

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**Wednesday, June 26, 2013
11:00 a.m.**

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

PRESENT:	Bill Neufeld	Reeve
	Jacque Bateman	Councillor
	Peter F. Braun	Councillor
	Elmer Derksen	Councillor
	Dicky Driedger	Councillor
	John W. Driedger	Councillor
	Odell Flett	Councillor
	Eric Jorgensen	Councillor
	Lisa Wardley	Councillor
REGRETS:	Walter Sarapuk	Deputy Reeve
ADMINISTRATION:	Joulia Whittleton	Chief Administrative Officer
	Alison Kilpatrick	Director of Corporate Services
	John Klassen	Director of Environmental Services & Operations
	William (Bill) Kostiw	Director of Infrastructure Development & Government Relations
	Byron Peters	Director of Planning and Development
	Carol Gabriel	Manager of Legislative & Support Services

ALSO PRESENT: Members of the public.

Minutes of the Regular Council meeting for Mackenzie County held on June 26, 2013 in the Fort Vermilion Council Chambers.

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

Reeve Neufeld called the meeting to order at 11:11 a.m.

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

MOTION 13-06-427 **MOVED** by Councillor Braun

That the agenda be approved with the following additions:

5. a) AHS Dispatch Consolidation Update

9. a) AUMA Wetland Policies

CARRIED

**ADOPTION OF
PREVIOUS MINUTES:**

3. a) Minutes of the June 11, 2013 Regular Council Meeting

MOTION 13-06-428

MOVED by Councillor Wardley

That the minutes of the June 11, 2013 Regular Council meeting be adopted as presented.

CARRIED

GENERAL REPORTS:

5. a) AHS Dispatch Consolidation Update (ADDITION)

Councillor Flett provided an update on the Alberta Health Services Consultation Meeting in Leduc on June 20, 2013 regarding Emergency Medical Services dispatch consolidation.

MOTION 13-06-429

MOVED by Councillor Flett

That Sue Conroy, Senior Vice-President for Emergency Medical Services, be invited to attend a Council meeting to discuss air ambulance services.

CARRIED UNANIMOUSLY

**COMMUNITY
SERVICES:**

8. a) Bylaw 770-10 Unsightly Premises

MOTION 13-06-430

MOVED by Councillor Braun

That Bylaw 770-10 Unsightly Premises be brought back to Council with revisions as discussed.

CARRIED

**4. b) Cory Boddy, ATB Financial Investment Services –
11:30 a.m.**

Presentation by Cory Boddy from ATB Investment Management regarding Mackenzie County's investment portfolio.

Reeve Neufeld recessed the meeting at 12:02 p.m. and

reconvened the meeting at 1:00 p.m.

TENDERS:

**6. a) La Crete Sewage Lagoon Upgrades & Expansion
Tender – 1:00 p.m.**

MOTION 13-06-431

MOVED by Councillor Braun

That the La Crete Sewage Lagoon Upgrades and Expansion tenders be opened.

CARRIED

Tenders Received:

MCL Ltd.	\$13,750,935.00
Petro West Construction	\$14,501,388.90
Canadian Pipeline	\$ 9,387,500.00
Gabriel Construction	\$14,350,700.00 original \$ 9,015,999.89 amended
Northern Road Builders	\$ 6,703,990.00
Dechant Construction	\$ 9,570,288.38

MOTION 13-06-432

MOVED by Councillor Braun

That the La Crete Sewage Lagoon Upgrades and Expansion tender be awarded to the lowest qualified bidder, subject to approval by Alberta Environment and Alberta Transportation and budget amendment.

CARRIED

PUBLIC HEARINGS:

**7. a) Bylaw 890-13 Land Use Bylaw Amendment
(Original Titled Property)**

Reeve Neufeld called the public hearing for Bylaw 890-13 to order at 1:13 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 890-13 was properly advertised. Byron Peters, Director of Planning & Development, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Neufeld asked the Development Authority to outline the proposed Land Use Bylaw Amendment. Byron Peters, Director of Planning & Development, presented the Development Authority's submission and indicated that first

reading was given on April 9, 2013.

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

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 890-13. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 890-13. No one was present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 890-13 at 1:15 p.m.

MOTION 13-06-433

MOVED by Councillor Braun

That second reading be given to Bylaw 890-13 being a Land Use Bylaw amendment to amend Mackenzie County Land Use Bylaw (791-10) Section 8.1 C AGRICULTURAL "A" as amended.

