

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**Tuesday, May 13, 2014
10:00 a.m.**

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

- PRESENT:** Bill Neufeld Reeve
Jacquie Bateman Councillor
Peter F. Braun Councillor
Elmer Derksen Councillor
Eric Jorgensen Councillor
Josh Knelsen Councillor
Ricky Paul Councillor
Lisa Wardley Councillor
- REGRETS:** Walter Sarapuk Deputy Reeve
John W. Driedger Councillor
- ADMINISTRATION:** Joulia Whittleton Chief Administrative Officer
Ron Pelensky Director of Community Services & Operations
John Klassen Director of Environmental Services &
Operations
Mark Schonken Interim Director of Finance
Byron Peters Director of Planning & Development
Carol Gabriel Manager of Legislative & Support Services
- ALSO PRESENT:** Members of the media and the public.

Minutes of the Regular Council meeting for Mackenzie County held on May 13, 2014 in the Fort Vermilion Council Chambers.

CALL TO ORDER: 1. a) Call to Order

Reeve Neufeld called the meeting to order at 10:24 a.m.

AGENDA: 2. a) Adoption of Agenda

MOTION 14-05-308 MOVED by Councillor Derksen

That the agenda be approved with the following additions:

- 8. b) Bylaw 961-14 Fee Schedule Bylaw
- 13. d) Mobile Diabetic Screening Initiative (MDSI)

CARRIED

**ADOPTION OF
PREVIOUS MINUTES:**

3. a) Minutes of the April 28, 2014 Regular Council Meeting

MOTION 14-05-309

MOVED by Councillor Bateman

That the minutes of the April 28, 2014 Regular Council meeting be adopted as presented.

CARRIED

GENERAL REPORTS:

5. a) CAO Report

MOTION 14-05-310

MOVED by Councillor Bateman

That the CAO Report for April 2014 be accepted for information

CARRIED

**COMMUNITY
SERVICES:**

8. a) Bylaw 956-14 Off Highway Vehicles Bylaw – La Crete and Bylaw 958-14 Off Highway Vehicles Bylaw – Fort Vermilion

MOTION 14-05-311

MOVED by Councillor Braun

That third and final reading be given to Bylaw 956-14 being the Off Highway Vehicles Bylaw for the Hamlet of La Crete.

Councillor Derksen requested a recorded vote.

In Favor

Councillor Paul
Councillor Wardley
Reeve Neufeld
Councillor Jorgensen
Councillor Knelsen
Councillor Bateman
Councillor Braun

Opposed

Councillor Derksen

CARRIED

MOTION 14-05-312

MOVED by Councillor Wardley

That first reading be given to Bylaw 958-14 being the Off

Highway Vehicles Bylaw for the Hamlet of Fort Vermilion.

CARRIED

MOTION 14-05-313

MOVED by Councillor Bateman

That second reading be given to Bylaw 958-14 being the Off Highway Vehicles Bylaw for the Hamlet of Fort Vermilion.

CARRIED

MOTION 14-05-314

Requires Unanimous

MOVED by Councillor Paul

That consideration be given to go to third reading of Bylaw 958-14 being the Off Highway Vehicles Bylaw for the Hamlet of Fort Vermilion.

CARRIED UNANIMOUSLY

MOTION 14-05-315

MOVED by Councillor Jorgensen

That third reading be given to Bylaw 958-14 being the Off Highway Vehicles Bylaw for the Hamlet of Fort Vermilion.

CARRIED

COMMUNITY SERVICES:

8. b) Bylaw 961-14 Fee Schedule Bylaw (ADDITION)

MOTION 14-05-316

Requires Unanimous

MOVED by Councillor Wardley

That first reading be given to Bylaw 961-14 being the Fee Schedule Bylaw.

CARRIED UNANIMOUSLY

MOTION 14-05-317

Requires Unanimous

MOVED by Councillor Braun

That second reading be given to Bylaw 961-14 being the Fee Schedule Bylaw.

CARRIED UNANIMOUSLY

MOTION 14-05-318

Requires Unanimous

MOVED by Councillor Jorgensen

That consideration be given to go to third reading of Bylaw 961-

14 being the Fee Schedule Bylaw at this meeting.

CARRIED UNANIMOUSLY

MOTION 14-05-319

Requires Unanimous

MOVED by Councillor Knelsen

That third reading be given to Bylaw 961-14 being the Fee Schedule Bylaw.

CARRIED UNANIMOUSLY

**ENVIROMENTAL
SERVICES:**

9. a) None

OPERATIONS:

10. a) Disposal of Assets – Seniors Bus (Unit #1038)

MOTION 14-05-320

MOVED by Councillor Derksen

That Mackenzie County donates the previous senior's bus (Unit #1038) "as is where is" to Wheels in Motion (a local nonprofit organization) which in turn releases the County from any further obligations regarding operations and maintenance of the said unit.

