

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**Friday, November 29, 2013
10:00 a.m.**

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

PRESENT:

Bill Neufeld	Reeve (teleconference)
Walter Sarapuk	Deputy Reeve
Jacque Bateman	Councillor
Peter F. Braun	Councillor
Elmer Derksen	Councillor
John W. Driedger	Councillor
Eric Jorgensen	Councillor
Josh Knelsen	Councillor
Ricky Paul	Councillor
Lisa Wardley	Councillor

REGRETS:

ADMINISTRATION:

Joulia Whittleton	Chief Administrative Officer
William (Bill) Kostiw	Director of Infrastructure Development & Government Relations
Alison Kilpatrick	Director of Corporate Services
Ron Pelensky	Director of Community Services & Operations
Byron Peters	Director of Planning & 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 November 29, 2013 in the Fort Vermilion Council Chambers.

CALL TO ORDER: 1. a) Call to Order

Deputy Reeve Sarapuk called the meeting to order at 10:02 a.m.

AGENDA: 2. a) Adoption of Agenda

MOTION 13-11-843 MOVED by Councillor Braun

That the agenda be approved as presented.

CARRIED

**ADOPTION OF
PREVIOUS MINUTES:**

3. a) Minutes of the October 30, 2013 Regular Council Meeting

MOTION 13-11-844

MOVED by Councillor Wardley

That the minutes of the October 30, 2013 Regular Council meeting be adopted as presented.

CARRIED

3. b) Minutes of the November 19, 2013 Special Council (Budget) Meeting

MOTION 13-11-845

MOVED by Councillor Jorgensen

That the minutes of the November 19, 2013 Special Council (budget) meeting be approved as amended.

CARRIED

GENERAL REPORTS:

5. a) CAO Report

MOTION 13-11-846

MOVED by Reeve Neufeld

That the CAO report for October/November 2013 be accepted for information.

CARRIED

6. b) Tax Forfeiture Sale (Legal 9624275;4;30; Tax Roll 081648)

MOTION 13-11-847

MOVED by Councillor Derksen

That the tenders for the Tax Forfeiture Sale of lands for Tax Roll 081648 (Legal 9624275;4;30) be opened.

CARRIED

Tenders Received:

Patmore Oilfield Services Ltd.	\$5,520.00
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MOTION 13-11-848

MOVED by Councillor Knelsen

That the sealed tender for Tax Roll 081648 (Legal 9624275;4;30) received from Patmore Oilfield Services Ltd. in the amount of \$5,520.00 be accepted.

CARRIED

MOTION 13-11-849

MOVED by Councillor Wardley

That after applying the payment for the land to Tax Roll 081648, Council write off the remaining balance of \$30,921.39.

CARRIED

**COMMUNITY
SERVICES:**

**8. a) Terms of Reference – Community Services
Committee**

MOTION 13-11-850

MOVED by Councillor Paul

That the Community Services Committee Terms of Reference be approved as presented.

CARRIED

**8. b) La Crete Christian Fellowship Church – La Crete
Residential Waste Collection**

MOTION 13-11-851

MOVED by Councillor Driedger

That administration be authorized to reimburse La Crete Christian Fellowship Church for the residential waste collection service fees charged to date and garbage bin cost.

CARRIED

**ENVIRONMENTAL
SERVICES:**

9. a) None

OPERATIONS:

10. a) Replace Snow Plow

MOTION 13-11-852

MOVED by Councillor Braun

That the 2013 capital budget be amended to include an additional \$6,000.00 for the purchase of a new front mounted snow plow with funds coming from the Fort Vermilion public

works operating budget (structural maintenance and repair).

CARRIED

10. b) Fort Vermilion Fire Department Building – Partial Roof Re-insulation

MOTION 13-11-853

MOVED by Councillor Wardley

That administration be authorized to proceed with reinsulating the Fort Vermilion Fire Department roof at an estimated cost of \$4,500 with funds coming from the 2013 Fort Vermilion office tangible capital asset (TCA) project.

CARRIED

Deputy Reeve Sarapuk recessed the meeting at 10:42 a.m. and reconvened the meeting at 10:56 a.m.

