

MUNICIPAL DISTRICT OF MACKENZIE NO. 23
COUNCIL MEETING

Monday, April 15, 1996

PRESENT:

Bill Neufeld	Reeve
Betty Bateman	Deputy Reeve
Ernest Dyck	Councillor
Jake L. Peters	Councillor
Walter Sarapuk	Councillor
Elmer Derksen	Councillor
Frank Rosenberger	Councillor
Bill Fedeyko	Councillor
Reuben Derksen	Councillor
Reg Scarfe	Councillor

ALSO PRESENT:

Dennis Litke	C.A.O.
Joanne Mitchell	Assistant Manager, Recording Secretary

GALLERY

Pat Kulscar
Beth Kappelar

Minutes of the regular meeting of the Council for the Municipal District of Mackenzie No. 23, held on Monday, April 15, 1996 in the Council Chambers, M.D. #23 Administration Building, Fort Vermilion.

CALL TO ORDER

1. a) Reeve Neufeld called the meeting to order at 10:07 a.m.

ADOPTION OF AGENDA

b) **Adoption of Agenda**

The following additions were made to the agenda

- 8. g) Dead Animals
- 8. h) Gravel Program
- 10. d) Gulf Oil Letter Re: E.M.R. Training
- 12. b) Ratepayers Committee

MOTION 96-184

MOVED by Councillor Rosenberger to adopt the agenda with additions.

CARRIED

MINUTES

2. a) **Minutes of March 28 & 29, 1996 Council Meeting**

MOTION 96-185

MOVED by Councillor Bateman to table the March 28 and 29, 1996 council meeting minutes.

CARRIED

ADMINISTRATIVE:

3. a) **Managers Report**

Housing Requirement in La Crete

Manager Litke reminded Council that Public Works Manager, Roger Borchert is still looking for rental housing in La Crete and asked them to contact him if they were aware of any housing available for rent either in the Hamlet of La Crete or within commuting distance.

M.D. Owned Land in the Town of High Level

Manager Litke distributed a plan showing the M.D. owns Lots 3 & 4 of Block 6, Plan 832-3083 in the Town of High Level and Councillor Sarapuk said this was next to the Seed Cleaning Plant and was set aside for parking several years ago.

MOTION 96-186

MOVED by Councillor Rosenberger that the Municipal District of Mackenzie No. 23 obtain consent, in writing, from the Town of High Level, in accordance with Section 72 of the Municipal Government Act, to retain ownership of Lots 3 & 4, Block 6, Plan 832-3083-located within the Town boundaries.

CARRIED

Municipal Government Restructuring and Inter-Municipal Co-operation

A meeting scheduled for Wednesday, April 17, 1996, will be attended by the Reeve, Deputy Reeve and the Manager, at the invitation of the Town of High Level, to discuss municipal government restructuring and inter-municipal co-operation.

Tax Recovery Arrears List

Manager Litke distributed the tax recovery arrears list with a total of one hundred and fifty-eight (158) properties, representing approximately \$610,000.00 in arrears. If these taxes are not paid, the properties will go up for action one year from now. Only legal descriptions are listed; names are not advertised but the list is public information. Manager Litke reported that no tax sale was held last year nor will any sale be held this year because the tax sale process was not followed through.

La Crete Utility Officer

The La Crete Utility Officer has resigned and Manager Litke proposed the Assistant Utility Officer in La Crete be provided with the training required and work toward taking over the position.

Councillor E. Derksen requested this item be discussed under agenda item 12, Committee of the Whole.

Green Zone/White Zone Exchange of Land

Maps on green zone - white zone changes, as proposed by Forestry and Public Lands, were distributed to Council members for their information.

Sewage Lift Station Problems

Manager Litke reported there are problems with the sewer lift stations in Zama and La Crete, however pumps are on order and should be in place soon.

b) Report on Meeting With Pennzoil

Zama Access Road

Manager Litke reported he met two Pennzoil representatives in Calgary last week; Ross MacKenzie and Dan Butterwick, to discuss the procurement of the L.O.C. on the Zama road for the construction of the east/west access road to Highway #35. Takeover was suggested in three stages over a three year period to coincide with construction. Pennzoil will take this to their executive for discussion.

