Jenkins on March 1, 2007 advising him of the MPC's decision. No response was received from either Mr. Jenkins or Alberta Infrastructure and Transportation (AIT).

On June 17, 2007 the Development Officer noticed that Mr. Jenkins had started construction of the proposed shop on SE 32-110-19-W5M. The Development Officer contacted Robert Lindsay inquiring if Alberta Infrastructure and Transportation (AIT) had received a Traffic Impact Assessment for this development.

Mr. Lindsay responded saying that he had a meeting on location with Mr. Jenkins in May to assess the operation. It was noted that the amount of traffic generated by the business did not meet the required 100 vehicles per day that would warrant road improvements. Alberta Infrastructure and Transportation issued a roadside development permit on May 25, 2007 (See Attached). The Planning Department had not been made aware of these developments, therefore the County had not approved the development permit.

OPTIONS & BENEFITS:

The decision can now be made on Development Permit 13-DP-07 as it no longer requires the Traffic Impact Assessment study. However with the current issues between the Town of High Level and Mackenzie County it was determined that this application be brought to Council for a decision instead of the MPC.

The shop has been constructed without an approved Development Permit and the Planning Department has been unable to contact Bill Jenkins.

Options

Council may wish to consider the following options:

Option 1

That Development Permit 13-DP-07 for the construction of a shop on SE 32-110-19-W5M be tabled pending written approval from the Town of High Level.

Option 2

That Development Permit 13-DP-07 on SE 32-110-19-W5M in the name of Bill Jenkins Enterprise Ltd. be approved subject to the following conditions:

1. Minimum building setbacks: 41.15 meters (135 feet) from any road allowances and 15.24 meters (50 feet) from any quarter line.

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: _____

for
CAO

2. The architecture, construction materials and appearance of the shop shall be to accepted standards and shall compliment the natural features and character of the site and neighbourhood.
3. All conditions and setback requirements by Alberta Infrastructure and Transportation are to be met to their specifications and standards.
4. Provide adequate buffering (trees or fence) so the Shop cannot be seen from the road.
5. At all times, the privacy of the adjacent dwellings shall be preserved and the Shop shall not unduly offend the surrounding residents by way of excessive lighting, noise, traffic, congestion, late visitations by clients, etcetera.
6. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.
7. **PRIOR** to installation of a new access or changing location of existing access contact Alberta Infrastructure and Transportation at (780) 624-6280. Access to be constructed to Alberta Infrastructure and Transportation standards.

COSTS & SOURCE OF FUNDING:

All costs will be borne by the applicant.

RECOMMENDED ACTION:

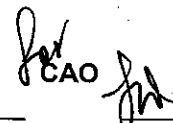
Option 1

That Development Permit 13-DP-07 for the construction of a shop on SE 32-110-19-W5M be tabled pending written approval from the Town of High Level.

Author: Eva Schmidt,
Planning Supervisor

Reviewed by:



 CAO

207

7.34 RURAL INDUSTRIAL DISTRICT 1 "RI1"

The general purpose of this district is to accommodate industrial buildings and uses which are deemed better suited to rural rather than urban areas.

A. PERMITTED USES

- (1) Extensive Agriculture and farm buildings.

B. DISCRETIONARY USES

- (1) Agricultural supply depot.
- (2) Bulk fertilizer sales.
- (3) Bulk fuel storage.
- (4) Bulk propane sales.
- (5) Contractor's business.
- (6) Fertilizer sales.
- (7) Industrial Camps
- (8) Maintenance Yard.
- (9) Manufacturing firm.
- (10) Natural resource extraction industry.
- (11) Oil and gas servicing.
- (12) Public use.
- (13) Petroleum facility.
- (14) Salvage/storage yard.
- (15) Security suite.
- (16) Sewage lagoon, sewage treatment plant.
- (17) Mobile/Modular Home (Manufactured) Sales.

C. MINIMUM LOT SIZE

0.8 hectares (2 acres) unless otherwise required by the Development Officer.

D. MINIMUM TOTAL FLOOR AREA

92.9 square metres (1000 square feet) or as required by the Development Officer.

E. MINIMUM FRONT YARD SETBACK

As specified by the local road authority, but in no case less than 41.1 metres (135 feet) from the edge of the highway right of way.

F. MINIMUM DEPTH OF SIDE YARD

15.24 metres (50 feet)

G. MINIMUM REAR YARD SETBACK

7.6 metres (50 feet).

H. THE DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS

Buildings may be of new construction or moved in. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Officer.

I. ON-SITE PARKING

In accordance to the provisions in Section 4.28 of this Bylaw.

J. LOCATION CRITERIA

Rural industrial development shall be located where possible along highway corridors or identified collector roads.

K. ON-SITE PARKING

In accordance to Section 4.28 of this Bylaw.

L. LANDSCAPING

In accordance to Section 4.23 of this Bylaw.

Liane Lambert

From: Liane Lambert [llambert@md23.ab.ca]
Sent: Wednesday, June 20, 2007 3:43 PM
To: Eva Schmidt
Subject: FW: Bill Jenkins - West of Highway 35 in SE 32-110-19-W5M
Attachments: 51911032SE Jenkins.doc

Hi Eva

The other day on my way out to Hutch Lake I noticed that Mr. Bill Jenkins has started to build his proposed shop. Development permit 13-DP-07 was taken to the MPC was back on Feb27, 2007. The MPC requested that Mr. Jenkins was to comply with AIT and submit a TIA prior to the County approving his permit.

I asked Rob if he had received the TIA and this is his response.

Do we issue the permit now?

Liane

From: Robert Lindsay [mailto:Robert.Lindsay@gov.ab.ca]
Sent: Wednesday, June 20, 2007 2:56 PM
To: Liane Lambert
Subject: RE: Bill Jenkins - West of Highway 35 in SE 32-110-19-W5M

Hi Liane,

No we did not, but I was up and met with Bill on site in May and looked at his operation. The had two employees and 1 or 2 big trucks per day and the mobile home on his site. Bill said his neighbour on the same access has not operated his trucking outfit this year & the last couple of years his work was in Grande Prairie so there was only residential traffic. Bill said he wanted to buy his neighbor's property and possibly use it to house one of his employees at this site.

This looks like a relatively low traffic operation

- 2 employees @ 4 vehicle movements per day each
- 2-4 big truck movements per day
- 2 residential buildings with 9-10 vehicle movements per day
- + a few trips for Bill to check on the site and occasional shipments of processed material out to the scrap metal yard in Edmonton.

Improvements are not warranted until there are 100 vehicle movements per day on the access which isn't there. A TIA is not warranted at this time as there is only about 40 trips per day now. If one thought he low balled his business traffic, you could multiply what he said his operations were by six and, with the houses, it would still be less than 100 trips per day.

The department issued a roadside development permit for this development (and the other things he did without a permit in the past) on May 25. If he expands or other development adds traffic to the access, this should be looked at again.

Alberta Infrastructure and Transportation

Robert Lindsay

Development and Planning Technologist
Operations - Peace River
Peace Region

Bag 900 - Box 29
Peace River, Alberta T8S 1T4

✉ Email : Robert.Lindsay@gov.ab.ca
☎ Phone : (780) 624-6280
☎ Fax : (780) 624-2440
<http://www.trans.gov.ab.ca>

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From: Liane Lambert [<mailto:llambert@md23.ab.ca>]
Sent: Wednesday, June 20, 2007 2:32 PM
To: Robert Lindsay
Subject: Bill Jenkins

Hi Rob

A quick question for you, have you ever received a traffic assessment study for this proposed development by Bill Jenkins?

LIANE LAMBERT
Mackenzie County
4511-46th Avenue
P.O. Box 640
Fort Vermilion AB
T0H 1N0
Phone (780) 927-3718
Fax (780) 927-4266

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail.

May 25, 2007

Our File: 2512 (5-19-110-32 SE)

Mr. Bill Jenkins
Box 1410
High Level, Alberta
T0H 1Z0

Dear Mr. Jenkins:

Re: Proposed Construction of 60'X 100' Shop, Industrial Recycling Facility, Existing Truck Scale, Mobile Home, Dugout And Use of Existing Direct Highway Access; West of Highway 35; SE 32-108-13-W5M; Mackenzie County

Attached is Permit No. 2007-14-077 issued under Highway Control Regulations authorizing the above noted development. **This permit is subject to conditions shown on the permit, which should be carefully reviewed.** This permit does not excuse violation of any Regulation, By-Law or Act, which may affect the proposed project.

Please call me at Peace River, telephone (780) 624-6280, if you have any questions regarding this matter.

Yours truly,

Brian Hensman
Assistant Development & Planning Technologist

BH/sc
Attachments

cc: Bill Kostiw, CAO, Mackenzie County No. 23, Fort Vermilion
Rommel Directo, Alberta Infrastructure and Transportation, High Level
Glen Tjostheim, Alberta Infrastructure and Transportation, Edmonton

S: PUBLIC Operation\J.SERS Robert 2007 Development\2512.per Hwy 35\51911032SE Jenkins.doc

(To be completed by Alberta Infrastructure and Transportation)

**ROADSIDE DEVELOPMENT APPLICATION APPROVAL
FOR DEVELOPMENT NEAR A PRIMARY HIGHWAY**

PERMIT CONDITIONS: (*Note:* This permit is subject to the provisions of Section 23-27 inclusive of the Public Highways Development Act, Chapter P38 RSA 2000, amendments thereto, and Highway Development Control Regulations (Alberta Regulation 242/90) and amendments thereto).

A. ACCESS CONDITIONS: (*Note:* All highway accesses are to be considered temporary.) No compensation shall be payable to the applicant or his assigns or successors when the department removes or relocates the temporary access or if highway access is removed and access provided via service road.

1. Permit authorises temporary use only of the existing access at location shown..
2. The applicant shall maintain any highway access to the Operation Manager's satisfaction.
3. Approval of companies having buried utilities shall be obtained prior to access upgrading.

B. SETBACK CONDITIONS: (*Note:* Minimum setbacks usually allow for anticipated highway widening and construction of a service road parallel and adjacent to the highway).

1. The proposed **Shop and Facilities** are to be set back a minimum **40** meters from the highway property line or **70** meters from the highway centreline, whichever is the greater.
2. The department accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof.

C. OTHER CONDITIONS:

1. This permit is issued subject to approval of **Mackenzie County**.
2. This permit approves only the development contained herein, and a further application is required for any changes or additions.
3. The department is under no obligation to re-issue a permit if the development is not completed before expiry of this permit.
4. **Robert Lindsay at 624-6280** shall be notified before construction commencement.
(Development & Planning Technologist & Phone No.)
5. The Applicant shall not place any signs contrary to Alberta Regulation 242/90. The separate SIGN APPLICATION form shall be submitted for any proposed sign.
6. See attached conditions forming part of this permit

Permission is hereby granted to **Bill Jenkins** to carry out the development in accordance with the plan(s) and specifications attached hereto and subject to the conditions shown above.

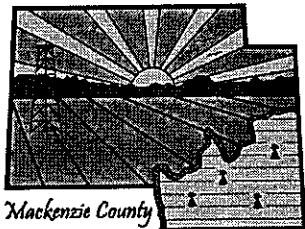
If the development has not been carried out by the **25th day of May 2008** this permit lapses and the applicant must re-apply for a new permit if they wish to proceed.

PERMIT NO. **2007-14-077**
FILE NO. **5-19-110-32 SE**
DATE **May 25, 2007**

SIGNED _____
TITLE **Jamshid Yazdani, Operations Engineer**
(for Deputy Minister)

ADDITIONAL CONDITIONS

7. The applicant shall indemnify and hold harmless Alberta Infrastructure and Transportation, its employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly from anything done or omitted to be done in the construction, maintenance, alteration, or operation of the work authorized.
8. The applicant must contact all utility companies for the location of their facilities and ensure he and/or his agents know of the location of the various utility installations. The applicant is responsible for costs of all investigation/location, modification, and/or repairs to utility installations near or beneath any construction or deconstruction.



