

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

**Council Chambers of the Provincial Building
High Level, Alberta**

Friday, December 18, 1998

PRESENT:

Betty Bateman	Chairperson
Ernest Dyck	Vice-Chairperson
Bill Fedeyko	Councillor
Bill Neufeld	Councillor
Jake L. Peters	Councillor
Frank Rosenberger	Councillor
Walter Sarapuk	Councillor
Reg Scarfe	Councillor

ABSENT:

Elmer Derksen	Councillor
Reuben Derksen	Councillor

ALSO PRESENT:

Bryan Clark	Official Administrator
John Maine	C.A.O.
Darlene Hardy	Treasurer/Assistant C.A.O.
Eva Schmidt	Municipal Secretary
Paul Driedger	Manager of Planning and Emergency Services
Marco Braat	Superintendent of Utilities, Parks and Playgrounds
Chris Kelland	Agricultural Fieldman
Leona Derksen	Development Officer

Minutes of the regular meeting of the Council for the Municipal District of Mackenzie No. 23, held on Friday, December 18, 1998, in the Council Chambers of the Provincial Building, High Level, Alberta.

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

Chairperson Bateman called the Council meeting to order at 10:27 a.m.

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

The following additions were made to the agenda:

- 5e) Mackenzie Area Restructuring Committee Report
- 8q) Development Permit 251-DP-98 Indian Cabins

MOTION 98-349 **MOVED** by Councillor Rosenberger that the agenda be adopted with additions.

CARRIED UNANIMOUS

**MINUTES AND
BUSINESS ARISING
FROM MINUTES:**

3. a) **Minutes of the November 10, 1998 Council Meeting**

MOTION 98-350 **MOVED** by Councillor Fedeyko that the Minutes of the November 10, 1998 Council meeting be adopted as presented.

CARRIED UNANIMOUS

3. b) **Minutes of the November 12, 1998 Council Meeting**

MOTION 98-351 **MOVED** by Councillor Peters that the Minutes of the November 12, 1998 Council meeting be adopted as presented.

CARRIED UNANIMOUS

3. c) Minutes of the November 5, 1998 Subdivision and Development Appeal Board Hearing – 10-SDAB-98

This item was received for information.

DELEGATIONS:

4. a) 10:30 a.m. – La Crete Chamber of Commerce Water and Sewer Rates

Chairperson Bateman welcomed the delegation from the La Crete Chamber of Commerce to the Council meeting at 10:30 a.m.

Dave Schellenberg, spokesman for the La Crete Chamber of Commerce, asked that the water rates bylaw be rescinded. Mr. Schellenberg stated that he had checked with numerous towns and Municipal Districts regarding their water and sewer rates and found that they are all lower than the M.D. of Mackenzie's new rates. Mr. Schellenberg stated that he agreed that water and sewer services should be cost recovery however, the current increase is too great.

Bryan Clark stated that there had been no increase in water and sewer rates within the M.D. since 1993 which is the reason for the substantial increase now. The M.D. of Mackenzie has been ordered to upgrade the Water Treatment Plants.

Arly Roe, spokesman for Fort Vermilion residents, raised a concern about water bypasses installed in Fort Vermilion to keep water lines from freezing. Further, Mr. Roe raised a concern that the water lines in Fort Vermilion may be leaking into the ground. Mr. Roe also pointed out that the meter at the bulk water outlet in Fort Vermilion was not working for a few months during the past summer.

Marco Braat made a presentation on the water and sewer rates used to justify the Water and Sewer Bylaw 123/98.

Bryan Clark informed the Chamber that the Water and Sewer Bylaw would be reviewed to determine the feasibility of increasing cubic meters allowed for minimum rates.

Chairperson Bateman thanked the members of the La Crete Chamber of Commerce and they left the meeting at 11:05 a.m.

4. b) 10:50 a.m. – Lance Sharp, Vantage Management Inc. Emergency Services Audit

Chairperson Bateman welcomed Lance Sharp to the meeting at 11:06 a.m.

Lance Sharp made a presentation outlining the Emergency Services Audit his company conducted for the M.D. of Mackenzie.

Chairperson Bateman thanked Lance Sharp and Mr. Sharp left the meeting at 11:39 a.m.