Pennzoil will poll the partners on the roadway to obtain opinions on giving up the L.O.C. and possible contributions towards both construction and maintenance costs. Pennzoil will try to have results of the polling within two weeks.

Pennzoil advised their cost to maintain the road varies from \$250,000.00 to \$450,000.00 per year, depending on weather conditions and gravelling undertaken. Revenue for the road usage under permits varies from \$80,000.00 to \$120,000 per year.

The right-of-way presently under the L.O.C. is 125 feet wide and Alberta Transportation has suggested an 11 meter wide gravel roadway to allow for a possible 9 meter future pavement surface.

Zama Airstrip

Manager Litke reported on discussions with Pennzoil regarding the public use of their paved airstrip at their Zama gas plant. Public use is allowed on those days that Pennzoil is not using the airstrip for their own flights. Pennzoil requests that all users call ahead so they know who is using the strip. The airstrip is 4,300 feet long, paved, equipped with beacon, strobe and runway lights and is maintained.

Pennzoil indicated they would be interested in allowing public use of their airstrip if the M.D. provided additional parking space for airplanes as well as a public access to the airstrip.

Council discussed how they wished to proceed with obtaining the road right-of-way and agreed the Manager and Engineer, should proceed with negotiations.

More information should be available in the near future.

c) **Letter from Elaine Peterson**
Deh Cho the Mackenzie Connection and Tourism in our Region

Council reviewed a letter requesting they consider the possibility of a Mackenzie Highway tourism service to replace the Land of the Mighty Peace Tourist Association in conjunction with Deh Cho. The letter invites Council to attend a meeting to discuss tourism as it relates to the Deh Cho members and the possibility of pooling the dollars to hire a part time or full time tourism coordinator who would work for our municipalities.

Council agreed to hear the delegation from the Land of the Mighty Peace Tourist Association before they make a decision.

d) **D.A.B. Decision on La Crete Liquor Outlet**
Article from Alberta Report, "Not in our front yard"

Manager Litke provided Council with a copy of the D.A.B. Decision to uphold the appeal and revoke the Development Permit for the liquor outlet in La Crete.

Councillor Fedeyko asked if the decision made follows the guidelines in the Municipal Government Act and Manager Litke replied the Land Use Order states a Development Permit can be refused if it unduly affects the community.

Councillor Fedeyko asked if the D.A.B. had obtained written direction from the solicitor.

Councillor and Chair of the Development Appeal Board, Bateman, stated these questions were out of order.

Councillor Fedeyko said he wanted to know if the Board followed the right process in reaching a decision.

Councillor R. Derksen called a point of order, saying the decision can be challenged within thirty days and the members of the Development Appeal Board must leave the Council Chambers if this is discussed and that the questioning of the Development Appeal Board decision is out of order.

Manager Litke stated the Council passes the Bylaws and Development Appeal Board enforces them.

Councillor Fedeyko said he wanted to know if Council is exposed to any legal action and if this case will be brought back to them.

Councillor Bateman said that as the Chairperson of Development Appeal Board, she felt this line of questioning is out of order and if it continued, Then Development Appeal Board members R. Derksen and herself must leave the Council Chambers.

Councillor Fedeyko again asked if this case goes to court, is this Council vulnerable.

Councillors R. Derksen and Bateman both asked the Reeve to rule the questions out of order.

MOTION 96-187

MOVED by Councillor E. Derksen to go in camera at 11: 15 a.m.

CARRIED

D.A.B. members Peters, R. Derksen, Bateman and Secretary of the D.A.B., Mitchell, as well as the people in the gallery, left the Council Chambers at 11:15 a.m.

MOTION 96-188

MOVED by Councillor Scarfe to come out of camera at 11:37 a.m.