Mackenzie County

Request For Decision

Agenda Item # _____

Meeting:	Municipal Planning Commission
Meeting Date:	February 27, 2007
Presented By:	Eva Schmidt, Planning Supervisor
Title:	13-DP-07 Bill Jenkins (High Level Rural)

DEVELOPMENT PERMIT APPLICATION:

DEVELOPER: Bill Jenkins

LEGAL: SE 32-110-19-W5M
(Intermunicipal Development Plan Corridor)

REQUESTED DEVELOPMENT: Shop

ZONING: Rural Industrial District 1 "RI1"

DISCUSSION:

A shop is not listed under discretionary or permitted uses in Rural Industrial District 1 "RI1". The purpose of the shop is to house equipment used in the salvage/storage yard which is allowed under discretionary uses in Rural Industrial District 1 "RI1".

SE & SW 32-110-19-W5M was rezoned in 2002 from Agricultural District 1 to Rural Industrial District 1 to allow for the operation of a large salvage/storage yard operation. This rezoning was approved prior to the Intermunicipal Development Plan established on October 2003. The Intermunicipal Development Plan specifies that all industrial development will generally be located to the south of the Town of High Level and this was reiterated in the Town of High Levels comments received on February 7, 2007.

Alberta Infrastructure and Transportation was also asked to provide comments as the proposed shop is adjacent to, and would be accessing from Highway 35. An email was received February 8, 2006 from AIT indicating that they don't have an issue with the development as long as any impact on Highway 35 is mitigated at no cost to AIT. Alberta Infrastructure and Transportation requests that the County provide a traffic impact assessment study to address the traffic generated by the existing and proposed development. Since this Traffic Impact Assessment is required due to the proposed development, it is the responsibility of the developer to conduct the study and any road upgrades resulting from the study.

Approval: Notice of Decision is attached for approval.

RECOMMENDED ACTION:

That the developer provide a traffic impact assessment (TIA) to assess the amount of traffic generated by the salvage/storage yard operation for Development Permit 13-DP-07 on SE 32-110-19-W5M in the name of Bill Jenkins.



Development Permit Application

APPLICANT INFORMATION

I/We hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the supporting information submitted which will form part of this application.

I/We understand that this application will not be accepted without the following: (a) appropriate development information.
\$25 (residential, farm, public institution)
\$50 (commercial, industrial, home based business)

Name of Applicant	Mailing Address	Postal Code	Phone Number
BILL JENKINS ENT. LTD	P.O. Box 1410, HIGH LEVEL, AB	T0H 1Z0	026-3999

Registered Landowner	Mailing Address	Postal Code	Phone Number
BILL/LAURETA JENKINS	Box 1410, HIGH LEVEL, AB	T0H 1Z0	841-1027

QTR./L.S.	SEC	TWP	RG	M	PLAN NO.	BLK	LOT	Civic Address
SE	32	110	19	5				

Quarter Section
 Hamlet Lot
 Acreage / Size: 70
 MLL/MSL/TFA

What is the property currently being used for: INDUSTRIAL

The proposed development is for: Commercial Industrial Residential Farm Home Occupation Other

Description of proposed development: SHOP TO HOUSE EQUIPMENT CURRENTLY ON SITE.

The property is adjacent to a: Street/Avenue Provincial Highway Local (MD) Road No Road

Proposed commencement and completion of development: Start Date: MARCH 30/07 End Date: AUG 30/07

Square footage of development: 6000 Length: 100' Width: 60'

Approximate construction value (if applicable): \$

DECLARATION

I/We hereby declare that the information on this application is, to the best of my/our knowledge, factual and correct.

<u>BILL JENKINS ENT. LTD</u> Permit Applicant Name (Please print)		<u>22 JAN 07</u> Date
--	--	--------------------------

<u>LAURETA JENKINS</u> Land Owner Name (Please print)		<u>22 JAN 07</u> Date
--	--	--------------------------

NOTE: The signature of the Registered Land Owner is required if the applicant is not the registered landowner. The signing of this application, by the applicant and/or registered landowner, grants permission for necessary inspections of the property to be conducted by authorized persons of Mackenzie County.

For Administrative Use Only

Development Permit Application No: B-2007 Date Received: Jan 24/07 Accepted:

Land Use Classification: RII Tax Roll No: 076241

Proposed Use of land or Building: Industrial

Development Application Fee Enclosed: Yes No Amount \$50.00 Receipt No: 69322

La Crete Office: P.O. Box 1690 La Crete AB T0H 2H0 Phone: (780) 928-3983 Fax: (780) 928-3636
Email: mkrahn@md23.ab.ca, eschmidt@md23.ab.ca
Fort Vermilion Office: P.O. Box 640 Fort Vermilion AB T0H 1N0 Phone: (780) 927-3718 Fax: (780) 927-4266
Email: lambert@md23.ab.ca



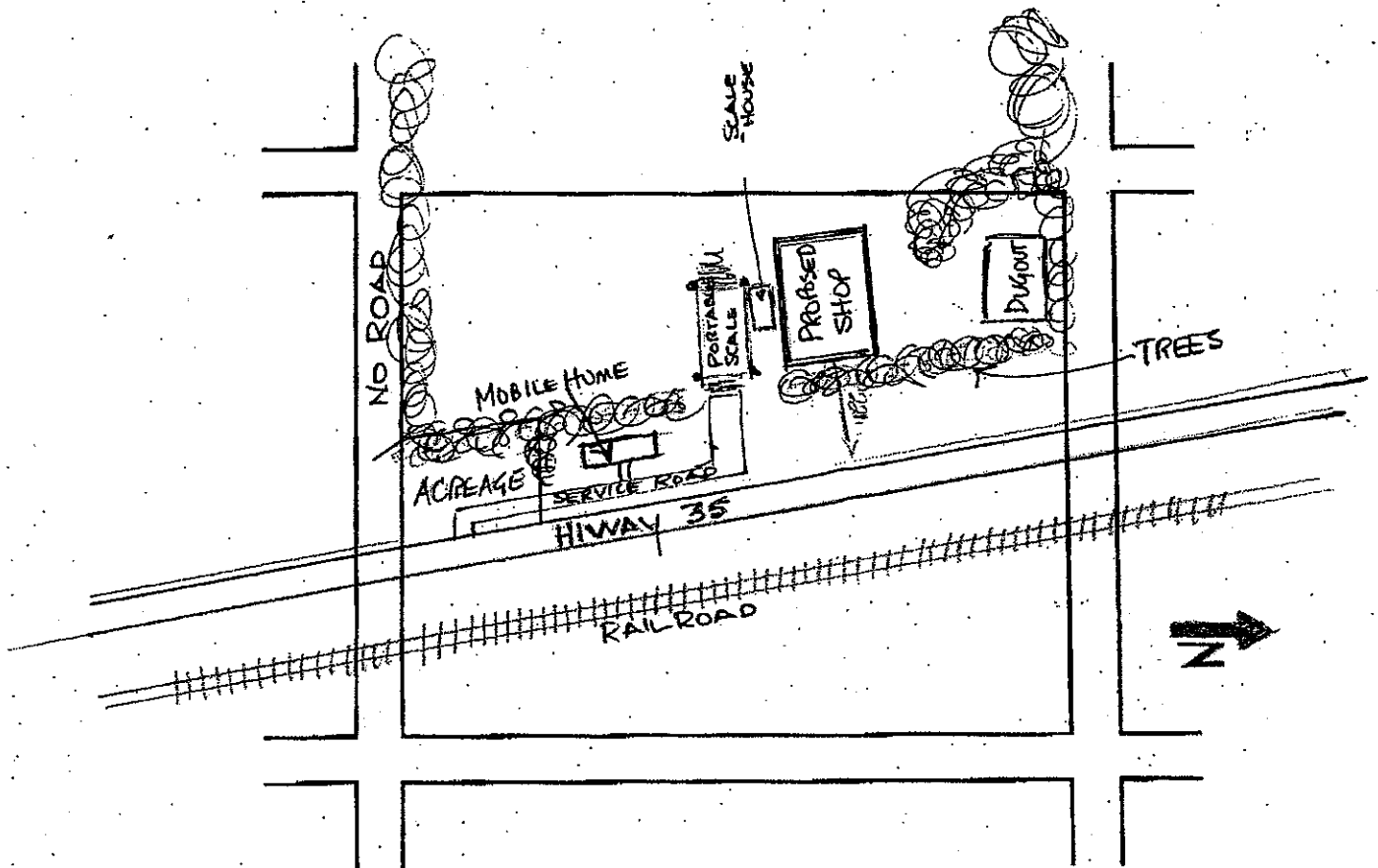
Development Permit Application

SITE PLAN

QTR./L.S.	SEC	TWP	RG	M	PLAN NO.	BLK.	LOT	Size of Parcel
SE	32	110	19	5				ac. ha.

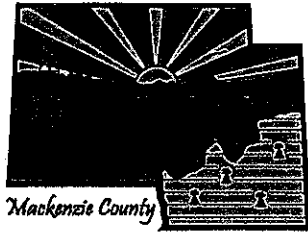
Date of site plan: JAN 22 - 2007

Remarks: _____



Information Checklist for site plan

- | | |
|--|--|
| — location of existing buildings from property lines | — location of proposed buildings from property lines |
| — location of access/driveway, and distance from intersections | — ravines, creeks, lakes, slough, and any other water bodies |
| — location of shelterbelts and/or treed areas | — location of road(s), road allowances |
| — location of parking and loading areas | — length and width of property |



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Paul Driedger, Director of Planning and Emergency Services
Title:	Encroachments

BACKGROUND / PROPOSAL:

The Planning and Development Department received a development permit for the construction of a three foot fence that has been partially construction on a portion of a Mackenzie County Road Plan in the Hamlet of La Crete. This development permit was presented to the Municipal Planning Commission (MPC) at their August 1st, 2007 meeting where it was tabled for further research to determine whether the fence could be allowed to remain on the property with a caveat registered on the landowners' title.

A fence that is a maximum of three feet in height for the front yard (including the first 25 feet of the side yard) and no more than six feet in height for the remainder of the side yards and rear yard does not require a development permit in accordance with the Mackenzie County Land Use Bylaw, section 3.3.3. The proposed development is a three foot fence that is partially placed, about 4 feet, onto a Mackenzie County Road Plan.

The developer, Henry Martens, applied for a development permit on July 25th, 2007 at which time he discussed the proposed development with the Development Officer. Mr. Martens indicated that he intended to fence a portion of the land lying between his property line and the curb in order to keep his neighbour's children from playing in that area. The Development Officer informed Mr. Martens that he cannot construct his fence on someone else's property. Mr. Martens expressed his desire to construct it there anyway regardless of whether or not he is allowed. The developer was informed that if he wants to construct the fence on the Mackenzie County road plan the matter would have to be presented to the Municipal Planning Commission for consideration. The developer stated that he would see what he would do.

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: 

CAO

A site inspection on July 30th, 2007 revealed that the fence had been constructed and appeared to be partially encroaching onto the road plan. The development department contacted the developer to enquire about the placement of the fence and the developer indicated that the front (east) was on his property and that the side (south) was 4 feet past his property line. The development department informed the developer that his development permit would be presented to the Municipal Planning Commission for a decision. A letter has been sent to the developer informing him that the matter was tabled by the MPC.

OPTIONS & BENEFITS:

Legal counsel has since been contacted and their recommendation is to enter into an encroachment agreement with the developer if the County is in favour of allowing the fence to remain on the road plan. Legal counsel also indicated that the MPC is not able to approve an encroachment agreement and as a result this matter is presented to Council for review and consideration.

The Municipal Government Act, section 651.2 states:

Encroachment agreements

651.2(1) In this section, "encroachment agreement" means an agreement under which a municipality permits the encroachment onto a road that is under the direction, control and management of the municipality of improvements made on land that is adjoining that road.

(2) Despite the *Land Titles Act* or any other enactment, a municipality may register a caveat under the *Land Titles Act* in respect of any encroachment agreement entered into by the municipality with the registered owner of a parcel of land that adjoins a road that is under the direction, control and management of the municipality.