MOTION 98-352

MOVED by Councillor Fedeyko that the Council meeting be adjourned to go to Public Hearing at 11:43 a.m.

CARRIED UNANIMOUS

PUBLIC HEARING

Call to Order:

1. a) Call the Public Hearing to Order

Chairperson Bateman called the Public Hearing to order at 11:43 a.m.

Bylaws:

2. b) Bylaw 146/98 – Land Use Bylaw Amendment

Chairperson Bateman asked if the Public Hearing for proposed Bylaw 146/98 was properly advertised. Leona Derksen, Development Officer, stated Bylaw 146/98 was advertised in accordance with the Municipal Government Act.

Chairperson Bateman asked the Development Authority, Leona Derksen, to present her submission. Leona Derksen presented her submission. **(Schedule A)**

Chairperson Bateman asked if the Mackenzie Municipal Services Agency's would present their submission. Paul Driedger read the submission received from Mackenzie Municipal Services Agency. **(Schedule B)**

Chairperson Bateman asked if Council had any questions of the proposed Land Use Bylaw Amendment. There were no questions.

Chairperson Bateman asked if any further submissions were received. Paul Driedger stated a submission was received from Paul Kniel, Agrologist.

Paul Kniel reported that he had inspected the land in question and found that approximately 40% of the parcel was poor agricultural land.

Chairperson Bateman asked if Council had any questions of the Agrologist, Paul Kniel.

Councillor Fedeyko asked how the parcel would be divided since a portion of the proposed parcel has good agricultural land. Paul Driedger explained that dividing the parcel in such a way as to include good agricultural land would only be allowed due to the existing residence.

Chairperson Bateman asked if there was any one else present who would like to speak to proposed Bylaw 146/98. There was no indication that anyone else wished to speak.

Chairperson Bateman closed the Public Hearing for Bylaw 146/98 at 11:55 a.m.

2. b) Bylaw 148/98 – Land Use Bylaw Amendment

Chairperson Bateman called the Public Hearing for Bylaw 148/98 to order at 11:56 a.m.

Chairperson Bateman asked if the Public Hearing for proposed Bylaw 148/98 was properly advertised. Leona Derksen, Development Officer, stated Bylaw 148/98 was advertised in accordance with the Municipal Government Act.

Chairperson Bateman asked the Development Authority, Leona Derksen, to present her submission. Leona Derksen presented her submission. **(Schedule C)**

Chairperson Bateman asked if the Mackenzie Municipal Services Agency's would present their submission. Paul Driedger read the submission received from Mackenzie Municipal Services Agency. **(Schedule D)**

Chairperson Bateman asked if Council had any questions of the proposed Land Use Bylaw Amendment. There were no questions.

Chairperson Bateman asked if any further submissions were received. Paul Driedger stated there were no further submissions received.

Chairperson Bateman asked if there was any one else present who would like to speak to proposed Bylaw 148/98.

Bruno Schmitz stated that the proposed liquor store will be on private property and will not be a public place. The hours of operation will be from 10 a.m. to 10 p.m.

Chairperson Bateman asked if Council had any questions to ask Bruno Schmitz.

Chairperson Bateman asked if the church on that property has any bearing on the development. Paul Driedger stated the church is not functional. Mr. Schmitz stated that the church is his building.

Councillor Scarfe asked Mr. Schmitz if he had intentions of turning the place into a tourist site.

Mr. Schmitz stated he might turn the location into a tourist site some time in the future.

Chairperson Bateman closed the Public Hearing for Bylaw 148/98 at 12:07 p.m.

MOTION 98-353 **MOVED** by Councillor Scarfe that the Public Hearing be adjourned at 12:07 p.m.

CARRIED UNANIMOUS

6. b) Bylaw 146/98 – Land Use Bylaw Amendment

MOTION 98-354 **MOVED** by Councillor Dyck that second reading be given to Bylaw 146/98, being a Bylaw 146/98 Second Reading Land Use Bylaw Amendment to change Pt. SW-13-106-15-W5M from Agricultural District 1 “A-1” to Country Residential District 1 “CR-1”.