CARRIED

MOTION 13-06-434

MOVED by Councillor Wardley

That third reading be given to Bylaw 890-13 being a Land Use Bylaw amendment to amend Mackenzie County Land Use Bylaw (791-10) Section 8.1 C AGRICULTURAL "A".

CARRIED

**COMMUNITY
SERVICES:**

8. b) Hamlet of Zama - Unsightly Premises

MOTION 13-06-435

MOVED by Councillor Wardley

That the County proceeds with issuing Cleanup Orders for all non-compliant properties in the Hamlet of Zama with the time schedule as presented.

CARRIED

8. c) Contract Services – Peace Officer

MOTION 13-06-436

MOVED by Councillor J. Driedger

That administration look into the options for banning ATV's from the Hamlet of La Crete and look into options of contract peace officers.

CARRIED

4. c) Jim Walters, UFA (Bylaw 906-13) – 1:30 p.m.

Presentation by Jim Walters, Manager of UFA Grain Solutions, regarding their land use bylaw amendment (Bylaw 906-13).

Reeve Neufeld declared himself in conflict and left the meeting.

MOTION 13-06-437

MOVED by Councillor J. Driedger

That Councillor Braun assume the Chair.

CARRIED

**PLANNING &
DEVELOPMENT:**

**11. a) Bylaw 906-13 Land Use Bylaw Amendment
Application to Rezone Plan 982 5602, Block 19,
Lot 4 from Hamlet Commercial 2 'HC2' to Hamlet
Industrial 2 'HI2' (La Crete)**

MOTION 13-06-438

MOVED by Councillor Bateman

That first reading be given to Bylaw 906-13, being a Land Use Bylaw amendment to rezone Plan 982 5602, Block 19, Lot 4 from Hamlet Commercial 2 'HC2' to Hamlet Industrial 2 'HI2' in the Hamlet of La Crete, subject to a Public Hearing.

CARRIED

Reeve Neufeld rejoined the meeting and resumed the Chair.

**ENVIRONMENTAL
SERVICES:**

9. a) AUMA Wetland Policies (ADDITION)

MOTION 13-06-439

MOVED by Councillor Wardley

That an update on Wetland Policies and how it corresponds with the AUMA draft be requested at the AAMDC Zone meeting.

CARRIED

Reeve Neufeld recessed the meeting at 1:55 p.m. and reconvened the meeting at 2:07 p.m.

DELEGATION:

4. a) Fort Vermilion Recreation Board (Fort Vermilion Splash Park) – 2:00 p.m.

MOTION 13-06-440

MOVED by Councillor Wardley

That the Fort Vermilion Recreation Board be authorized to proceed with the Fort Vermilion Splash Park as presented.

CARRIED

OPERATIONS:

10. a) Chip Seal La Crete North (RR 15-1)

MOTION 13-06-441

MOVED by Councillor D. Driedger

That Mackenzie County reallocate \$275,000.00 from the Spruce Road project to a chip seal project on the first two miles on Blue Hills Road.

MOTION 13-06-442

MOVED by Councillor

That Motion 13-06-441 be TABLED to after the discussion of item 12. c).

CARRIED

**11. b) Bylaw 907-13 Land Use Bylaw Amendment
Application to Rezone Part of NW 9-104-15-W5M
from Mobile Home Subdivision 'MHS1' to Hamlet
Residential 1B 'HR1B' (La Crete)**

MOTION 13-06-443

MOVED by Councillor Bateman

That first reading be given to Bylaw 907-13, being a Land Use Bylaw amendment to rezone Part of NW 9-104-15-W5M from Mobile Home Subdivision 'MHS1' to Hamlet Residential 1B 'HR1B' in the Hamlet of La Crete, subject to the public hearing input.

CARRIED

11. c) 152-DP-13 Jacob Dyck (Shop-Farm in “A”) (La Crete)

MOTION 13-06-444

MOVED by Councillor Bateman

That Development Permit 152-DP-13 on SW 18-106-13-W5M in the name of Jacob Dyck be APPROVED with the following conditions: Failure to comply with one or more of the attached conditions shall render this permit Null and Void.

