

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**Tuesday, September 10, 2013
10:00 a.m.**

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

PRESENT: Bill Neufeld Reeve
Jacquie Bateman Councillor
Peter F. Braun Councillor (left the meeting at 4:59 p.m.)
Elmer Derksen Councillor
John W. Driedger Councillor
Odell Flett Councillor (arrived at 10:23 a.m.)
Eric Jorgensen Councillor (left the meeting at 5:28 p.m.)
Lisa Wardley Councillor

REGRETS: Walter Sarapuk Deputy Reeve
Dicky Driedger Councillor

ADMINISTRATION: Joulia Whittleton Chief Administrative Officer
William (Bill) Kostiw Director of Infrastructure Development &
Government Relations
John Klassen Director of Environmental Services &
Operations
Ron Pelensky Director of Community Services & Operations
Byron Peters Director of Planning and Development
Alison Kilpatrick Director of Corporate Services
Carol Gabriel Manager of Legislative & Support Services

ALSO PRESENT: Members of the public and the media.

Minutes of the Regular Council meeting for Mackenzie County held on September 10, 2013 in the Fort Vermilion Council Chambers.

CALL TO ORDER: 1. a) Call to Order

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

AGENDA: 2. a) Adoption of Agenda

MOTION 13-09-619 MOVED by Councillor Braun

That the agenda be approved as presented.

CARRIED

**ADOPTION OF
PREVIOUS MINUTES:**

3. a) Minutes of the August 26, 2013 Regular Council Meeting

MOTION 13-09-620

MOVED by Councillor Wardley

That the minutes of the August 26, 2013 Regular Council meeting be adopted as presented.

CARRIED

GENERAL REPORTS:

5. a) CAO Report

MOTION 13-09-621

MOVED by Councillor Derksen

That the CAO report for August 2013 be accepted for information.

CARRIED

Councillor Flett joined the meeting at 10:23 a.m.

TENDERS:

6. b) Surface Water Management and Conservation Master Plan Request for Proposal

MOTION 13-09-622

MOVED by Councillor Wardley

That the Surface Water Management and Conservation Master Plan be awarded to the lowest qualified proposal and that administration works with the Agriculture Service Board and local area steering committees for implementation.

CARRIED

**COMMUNITY
SERVICES:**

8. a) Off-Highway Vehicle Bylaw

MOTION 13-09-623

MOVED by Councillor Wardley

That administration be instructed to bring back an amended Off Highway Vehicle Bylaw that includes additional restrictions:

- All Off Highway Vehicles must have a current vehicle registration and valid license plate visible
- Must follow all provincial legislation

- La Crete/Fort Vermilion – no use of ditches for summer ATV use within Hamlet unless it is a designated trail
- Zama – permit use as regular mode of transportation, no use of ditches or watercourses for summer ATV use within Hamlet

CARRIED

ENVIRONMENTAL SERVICES:

9. a) None

Reeve Neufeld recessed the meeting at 11:10 a.m. and reconvened the meeting at 11:26 a.m.

OPERATIONS:

10. a) La Crete ATB 75th Celebration Event

MOTION 13-09-624

MOVED by Councillor Bateman

That Mackenzie County authorizes ATB Financial to cordon off a portion of 101st Street in La Crete from 100th Avenue to 101st Avenue in order to host their 75th anniversary function on September 27, 2013.

CARRIED

PLANNING & DEVELOPMENT:

11. a) Bylaw 916-13 Land Use Bylaw Amendment to Rezone Plan 852 1770, Block 6, Lot 37 (4806 - 50th Street) from Hamlet Commercial District 1 “HC1” to Direct Control District “DC” (Fort Vermilion)

MOTION 13-09-625

MOVED by Councillor Derksen

That first reading be given to Bylaw 916-13 being the rezoning of Plan 852 1770, Block 6, Lot 37 from Hamlet Commercial District 1 “HC1” to Direct Control District “DC” to accommodate a liquor store, subject to public hearing input.

CARRIED

MOTION 13-09-626

MOVED by Councillor Bateman

That the Planning and Development Department request the owner of the property located at Plan 2938RS, Block 2, Lot 11 in the Hamlet of Fort Vermilion, to rezone their property to Direct Control in order to comply with the current Land Use Bylaw.