**PLANNING &
DEVELOPMENT:**

11. a) 294-DP-13 Northern Towing (Fence & Future Tarp Shelter in “HC2”) (La Crete)

MOTION 13-11-854

MOVED by Councillor Braun

That Development Permit 294-DP-13 on Plan 762 0383, Block 15, Lot 6 in the name of Northern Towing 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. The fence shall be setback a minimum of: 7.6 meters (25 feet) from 100th Street, the remainder of the fence shall be on or slightly within the property lines.
2. The County reserves the right to enter the leased premises at any time for the purpose of repairing or replacing underground or aboveground utilities or any other structure or line owned by the landowner. The landowner shall be responsible for all regular maintained and repairs to the fence and any caused by the County in the process of accessing any of the underground or aboveground utilities.
3. The Tarp Shelter shall meet all Alberta Safety Code requirements for Commercial/Industrial Buildings and any other requirements specified by Superior Safety Codes. Failure to do so shall render this permit Null and Void.

4. Minimum building setbacks:
 - i. 9.1 meters (30 feet) from 100A Street, 30.5 meters (100 feet) from 100 Street), front (East) yard;
 - ii. 3.1 meters (10 feet) rear (West) yard;
 - iii. 1.5 meters (5 feet) side (North) yard;
 - iv. 3.1 meters (10 feet) side (South) yard.
5. The architecture, construction materials and appearance of building and other structures shall be to accepted standards.
6. Mackenzie County shall not be held liable for any concerns, issues or damages related to the fence or gate or any part (s) thereof resulting from any work being done on the easement either by the County or any contractors hired by the County.
7. The developer shall enter into a lease agreement with Mackenzie County for that portion of Plan 762 0383, Lot OT (closed road allowance) lying directly west of Plan 762 0383, Block 15, Lot 6.
8. The Municipality has assigned the following address to the noted property (9601-100 Street). You are required to display the address (9601) to be clearly legible from the street and be on a contrasting background. The minimum size of the characters shall be four inches in height.
9. 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 to Mackenzie County standards and at the developers' expense.
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. b) Hamlet Addressing and Road Naming

MOTION 13-11-855

MOVED by Councillor Wardley

That Administration brings forward the amendments to the Addressing Bylaw as discussed.

CARRIED

DELEGATIONS:

4. a) S/Sgt. Jeff Simpson, Fort Vermilion RCMP

MOTION 13-11-856

MOVED by Councillor Wardley

That the RCMP report by S/Sgt. Jeff Simpson be received for information.

CARRIED

MOTION 13-11-857

MOVED by Councillor Wardley

That administration review the Memorandum of Understanding for the Crime Reduction Unit and invite S/Sgt. Pilgrim to provide an update at the next Council meeting.

CARRIED

MOTION 13-11-858

MOVED by Councillor Jorgensen

That Council show appreciation to the RCMP for running the DARE program in our region.

CARRIED

4. b) Mackenzie Coalition for Early Childhood Development

MOTION 13-11-859

MOVED by Councillor Wardley

That Council endorse the Northwest Alberta Children's Charter as requested by the Mackenzie Coalition for Early Childhood Development.

CARRIED

MOTION 13-11-860

MOVED by Councillor Braun

That administration advise the Mackenzie Coalition for Early Childhood Development to work with the local Family

Community & Support Services groups in the region as County Councillors are currently appointed to these organizations.

CARRIED

11. c) Rural Addressing

MOTION 13-11-861

MOVED by Councillor Wardley

That Administration proceed with implementing rural addressing with funding originally coming from the 2014 Capital Budget, with capital costs of the signs billed to the property owners at cost recovery.

CARRIED

11. d) iPads for Municipal Planning Commission Members at Large

MOTION 13-11-862

MOVED by Councillor Derksen

That the ipads for Municipal Planning Commission Members at Large be received for information.

CARRIED

Deputy Reeve Sarapuk recessed the meeting at 11:54 a.m. and reconvened the meeting at 12:51 p.m.