(3) A caveat registered pursuant to subsection (2)

(a) shall be registered against the certificate of title to the parcel of land

(i) that is adjoining the road, and

(ii) that was issued to the person who entered into the encroachment agreement with the municipality,

(b) has the same force and effect as if it had been an encroachment agreement registered under section 72 of the *Land Titles Act*,

(c) may be discharged only by the municipality or an order of a court, and

(d) does not lapse pursuant to the provisions of the *Land Titles Act* governing the lapsing of caveats.

1999 c11 s43

Author: Eva Schmidt,
Planning Supervisor

Reviewed by:



CAO

222

In accordance with the Municipal Government Act, Mackenzie County could enter into an encroachment agreement with the landowner/developer and caveat the agreement onto the title to ensure that if the land is sold that the new owner is aware that a portion of the fence is located on County property. A concern regarding permitting one encroachment agreement is that it may set precedence and become a frequent request. Granting an encroachment agreement for this development, which was in contravention to the Mackenzie County Land Use Bylaw, may encourage other developers to assume that they can go ahead with construction of an unauthorized development and that they will be able to get permission for the development after it is completed. *

The fence constructed by Henry Martens does not present a visibility concern.

If Council decides to allow the fence to remain with an encroachment agreement consideration needs to be given to who would bear the cost of drafting the agreement as it would need to be completed by legal counsel. As it is the developer who requires the encroachment it should be the responsibility of the developer to pay for the legal costs associated with the encroachment agreement.

OPTIONS:

OPTION 1:

That Mackenzie County allow an encroachment agreement at the Developer's cost for Development Permit 217-DP-07 on Plan 032 1401, Block 29, Lot 1, in the name of Henry and Trudy Martens, for the placement of the fence four feet onto a municipal road plan; that the encroachment agreement be registered on the title by caveat and that all future requests for encroachment agreements be reviewed individually.

OPTION 2:

That Mackenzie County deny all encroachment agreement requests including Development Permit 217-DP-07 on Plan 032 1401, Block 29, Lot 1, and that the fence be required to be removed from the road plan and placed on the landowners property.

COSTS & SOURCE OF FUNDING:

All costs will be borne by the applicant.

RECOMMENDED ACTION:

OPTION 1:

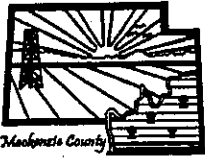
That Mackenzie County allow an encroachment agreement at the Developer's cost for Development Permit 217-DP-07 on Plan 032 1401, Block 29, Lot 1, in the name of Henry and Trudy Martens, for the placement of the fence four feet onto a municipal road plan; that the encroachment agreement be registered on the title by caveat and that all future requests for encroachment agreements be reviewed individually.

for discussion.

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: *JA*

for
CAG
JA



Development Permit Application

APPLICANT INFORMATION

I/We hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the supporting information submitted which will form part of this application.

I/We understand that this application will not be accepted without the following: (a) appropriate development information
\$25 (residential, farm, public institution)
\$50 (commercial, industrial, home based business)

Name of Applicant	Mailing Address	Postal Code	Phone Number
Henny + Trudy Martens	Box 1140 La Crete	T0H 2H0	841-9749

Registered Landowner	Mailing Address	Postal Code	Phone Number
same			

QTR./L.S.	SEC	TWP	RG	M	PLAN NO.	BLK	LOT	Civic Address
					0321401	29	1	10502-112 Street

Quarter Section
 Hamlet Lot
 Acreage / Size
 MLL/MSL/TFA

What is the property currently being used for: residential

The proposed development is for: Commercial Industrial Residential Farm Home Occupation Other

Description of proposed development: construct fence

The property is adjacent to a: Street/Avenue Provincial Highway Local (County) Road No Road

Proposed commencement and completion of development: Start Date: July 25/07 End Date: July 31/07

Square footage of development: Length: Width:

Approximate construction value (if applicable): \$ 4000.00

DECLARATION

I/We hereby declare that the information on this application is, to the best of my/our knowledge, factual and correct.

<u>Henny Martens</u> Permit Applicant Name (Please print)	<u>[Signature]</u> Permit Applicant Signature	<u>July 30/07</u> Date
--	--	---------------------------

<input type="text"/> Land Owner Name (Please print)	<input type="text"/> Signature of Land Owner	<input type="text"/> Date
--	---	------------------------------

NOTE: The signature of the Registered Land Owner is required if the applicant is not the registered landowner. The signing of this application, by the applicant and/or registered landowner, grants permission for necessary inspections of the property to be conducted by authorized persons of Mackenzie County.

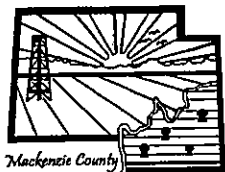
For Administrative Use Only

Development Permit Application No: 217-DR-07 Date Received: July 25/07 Date Accepted: July 30/07

Land Use Classification: HR1A Tax Roll No: 076438

Proposed Use of land or Building: Residential - fence

Development Application Fee Enclosed: Yes No Amount \$ 25.00 Receipt No: 80040



Development Permit Application

SITE PLAN

QTR./L.S.	SEC	TWP	RG	M	PLAN NO.	BLK.	LOT	Size of Parcel
								ac. ha.

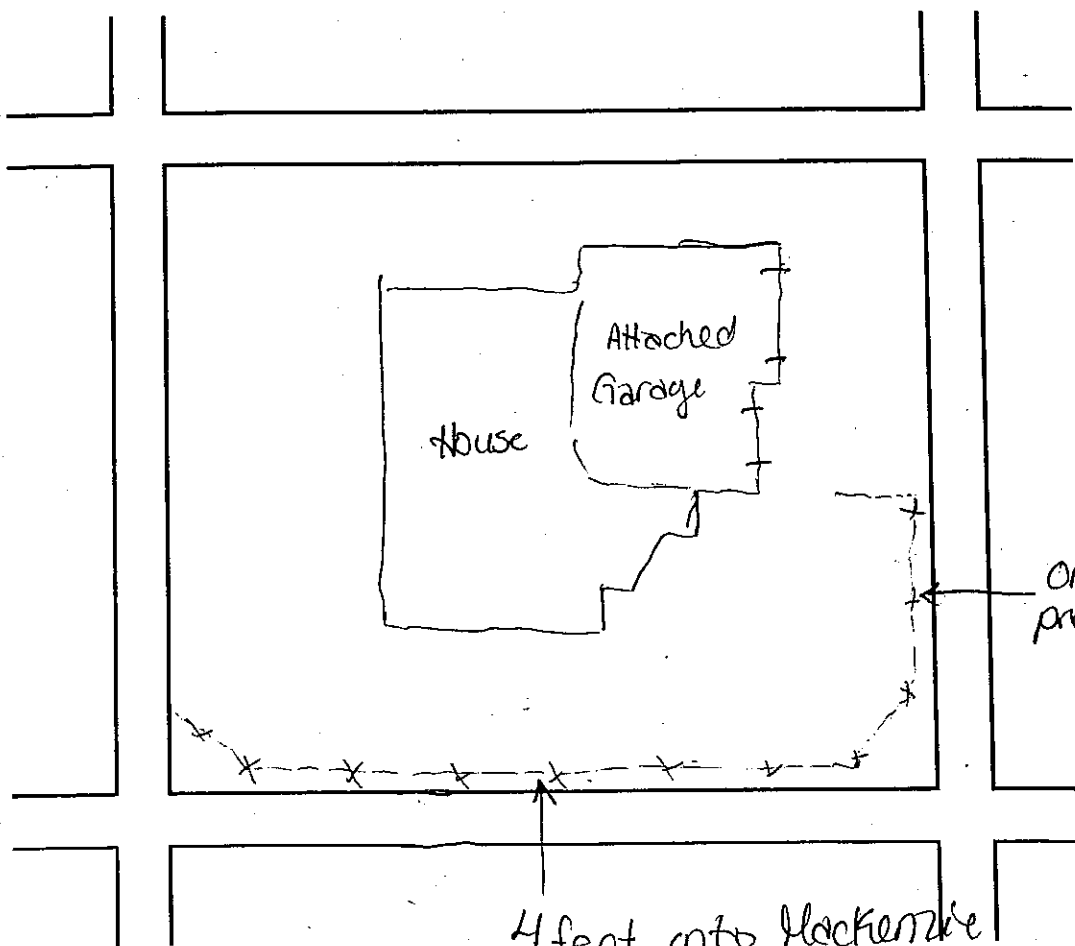
or

Date of site plan: _____

Remarks: _____



N



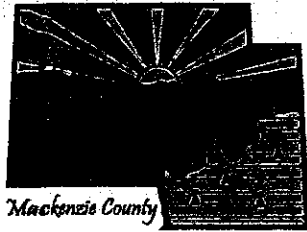
Information Checklist for site plan

- location/distance of existing buildings from property lines
- location of access/driveway, and distance from intersections
- location of shelterbelts and/or treed areas
- location of parking and loading areas

- location/distance of proposed buildings from property lines
- ravines, creeks, lakes, sloughs, and any other water bodies
- location of road(s), road allowances
- length and width of property

4 feet into Mackenzie
County's Road Plan.

on landowner
property



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Paul Driedger, Director of Planning and Emergency Services
Title:	Sewer Lift Station for Northeast Part of La Crete

BACKGROUND / PROPOSAL:

A portion of NE 10-106-15-W5M, within the boundaries of La Crete, is currently being subdivided into commercial and industrial lots. The existing lift stations in La Crete are unable to service this quarter section so either the developer or the County will need to construct a lift station to service this subdivision.

OPTIONS & BENEFITS:

The developer had Focus Corporation calculate options for lift stations at two separate locations. Cost recovery for the different options has been calculated at the dollar amount divided by the acres serviced, which is what would be charged back to the landowner on a per acre basis if the County funds the lift station:

- one is on NE 10-106-15-W5M and would have limited area coverage:
 - 7.2 meters at an estimated cost of \$331,500.00 (247 acres @ \$1342.11)
 - 8.2 meters at an estimated cost of \$354,500.00 (354 acres @ \$1001.42)
 - 9.2 meters at an estimated cost of \$387,100.00 (463 acres @ \$836.07)

- the other is on NW 11-106-15-W5M and constructed at a 9.2 meter depth would provide maximum area coverage:
 - 7.2 meters at an estimated cost of \$439,300.00 (396 acres @ \$1109.35)
 - 8.2 meters at an estimated cost of \$461,100.00 (523 acres @ \$881.65)
 - 9.2 meters at an estimated cost of \$594,100.00 (569 acres @ \$1044.12)

The number of acres and cost recovery amount on NW 11-106-15-W5M at 9.2 meters is a best guess scenario as part of the serviceable area is outside of the current Hamlet

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: ed

[Signature]
CAO

boundaries and Focus has only taken into consideration the current Hamlet boundaries. It would seem reasonable that if the total amount of serviceable acres were taken into consideration that the lift station at 9.2 meters would be considerably less.

The developer has indicated that if the construction of the lift station is his responsibility then he will fund and construct it on NE 10-106-15-W5M to a depth of 7.2 meters which is the minimum depth allowed and will basically only serve his quarter section of land.

A better long-term planning option, one that takes into consideration the future requirements for a lift station, would be for the County to fund and construct a lift station on NW 11-106-15-W5M at 9.2 meters in depth and charge the construction cost back to all future development in the serviceable area. The landowner of NW 11-106-15-W5M has agreed to allow the lift station to be constructed on his property, keeping in mind that land negotiations for the site and access to the site would be required.

The Municipal Government Act allows municipalities two options for cost recovery of infrastructure. Section 651 allows for an agreement for oversizing of an improvement in excess of what the development or subdivision requires, in which the developer pays for the total or partial cost and is refunded, with interest, at the time future development takes place until all the benefiting area is developed. In the past, this has been covered by an "Endeavour to Assist" clause in the Developer's Agreement.

The other option is found in Section 655(1)(b)(iii) of the MGA which allows for a developer and the municipality to enter into an agreement for the municipality to install or pay for the installation of a public utility, which under Section 655(2) is then registered as a caveat on the title.