CARRIED

D.A.B. members Peters, R. Derksen, Bateman and Secretary of the D.A.B., Mitchell, as well as gallery visitors Pat Kulscar and Beth Kappelar returned to the Council Chambers at 11:37 a.m.

e) **Hamlet of La Crete Raw Water Truckfill
Iron Removal Unit, Report from G.P.E.C.**

G.P.E.C. Consulting Ltd. have advised the cost estimates for the iron removal system at the La Crete Raw Water Truck Fill at \$43,000.00. This additional cost has not been budgeted in the overall project and with water available at the treatment plant truckfill that has iron removed, they question whether funding would be available for this duplication if there is a cost overrun.

Council debated if this was a duplication or a much needed improvement to supply water suitable for spraying.

Manager Like will check into this further and bring it back to Council's attention.

**WALK IN
DELEGATION**

A.J.A. Friesen

Mr. A. J. A. Friesen entered the meeting at 11:40 a.m. The Reeve welcomed him and introductions were made.

Mr. Friesen said that several years ago, he developed a water system for his farm with some help from the P.F.R.A., and then built three miles of drainage. Now he has a new neighbour who is raising pigs and it's polluting his water system. He would like this stopped or something done to solve his problem. The slough in this area is the only place he can get water.

Council members discussed who the neighbouring property owners were and the general water flow in this area.

Councillor Bateman asked if Mr. Friesen had brought this to the attention of Water Resources with Alberta Environment and Mr. Friesen replied he had talked to someone at the M.D. office in La Crete and they took a water sample.

Councillor Fedeyko asked Mr. Friesen if the problem could be solved by doing some drainage work with a grader and Mr. Friesen said he didn't think so.

Council requested the Manager refer this complaint to Paul Driedger, Development Officer, the Health Department and Water Resources and also confirm if a Development Permit was issued for the pig farm.

Mr. Friesen thanked Council for their help and left the meeting at 12:04 p.m.

f) **Over Expenditure in 1995 Administration Budget**

Manager Litke reported on the reasons for the over expenditure in the 1995 general administration budget.

MOTION 96-189

MOVED by Councillor Sarapuk, this item be received as information.

CARRIED

Reeve Neufeld recessed the meeting for lunch at 12:08 p.m. and reconvened at 1:14 p.m.

Manager of Public Works Borchert entered the meeting at 1:14 p.m.

PUBLIC WORKS

8 a) Grader Beat Cost Breakdown

Manager of Public Works Borchert, distributed an updated list with maps attached, of the various grader beats in the M.D.

Councillor Bateman asked if there was a cost comparison available over the past three years so Council could see what the difference has been since the M.D. took over the road authority. This information will be sought with the budget estimates.

c) Summary of Proposals for Zama Water Treatment Plant

The following engineering proposals were received for the Zama water treatment plant upgrade:

G.P.E.C. Consulting	\$61,500.00
Siemens Engineering	\$46,000.00
U.M.A. Engineering	\$66,900.00

MOTION 96-190

MOVED by Councillor Bateman to award the Engineering and Design for the facility upgrade of the Zama water treatment plant to Siemens Engineering as recommended by the Public Works Manager.

CARRIED

d) La Crete Ferry Operations for 1996

MOTION 96-191

MOVED by Councillor Peters to set the rates of pay for ferry operations as follows:

Operator Foreman	\$17.24
Operator	\$16.28
Operator, on probation	\$15.28
Deck hand	\$12.00
Deck hand on probationary.	\$11.00.

and that the probationary period be set for one month due to the short operating period.

CARRIED

DELEGATIONS

6. a) Carmen Johnson, Land of the Mighty Peace Tourist Assoc.

Reeve Neufeld welcomed Carmen Johnson to the meeting at 1:55 p.m. and introductions were made.