In Favour:
Chairperson Bateman
Councillor Dyck
Councillor Neufeld
Councillor Peters
Councillor Scarfe
Councillor Rosenberger

Opposed:
Councillor Fedeyko
Councillor Sarapuk

CARRIED

MOTION 98-355 **MOVED** by Councillor Neufeld that third reading be given to Bylaw 146/98, being a Bylaw 146/98 Third Reading Land Use Bylaw Amendment to change Pt. SW-13-106-15-W5M from Agricultural District 1 “A-1” to Country Residential District 1 “CR-1”.

In Favour:
Chairperson Bateman
Councillor Dyck
Councillor Neufeld
Councillor Peters
Councillor Scarfe
Councillor Rosenberger

Opposed:
Councillor Fedeyko
Councillor Sarapuk

CARRIED

6. c) Bylaw 148/98 – Land Use Bylaw Amendment

MOTION 98-356 **MOVED** by Councillor Fedeyko that second reading be given to Bylaw 148/98, being a Bylaw 148/98 Second Reading Land Use Bylaw Amendment to change Lot 5, Plan 902-0841 (Settlement of Indian Cabins) from Hamlet General District 1 (HG1) to Direct Control District 2 (DC2).

CARRIED UNANIMOUS

MOTION 98-357 **MOVED** by Councillor Sarapuk that third reading be given to Bylaw 148/98, being a Bylaw 148/98 Third Reading Land Use Bylaw Amendment to change Lot 5, Plan 902-0841 (Settlement of Indian Cabins) from Hamlet General District 1 (HG1) to Direct Control District 2 (DC2).

CARRIED UNANIMOUS

Chairperson Bateman recessed the meeting 12:19 p.m.

Chairperson Bateman reconvened the meeting at 12:23 p.m.

8. q) Development Permit 251-DP-98 Indian Cabins

MOTION 98-358 **MOVED** by Councillor Scarfe that Development Permit 251-DP-98 be approved for Commercial Business – Convenience Store/Coffee Shop, Liquor Store/Gas Pumps and Tanks with the following conditions:

1) Minimum setbacks as per Land Use Bylaw.

- 2) The architecture, construction materials and appearance of the building shall be accepted standards and shall compliment the natural features and character of the site and neighborhood.
- 3) PRIOR to installation of a new access or changing location of existing access contact the Maintenance Department for M.D. No. 23 at 928-3983. Access to be constructed to M.D. No. 23 standards and at the developers expense.
- 4) Provide adequate off street parking as follows: The minimum parking standards are 1 space per 4 seats and 1 space per employee, but not less than 7 spaces or 3 spaces per 93 square metres (1000 square feet) and 1 space per employee, whichever is greater. *“One parking space, including the driveway area, shall occupy 300 square feet.”*
- 5) Obtain all other approvals from other Government Agencies as required. (Agriculture, Environment, Housing and Consumer Affairs Division, Alberta Gaming and Liquor Commission, Petroleum Tank Management Association of Alberta, etc.)
- 6) Obtain a Highway Development Permit from Alberta Transportation and Utilities prior to any development adjacent to a Primary Highway.
- 7) The proposed development site should have a positive surface drainage.
- 8) A Development Permit must be obtained for any additional development.

It is the responsibility of the developer to ensure that the proposed development meets the requirements of the provincial Safety Codes Act.

CARRIED UNANIMOUS

Chairperson Bateman recessed the meeting at 12:34 p.m.

Chairperson Bateman reconvened the meeting at 1:08 p.m.

**STAFF/COMMITTEE/
DEPARTMENTAL
REPORTS:**

5. a) C.A.O.’s Report

MOTION 98-359

MOVED by Councillor Peters that the Chief Administrative Officer’s report be adopted as presented.

CARRIED UNANIMOUS

5. b) Monthly Statement for the Months Ending October, 1998 and November, 1998

MOTION 98-360

MOVED by Councillor Sarapuk that the Monthly Statements for the months ending October 1998 and November 1998 be adopted as presented.

CARRIED UNANIMOUS

5. c) Councillor’s Committee Reports

Councillors reported on the various committees as follows:

Councillor Peters – reported on the La Crete Care Home and doctor’s residence meeting.
Councillor Sarapuk – reported on the Veterinary Services Incorporation meeting in Peace River.

Councillor Neufeld – reported on the Mackenzie Municipal Services Agency meeting.
Councillor Rosenberger – reported on the Agricultural Society meeting, the Recreation Board meeting was cancelled.