CARRIED

MOTION 13-09-627

MOVED by Councillor Wardley

That Motion 13-09-626 be RESCINDED.

CARRIED

**PLANNING &
DEVELOPMENT:**

**11. b) 220-DP-13 David & Judith Unrah (Yardsite
Development in "A") (88 Connector Industrial Area)**

MOTION 13-09-628

MOVED by Councillor Wardley

That items 11. b), c), d), and e) be TABLED to following the Public Hearing for the Connector Industrial Area.

DEFEATED

Reeve Neufeld recessed the meeting at 11:58 a.m. and reconvened the meeting at 1:03 p.m.

PUBLIC HEARINGS:

7. a) Bylaw 896-13 Hamlet of Zama Area Structure Plan

Reeve Neufeld called the public hearing for Bylaw 896-13 to order at 1:03 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 896-13 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 Area Structure Plan. Byron Peters, Director of Planning & Development, presented the Development Authority's submission and indicated that first reading was given on April 24, 2013.

Reeve Neufeld asked if Council has any questions of the proposed Area Structure Plan. Comment was made to double check that the transfer station shows on all maps in the Area Structure Plan.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 896-13. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 896-13. No one was present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 896-13 at 1:06 p.m.

MOTION 13-09-629

MOVED by Councillor Wardley

That second reading be given to Bylaw 896-13 being the Hamlet of Zama Area Structure Plan.

CARRIED

MOTION 13-09-630

MOVED by Councillor Braun

That third reading be given to Bylaw 896-13 being the Hamlet of Zama Area Structure Plan.

CARRIED

PUBLIC HEARINGS:

7. b) Bylaw 897-13 Connector Industrial Area Structure Plan

Reeve Neufeld called the public hearing for Bylaw 897-13 to order at 1:06 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 897-13 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 Area Structure Plan. Byron Peters, Director of Planning & Development, presented the Development Authority's submission and indicated that first reading was given on April 24, 2013.

Reeve Neufeld asked if Council has any questions of the proposed Area Structure Plan.

- Councillor Jorgensen commented that additional lands identified on the east end were to be included in this area as well as where Foster Road meets the 88 Connector. The CAO replied that Council made a motion on July 16, 2013 that administration be

authorized to proceed with the Connector Industrial ASP as per the original boundaries only revising the zoning to accommodate landowner concerns. Therefore these additional areas were not included.

- Councillor Jorgensen asked what the options are now to add it? The CAO replied that it could be brought back in six months for consideration. To redo the entire process now would be costly. The ASP's are reviewed every five years, Council direction in July was to proceed as presented.
- Councillor J. Driedger asked why the industrial area as a half mile on each side of the highway instead of a quarter mile and when did it change. They can't build on their entire quarter, people are saving their money to build later and later they will not be allowed to build. Administration replied that the boundaries are a half mile on average.
- Administration commented that the land can continue to be used as long as the use does not change.
- A question was asked about new houses being allowed. Any existing yardsite will be grandfathered.
- Councillor Wardley commented that a mixed-use should be incorporated similar to the ASP for the area near High Level.
- Administration commented that the ASP does not address rezoning. Rezoning of lands is done at the Land Use Bylaw amendment stage. More clarity will be addressed at that time.
- A question was asked if the ASP presented is what was presented by the consultant at the Open Houses. Administration replied that it was the same.
- A comment was made that financiers/appraisers need to know what the plan is for the land before they approve financing.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 897-13. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 897-13.

- Simon Driedger stated that he bought land a year ago and this plan was not on the table. Nobody was aware. Who wants it? We as farmers don't need it. We want to move on the land and farm. People can rezone to

industrial if they want to. Why is our Council trying to spoil our community? The CAO commented that you may continue farming as long as you want.