Carmen Johnson discussed the promotional work the Land of the Mighty Peace Tourist Association does for M.D. #23 as well as the other member municipalities, saying they receive many inquiries about M.D. #23. She reviewed the grants that M.D. #23 was able to access as a result of their membership in the association and highlighted some of the new technology being used to promote tourism around the world.

Council discussed the various tourist groups and how their financial contribution could produce the best results.

Membership fees in 1995 were decreased to \$0.50 per capita, however the association cannot operate on this amount and is once again requesting a membership fee of \$1.00 per capita. Ms. Johnson said there are some marketing plans in place to help increase revenues.

MOTION 96-192

MOVED by Councillor Bateman to allocate \$1.00 per capita for membership fees to the Land of the Mighty Peace Tourist Association in 1996.

CARRIED

Carmen Johnson thanked Council for hearing her presentation and left the meeting at 2:30 p.m.

Reeve Neufeld called a short recess 2:30 p.m. and reconvened at 2:35 p.m.

e) **Finalize High Level Airport Agreement**

Reeve Neufeld reported the committee met with the Town of High Level and discussed an agreement which would have the M.D. transfer \$33,000.00 to the Town on an annual basis for the operation of the High Level Airport. The agreement will include the M.D.'s consent for the Town to own property in the M.D. The Town will look after all maintenance and leases and M.D. #23 will not be involved in the day to day operations.

f) **Discussion of Policy on Hiring Local Equipment**

Council discussed a proposed policy on hiring and purchasing locally and directed administration to draft a policy which will encourage outside contractors to hire local people and equipment as well as purchase supplies locally. If possible, a local business directory will be included with invitations to tender.

g) **Dead Animals**

Councillor Dyck advised of problems with disposing of dead animals in the M.D.; farm animals as well as wildlife. Agricultural Fieldman, Russell Friesen will obtain information on this problem from the Olds College and report back to Council.

h) **Gravel Program**

Public Works Manager Borchert reported that no gravel programs have been set at this date. He asked Councillors to advise him of the roads they feel should be graveled this year. Maps of the roads will be provided at the next Council meeting.

Councillor R. Derksen asked if arrangements have been made for the sale of gravel from local pits to residents and Mr. Borchert replied his staff are putting a package together now.

b) **1996 Road Program, Priority List**

Council reviewed the 1996 road construction list and identified the following projects as priorities for construction in 1996 if funding is available. The list is not in any order of priority.

Peter J. Friesen road	\$20,000.
Cornelius Krahn, RR017	30,000.
Walter Derksen, RR018	5,000.
Dene Tha Band (in reserve account)	50,000.
Bear River Access, RR035	50,000.
B.J. Farms, RR037	4,000.
RR008, RR009, RR010, RR011	12,000.
Jacob L. Penner, RR013	12,000.
Hamlet of Zama, RR022	10,000.
High Level Rural, RR023	7,500.
High Level Rural, RR024	30,000.
Fort Vermilion Rural, RR026	30,000.
RR026 - plus carry over from 1995	12,000.
Rocky Lane Area, RR028	65,000.
Jake Juneau, RR031	45,000.
Steephill Road, RR038	50,000.
7 mile ditching, DI007	1,000.
North La Crete Road, pull up sides	20,000.
101 Ave. west to the north/south road	15,000.
Realignment by cemetery bypass	<u>20,000.</u>
Total estimates	\$448,500.

Zama Airstrip - refer to budget meeting.
Leonard Lizotte, DI005 - ask land owner if he's interested in a cost sharing agreement on this road.

**WALK IN
DELEGATION**

Reeve Neufeld welcomed Mr. Smith to the meeting at 3:15 p.m..

Stan Smith asked Council to consider taking some action to speed up the process of paving Highway #88. He described his involvement in working with the Province to initially have the road built and now he feels it is taking too long to get it paved.

Council discussed the road with Mr. Smith, saying this is an ongoing project and one that they have supported since before it's construction and they will continue to lobby the Province for paving and/or improvements of any kind. In 1995, Council requested the next paving start at the Fort Vermilion end of the road.