CORPORATE SERVICES:

12. a) Waiver of Tax Penalties for Spyglass Resources Corp. – Tax Rolls 295361 and 411113

MOTION 13-11-863

Requires 2/3

MOVED by Councillor Driedger

That the penalties in the amount of \$243.36 for Tax Roll 295361 and \$1,244.50 for Tax Roll 411113 for Spyglass Resources Corp. be waived due to unusual circumstances.

CARRIED

12. b) Void Taxes and Penalty for Roll 289324

MOTION 13-11-864

Requires 2/3

MOVED by Councillor Jorgensen

That the Finance Department be authorized to void the 2013 tax levy of \$20.80 and the penalty levied of \$1.25 in July 2013

for property tax roll 289324.

CARRIED

12. c) Financial Reports – January 1 to October 31, 2013

MOTION 13-11-865

MOVED by Councillor Braun

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

CARRIED

PUBLIC HEARINGS:

7. 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 13-11-866

MOVED by Councillor Wardley

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

Deputy Reeve Sarapuk called the public hearing for Bylaw 916-13 to order at 1:01 p.m.

Deputy Reeve Sarapuk asked if the public hearing for proposed Bylaw 916-13 was properly advertised. Byron Peters, Director of Planning & Development, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Deputy Reeve Sarapuk 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 September 10, 2013.

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

Deputy Reeve Sarapuk asked if any submissions were received in regards to proposed Bylaw 916-13. No submissions were received.

Deputy Reeve Sarapuk asked if there was anyone present who would like to speak in regards to the proposed Bylaw 916-13.

- Mr. Martin Stanners (applicant) spoke in favor of the proposed Bylaw. Mr. Stanners presented a list of 498 signatures in support of his proposed development. He requested that Council follow through and approve his rezoning request.
- Mr. Charles La Farge also spoke in favor of the proposed bylaw. Mr. La Farge indicated that he had inquired into starting a restaurant three years ago which also required a Direct Control district and inquired with the Planning Department as to where he could set up such a business. He was told that there was no place to put it without contravening the rules of being near a park, school, public area, etc. in Fort Vermilion. As a result he decided not to pursue his development, however, he does not see a problem with stretching the rules if required.

Deputy Reeve Sarapuk closed the public hearing for Bylaw 916-13 at 1:07 p.m.

MOTION 13-11-867

MOVED by Councillor Jorgensen

That second 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.

CARRIED

MOTION 13-11-868
(requires unanimous)

MOVED by Councillor Braun

That consideration be given to go to third reading for 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.

CARRIED UNANIMOUSLY

MOTION 13-11-869

MOVED by Councillor Wardley

That third 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.

CARRIED UNANIMOUSLY

PUBLIC HEARINGS:

7. b) Bylaw 922-13 Plan Cancellation for Consolidation Purposes Plan 1160NY, Block 5, Lots 2 and 3 (La Crete)

Deputy Reeve Sarapuk called the public hearing for Bylaw 922-13 to order at 1:10 p.m.

Deputy Reeve Sarapuk asked if the public hearing for proposed Bylaw 922-13 was properly advertised. Byron Peters, Director of Planning & Development, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Deputy Reeve Sarapuk 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 October 30, 2013.

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

Deputy Reeve Sarapuk asked if any submissions were received in regards to proposed Bylaw 922-13. No submissions were received.

Deputy Reeve Sarapuk asked if there was anyone present who would like to speak in regards to the proposed Bylaw 922-13. No one was present to speak to the proposed bylaw.

Deputy Reeve Sarapuk closed the public hearing for Bylaw 922-13 at 1:12 p.m.

MOTION 13-11-870

MOVED by Councillor Derksen

That second reading be given to Bylaw 922-13, being a Plan Cancellation Bylaw to cancel and consolidate Plan 1160NY, Block 5, Lots 2 and 3 into one lot within the Hamlet of La Crete.

CARRIED

MOTION 13-11-871

MOVED by Councillor Braun

That third reading be given to Bylaw 922-13, being a Plan Cancellation Bylaw to cancel and consolidate Plan 1160NY, Block 5, Lots 2 and 3 into one lot within the Hamlet of La Crete.