- Simon Driedger also stated that his 16 year old son won't be able to build a yard site in the future on the property that he purchased for him.
- Aron Driedger stated that his son purchased property for a yardsite and hobby farming. Since then he has traded property with his son. Who will I sell it to? It sounds like your mind is made up. Did you hear positive comments at the open houses, no. Value is not going up on the land. I parked my combine today to be here for the public hearing at 1:00 p.m. You already spent \$100,000 to do this and now you're asking questions.
- Reeve Neufeld stated that the bylaw has not been passed yet.
- Simon Driedger asked if the process could be stopped for six months. We do not want this.
- Aron Driedger stated that Council is doing this to us. What will you do if I build a house, charge me? It's a piece of slough land. We paid dearly for this land and find out now we can't use it.
- Councillor Jorgensen asked administration what the process was to build a house on this land. The CAO replied that the land is still zoned as Agricultural and a house would qualify. The next step, if the ASP is approved, would be to rezone the land according to the ASP. They can also submit an application for ASP amendment or rezoning back to original, this would be Council's decision.
- Aron Driedger commented that there are fees for that.
- Councillor J. Driedger asked administration what the cost is to owner now to rezone, etc.
- Simon Driedger asked if the County would get more taxes by doing this, what is the advantage? The CAO replied that the land is assessed on use.
- Simon Driedger suggested that only the area near the Mustus Energy site be designated as industrial. The Reeve replied that he should submit that a s suggestion.
- Aron Driedger stated that he was told that the main reason for this was because the road was getting paved and there was government funding. The Reeve replied that we did not receive government funding for the pavement.
- Aron Driedger suggested that the area on seven mile

stretch be used. Administration replied that there would be concerns from Alberta Transportation.

- Margaret Buhler asked what do you want us to do now? If we can't build, we can't start farming. We wanted to subdivide the land and sell an acreage to help us build a road. We have high payments and many others are in the same situation.
- A comment was made that this is more work than one person wanting an industrial zoning. If anyone wants commercial property let them apply. The Reeve replied that we want to keep industrial in one pocket.
- Councillor Jorgensen commented that we understand their comments. Discussion was held on how to fund the paving of the Connector, the area was identified as an industrial heartland and needed pavement. There are places in the province with scattered residences among farmland, we need to plan the future.
- Simon Driedger stated that families of 12 – 18 need farm sites. Farm quarters should be split in 40 acre splits so they can have farm sites and share the land.
- Councillor Jorgensen responded that there are just as many people who look at it differently, there are two sides.
- The CAO reiterated that according to the motion made in July, the landowner concerns would be considered and accommodated at the Land Use Bylaw amendment stage.
- James Friesen asked if you can build a house in the Light Industrial area then what about the General Industrial area? He bought land six years ago in the GI area and needs to be able to get around that.
- Byron Peters replied that the GI area has more noise, etc. The overall goal is to direct industry with a plan. We do not want to play favoritism with industry partners. The proposed area is less than 1% of our agricultural area. We understand the agricultural community however we need to diversify and get industry.
- Councillor Wardley commented that Council started to decide on paving the 88 Connector in 2010 and have been working on the rural waterline. These have been discussed at annual ratepayer meetings. We don't have an area to direct industry and Mustus Energy was key. The Regional Economic Development Initiative completed a study on a Bio Industrial Park, the 88 Connector area was identified and those owners were

talked to. The 88 Connector area was identified by Council as a prime location for industry and not just around High Level. Every other municipality has areas identified.

- Simon Driedger stated that this should have been addressed when the land was sold. This is our land – get off.
- Aron Driedger stated that if you are forcing us then no one will sell their land for industry purposes.
- Councillor Wardley stated that a logging company in a Light Industrial area is in contravention of the Land Use Bylaw.
- Simon Driedger stated that nobody is looking for commercial land.
- Aron Driedger stated that we are here to stop this.
- Reeve Neufeld replied that they are here to listen.
- Aron Driedger stated that at the last meeting you were also there to listen and lot of these Councillors were not there. Everyone was against it. Some people didn't know it was a public meeting.
- Byron Peters stated that all landowners received a letter.
- Aron Driedger stated that at the open house it seemed like Council's decision was already made. Reeve Neufeld replied that you are accusing us on no grounds. After this public hearing is when the decision will be made. We have not voted yet.
- James Friesen stated that we were asked to give comments at the open houses and none have been incorporated and this is a big concern. Byron Peters responded that page 85 of the ASP shows what comments were included.
- Simon Driedger asked why we can't move the decision. The Reeve replied that we have to wait until the public hearing is closed.
- Simon Driedger also asked about having a recorded vote. The Reeve replied that a Councillor has to request a recorded vote.
- Councillor Wardley asked if the residents would be okay with the inclusion of a mixed use in the ASP. Simon Driedger said no, use the Mustus area only.
- Aron Driedger stated that if industry comes in people would be willing to sell. Don't put a chain on us.
- Councillor Wardley asked how are you limited? You are still able to farm.