The Reeve thanked Mr. Smith for his presentation and he left the meeting at 3:24 p.m.

BYLAWS

4. a) There were no agenda items under this heading.

FINANCIAL

5. a) **Budget Summary as of March 31, 1996**

Council reviewed the budget summary as of March 31, 1996 and received it as information.

b) **Cheque Listings for March, 1996**

Council reviewed the cheque listing for March, 1996 and received it as information.

c) **Recommendation to Set a Fee for Assessment Certificates**

This item was tabled under Motion 96-195.

d) **Fort Vermilion Community Library
Request for Forgiveness or Time Extension on Loan Payment
Fort Vermilion Community Library Request for Grant**

These items were tabled under Motion 96-195.

**PLANNING &
DEVELOPMENT**

7. a) **Request for Cancellation of Road Allowance
Lands & Forests, Fort Vermilion**

This item was tabled under Motion 96-195.

OLD BUSINESS

9. a) There we no agenda items under this heading.

NEW BUSINESS

10. d) **Letter from Gulf Canada Resources Re: E.M.R. Training**

MOTION 96-193

MOVED by Councillor Bateman that we accept Gulf Canada's offer to sponsor an Emergency Medical Responder course in Zama this summer and fall and that a letter be sent to Gulf Canada, thanking them and formally accepting their offer.

CARRIED

MOTION 96-194
it

- a) Alberta Forestry Association
Invitation to & Request for Donation for Banquet and Silent Auction

MOVED by Councillor Dyck that M.D. #23 purchase a hand painted clock and donate to the Alberta Forestry Association for their annual silent auction.

CARRIED

- b) Letter and Questionnaire from Len Bracko,
Alberta Liberal Municipal Affairs Critic

This item was received a information.

- c) A.A.M.D.&C. Correspondence
i) Requirements regarding pipelines crossing municipal road allowances.
ii) Municipal News Highlights, March 27, 1996

These items were received as information.

MOTION 96-195

MOVED by Councillor Peters to table the following agenda items 5. c), 5. d), and 7. a).

CARRIED

COMMITTEE
REPORTS

11. a) There were no agenda items under this heading.

COMMITTEE OF
THE WHOLE

12. a) Closure of High Level Office and Relocation of Staff
Legal Opinion

MOTION 96-196

MOVED by Councillor Peters to go in camera at 4:32 p.m.

CARRIED

Everyone left the Council Chambers with the exception of the Manager and all ten Councillors.

MOTION 96-197

MOVED by Councillor Bateman to come out of camera at 5:25 p.m.

CARRIED

MOTION 96-198

MOVED by Councillor Bateman that the Council for the Municipal District of Mackenzie No. 23, ask that the Mackenzie Ratepayer Committee reconsider not using the name "Mackenzie Ratepayer Committee" as this infers that they represent the whole of M.D. #23, when in fact, they represent only a small minority of Ward 8 and Ward 9 and that this be asked in the form of a letter and that the letter be copied to Tom Thurber, Minister of Municipal Affairs, M.L.A., Gary Friedel, Premier Ralph Klien, The High Level Echo and the Northern Pioneer newspapers.

MOTION 96-199

MOVED by Councillor Fedeyko to table this motion.

DEFEATED

Councillor Fedeyko requested a recorded vote.

MOTION 96-198

<u>IN FAVOUR:</u>	<u>OPPOSED:</u>
Reeve Neufeld	Councillor Fedeyko
Deputy Reeve Bateman	Councillor Sarapuk
Councillor R. Derksen	Councillor Scarfe
Councillor E. Derksen	
Councillor Peters	
Councillor Rosenberger	
Councillor Dyck	

CARRIED

ADJOURNMENT

MOTION 96-200

13.

MOVED by Councillor Dyck to adjourn at 5:31 p.m.

CARRIED

These minutes were adopted this 25 day of April, 1996.



William Neufeld, Reeve



Dennis Litke, Manager