DEFEATED

MOTION 14-05-321

MOVED by Councillor Wardley

That Mackenzie County donates the previous senior's bus (Unit #1038) "as is where is" to a local nonprofit organization which in turn releases the County from any further obligations regarding operations and maintenance of the said unit and that administration advertise an expression of interest.

CARRIED

Reeve Neufeld recessed the meeting at 11:05 a.m. and reconvened the meeting 11:16 a.m.

OPERATIONS:

10. b) Additional Access Request – Lot-11, BLK-2, PLN 142 0720 (Plumbin' Joe's)

MOTION 14-05-322

MOVED by Councillor Bateman

That the request for additional accesses to Lot-11, BLK-2, PLN 142 0720 (Plumbin' Joe's) be approved with the following

conditions:

- a) That all additional accesses cannot exceed the maximum width as per Policy PW039.
- b) That there is a minimum one (1) meter separation between the sloped ends of the culverts to provide an operational and maintenance area.

CARRIED

OPERATIONS:

10. c) County Applied Dust Control

MOTION 14-05-323

MOVED by Councillor Braun

That County applied dust control be considered on the additional area in La Crete utilizing an oil product, as discussed, and that administration investigate the cost per mile.

CARRIED

MOTION 14-05-324

MOVED by Councillor Wardley

That the County applied dust control areas for 2014 be approved as amended with additional intersection treatments on the route to Machesis Lake.

CARRIED

DELEGATIONS:

4. a) George Fehr, ATCO – Brushing and Vegetation Management (Bylaw 953-14)

Presentation by George Fehr, ATCO Area Supervisor – High Level, regarding ATCO's brushing and vegetation management.

OPERATIONS:

10. d) Intersection Lighting (Hwy 697 and Blumenort Road)

MOTION 14-05-325

MOVED by Councillor Bateman

That a letter be sent to Alberta Transportation requesting that the intersection of Highway 697 and Blumenort Road be illuminated as it is dangerous for the school buses to turn during foggy and low light conditions.

CARRIED

PLANNING &

11. b) Bylaw 955-14 Land Use Bylaw Amendment to

DEVELOPMENT: **Rezone Part of Plan 962 1175, Block 1, lot 5 (PT. of SE 16-109-14-W5M) from Agricultural District 'A' to Residential Condominium District 'RCD'. (Rocky Lane)**

MOTION 14-05-326 **MOVED** by Councillor Knelsen

That first reading be given to Bylaw 955-14, being a Land Use Bylaw amendment to rezone Part of Plan 962 1175, Block 1, Lot 5 (Part of SE 16-109-14-W5M) from Agricultural (A) to Residential Condominium District "RCD", subject to public hearing input.

CARRIED

PLANNING & DEVELOPMENT: **11. c) Policy DEV006 Antenna System Siting**

MOTION 14-05-327 **MOVED** by Councillor Braun

That Policy DEV006 Antenna System Siting be approved as AMENDED.

CARRIED

Reeve Neufeld recessed the meeting at 11:58 a.m. and reconvened the meeting at 12:32 p.m.

ADMINISTRATION: **13. a) AR 263/2005, Community Aggregate Payment Levy Regulation**

Councillor Bateman declared herself in conflict of interest and left the meeting at 12:33 p.m.

MOTION 14-05-328 **MOVED** by Councillor Wardley

That a letter be sent to Municipal Affairs requesting a reassessment and revision of the maximum levy rate of \$0.25 per tonne established under Alberta Regulation 263/2005, Community Aggregate Payment Levy Regulation.

CARRIED

Councillor Bateman rejoined the meeting at 12:39 p.m.

PLANNING & **11. a) Bylaw 953-14 Land Use Bylaw Amendments Add**

DEVELOPMENT: **Regulation to Flood Prone Lands and Landscaping, Screening or Sound Barriers, Definition of Garden Suite and Change the Minimum Lot Size in Agricultural "A"**

MOTION 14-05-329 **MOVED** by Councillor Wardley

That first reading be given to Bylaw 953-14 being a Land Use Bylaw Amendment to add regulation to Sections 7.1 and 7.29, and to revise the definition of "GARDEN SUITE", subject to public hearing input.

CARRIED

MOTION 14-05-330 **MOVED** by Councillor Jorgensen

That the minimum lot size in agricultural districts be TABLED to the June 11, 2014 council meeting.

CARRIED

FINANCE: **12. d) Financial Reports – January 1 to March 31, 2014**

MOTION 14-05-331 **MOVED** by Councillor Bateman

That the financial reports for the period, January 1 – March 31, 2014, be accepted for information.

CARRIED

FINANCE: **12. c) Policy FIN028 Credit Card Use**

MOTION 14-05-332 **MOVED** by Councillor Wardley

That Policy FIN028 Credit Card Use be amended as presented.