- Aron Driedger replied that the land he purchased was not to farm, it is a slough. Can my son build in five years?
- Councillor Wardley stated that when industry wants to move in they have to deal with all the issues surrounding it. People would move knowing that there could be industry there.
- Simon Driedger stated that they have no problems with a few quarters being set aside. It should be the owners choice not Councils.
- The CAO stated that this is no different than hamlet planning. Residential, commercial, and industrial areas are identified and consultation occurs. We are being proactive. We want to welcome economic development by identifying those areas. We can proceed in general and accommodate individual concerns.
- Simon Driedger stated that they are scared and no one wants it except Council.
- Councillor J. Driedger commented regarding main street in La Crete – where would we move Knelsen or UFA, etc.? We can't have everything on main street. We are trying to work together.
- Reeve Neufeld asked if it was everyone present's request for more public input (ie. six months).
- Councillor J. Driedger stated that three months should be lots.
- Councillor Jorgensen commented that we will see an increase in development permits within that six months.
- Byron Peters commented that the proposed Land Use Bylaw amendments should receive final reading in December 2013.
- Aron Driedger stated that Margaret Buhler did not get an answer.
- Margaret Buhler asked what are we supposed to do now. We can't live there or move there. Isn't there more government land that will be sold?
- Councillor Jorgensen stated that we know your concerns. For five years we were working on these land sales. We even looked at buying land and doing our own sales but it was too costly. If the government would be prepared it would reduce the cost.
- Aron Driedger asked if she can sell an acreage.
- The CAO responded that she could still build a house on the quarter but not subdivide it.
- Henry Krahn asked about the development permits that

were submitted already in this area.

- The Reeve replied that they will be dealt with a today's meeting.

Reeve Neufeld closed the public hearing for Bylaw 897-13 at 2:15 p.m.

Reeve Neufeld recessed the meeting at 2:15 p.m. and reconvened the meeting at 2:37 p.m.

MOTION 13-09-631

MOVED by Councillor Wardley

That second reading be given to Bylaw 897-13 being the Connector Industrial Area Structure Plan.

Councillor Braun requested a recorded vote.

In Favor

Councillor Flett
Councillor Wardley
Councillor Bateman
Councillor Jorgensen

Opposed

Councillor Derksen
Councillor J. Driedger
Councillor Braun
Reeve Neufeld

DEFEATED

TENDERS:

6. a) Water & Sewer Extension on 43rd Avenue, Fort Vermilion

MOTION 13-09-632

MOVED by Councillor J. Driedger

That the tender for the Water and Sewer Extension on 43rd Avenue in Fort Vermilion be opened.

CARRIED

Tenders Received

Northern Road Builders	\$468,825.00
Good Brothers Construction	\$220,500.00

MOTION 13-09-633

MOVED by Councillor Flett

That the tender for the Water and Sewer Extension on 43rd Avenue in Fort Vermilion be awarded to the lowest qualified tender.

CARRIED

PUBLIC HEARINGS:

7. c) Bylaw 899-13 Footner Lake Industrial Area Structure Plan

Reeve Neufeld called the public hearing for Bylaw 899-13 to order at 2:44 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 899-13 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 Area Structure Plan. Byron Peters, Director of Planning & Development, presented the Development Authority's submission and indicated that first reading was given on April 24, 2013.

Reeve Neufeld asked if Council has any questions of the proposed Area Structure Plan. A statement was made regarding people being aware of the zoning of the land when it goes for sale.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 899-13. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 899-13. No one was present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 899-13 at 2:46 p.m.