Councillor Scarfe – reported on the Tourism meeting in Slave Lake.

Councillor Dyck – reported on the Agricultural Service Board meeting.

5. d) Report on the AAMD&C Convention

Chairperson Bateman reported on the Alberta Association of Municipal Districts and Counties Fall Convention.

5. e) Mackenzie Area Restructuring Committee Report

Councillor Neufeld and Councillor Fedeyko reported on the Mackenzie Area Restructuring Committee and the Committee's recommendation to the Minister of Municipal Affairs.

**INTRODUCTION
OF BYLAWS:**

6. a) Bylaw 147/98 – Local Improvements

MOTION 98-361
Bylaw 147/98
First Reading

MOVED by Councillor Neufeld that first reading be given to Bylaw 147/98 being a Bylaw to approve a Local Improvement charge for water and sewer on specific properties within the municipality.

CARRIED UNANIMOUS

MOTION 98-362
Bylaw 147/98
Second Reading

MOVED by Councillor Peters that second reading be given to Bylaw 147/98 being a Bylaw to approve a Local Improvement charge for water and sewer on specific properties within the municipality.

CARRIED UNANIMOUS

MOTION 98-363

MOVED by Councillor Sarapuk to go to third reading of Bylaw 147/98 being a Bylaw to approve a Local Improvement charge for water and sewer on specific properties within the municipality.

CARRIED UNANIMOUS

MOTION 98-364
Bylaw 147/98
Third Reading

MOVED by Councillor Fedeyko that third reading be given to Bylaw 147/98 being a Bylaw to approve a Local Improvement charge for water and sewer on specific properties within the municipality.

CARRIED UNANIMOUS

6. d) Bylaw 151/98 – Land Use Bylaw Amendment

The following amendment was made to Bylaw 151/98 Item 1. Section 7.2(2) "refusal" shall be replaced with "bylaw being defeated."

MOTION 98-365
Bylaw 151/98
First Reading

MOVED by Councillor Sarapuk that first reading be given to Bylaw 151/98 as amended, being a Land Use Bylaw Amendment that where an application for an amendment to the Land Use Bylaw has been refused, the submission of another application to amend this Bylaw for the same parcel for a same or similar amendment may not be made for at least six months after the date of the bylaw being defeated.

CARRIED UNANIMOUS

6. e) Bylaw 152/98 – Road Closure

MOTION 98-366
Bylaw 152/98
First Reading

MOVED by Councillor Sarapuk that first reading be given to Bylaw 152/98, being a road closure bylaw to close all that portion of the lane (Plan No. 792-0958) lying between the west limit of 46th Street and 5.18 metres (17.0 feet) west of the west limit of 45th Street, in the Hamlet of Fort Vermilion.

CARRIED UNANIMOUS

6. f) Bylaw 153/98 – To Amend Bylaw 110/98

MOTION 98-367
Bylaw 153/98
First Reading

MOVED by Councillor Peters that first reading be given to Bylaw 153/98, to amend Bylaw 110/98 regarding the Council vote on recording devices at meetings and to allow Council meetings to be cancelled via radio broadcasting.

CARRIED UNANIMOUS

MOTION 98-368
Bylaw 153/98
Second Reading

MOVED by Councillor Scarfe that second reading be given to Bylaw 153/98, to amend Bylaw 110/98 regarding the Council vote on recording devices at meetings and to allow Council meetings to be cancelled via radio broadcasting.

CARRIED UNANIMOUS

MOTION 98-369

MOVED by Councillor Neufeld to go to third reading of Bylaw 153/98, to amend Bylaw 110/98 regarding the Council vote on recording devices at meetings and to allow Council meetings to be cancelled via radio broadcasting.

CARRIED UNANIMOUS

MOTION 98-370
Bylaw 153/98
Third Reading

MOVED by Councillor Fedeyko that third reading be given to Bylaw 153/98, to amend Bylaw 110/98 regarding the Council vote on recording devices at meetings and to allow Council meetings to be cancelled via radio broadcasting.

CARRIED UNANIMOUS

6. g) Bylaw 154/98 – Fire Cost Collection

MOTION 98-371

MOVED by Councillor Sarapuk that the Fire Cost Collection Bylaw be tabled to the next meeting for further information.