The construction of a lift station is a lengthy process, so the developer has requested that he be allowed to install a temporary 2 inch sewer line and a holding tank that would pump the sewer from the holding tank into the Hamlet's lagoon. The developer has indicated that he would install all the lines required to tie into the permanent system, after it's constructed, but would use the temporary system so he can proceed with the registration and sale of lots this year. He already has a potential buyer who wants to construct a shop this year.

Past experience has proven that anytime exceptions are made at the subdivision stage, the County will experience the repercussions. Although, in theory, the temporary sewer line with a holding tank will work the long term repercussions might be something the County might not at this time. Following are a list of concerns regarding a temporary subsystem:

1. Lots will be sold making it more difficult to implement the removal of the temporary lines once the lift station is constructed since the County will then have to deal with multiple landowners.

Author: Eva Schmidt,
Planning Supervisor

Reviewed by:

ES

CAO

2. It is not determined how the developer plans to recover the cost of two sewer systems, temporary as well as permanent.
3. Uncertainty regarding what happens if the developer abandons future development or sells the quarter section.
4. Consideration should be given to whose responsibility it will be to operate and maintain the temporary sewer system. If it is determined that this responsibility falls on the developer what means does the County have to enforce this condition, especially if the developer sells out.
5. Temporary sewer force main will be required to cross the La Crete North Access Road, which would be an additional directional drilled line as the future permanent line would also need to cross the road.

From an Administrative perspective, the only benefit to allowing the secondary sewer system at this time is that the developer *may* be able to sell some lots this year. Applicants for multi-lot subdivisions should expect a time frame of 6-12 months for the subdivision to be registered and ready for lot sales. This subdivision application was received on May 4, 2007. It is unreasonable to expect lots to be ready for sale in such a short time frame. This type of pressure to finalize complicated multi-lot subdivisions has caused the County a number of problems in the past.

COSTS & SOURCE OF FUNDING:

All costs will be borne by the County and charged back to developers at the subdivision stage on a per acre basis.

RECOMMENDED ACTION:

MOTION 1

That the County commit to the construction of a sewer lift station to service the east side of the Hamlet of La Crete at a site determined by the County engineering firm to service the largest area for future development.

MOTION 2

That all sewer lift stations within the municipality be constructed by the County and that no temporary systems be entertained.

Author: Eva Schmidt,
Planning Supervisor

Reviewed by: es

for
CAO JA

**MUSTUS LAKE CENTER
COMMERCIAL / INDUSTRIAL SUBDIVISION - 2007
LIFT STATION & FORCEMAIN - SITE 1
LA CRETE, ALBERTA
(1800mm diameter x 7.2 meter deep)**

COST ESTIMATE

1.	150mm diameter forcemain	
	a) common trench with sewermain; 875 meters @ \$40.00	\$ 35,000.00
	b) separate trench; 245 meters @ \$80.00	19,600.00
	c) auger 109 Avenue, gas main & lagoon tie-in; 115 meters @ \$220.00	25,300.00
2.	Earth excavation, backfill and grading for lift station	45,000.00
3.	Supply packaged lift station (7.2 meter deep x 1800mm diameter)	110,000.00
4.	Install lift station package, includes concrete base slab	40,000.00
5.	Mechanical	20,000.00
6.	Electrical	25,000.00
7.	Electrical service (ATCO)	15,000.00
8.	Graveled driveway & parking area including landscaping and seeding	9,000.00
9.	Materials Testing Allowance	3,000.00
10.	Contingency Allowance @ 10%	34,700.00
11.	Engineering estimated @ 10%	38,200.00
	TOTAL ESTIMATED COST	\$419,800.00
		<i>Budget \$420,000.00</i>

Note: *The above cost assumes the subdivision roads have been constructed allowing access to the lift station site. The lift station cost estimate was revised to reflect the new Tender prices received in July 2007 in the Peace River area.*

FOCUS CORPORATION

**MUSTUS LAKE CENTER
COMMERCIAL / INDUSTRIAL SUBDIVISION - 2007
LIFT STATION & FORCEMAIN - SITE 1
LA CRETE, ALBERTA
(1800mm diameter x 8.2 meter deep)**

COST ESTIMATE

1.	150mm diameter forcemain	
	a) common trench with sewermain; 875 meters @ \$40.00	\$ 35,000.00
	b) separate trench; 245 meters @ \$80.00	19,600.00
	c) auger 109 Avenue, gas main & lagoon tie-in; 115 meters @ \$220.00	25,300.00
2.	Earth excavation, backfill and grading	30,000.00
3.	Supply packaged lift station (8.2 meter deep x 1800mm diameter)	90,000.00
4.	Install lift station package, includes concrete base slab	35,000.00
5.	Electrical service (ATCO)	15,000.00
6.	Mechanical	10,000.00
7.	Electrical	20,000.00
8.	Graveled driveway & parking area including landscaping and seeding	9,000.00
9.	Additional depth of sewermain to lift station & stub to east	1,000.00
10.	Materials Testing Allowance	3,000.00
11.	Contingency Allowance @ 10%	29,300.00
12.	Engineering estimated @ 10%	32,300.00
	TOTAL ESTIMATED COST	\$354,500.00
		<i>Budget \$355,000.00</i>

Note: The above cost assumes the subdivision roads have been constructed allowing access to the lift station site.

FOCUS CORPORATION

**MUSTUS LAKE CENTER
COMMERCIAL / INDUSTRIAL SUBDIVISION - 2007
LIFT STATION & FORCEMAIN - SITE 1
LA CRETE, ALBERTA
(1800mm diameter x 9.2 meter deep)**

COST ESTIMATE

1.	150mm diameter forcemain	
	a) common trench with sewermain; 875 meters @ \$40.00	\$ 35,000.00
	b) separate trench; 245 meters @ \$80.00	19,600.00
	c) auger 109 Avenue, gas main & lagoon tie-in; 115 meters @ \$220.00	25,300.00
2.	Earth excavation, backfill and grading for lift station	70,000.00
3.	Supply packaged lift station (9.2 meter deep x 1800mm diameter)	125,000.00
4.	Install lift station package, includes concrete base slab	50,000.00
5.	Mechanical	20,000.00
6.	Electrical	25,000.00
7.	Electrical service (ATCO)	15,000.00
8.	Graveled driveway & parking area including landscaping and seeding	9,000.00
9.	Additional two meter depth of sewermain to lift station & stub to east	3,000.00
10.	Materials Testing Allowance	3,000.00
11.	Contingency Allowance @ 10%	40,000.00
12.	Engineering estimated @ 10%	44,000.00
	TOTAL ESTIMATED COST	\$483,900.00
		<i>Budget \$490,000.00</i>

Note: The above cost assumes the subdivision roads have been constructed allowing access to the lift station site. The lift station cost estimate was revised to reflect the new Tender prices received in July 2007 in the Peace River area.

**MUSTUS LAKE CENTER
COMMERCIAL / INDUSTRIAL SUBDIVISION - 2007
LA CRETE, ALBERTA**

SEWAGE LIFT (PUMPING) STATION SITE #1

SERVICE AREA

LOCATION	ESTIMATED STATION DEPTH (Meter)		
	7.2 m Service Area (acres)	8.2 m Service Area (acres)	9.2 m Service Area (acres)
NE 10-106-15-W5	154	154	154
NW 11-106-15-W5	56	93	130
SW 11-106-15-W5	15	50	93
SE 11-106-15-W5	11	37	63
SUB TOTAL	236 acres	334 acres	440 acres
SE 15-106-15-W5	9	15	15
SW 14-106-15-W5	2	5	8
TOTAL ACRES	247 acres	354 acres	463 acres

CLASS 'D' COST ESTIMATE

Pre-Fabricated Lift Station Without Building			Concrete Wet Well Lift Station With Building		
7 meter depth	8 meter depth	9 meter depth	7 meter depth	8 meter depth	9 meter depth
420,000.00	450,000.00	490,000.00	1,000,000.00	1,060,000.00	1,200,000.00

Note: The sewage lift station considered in the June 28, 2007 cost estimates was a 1,800 mm (6 foot) diameter Flygt Prepackaged Fiberglass Lift Station with no building. If the proposed lift station is to service approximately 500 acres in the future the County may want to consider a concrete wet well type lift station with a building. The lift station wet well, lines and pumps cannot be sized until the land uses are defined in order to prepare a Class 'C' cost estimates.

**MUSTUS LAKE CENTER
COMMERCIAL / INDUSTRIAL SUBDIVISION - 2007
LIFT STATION & FORCEMAIN - SITE 2
LA CRETE, ALBERTA
(1800mm diameter x 7.2 meter deep)**

COST ESTIMATE

1.	150mm diameter forcemain	
	a) common trench with sewermain; 1,115 meters @ \$40.00	\$ 44,600.00
	b) separate trench; 245 meters @ \$80.00	19,600.00
	c) auger 109 Avenue, gas main & lagoon tie-in; 115 meters @ \$220.00	25,300.00
2.	250mm diameter gravity trunk sewermain; 240 meters @ \$200.00	48,000.00
3.	Earth excavation, backfill and grading	20,000.00
4.	Supply packaged lift station (7.2 meter deep x 1800mm diameter)	87,000.00
5.	Install lift station package, includes concrete base slab	30,000.00
6.	Electrical service (ATCO)	20,000.00
7.	Mechanical	10,000.00
8.	Electrical	20,000.00
9.	Graveled driveway & parking area including landscaping and seeding	9,000.00
10.	Temporary access road; 106 Avenue - 230 meters & 90 Street - 260 meters	21,000.00
11.	Materials Testing Allowance	3,000.00
12.	Land (1.1 acres @ \$5,000.00)	5,500.00
13.	Contingency Allowance @ 10%	36,300.00
14.	Engineering estimated @ 10%	40,000.00
	TOTAL ESTIMATED COST	\$439,300.00
		<i>Budget \$440,000.00</i>

FOCUS CORPORATION

**MUSTUS LAKE CENTER
COMMERCIAL / INDUSTRIAL SUBDIVISION - 2007
LIFT STATION & FORCEMAIN - SITE 2
LA CRETE, ALBERTA
(1800mm diameter x 8.2 meter deep)**

COST ESTIMATE

1.	150mm diameter forcemain	
	a) common trench with sewermain; 1,115 meters @ \$40.00	\$ 44,600.00
	b) separate trench; 245 meters @ \$80.00	19,600.00
	c) auger 109 Avenue, gas main & lagoon tie-in; 115 meters @ \$220.00	25,300.00
2.	250mm diameter gravity trunk sewermain; 240 meters @ \$200.00	48,000.00
3.	Earth excavation, backfill and grading for lift station	55,000.00
4.	Supply packaged lift station (8.2 meter deep x 1800mm diameter)	120,000.00
5.	Install lift station package, includes concrete base slab	45,000.00
6.	Mechanical	20,000.00
7.	Electrical	25,000.00
8.	Electrical service (ATCO)	20,000.00
9.	Graveled driveway & parking area including landscaping and seeding	9,000.00
10.	Temporary access road; 106 Avenue - 230 meters & 90 Street - 260 meters	21,000.00
11.	Materials Testing Allowance	3,000.00
12.	Land (1.1 acres @ \$5,000.00)	5,500.00
13.	Contingency Allowance @ 10%	46,100.00
14.	Engineering estimated @ 10%	50,700.00
	TOTAL ESTIMATED COST	\$557,800.00
		<i>Budget \$560,000.00</i>

Note: *The above cost assumes the subdivision roads have been constructed allowing access to the lift station site. The lift station cost estimate was revised to reflect the new Tender prices received in July 2007 in the Peace River area.*

**MUSTUS LAKE CENTER
COMMERCIAL / INDUSTRIAL SUBDIVISION - 2007
LIFT STATION & FORCEMAIN - SITE 2
LA CRETE, ALBERTA
(1800mm diameter x 9.2 meter deep)**