MOTION 13-09-634

MOVED by Councillor Wardley

That second reading be given to Bylaw 899-13 being the Footner Lake Industrial Area Structure Plan.

CARRIED

MOTION 13-09-635

MOVED by Councillor Bateman

That third reading be given to Bylaw 899-13 being the Footner Lake Industrial Area Structure Plan.

CARRIED

PUBLIC HEARINGS:

7. d) Bylaw 914-13 Land Use Bylaw Amendment to add “Shop” to Urban Fringe “UF”

Reeve Neufeld called the public hearing for Bylaw 914-13 to order at 2:47 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 914-13 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 August 12, 2013.

Reeve Neufeld asked if Council has any questions of the proposed Land Use Bylaw Amendment.

- Councillor Wardley asked a question regarding the definition of “shop” and regarding adjacent landowners being personally notified for discretionary uses.
- Shops are restricted in the Urban Fringe, should protect the Urban Fringe from industrial shops.
- Councillor Derksen stated that you can still refuse the permit.
- Councillor Wardley asked if a “Shop-Residential” definition could be created.
- Byron Peters stated that we run into this regularly where people want a hobby/toy garage. Conditions could be included in the Development Permit.
- Councillor Jorgensen stated that there is an issue with what the hobby shop becomes after it’s approved.
- Discussed adding a definition for “Shop-Personal” into the Land Use Bylaw.
- Byron Peters also stated that they are required to advertise in the local newspaper and 99% of the time adjacent landowners are notified by letter.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 914-13. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 914-13. No one was present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 914-13 at 3:00 p.m.

MOTION 13-09-636

MOVED by Councillor Jorgensen

That second reading be given to Bylaw 914-13, being a Land Use Bylaw amendment to add "Shops – **Personal**" to Urban Fringe "UF", Section 8.27 A of the Land Use Bylaw and that the Land Use Bylaw be amended to include a definition for "Shops – Personal".

CARRIED

MOTION 13-09-637

MOVED by Councillor Derksen

That third reading be given to Bylaw 914-13, being a Land Use Bylaw amendment to add "Shops - Personal" to Urban Fringe "UF, Section 8.27 A" of the Land Use Bylaw.

CARRIED

MOTION 13-09-638

MOVED by Councillor J. Driedger

That Development Permit 220-DP-13 on SW 16-106-13-W5M) in the name of David & Judith Unrah be approved with following conditions:

Failure to comply with one or more of the attached conditions shall render this permit Null and Void

1. PRIOR TO ANY NEW CONSTRUCTION TAKING PLACE ON THE SUBJECT PROPERTY CONTACT THE DEVELOPMENT DEPARTMENT FOR A DEVELOPMENT PERMIT.
2. 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.
3. 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.

4. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.
5. 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

**PLANNING &
DEVELOPMENT:**

11. c) 221-DP-13 Cornelius Buhler (Yardsite Development in "A") (88 Connector Industrial Area)

MOTION 13-09-639

MOVED by Councillor Derksen

That Development Permit 221-DP-13 on NE 7-106-12-W5M in the name of Cornelius Buhler be approved with following conditions:

Failure to comply with one or more of the attached conditions shall render this permit Null and Void

1. PRIOR TO ANY NEW CONSTRUCTION TAKING PLACE ON THE SUBJECT PROPERTY CONTACT THE DEVELOPMENT DEPARTMENT FOR A DEVELOPMENT PERMIT.
2. 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.
3. 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.

4. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.
5. 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

**PLANNING &
DEVELOPMENT:**

11. d) 222-DP-13 Henry & Sarah Krahn (Manufactured Home – Single Wide in “A”) (88 Connector Industrial Area)

MOTION 13-09-640

MOVED by Councillor Braun

That Development Permit 222-DP-13 on Part of SE 16-106-13-W5M in the name of Henry & Sarah Krahn be approved with following conditions:

Failure to comply with one or more of the attached conditions shall render this permit Null and Void

1. Minimum Building setbacks are:
 - a. 41.14 meters (135 feet), from Road Right of Way.
 - b. 15.2 meters (50 feet) from all other property lines.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards.
3. The undercarriage of the Manufactured Home – Single Wide shall be screened from view by skirting or such other means satisfactory to the Development Authority.
4. All sewage disposals shall conform to the Alberta Private Sewage Systems Standard of Practice 2009.
5. 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.
6. 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 of Mackenzie County at 780-928-3983. Access to be constructed at the developer's expense.