CARRIED UNANIMOUS

TABLED ITEMS:

7. a) Emergency Services Equipment Reserve

MOTION 98-372

MOVED by Councillor Neufeld that an “Emergency Services Equipment Reserve” be established in the amount of \$400,000 to be taken from the existing Vehicle Replacement Reserve.

CARRIED UNANIMOUS

Chairperson Bateman recessed the meeting at 2:04 p.m.

Chairperson Bateman reconvened the meeting at 2:15 p.m.

NEW BUSINESS:

8. a) Appointment of One Member to the Mackenzie Housing Management Board

MOTION 98-373

MOVED by Councillor Sarapuk to go into in camera at 2:20 p.m.

CARRIED UNANIMOUS

MOTION 98-374

MOVED by Councillor Fedeyko to come out of in camera at 2:24 p.m.

CARRIED UNANIMOUS

MOTION 98-375

MOVED by Councillor Sarapuk that Bill Dainard be appointed as member to the Mackenzie Housing Management Board until December 31, 1999.

CARRIED UNANIMOUS

8. b) Appointment of Members to the Mackenzie Municipal Library Board

MOTION 98-376

MOVED by Councillor Neufeld that Anne Martens, Cameron Donald, Michele Scott,

David Standing, Garry Peterson, Helen Wiebe, and Joyce Wieler be appointed as members to the M.D. of Mackenzie Library Board.

CARRIED UNANIMOUS

8. c) Appointment of Council Member to the Public Advisory Committee to High Level Forest Products

John Maine called for nominations to appoint a Council member to the Public Advisory Committee to High Level Forest Products.

Councillor Fedeyko nominated Councillor Sarapuk.
Councillor Sarapuk accepted.

John Maine asked if there were any further nominations.
There were no further nominations.

MOTION 98-377

MOVED by Councillor Neufeld that Councillor Sarapuk be appointed as a member to the Public Advisory Committee to the High Level Forest Products.

CARRIED UNANIMOUS

8. d) Tenders for Highway 88 Connector Project

MOTION 98-378

MOVED by Councillor Dyck that the contract for the Highway 88 Connector Project be awarded to Lindsay Construction in the amount of \$657,000.

CARRIED UNANIMOUS

8. e) Torchinsky Road Report

This item was received for information.

8. f) Accreditation for the Building, Electrical, Plumbing & Gas Disciplines Under the Safety Codes Act

MOTION 98-379

MOVED by Councillor Fedeyko that the M.D. of Mackenzie proceed with accreditation in the Building, Electrical, Plumbing & Gas Disciplines under the Safety Codes Act.

CARRIED UNANIMOUS

MOTION 98-380

MOVED by Councillor Rosenberger that the Quality Management Plans be approved as presented and that they be submitted to the Safety Codes Council for approval.

CARRIED UNANIMOUS

8. g) Subdivision Time Extension Request (97MK099)

MOTION 98-381

MOVED by Councillor Neufeld that a time extension for subdivision application 97MK099 for SE 10-106-15-W5M be granted to December 31st, 1999.

CARRIED UNANIMOUS

8. h) Subdivision Time Extension Request (97MK060)

MOTION 98-382

MOVED by Councillor Dyck that a time extension for subdivision application 97MK060 for SE 20-105-14-W5M be granted to February 20th, 1999.

CARRIED UNANIMOUS

8. i) Linear Assessment

This item was received for information.

8. j) 1999 Interim Budget

MOTION 98-383 **MOVED** by Councillor Fedeyko that the Interim Budget be adopted until March 15, 1999 as presented.

CARRIED UNANIMOUS

8. k) Trans Canada Pipeline

MOTION 98-384 **MOVED** by Councillor Neufeld that the tax roll for TransCanada Pipeline be adjusted to reflect the correct assessment and taxes for 1998 and that a total amount of \$57,109.35 be refunded.

CARRIED UNANIMOUS

8. l) Tax Arrears Write-Offs

MOTION 98-385 **MOVED** by Councillor Rosenberger that the accumulated taxes and penalties since 1989/90 of Miscellaneous Leases, Grazing Leases, Farm Development Leases, etc., be written off in the amount of \$47,566.29, as presented.