COST ESTIMATE

1.	150mm diameter forcemain	
	a) common trench with sewermain; 1,115 meters @ \$40.00	\$ 44,600.00
	b) separate trench; 245 meters @ \$80.00	19,600.00
	c) auger 109 Avenue, gas main & lagoon tie-in; 115 meters @ \$220.00	25,300.00
2.	250mm diameter gravity trunk sewermain; 240 meters @ \$200.00	48,000.00
3.	Earth excavation, backfill and grading for lift station	70,000.00
4.	Supply packaged lift station (9.2 meter deep x 1800mm diameter)	130,000.00
5.	Install lift station package, includes concrete base slab	50,000.00
6.	Mechanical	20,000.00
7.	Electrical	25,000.00
8.	Electrical service (ATCO)	20,000.00
9.	Graveled driveway & parking area including landscaping and seeding	9,000.00
10.	Temporary access road; 106 Avenue - 230 meters & 90 Street - 260 meters	21,000.00
11.	Materials Testing Allowance	3,000.00
12.	Land (1.1 acres @ \$5,000.00)	5,500.00
13.	Contingency Allowance @ 10%	49,100.00
14.	Engineering estimated @ 10%	54,000.00
	TOTAL ESTIMATED COST	\$594,100.00
		<i>Budget \$600,000.00</i>

Note: *The above cost assumes the subdivision roads have been constructed allowing access to the lift station site. The lift station cost estimate was revised to reflect the new Tender prices received in July 2007 in the Peace River area.*

**MUSTUS LAKE CENTER
 COMMERCIAL / INDUSTRIAL SUBDIVISION - 2007
 LA CRETE, ALBERTA**

SEWAGE LIFT (PUMPING) STATION SITE #2

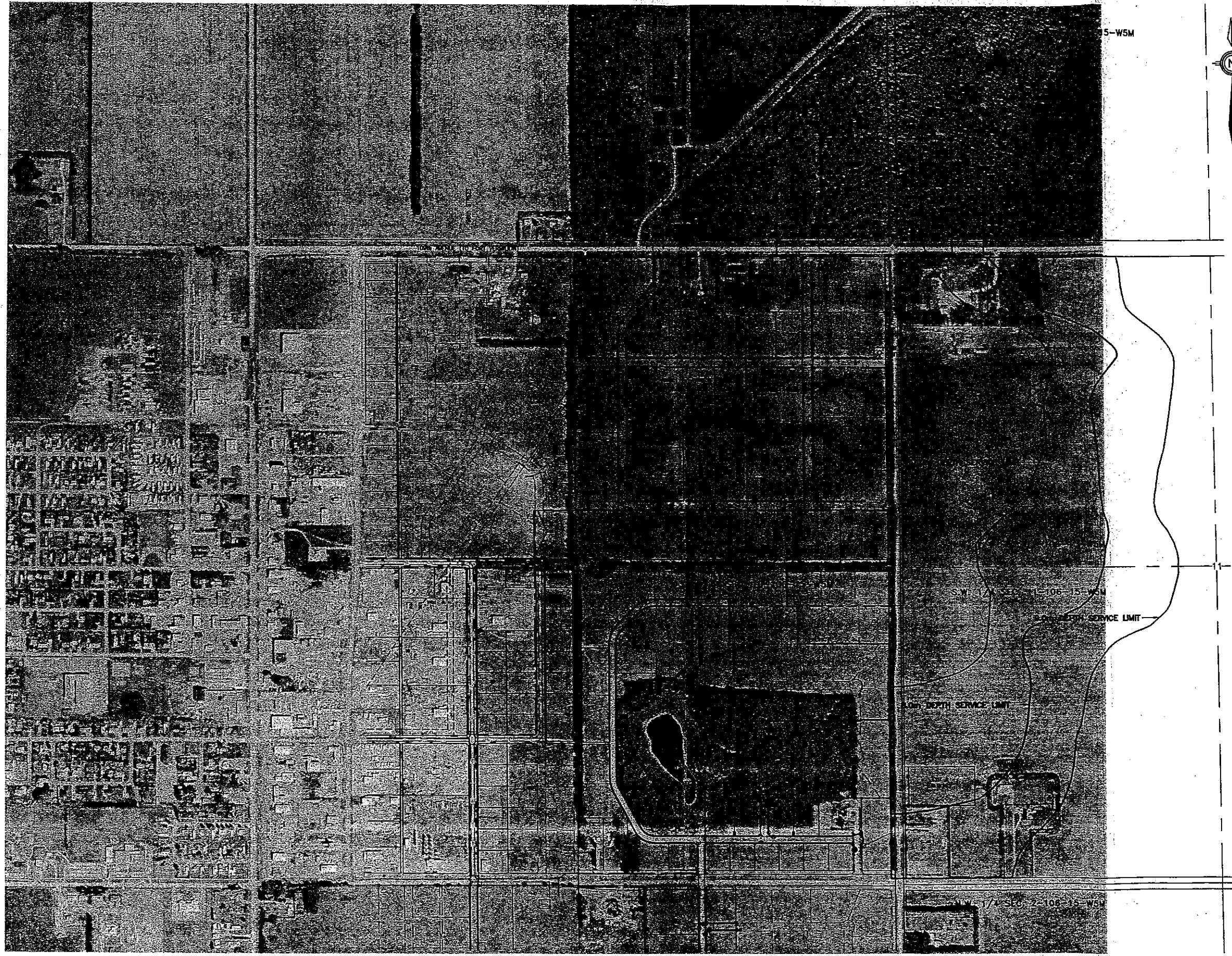
SERVICE AREA

LOCATION	ESTIMATED STATION DEPTH (Meter)		
	7.2 m Service Area (acres)	8.2 m Service Area (acres)	9.2 m Service Area (acres)
NE 10-106-15-W5	154	154	154
NW 11-106-15-W5	109	148	158
SW 11-106-15-W5	77	117	140
SE 11-106-15-W5	37	63	63
SUB TOTAL	377 acres	482 acres	515 acres
SE 15-106-15-W5	9	15	15
SW 14-106-15-W5	10	26	39
TOTAL ACRES	396 acres	523 acres	569 acres

CLASS 'D' COST ESTIMATE

Lift Station Without Building			Lift Station With Building		
7 meter depth	8 meter depth	9 meter depth	7 meter depth	8 meter depth	9 meter depth
530,000.00	560,000.00	600,000.00	1,100,000.00	1,170,000.00	1,300,000.00

Note: The sewage lift station considered in the June 28, 2007 cost estimates was a 1,800 mm (6 foot) diameter Flygt Prepackaged Fiberglass Lift Station with no building. If the proposed lift station is to service approximately 500 acres in the future the County may want to consider a concrete wet well type lift station with a building. The lift station wet well, lines and pumps cannot be sized until the land uses are defined in order to prepare a Class 'C' cost estimates.



FOCUS

FOCUS Corporation
 #3, 8909 - 96 Street
 Peace River, AB, Canada T8S 1G8
 Main: 780.624.5631
 Fax: 780.624.3732

MUSTUS LAKE CENTER
COMMERCIAL INDUSTRIAL SUBDIVISION
 N.E. 1/4 SEC. 10-106-15-W5M
SEWAGE LIFT STATION - SITE #1
SERVICE AREA

Designed:
D.L.S.

Drawn:
K.L.K.

Approved:
D.L.S.

Scale: 1:10,000

Project No.: 124472

Drawing No.: 1 of 2

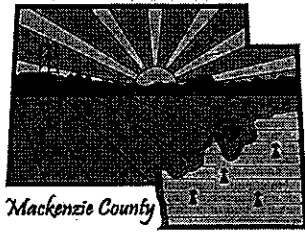
Rev. A

Date: 17/19/07



5-W5M

1/4 Sec. 10-106-15-W5M



MACKENZIE COUNTY

REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Rural High Level Fire Department

BACKGROUND / PROPOSAL:

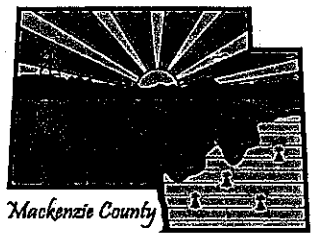
Discussion item.

OPTIONS & BENEFITS:

COSTS & SOURCE OF FUNDING:

RECOMMENDED ACTION:

For discussion.



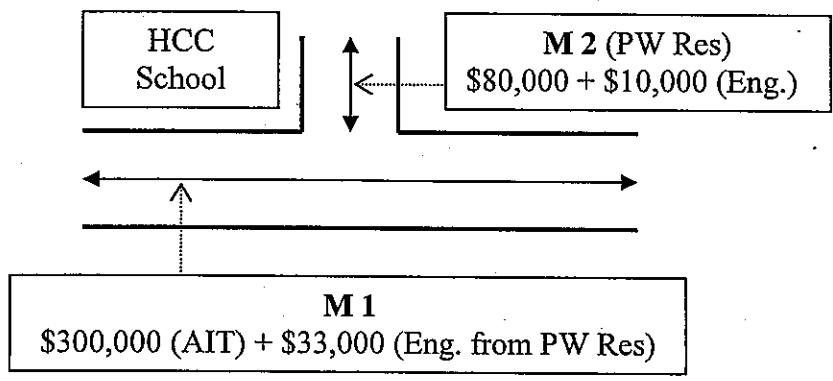
MACKENZIE COUNTY

REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, CAO
Title:	Hill Crest Community School Intersection

BACKGROUND / PROPOSAL:

Improvement to the Hill Crest Community School intersection which resulted from safety concerns, refer motion 07-07-663.



OPTIONS & BENEFITS

Description	Construction	Engineering	Total
Hill Crest Community School	300,000	33,000	333,000
Blumenort road	80,000	10,000	90,000
	380,000	43,000	423,000

COSTS & SOURCE OF FUNDING:

Description	Cost	AIT Grant	Public W Reserve
Motion 1	333,000	(300,000)	33,000
Motion 2	90,000	-	90,000
	423,000	(300,000)	123,000

RECOMMENDED ACTION:

Motion 1 & 2 require 2/3 majority votes

Motion 1

That the 2007 Capital Budget be amended to include the \$333,000 for the Hill Crest School Intersection improvement, which will be funded by \$300,000 from AIT grant and \$33,000 from Public Works Reserve.

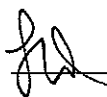
Motion 2

That the 2007 Capital budget be amended to included the \$90,000 for the Blumenort road improvement at the Hill Crest School Intersection, which will be funded from the Public Works Reserve.

Author: _____

Review Date: _____

2

for
CAO 

246



ALBERTA
MINISTER OF INFRASTRUCTURE
AND TRANSPORTATION

AR32886

July 31, 2007

Mr. Bill Neufeld
Reeve
Mackenzie County
PO Box 640
Fort Vermilion, AB T0H 1N0

Dear Reeve Neufeld:

Thank you for your letter of July 23, 2007 regarding the Hill Crest Community School intersection.

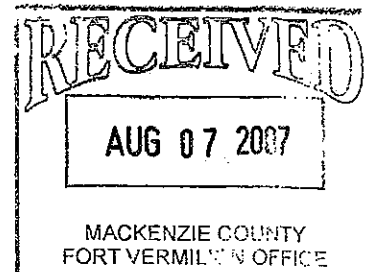
I am pleased to advise Alberta Infrastructure and Transportation is prepared to provide the funding requested to a maximum of \$300,000 for the noted intersection improvements. Peace River Regional staff will contact your administration to finalize the necessary agreements and arrange for the transfer of funds.

Thank you for bringing this important safety concern to my attention.

Sincerely,

Luke Ouellette
Minister of Infrastructure and Transportation
M.L.A., Innisfail-Sylvan Lake

cc: Mr. Frank Oberle, M.L.A., Peace River





Mackenzie County

P.O. Box 640, Fort Vermilion, AB T0H 1N0
Phone (780) 927-3718 Fax (780) 927-4266
www.mackenziecounty.com

July 23, 2007

Mr. John Engleder, P. Eng.
Regional Director, Peace Region
Alberta Infrastructure & Transportation
3rd Floor Provincial Building
9621-96 Avenue
Peace River, AB
T8S 1T4

Dear Mr. Engleder:

RE: HILL CREST COMMUNITY SCHOOL INTERSECTION

Mackenzie County is very concerned regarding the safety factor at this busy intersection and we are requesting your department's financial support to upgrade the intersection at SH 697 and Blumenort Road.