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. An Approved Roadside Development Permit is required from Alberta Transportation. All conditions and requirements by Alberta Transportation shall be met to their specifications and standards prior to commencement of development. (Contact Alberta Transportation at 1-780-624-6280).
3. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards.
4. The Shop - Farm is approved for agricultural purposes only and no commercial activity is permitted in this building. If the developer/landowner/occupant or other person or persons intend to use the Shop - Farm for commercial or industrial uses, a new development permit is required prior to the commencement of the commercial or industrial use.
5. The Shop – Farm shall not be used as a dwelling.
6. All sewage disposals shall conform to the Alberta Private Sewage Systems Standard of Practice 2009.
7. 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 any 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 the basement and/or flooding of the basement, and/or any ancillary buildings.
8. This permit approval is subject to the access to the property being constructed to County standards. 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 780-928-3983. Access to be constructed at the developers' expense.

9. No construction or development is allowed on or in a right-of-way. It is the responsibility of the developer/owner/occupant to investigate the utility rights-of-way, if any, that exist on the property prior to commencement of any construction and to ensure that no construction or development is completed on any utility right-of-way.
10. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.
11. The Developer shall at all times comply with all applicable Federal, Provincial and Municipal legislation and regulations and County Bylaws and resolutions relating to the development of the lands.

CARRIED

11. e) ASP Consultation Feedback

Reeve Neufeld recessed the meeting at 3:16 p.m. and reconvened the meeting at 3:33 p.m.

MOTION 13-06-445

MOVED by Councillor Wardley

That the original Area Structure Plan timeline be followed and that administration proceed to public hearing on all Area Structure Plans as amended.

CARRIED UNANIMOUSLY

11. d) ASP Consultation Meeting Request

MOTION 13-06-446

MOVED by Councillor Bateman

That administration respond to the Town of High Level indicating that the Mackenzie Highway Industrial Area Structure Plan has been amended by shifting the boundary further north, outside the Inter-municipal Development Area (IDP) area.

CARRIED

11. f) Residential Lot Sizes in Hamlets

MOTION 13-06-447

MOVED by Councillor Braun

That administration proceed with drafting a Land Use Bylaw amendment to permit a minimum lot size of 55' X 100' for single family residential lots and a minimum lot size 60' X 100' for multiple family lots as well as altering the side yard setbacks to maximize useable yard area.

CARRIED UNANIMOUSLY

**CORPORATE
SERVICES:**

**12. a) Bylaw 903-13 Borrowing Bylaw – High Level
Rural Water Line**

MOTION 13-06-448
Requires 2/3

MOVED by Councillor Bateman

That second reading be given to Bylaw 903-13 being a borrowing bylaw for the construction of the High Level Rural Water Line – Phase I.

CARRIED

MOTION 13-06-449
Requires 2/3

MOVED by Councillor Wardley

That third reading be given to Bylaw 903-13 being a borrowing bylaw for the construction of the High Level Rural Water Line – Phase I.

CARRIED

**12. b) Policy FIN023 Local Improvement Charge
Cancellation**

MOTION 13-06-450
Requires 2/3

MOVED by Councillor Bateman

That Policy FIN023 Local Improvement Charge Cancellation be amended as presented.

CARRIED

12. c) Funding for Road Upgrades

MOTION 13-06-451
Requires 2/3

MOVED by Councillor D. Driedger

That the County rebuild 1.5 miles of the Blue Hills Road with funding coming from the 2013 Gravel Budget at an estimated cost of \$300,000.

CARRIED

OPERATIONS:

10. a) Chip Seal La Crete North (RR 15-1)

MOTION 13-06-441

MOVED by Councillor D. Driedger

That Mackenzie County reallocate \$275,000.00 from the Spruce Road project to a chip seal project on the first two miles on Blue Hills Road.

DEFEATED

MOTION 13-06-452

Requires 2/3

MOVED by Councillor Derksen

That Mackenzie County reallocate \$275,000.00 from the Spruce Road project to a chip seal project two miles north of La Crete and the remaining \$55,000.00 be used to rectify the standing water issue on Spruce Road.

Councillor J. Driedger requested a recorded vote.

In Favor

Councillor Derksen
Councillor J. Driedger
Councillor Flett
Councillor Wardley
Reeve Neufeld
Councillor D. Driedger
Councillor Braun

Opposed

Councillor Jorgensen
Councillor Bateman

CARRIED

MOTION 13-06-453

MOVED by Councillor Flett

That the 2013 Budget be amended by adding the Rocky Lane regrading and dust control project with funding coming from the Gravel Budget at an estimated cost of \$350,000.