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

CARRIED

**PLANNING &
DEVELOPMENT:**

11. e) 230-DP-13 Peter F. Thiessen (Garage-Attached in "A") (88 Connector Industrial Area)

MOTION 13-09-641

MOVED by Councillor J. Driedger

That Development Permit 230-DP-13 on NW 9-106-12-W5M in the name of Peter F. Thiessen be approved with following conditions:

Failure to comply with one or more of the attached conditions shall render this permit Null and Void

1. Minimum Building setbacks are:
 - a) 41.14 meters (135 feet), from Road Right of Way.
 - b) 15.2 meters (50 feet) from all other property lines.
2. This garage is for residential purposes only and no commercial activity is permitted in this building or district.
3. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards.
4. No ancillary building erected/or moved onto the site shall be used as a dwelling.
5. All sewage disposals shall conform to the Alberta Private Sewage Systems Standard of Practice 2009.
6. 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.

7. 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 of Mackenzie County at 780-928-3983. Access to be constructed at the developer's expense.
8. 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.
9. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.

CARRIED

MOTION 13-09-642

MOVED by Councillor Bateman

That Motion 13-01-022 made on January 15, 2013 be rescinded, which stated:

That all development applications for the areas identified along Highway 88 Connector, along Highway 88 and along Highway 35, as identified in Motion 13-01-019, Motion 13-01-020, and Motion 13-01-021, be deferred to Council for decision until the Area Structure Plans are completed.

CARRIED

**CORPORATE
SERVICES:**

12. a) Bylaw 917-13 Tax Penalty Bylaw

MOTION 13-09-643

MOVED by Councillor Wardley

That first reading be given to Bylaw 917-13 being the Tax Penalties Bylaw for Mackenzie County as amended.

Councillor Jorgensen requested a recorded vote.

In Favor
Councillor Derksen
Councillor Flett
Councillor J. Driedger
Councillor Wardley
Reeve Neufeld
Councillor Bateman
Councillor Braun

Opposed
Councillor Jorgensen

CARRIED

MOTION 13-09-644

MOVED by Councillor Braun

That second reading be given to Bylaw 917-13 being the Tax Penalties Bylaw for Mackenzie County.

CARRIED

MOTION 13-09-645

Requires Unanimous

MOVED by Councillor Derksen

That consideration be given to go to third reading of Bylaw 917-13 being the Tax Penalties Bylaw for Mackenzie County at this meeting.

DEFEATED

**CORPORATE
SERVICES:**

12. b) Write Off Penalties Levied July 3, 2013

MOTION 13-09-646

MOVED by Councillor Jorgensen

That property tax penalties totaling \$258.26 levied in July 2013 to the various tax rolls of Mr. Krahn be voided.

CARRIED

Reeve Neufeld recessed the meeting at 3:22 p.m. and reconvened the meeting at 3:41 p.m.

ADMINISTRATION:

13. a) Regional Housing Needs Assessment Study

MOTION 13-09-647

MOVED by Councillor Flett

That Mackenzie County participates in an application for the Regional Housing Needs Assessment Study project, to be

submitted in conjunction with the Towns of High Level and Rainbow Lake under the component of the Regional Collaboration Program, and further that Mackenzie County, the applicant, agrees to enter into a Conditional Grant Agreement, governing the purpose and use of the grant funds.

CARRIED

ADMINISTRATION:

13. b) Mackenzie Applied Research Association – Alberta Agriculture and Rural Development Grant Application

MOTION 13-09-648

Requires 2/3

MOVED by Councillor Jorgensen

That administration prepare an Offer to Purchase for selling the agricultural research equipment to Mackenzie Applied Research Association (MARA), subject to the equipment being reverted to the County for \$1.00 should MARA discontinue its operations.