CARRIED UNANIMOUS

MOTION 98-386 **MOVED** by Councillor Fedeyko that tax arrears under \$100 not be sent to a collection agency.

In Favour:
Councillor Dyck
Councillor Fedeyko
Councillor Peters
Councillor Sarapuk

Opposed:
Chairperson Bateman
Councillor Neufeld
Councillor Scarfe
Councillor Rosenberger

DEFEATED

**8. m) Fort Vermilion Children's Centre
Request to Refund 1997 & 1998 Municipal Taxes**

MOTION 98-387 **MOVED** by Councillor Rosenberger that the Fort Vermilion Children's Centre request to refund 1997 and 1998 municipal taxes be tabled to the next meeting for more information.

In Favour:
Chairperson Bateman
Councillor Dyck
Councillor Fedeyko
Councillor Peters
Councillor Rosenberger
Councillor Scarfe

Opposed:
Councillor Neufeld
Councillor Sarapuk

CARRIED

Chairperson Bateman recessed the meeting at 3:35 p.m.

Chairperson Bateman reconvened the meeting at 3:45 p.m.

8. n) **Shared Services with the Town of High Level**

MOTION 98-388

MOVED by Councillor Fedeyko that the shared services proposal with the Town of High Level be accepted in principle and that Administration proceed with the drafting of agreements to bring back to Council with the appropriate bylaws.

CARRIED UNANIMOUS

8. o) **Policies**

1) **ADM008 - Recording Devices at Meetings**

Add Bylaw 153/98 as a reference.

2) **ADM14 - Smoking in the Workplace**

Any reference to the M.D. shall always be "M.D. of Mackenzie No. 23".

3) **ADM015 - Hiring of Contractors / Suppliers**

The last sentence "shall hire no contractor" shall be replaced with "shall not hire a contractor".

4) **ADM011 - Years of Service Award Program for Staff**

The last sentence in section 2) "as deemed appropriate" shall be replaced with "on a pro-rated basis".

5) **ADM016 - Years of Service Award Program for Council, Board and Committee Members**

The last sentence in section 2) "as deemed appropriate" shall be replaced with "on a pro-rated basis".

6) **ADM017 - Years of Service Award Program for Volunteers**

The last sentence in section 2) "as deemed appropriate" shall be replaced with "on a pro-rated basis".

7) **ADM018 - Council Attendance at Conventions**

ADM018 was tabled for re-wording.

8) **ADM019 - Employee Identification Card**

Change M.D. reference to "M.D. of Mackenzie No. 23".

9) **ADM020 - Playground Inspection**

Add "on municipally owned property" to the Purpose Statement.

10) **ADM010 - Financial Reports**

No changes were made.

MOTION 98-389

MOVED by Councillor Fedeyko that the Council meeting continue past 4:30 p.m.

CARRIED UNANIMOUS

11) **PW005 - Road Maintenance**

No changes were made.

12) **PW012 - Undeveloped Road Allowances**

Table policy PW012 to obtain legal advice.

13) PW013 - Roadside Brush Control

No changes were made.

14) PW014 - Road Graveling

Table policy PW014 for further information.

8. p) Agricultural Service Board Policies

MOTION 98-390

MOVED by Councillor Peters that policies under item numbers 8.o)1) through 8.o)6) and 8.o)8) through 8.o)11) and 8.o)13) be adopted as amended and that Council ratify the policies as set forth by the Agriculture Service Board subject to review regarding liabilities by Administration.

CARRIED UNANIMOUS

MOTION 98-391

MOVED by Councillor Dyck that items 9a) through 9ff) be accepted as information.

CARRIED UNANIMOUS

A Public Hearing to deal with Bylaw 151/98 and Bylaw 152/98 was scheduled for 10:00 a.m. on Tuesday, January 19, 1999 in the Council Chambers of the Provincial Building in High Level.

The next Council meeting was scheduled for Tuesday, January 19, 1999 to commence immediately after the Public Hearing, in the Council Chambers of the Provincial Building in High Level.

MOTION 98-392

MOVED by Councillor Dyck that the Council meeting be adjourned at 5:00 p.m.

CARRIED UNANIMOUS

These minutes were adopted this _____ day of _____, 1999.

Betty Bateman, Chairperson

Eva Schmidt, Municipal Secretary

Approved

Bryan Clark, Official Administrator