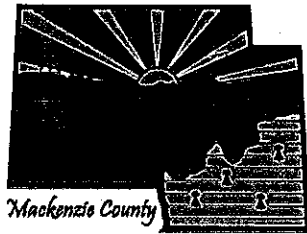
Our consultants, EXH Engineering, have estimated the project at \$420,000.00 and we are requesting a one-time lump sum contribution from Alberta Infrastructure & Transportation of \$300,000.00. Mackenzie County agrees to fund the balance of the project and may also extend the pavement to the Blumenort town site at our expense.

Thank you for your consideration and we look forward to hearing from you. If you require further information please contact me at your convenience at (780) 927-3718 or (780) 841-1801.

Yours truly,

William Kostiw
Chief Administrative Officer

pc: County Council
Mark Schwab, EXH Engineering



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	John Klassen, Manager of Utilities and Facilities
Title:	Letter to County Recreation Boards

BACKGROUND / PROPOSAL:

Mackenzie County Council requested that administration draft a letter to the Recreation Boards pertaining to the level of service the County expects for outdoor rinks. Attached is a draft letter for Councils review.

OPTIONS & BENEFITS:

To provide a safe and user friendly outdoor activity to the general public.

COSTS & SOURCE OF FUNDING:

NA

RECOMMENDED ACTION:

Option 1

That the County send the attached letter to all County general public outdoor rink operators.

Option 2

That the County send the attached letter to all County general public outdoor rink operators as amended.

Author: John Klassen

Review Date: _____

for
CAO *JK*

August 15, 2007

Mackenzie County Recreation Boards
Box _____

To Whom It May Concern:

RE: Levels of Service for Outdoor Rinks

We ask that the following:

1. The rinks are cleared in a reasonable time frame and the ice maintained to prevent a hazard to the occupants.
2. Lighting (if provided) is operated in a user friendly and cost effective manor.
3. That the skate shack (if provided) be in good repair and free of any hazards.
4. That the rink structure be in good repair and free of any hazards.

If you have any questions contact the undersigned at 928-3983.

Sincerely,

John Klassen
Manager of Utilities and Facilities



MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	John Klassen, Manager of Utilities and Facilities
Title:	Equipment Purchase (Gravel Trailer)

BACKGROUND / PROPOSAL:

Administration has come across a 2005 gravel pup trailer that is for sale in Grimshaw for a price of \$21,000.00 and is in excellent shape. The County currently has \$19,548.00 left in the La Crete equipment and vehicles budget which was going to be used to trade in the 955 JD tractor, in discussions with the leadhand and mechanic they felt the tractor could be deferred for another year or two and use the budget towards a trailer, which they felt was a greater need.

OPTIONS & BENEFITS:

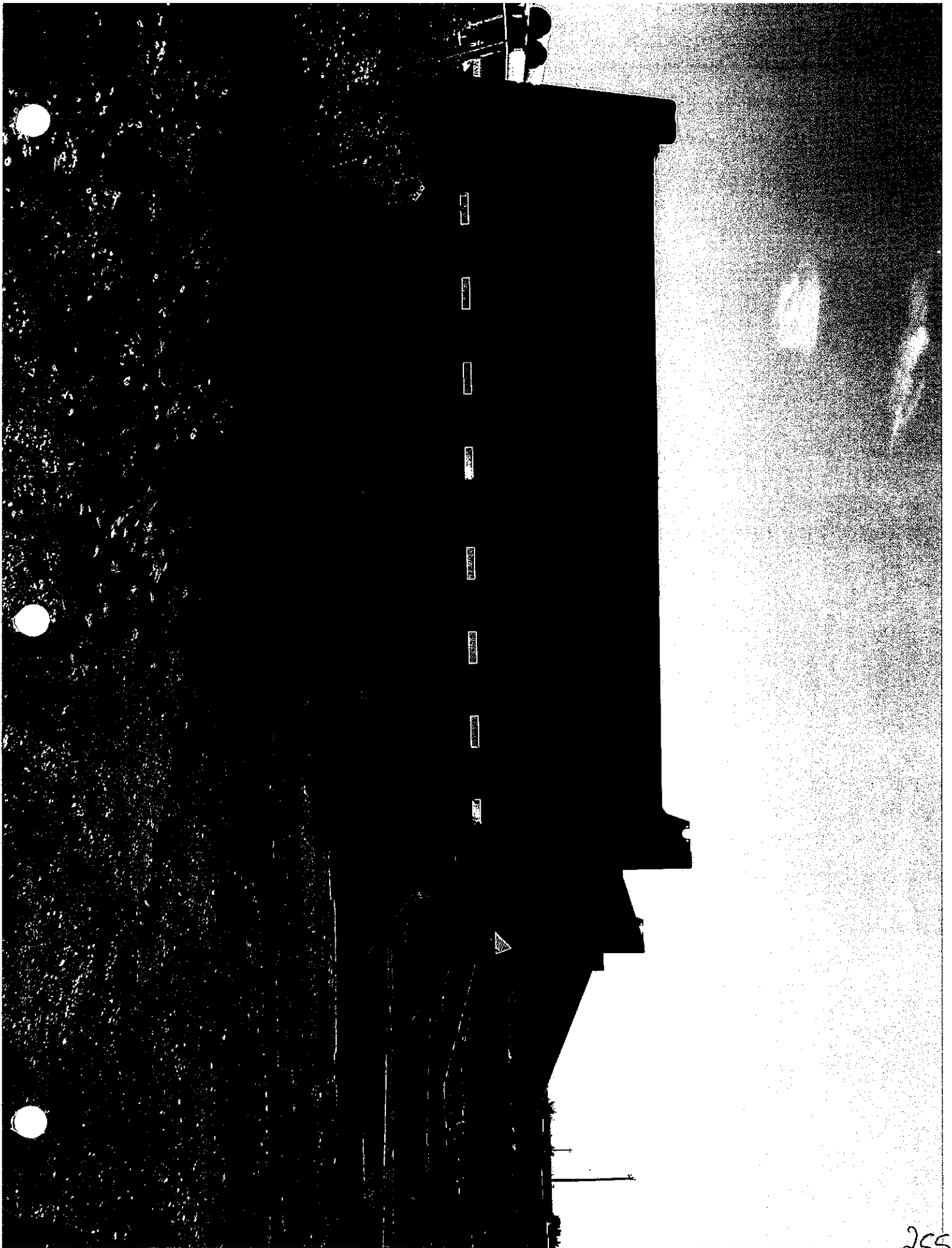
Some of the benefits are more efficient hauling and stockpiling of gravel in our public works yard as well as a more cost effective way of spot graveling rural roads and hamlet snow removal in the winter.

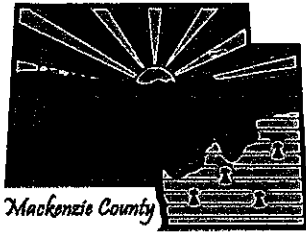
COSTS & SOURCE OF FUNDING:

To be funded from La Crete equipment and vehicles budget.

RECOMMENDED ACTION:

That Mackenzie County purchase the 2005 gravel trailer at the purchase price of \$21,000.00 with an additional \$1,500.00 coming from vehicle and equipment reserve.





MACKENZIE COUNTY REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	John Klassen, Manager of Utilities and Facilities
Title:	Road Protection Agreement

BACKGROUND / PROPOSAL:

Council requested that administration review and revise the Counties road protection agreement, we sent it to our lawyers for review and attached is the revised agreement that was received.

OPTIONS & BENEFITS:

For discussion.

COSTS & SOURCE OF FUNDING:

N/A

RECOMMENDED ACTION:

Option 1

That Mackenzie County accepts and implements the Road Protection Agreement as presented.

Option 2

That Mackenzie County accepts and implements the Road Protection Agreement as amended.

Author: John Klassen

Review Date: _____

for
CAO *JK*

257



B R O W N L E E
L L P
Barristers & Solicitors

Suite 2200, Commerce Place
10155 - 102 Street
Edmonton, AB Canada T5J 4G8
Telephone: (780) 497-4800
Telecopier: (780) 424-3254
E-Mail: e-mail@brownleelaw.com
WebSite: www.brownleelaw.com

Refer to : Lorne I. Randa
Direct Line (780) 497-4832
E-mail: lranda@brownleelaw.com
Your File#:
Our File#: 71688-0161

August 1, 2007

Mackenzie County
P.O. Box 640
Fort Vermillion, Alberta
T0H 1N0

Via Email: jklassen@md23.ab.ca

Attention: John Klassen,
Manager of Utilities and Facilities/ Acting Director of Public Works

Dear Sir:

Re: Road Protection Agreement

As per your instructions, we have prepared a draft Road Protection Agreement for your review. We have attempted through this Agreement to bring in the elements found in your own previous Master Road Protection Agreement and Road Protection Agreement Policy, as well as address the concerns that we had indicated to you in our opinion letter of April 17, 2007.

General Comments

Note as per our earlier opinion of April 17th, 2007, the legal authority of a Municipality to enter into a road use agreement is questionable at law. This is based on the restrictions placed on Municipalities under the *Traffic Safety Act*, which specifically states that a Municipality does not have the power to impose any tax, fee, license or permit respecting the use of highways by pedestrians or vehicles. However, we believe it is a reasonable argument that a Municipality can enter into an agreement with a specific user of a road where that user of the road may cause extraordinary damage and that such agreements would be distinguishable from the prohibition against tolls and user fees found in the *Traffic Safety Act*. As well, if a road use agreement is entered into it arguably creates a binding contract and the operator could be sued for breach of contract and damages should it fail to abide by its terms. However, this position has not been considered by the Courts and it is uncertain how a Court would rule in this regard.

Specific Comments Regarding Draft Agreement

In regards to the draft Road Protection Agreement, we provide the following comments:

1. **Preamble** – We have included spaces for the identification of the Route to be used by the Company as well as a description of the type of Shipment to be filled out for each operator.
2. **Section 1** – This section deals with use of the road and is to specifically identify the maximum width, length, height and weight of the load.
3. **Section 3** – In order to properly assess the condition of the road and determine any damage or determination that may be attributed to the Company, we have incorporated a requirement for the County to conduct both pre- and post-haul inspections. We have made it a requirement of the Company to initiate such inspections and to allow a Company representative to be present during such inspections to foster cooperation and agreement with road repair and maintenance required under the Agreement.
4. **Sections 4 and 5** – These provisions permit the Company to request a temporary increase in the quantity or weight of a shipment per day by giving proper notification to the County. This replaces the self reporting of weight increases which was contemplated in the previous agreement.
5. **Section 6** – This section sets out the covenants and obligations to be placed on the Company. It includes, among other obligations, the following: payment of all damages; reimbursement of any expenses on the County for making inspections of the road; providing dust control measures along the Route where residents are located; daily clean-up of tracking materials; requiring confirmation that there is no new or existing restrictions or road bans on the proposed Routes prior to use; and, requiring the Company to cease hauling operations if damages are evident, there are adverse weather conditions or simply at the request of the County, among other obligations. Please review to ensure that includes all the obligations that the County intends to impose of operators.
6. **Section 7** – This section provides for the Company to indemnify the County. It is broadly worded so to include any damages, losses, claims, etc. that may arise as a result of any of the Company's actions or omissions related to this Agreement, whether due to negligence or not, the costs of repair, clean-up and restoration paid by the County, and for any breach of the Agreement.
7. **Sections 8 to 11** – We have included provisions relating to insurance. We recommend that the County have their insurance provider review these provisions to ensure they adequately protect the County.
8. **Sections 12 to 17** – These sections relate to the maintenance and restoration of the Route, including the aspects constituting restoration and the standard at which it is to be

performed. We attempted to incorporate those standards expressed in the County's policies. Please review to ensure these meet the County's intentions.