CARRIED UNANIMOUSLY

Reeve Neufeld recessed the meeting at 4:45 p.m. and reconvened the meeting at 5:00 p.m.

MOTION 13-06-454

MOVED by Councillor Derksen

That a Request for Proposal be issued for the chip seal project on the two miles of road north of La Crete.

CARRIED

12. d) Property Taxes in Arrears – Penalties & Interest

MOTION 13-06-455

MOVED by Councillor Wardley

That the ratepayer for taxroll 159342, or his agent, be held liable for 2012 property taxes of \$785.04, currently in arrears, plus penalties of \$146.46, in accordance with County Bylaw 518-05.

CARRIED

12. e) Budget Amendment

MOTION 13-06-456

Requires 2/3

MOVED by Councillor Bateman

That the 2013 TCA budget be amended, as follows:

- Add \$175,203 to Other Sources of external funding (connection fees) to 6-41-02.
- Draw \$46,105 from Sewer Upgrading Reserve, and \$46,106 from Water Upgrading Reserve; the total, \$92,211 represents the County's share of the costs of project 6-41-02.
- Reallocate \$224,269 Federal Gas Tax Fund (FGTF) grant funding from 6-41-02 to 6-41-06 (distribution pumphouse upgrades); reduce draw from Water Treatment Plant Reserve by a like amount.
- Reallocate \$43,145 FGTF funding from 6-41-02 to 6-32-04 (truck with picker and auger); reduce draw from Vehicle & Equipment Reserve by a like amount.

CARRIED

12. f) Financial Reports – January 1 to May 31, 2013

MOTION 13-06-457

MOVED by Councillor Derksen

That the financial reports for the period, January 1 – May 31, 2013, be accepted for information.

CARRIED

ADMINISTRATION: 13. a) La Crete Enhanced Policing – Memorandum of Understanding

MOTION 13-06-458 **MOVED** by Councillor Braun

That administration proceed with finalizing the La Crete Enhanced Policing Memorandum of Understanding with amendments as discussed.

CARRIED

**INFORMATION/
CORRESPONDENCE: 14. a) Information/Correspondence**

MOTION 13-06-459 **MOVED** by Councillor Flett

That Councillor Jorgensen act as the County liaison on the Friends of St. Theresa Society.

CARRIED

MOTION 13-06-460 **MOVED** by Councillor Jorgensen

That Mackenzie County support the letter from the Northern Alberta Elected Leaders to the Minister of Transportation regarding northern Alberta highways.

CARRIED

MOTION 13-06-461 **MOVED** by Councillor Wardley

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

CARRIED

IN-CAMERA SESSION:

MOTION 13-06-462 **MOVED** by Councillor Wardley

That Council move in-camera to discuss issues under the Freedom of Information and Protection of Privacy Regulations 18 (1) at 5:27 p.m.

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

CARRIED

MOTION 13-06-463

MOVED by Councillor Wardley

That Council move out of camera at 5:43 p.m.

CARRIED

15. a) Legal – Housing Amalgamation

MOTION 13-06-464

MOVED by Councillor Derksen

That the housing amalgamation be received for information.

CARRIED

15. a) Legal – Regional Service Sharing Agreement

MOTION 13-06-465

MOVED by Councillor D. Driedger

That the Regional Service Sharing Agreement update be received for information.

CARRIED

15. b) Labour

15. c) Land – Beaver First Nation

MOTION 13-06-466

MOVED by Councillor Flett

That the Beaver First Nation meeting update be received for information.

CARRIED

15. c) Land – Parkland Lease (La Crete Airport)

MOTION 13-06-467

MOVED by Councillor D. Driedger

That the Parkland Lease at the La Crete airport be received for information.

CARRIED

**NEXT MEETING
DATE:**

16. a) Regular Council Meeting
Tuesday, July 16, 2013
10:00 a.m.
Fort Vermilion Council Chambers

ADJOURNMENT:

17. a) Adjournment

MOTION 13-06-468

MOVED by Councillor Jorgensen

That the council meeting be adjourned at 5:46 p.m.

CARRIED

These minutes were approved by Council on July 16, 2013.

(original signed)

Bill Neufeld
Reeve

(original signed)

Joulia Whittleton
Chief Administrative Officer