CARRIED

ADMINISTRATION

13. a) Bylaw 925-13 Honorariums and Related Expense Reimbursement for Councillors and Approved Committee Members

MOTION 13-11-872

MOVED by Councillor Bateman

That third reading be given to Bylaw 925-13 being the Honorariums and Related Expense Reimbursement for Councillors and Approved Committee Members.

DEFEATED

13. b) Member at Large Appointments

MOTION 13-11-873

MOVED by Councillor Bateman

That Beth Kappelar be appointed as a Member at Large to the Inter-municipal Planning Commission for a one year term ending October 2014.

CARRIED

MOTION 13-11-874

MOVED by Councillor Bateman

That Joe Peters be appointed as a Member at Large to the Subdivision and Development Appeal Board and the Inter-Municipal Subdivision and Development Appeal Board for a one year term ending October 2014.

CARRIED

**INFORMATION/
CORRESPONDENCE:**

14. a) Information/Correspondence

MOTION 13-11-875

MOVED by Councillor Paul

That the letter to the Minister of Municipal Affairs regarding seniors housing be sent as discussed.

CARRIED UNANIMOUSLY

MOTION 13-11-876

MOVED by Councillor Jorgensen

That all Councillors be authorized to attend the Growing the North Conference in Grande Prairie on February 18 – 20, 2014.

CARRIED

MOTION 13-11-877

MOVED by Councillor Wardley

That Councillors have the option to attend the annual FCM Conference in June 2014 or the FarmTech Conference in January 2014.

CARRIED

MOTION 13-11-878

MOVED by Councillor Driedger

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

CARRIED

TENDERS:

6. a) Water Transmission Line – Town of High Level to Ainsworth OSB Plant (1:30 p.m.)

MOTION 13-11-879

MOVED by Councillor Knelsen

That the Water Transmission Line – Town of High Level to Ainsworth OSB Plant Tenders be opened.

CARRIED

Tenders Received:

Northern Road Builders	\$1,911,618.90
Sprage Rosser	\$4,460,885.80
Weaver Welding Ltd.	\$2,738,072.60

Jacob Brothers Construction \$2,743,753.40

Armstrong Construction \$2,307,807.10

MOTION 13-11-880

MOVED by Councillor Driedger

That the Water Transmission Line – Town of High Level to Ainsworth OSB Plant Tender be awarded to the lowest qualified tender subject to approval by the Town of High Level and Ainsworth.

CARRIED UNANIMOUSLY

Deputy Reeve Sarapuk recessed the meeting at 1:43 p.m. and reconvened the meeting at 1:55 p.m.

IN-CAMERA SESSION:

MOTION 13-11-881

MOVED by Councillor Knelsen

That Council move in-camera to discuss issues under the Freedom of Information and Protection of Privacy Regulations 18 (1) at 1:55 p.m.

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

CARRIED

MOTION 13-11-882

MOVED by Councillor Jorgensen

That Council move out of camera at 3:13 p.m.

CARRIED

15. a) Legal – Regional Service Sharing Agreement

MOTION 13-11-883

MOVED by Councillor Braun

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

CARRIED

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

MOTION 13-11-884

MOVED by Councillor Derksen

That the water supply agreement with Ainsworth update be received for information.

CARRIED

15. b) Labour – Team Work

15. b) Labour – Committee Discussion

MOTION 13-11-885

MOVED by Councillor Driedger

That the teamwork and committee discussion be received for information.

CARRIED

MOTION 13-11-886

MOVED by Reeve Neufeld

That Councillors be authorized to attend two of the Regional Sustainability Study open houses.

CARRIED

NOTICE OF MOTION:

16. Notices of Motion

**NEXT MEETING
DATE:**

17. a) Special Council (Budget) Meeting
Friday, December 6, 2013
10:00 a.m.
Fort Vermilion Council Chambers

Regular Council Meeting
Tuesday, December 10, 2013
10:00 a.m.
Fort Vermilion Council Chambers

ADJOURNMENT:

18. a) Adjournment

MOTION 13-11-887

MOVED by Councillor Wardley

That the council meeting be adjourned at 3:17 p.m.

CARRIED

These minutes were approved by Council on December 10, 2013.

(original signed)

Bill Neufeld
Reeve

(original signed)

Joulia Whittleton
Chief Administrative Officer