9. Sections 18 to 20 – We have also included provisions respecting the requirement of financial security from the Company. Although we have left the ability of the County to waive any requirement for security, we recommend that security always be required in advance of entering into this Agreement to ensure that the Company fulfill its obligations of restoration and maintenance of the highway. We have left blank the amount at which the County may request the security to be. Section 19 sets out the grounds upon which the County may invoke and demand payment of the security.
10. Sections 21 to 22 – These sections provide the County the ability to suspend the Agreement for failure to abide by the terms and conditions of the Agreement and to terminate upon reasonable notice.

We trust that the above has been of assistance to you. Should you have any questions or concerns, please do not hesitate to contact me or my colleague, Shari Boyd, (780-497-4837) directly.

Yours truly,

BROWNLEE LLP

PER:



LORNE I. RANDA

LIR/SLB/slb

Attachments: Road Protection Agreement

**Mackenzie County
ROAD PROTECTION AGREEMENT**

Agreement No. RPA-LC-06-00-____

This Agreement made this ____ day of ____ A.D. _____.

BETWEEN:

MACKENZIE COUNTY
(hereinafter referred to as "the County")

of the First Part

-and-

(hereinafter referred to as "the Company")

of the Second Part

WHEREAS the County has the direction, control and management of all roads within its municipality boundaries pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended and repealed and replaced from time to time;

AND WHEREAS the Company desires to transport _____ [description of the goods and materials] (the "Shipment") within the jurisdiction of the County at the following locations:

From: _____
To: _____
Route: _____
(hereinafter referred to as the "Route")

AND WHEREAS the County has agreed to such use on the terms and conditions as set out below;

NOW THEREFORE this Agreement witnesseth that in consideration of the terms and conditions hereinafter specified, the parties agree to as follows:

USE OF ROAD

1. Subject to the terms and conditions set out below, the Company may transport the Shipment as follows per day during the Term of the Agreement:

Description: _____
Maximum Width per load: _____
Maximum Length per load: _____
Maximum Height per load: _____
Maximum Weight per load: _____
Maximum Weight per day: _____

TERM

2. The term of this Agreement shall commence on the ____ day of _____ A.D. 2007, and conclude on the ____ day of _____ A.D. 2007.

PRE AND POST HAUL INSPECTIONS

3. The County shall conduct a pre- and post-haul inspection of the Route to assess the condition of the Route and to determine the deterioration of the Route attributing to the Company. Both the pre- and post-haul inspections must be initiated by the Company. The County shall notify the Company of the date and time of the pre- and post-haul inspections and such inspections may be conducted in the presence of a representative of the Company upon the Company's request.

INCREASE IN ROAD USE

4. If the Company requires a temporary increase in the per day Shipment quantity or weight, as set out in Section 1, the Company shall make an application to the County forty-eight (48) hours in advance of the proposed increased haul. If the temporary exemption is granted, the County shall provide the commencement date and concluding date of the exemption in writing to the Company.
5. Prior to the commencement date of any exemption, the County may, at its sole discretion, undertake both pre- and post-haul inspections, with notice to the Company, and require the Company to conduct any remedial or preventative measures to the Route.

COVENANTS AND OBLIGATION OF THE COMPANY

6. In consideration of the permission hereby granted by the County, the Company covenants and agrees to the following:
 - a. To pay for any and all damages which may result to roads, ditchways, culverts, bridges or other property on or adjacent to the Route, as determined by the County, acting reasonably;
 - b. To pay any and all expenses or out-of-pocket disbursements which may be incurred by the County in connection with the terms and conditions of this Agreement whether they be for inspection, escort, video taping, supervision, monitoring or whatsoever;
 - c. To provide dust control measures for a length of 200 meters on the Route where the Route passes in front of any residence. The dust control measures will be at the expense of the Company and will be performed up to the standards prescribed by the County;
 - d. To provide daily clean-up of tracking material located on the Route;
 - e. To confirm that no restrictions have been placed on the Route by the County prior to commencing any hauling for that day. If restrictions have been placed on any part of the Route, it is the responsibility of the Company to apply for an exemption of the restriction for a specified period of time. The County upon consideration of the application will confirm with the Company if they are exempted from the restrictions and the period for which the exemption will apply. This will include, but is not limited

to, any axle loading restrictions or road bans that the County may, acting reasonably, place on the Route from time to time;

- f. To cease hauling operations if road damage is evident, during adverse weather conditions or at any time at the County's request, acting reasonably, and not to commence any further activities until the adverse weather conditions have passed or the Company has received notification from the County that they may recommence operations;
- g. To ensure that no tire chains are used on any of their equipment on paved or oiled roadways along the Route;
- h. To provide any special signing and traffic control persons as required by law to ensure the safety of others using the roads that comprise the Route; and
- i. To obtain and maintain all the necessary permits, licenses, approvals and authorizations and to comply with any restrictions or regulations as required by law, bylaw, regulation or policy.

INDEMNIFICATION BY THE COMPANY

- 7. The Company shall at all times and without limitation, indemnify and save harmless the County, its Councillors, directors, officers, employees, contractors, agents and representatives from and against all liabilities, losses, costs, damages, legal fees (on a solicitor and his own client full indemnity basis), disbursements, fines, penalties, expenses, all manner of actions, causes of action, claims, demands and proceedings, all of whatever nature and kind which any of the County, its Councillors, directions, officers, employees, contractors, agents and representatives may sustain, pay or incur or which may be brought or made against all or any of them, whether or not incurred in connection with any action or other proceedings, claims or demands made by third parties, with respect to any occurrence, event, incident or matter cause by, and/or arising as a direct or indirect result of:
 - a. Any act or omission of the Company and/or any of those persons for whom the Company is responsible at law (including, without limitation, any of its employees or subcontractors), whether occasioned by negligence or otherwise;
 - b. The costs of repairs, clean-up or restoration paid by the County and any fines levied against the County or the Company; or
 - c. Any breach, violation or non-performance of any representation, warranty, obligation, covenant, or condition in this Agreement set forth and contained on the part of the Company to be fulfilled, kept, observed or performed, as the case may be.

The provisions of this Section are in addition to and shall not prejudice any other rights of the County has at law or in equity. This Section shall survive the termination or expiry of this Agreement.

INSURANCE

- 8. Without in any way limiting the liability of the Company under this Agreement, the Company shall obtain and maintain in force during the Term of this Agreement the following insurance, all satisfactory to the County, acting reasonably;

- a. standard automobile, bodily injury and property damage insurance providing coverage of at least TWO MILLION (\$2,000,000.00) DOLLARS per occurrence, inclusive and in respect of any claim for the injury to or death of one of more persons or damage to or destruction of property;
 - b. a comprehensive general liability insurance policy providing coverage of at least FIVE MILLION (\$5,000,000.00) DOLLARS per occurrence, inclusive and in respect of any claim for injury to or death of any one or more persons or damage to or destruction of property. Coverage to include:
 - i. non-owned automobiles;
 - ii. independent subcontractors;
 - iii. contractual liability including this Agreement;
 - iv. broad form property damage endorsement; and
 - v. environmental liability.
 - c. Workers' Compensation coverage for all employees, if any, engaged by the Company in accordance with the laws of the Province of Alberta;
 - d. employers' liability insurance respecting employees, if any, of the Company with limits of liability not less than TWO MILLION (\$2,000,000.00) DOLLARS per employee for each accident, accidental injury or death of an employee or any subcontractor engaged by the Company; and
 - e. such other insurance as the County may from time to time reasonably require.
9. The Company shall ensure that all insurance coverage maintained by the Company in accordance with this Agreement shall name the County and any other party designated by the County as an additional named insured, contain a severability of interests or cross liability clause, and shall provide that no such insurance policy may be cancelled without the insurer providing no less than thirty (30) days' written notice of such cancellation to the County.
10. All liability insurance shall be maintained continuously until twelve (12) months after the conclusion date of this Agreement.
11. The Company shall, upon request of the County, furnish written documentation, satisfactory to the County, evidencing the required insurance coverage. The cost of all the insurance required to be held by the Company as set forth herein shall be borne by the Company.

MAINTENANCE AND RESTORATION OF ROUTE

12. The Company accepts responsibility for all road damage caused as a result of its use. The Company further agrees to restore the roadways, road allowances, drainage ditches and bridges that comprise the Route to the condition they were in as of the commencement date of this Agreement.
13. As determined by any inspection of the Route contemplated pursuant to Section 3 above, the County, at its sole discretion and acting reasonably, shall determine what maintenance or restoration work, if any, is required of the Route to be completed by the Company, at the Company's sole expense. The restoration shall include maintenance of the road surface in a safe condition by adding surface material as well as restoration of the surface to an "as-found" condition prior to the expiry of this Agreement.

14. Such maintenance and restoration work to be undertaken at the Company's sole expense must be completed within thirty (30) days of the County providing notice of such repair and restoration and may be undertaken by the County at the Company's request or by a contractor, approved by the County, acting reasonably, hired by the Company.
15. If a grader and/or water truck, to be supplied at the expense of the Company, is required to maintain or restore the Route in good condition and provide dust control, any work performed by them must meet the standards so prescribed by the County.
16. The restoration as set out in Section 12 may include:
 - a. Surface and sub-base damage;
 - b. Road shoulder damage;
 - c. Road ditchway damage; and/or
 - d. Any other damage to infrastructure within the road right-of-way, including but not limited to signs, utility posts, drainage structures and any other property or infrastructure located along the Route.
17. The County may, but is not obligated to, perform any road maintenance and restoration it deems appropriate throughout the term of this Agreement to the Route based upon an inspection performed in accordance with Section 3 of this Agreement. The County may provide to the Company with an invoice and the Company agrees to pay within thirty (30) days of receipt any invoice for the work completed by the County that is attributable to the activities of the Company.

SECURITY

18. The Company will provide Security (bond, cheque, money order or irrevocable letter of credit) in the amount of _____ (\$ _____) DOLLARS, payable to the County on demand by the County, to exhibit commitment to the above set out conditions. The County may waive the requirement of Security prior to the commencement of the Agreement or at any time during the term of the Agreement. If Security is waived by the County, the Company agrees to provide Security at a later date upon written request by the County.
19. The County may invoke the provisions of Section 18 regarding Security, and cash or make demands as payee and beneficiary under the Security provided by the Company to the County pursuant to the requirements of this Agreement in the event that the County is of the opinion that:
 - a. The Company by any act or omission is in default or breach of any term, condition or covenant of this Agreement;
 - b. The Company has been required to repair or restore any damage to the Route in accordance with the provisions of this Agreement and the Company has failed to undertake such repair or restoration or pay the costs and expenses of such repair and restoration within thirty (30) days after receipt from the County of an invoice; or
 - c. The Security to be provided by the Company to the County pursuant to this Agreement is due to expire within sixty (60) days and the Company has not deposited with the County a renewal or replacement of such Security in terms and form acceptable to the County.

- 20. In the event that the County has negotiated or called upon the Security to be deposited by the Company with the County, the County may, at its option and discretion, use any funds thereby obtained in any manner the County deems fits to discharge the obligations of the Company pursuant to this Agreement.

TERMINATION, DEFAULT AND SUSPENSION

- 21. The failure by the Company to abide by any of the terms described in this Agreement may result in the immediate suspension of the Agreement by the County, as determined by its sole discretion and acting reasonably.
- 22. This agreement may be terminated at any time by the County by giving sixty (60) days written notice to the Company.

GENERAL TERMS

- 23. The provisions of this Agreement shall survive the termination or expiration of this Agreement, as the context may require, and shall not be merged therein or herewith.
- 24. **The Company MUST have a copy of Page 1 of this Agreement in the transporting vehicles. The Agreement may be requested by County Officials, Bylaw Officers, the Royal Canadian Mounted Police, or other duly authorized personnel. Failure to produce this Agreement upon request may result in a ticket being issued.**
- 25. Any notice, demand or other document required or permitted to be given under the terms of this Agreement shall be sufficiently given to the party to whom it is addressed if writing and is faxed, mailed or delivered to the intended party at the address specified below for such recipient or, as to either party, at such other address as either party may furnish to the other from time to time. Except as otherwise provided in the Agreement, all communications shall be deemed to have been duly given when transmitted by facsimile or personally delivered or, in the case of registered mail, upon receipt, in each case given or addressed as aforesaid:

TO the County: MACKENZIE COUNTY

 Fax: _____
 Attention: _____

TO the Company: _____

 Fax: _____
 Attention: _____

- 26. No waiver of any breach of any representation, warranty, obligation, covenant, or condition in this Agreement shall be effective or binding unless made in writing and signed by the party purporting to give the same and unless otherwise provided, shall be limited to the specific breach which is waived.
- 27. This Agreement shall be governed by and construed in accordance with the laws of the Province of Alberta.