CARRIED

MOTION 13-09-649

MOVED by Councillor Flett

That a Letter of Commitment to enter into a long-term lease agreement for all or a portion of the Fort Vermilion Research Station lands, as will be required by Mackenzie Applied Research Association for the continuation of agricultural research, be issued to Alberta Agriculture and Rural Development, subject to the County's acquisition of the lands from Agriculture Canada.

CARRIED

ADMINISTRATION:

13. c) AAMDC Survey – Maintenance and Service on Three-Digit (Secondary) Highways

MOTION 13-09-650

MOVED by Councillor Wardley

That administration be authorized to submit the AAMDC Survey on the Maintenance and Service on Three-Digit (Secondary) Highways on behalf of Council as discussed.

CARRIED

MOTION 13-09-651

MOVED by Councillor J. Driedger

That Council move in-camera at 4:03 p.m.

CARRIED

DELEGATION:

4. a) Nichols Applied Management – Regional Sustainability Study (Teleconference)

MOTION 13-09-652

MOVED by Councillor Bateman

That Council move out of camera at 4:29 p.m.

CARRIED

ADMINISTRATION:

13. d) Strategic Priorities Chart – September 2013 Update

MOTION 13-09-653

MOVED by Councillor Wardley

That the September 2013 Strategic Priorities Chart be approved as amended.

CARRIED

ADMINISTRATION:

13. e) Farm Credit Canada Vice-President Visit

MOTION 13-09-654

MOVED by Councillor Wardley

That Councillor Braun, Councillor J. Driedger, and Councillor Derksen be authorized to attend the Farm Credit Canada Vice-President Visit on September 11, 2013 in La Crete.

CARRIED

**INFORMATION/
CORRESPONDENCE:**

14. a) Information/Correspondence

MOTION 13-09-655

MOVED by Councillor Wardley

That a letter be sent to Alberta Environment & Sustainable Resource Development requesting the status of the diseased bison local advisory group.

CARRIED

MOTION 13-09-656

MOVED by Councillor J. Driedger

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

CARRIED

IN-CAMERA SESSION:

MOTION 13-09-657

MOVED by Councillor Jorgensen

That Council move in-camera to discuss issues under the Freedom of Information and Protection of Privacy Regulations 18 (1) at 4:47 p.m.

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

CARRIED

Councillor Braun left the meeting at 4:59 p.m.

Councillor Jorgensen left the meeting at 5:28 p.m.

MOTION 13-09-658

MOVED by Councillor Wardley

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

CARRIED

15. a) Legal – Regional Service Sharing Agreement

MOTION 13-09-659

MOVED by Councillor Wardley

That the regional service sharing agreement update be received for information.

CARRIED

15. a) Legal – Housing Amalgamation

MOTION 13-09-660

MOVED by Councillor Derksen

That the housing amalgamation update be received for information.

CARRIED

15. a) Legal – Highway 88 Connector

MOTION 13-09-661

MOVED by Councillor J. Driedger

That administration be authorized to negotiate as discussed regarding the Highway 88 Connector Phase I project bonuses and penalties.

CARRIED

15. a) Legal – Water Supply Agreement (Ainsworth)

MOTION 13-09-662

MOVED by Councillor Wardley

That administration proceed with establishing the Water Supply Agreement with Ainsworth/Louisiana Pacific as discussed and that it be in place prior to commencement of the High Level Rural (South) Water Line construction.

CARRIED

15. b) Labour

15. c) Land

NOTICE OF MOTION

16. Notices of Motion

**NEXT MEETING
DATE:**

17. a) Regular Council Meeting
Tuesday, September 24, 2013
11:00 a.m.
Fort Vermilion Council Chambers

ADJOURNMENT:

18. a) Adjournment

MOTION 13-09-663

MOVED by Councillor Flett

That the council meeting be adjourned at 5:45 p.m.

CARRIED

These minutes were approved by Council on September 24, 2013.

(original signed)

Bill Neufeld
Reeve

(original signed)

Julia Whittleton
Chief Administrative Officer