- 28. The headings in this Agreement have been inserted for reference and as a matter of convenience only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision hereof.
- 29. All of the provisions of this Agreement will be treated as separate and distinct any if any provision hereof is declared invalid, the other provisions will nevertheless remain in full force and effect.
- 30. This Agreement is non-transferable but shall enure to be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the parties have hereunder affixed their seals of their proper officers as of the day and year first above written.

MACKENZIE COUNTY

Per: _____ **c/s**

Per: _____

Per: _____ **c/s**

Per: _____



MACKENZIE COUNTY

REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	John Klassen, Manager of Utilities and Facilities
Title:	Equipment Purchase (Tractor)

BACKGROUND / PROPOSAL:

Administration researched and reviewed some multipurpose equipment for snow removal and road side mowing; we feel that the TV145 New Holland bidirectional tractor with the optional larger pump will minimally provide the horse power requirement. (Tractor has 105 hp at the pto and with larger pump adds 15-25 hp)

Another option is to purchase from the local dealer a John Deere 7630 which has 140 hp at the pto plus has the proper transmission to operate the snow blower. Administration and field staff feel this unit is properly suited for the Counties application.

Administration proposes that the County purchase only the tractor this year in order to modify the snow blower for this winter and budget for the sidearm and mower in the next budget season. (See attached photos)

OPTIONS & BENEFITS:

A benefit of either unit is obtaining a multi use piece of equipment for winter and summer.

Author: John Klassen

Review Date: _____

for
CAO *JA*

269

COSTS & SOURCE OF FUNDING:

Costs:

New Holland bidirectional tractor with larger pump = \$98,500.00

John Deere 7630 = \$138,800.00

Funding:

To be funded from public works reserve.

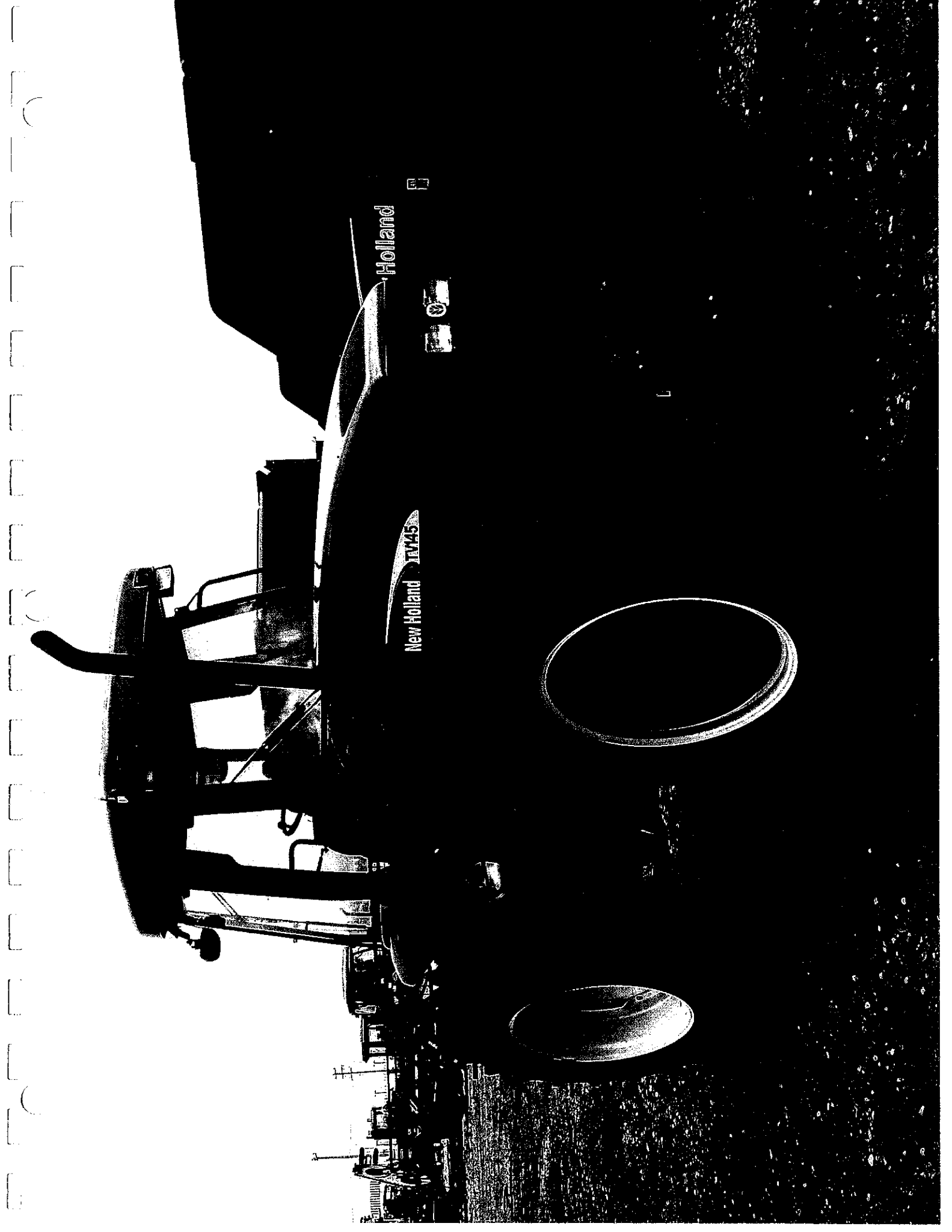
RECOMMENDED ACTION:

Option 1

That Mackenzie County purchase a New Holland TV145 bidirectional tractor at the purchase price of \$98,500.00 to be funded from public works reserve.

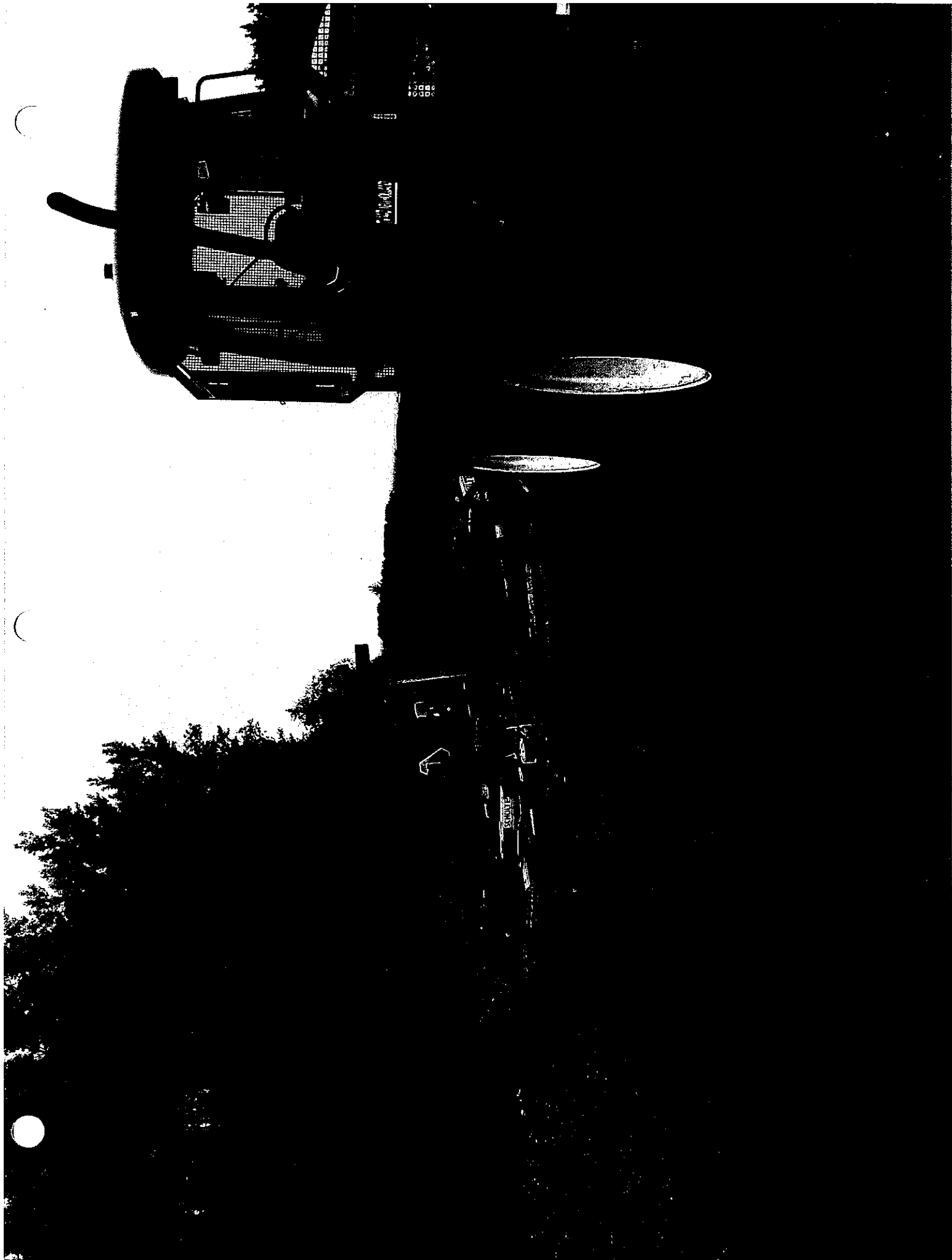
Option 2:

That Mackenzie County purchase a John Deere 7630 tractor at the purchase price of \$138,800.00 to be funded from public works reserve.

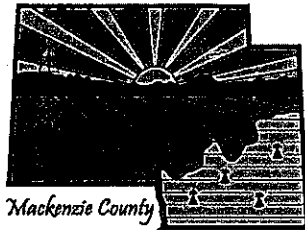


Holland

New Holland TM45







MACKENZIE COUNTY

REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	Joulia Whittleton, Director of Corporate Services
Title:	Fort Vermilion Lift Station Upgrade

BACKGROUND / PROPOSAL:

The 2007 Capital Budget includes \$178,627 for the Fort Vermilion Lift Station Upgrade project.

OPTIONS & BENEFITS:

We received an engineering estimate for completing this project from ISL Engineering.

The estimated amount is \$323,782 plus \$30,000 engineering cost. Therefore, \$175,155 in additional funding is required in order to proceed with this project.

COSTS & SOURCE OF FUNDING:

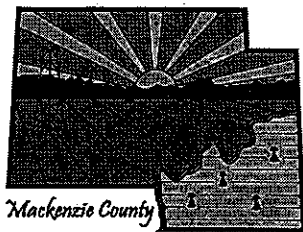
2007 Budget and General Operating Reserve

RECOMMENDED ACTION:

That the 2007 Capital Budget be amended to include \$175,155 in additional funding from General Operating Reserve for completion of the Fort Vermilion Lift Station Upgrade project with the total estimated project cost being \$353,782.

Author: _____ Review Date: _____


 CAO



MACKENZIE COUNTY

REQUEST FOR DECISION

Meeting:	Regular Council Meeting
Meeting Date:	August 14, 2007
Presented By:	William Kostiw, Chief Administrative Officer
Title:	Rural Waterline

BACKGROUND / PROPOSAL:

Discussion item.

OPTIONS & BENEFITS:

COSTS & SOURCE OF FUNDING:

RECOMMENDED ACTION:

For discussion.

Author: C. Gabriel

Review Date: August 9, 2007

for
CAO *JK*