CARRIED

ADMINISTRATION: **13. b) Council Meeting Dates**

MOTION 14-05-333 **MOVED** by Councillor Wardley

That the following Council meeting dates be changed:

- July 17, 2014 – change to July 14, 2014
- September 9, 2014 – change to September 8, 2014

CARRIED

ADMINISTRATION: 13. c) Member at Large Appointment

MOTION 14-05-334 MOVED by Councillor Bateman

That Jerry Chomiak be appointed as a Member at Large to the Assessment Review Board for the remainder of a two year term ending October 2016.

CARRIED

MOTION 14-05-335 MOVED by Councillor Wardley

That Jerry Chomiak be appointed as a Member at Large to the Subdivision and Development Appeal Board and the Inter-municipal Subdivision and Development Appeal Board for the remainder of a one year term ending October 2014.

CARRIED

PUBLIC HEARING: 7. a) Bylaw 936-14 Municipal Development Plan Amendment

Reeve Neufeld called the public hearing for Bylaw 936-14 to order at 1:00 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 936-14 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 Municipal Development Plan Amendment. Byron Peters, Director of Planning & Development, presented the Development Authority's submission and indicated that first reading was given on February 11, 2014.

Reeve Neufeld asked if Council has any questions of the proposed Municipal Development Plan Amendment. Discussion was held regarding adding a comment under 2. c) for utility setbacks. These details are generally within the Land Use Bylaw would not have a significant impact in the Municipal Development Plan.

Reeve Neufeld asked if any submissions were received in

regards to proposed Bylaw 936-14. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 936-14. No one was present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 936-14 at 1:04 p.m.

MOTION 14-05-336

MOVED by Councillor Braun

That second reading be given to Bylaw 936-14 being a Municipal Development Plan amendment to amend the Municipal Development Plan Bylaw (735-09) sections 3.25 and 4.22.

CARRIED

MOTION 14-05-337

MOVED by Councillor Knelsen

That third reading be given to Bylaw 936-14 being a Municipal Development Plan amendment to amend the Municipal Development Plan Bylaw (735-09) sections 3.25 and 4.22.

CARRIED

PUBLIC HEARING:

7. b) Bylaw 949-14 Land Use Bylaw Amendment to Rezone Part of Plan 012 4176, Block 4, Lot A & Part of NE 4-106-15-W5M (Part of Phase 5 & all of Phase 6) from Hamlet Residential District 1A "HR1A" and Hamlet Residential 1 "HR1" to Hamlet Residential District 2 "HR2" (La Crete)

Reeve Neufeld called the public hearing for Bylaw 949-14 to order at 1:04 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 936-14 was properly advertised. Byron Peters, Director of Planning & Development, answered that the bylaw was advertised in accordance with the Municipal Government Act.

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

given on April 8, 2014.

Reeve Neufeld asked if Council has any questions of the proposed Land Use Bylaw Amendment. A question was asked if manufactured homes was the only difference under the proposed zoning. HR1A allows single family houses without a garage, and HR1 allows a mixture of developments.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 949-14. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 949-14. No one was present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 949-14 at 1:08 p.m.

MOTION 14-05-338

MOVED by Councillor Knelsen

That second reading be given to Bylaw 949-14 being a Land Use Bylaw Amendment to rezone Part of Plan 012 4176, Block 4, Lot A & Part of NE 4-106-15-W5M from Hamlet Residential District 1A "HR1A" and Hamlet Residential 1 "HR1" to Hamlet Residential District 2 "HR2" to accommodate Multi – Family type dwellings.

CARRIED

MOTION 14-05-339

MOVED by Councillor Derksen

That third reading be given to Bylaw 949-14 being a Land Use Bylaw Amendment to rezone Part of Plan 012 4176, Block 4, Lot A & Part of NE 4-106-15-W5M from Hamlet Residential District 1A "HR1A" and Hamlet Residential 1 "HR1" to Hamlet Residential District 2 "HR2" to accommodate Multi – Family type dwellings.

CARRIED

PUBLIC HEARING:

7. c) Bylaw 950-14 Land Use Bylaw Amendment to Rezone Part of SW 9-106-15-W5M from Hamlet Residential District 1A "HR1A" and Hamlet Residential 1 "HR1" to Hamlet Residential District 2 "HR2" (La Crete)

Reeve Neufeld called the public hearing for Bylaw 950-14 to order at 1:09 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 950-14 was properly advertised. Byron Peters, Director of Planning & Development, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Neufeld asked the Development Authority to outline the proposed Land Use Bylaw Amendment. Byron Peters, Director of Planning & Development, presented the Development Authority's submission and indicated that first reading was given on April 8, 2014.

Reeve Neufeld asked if Council has any questions of the proposed Land Use Bylaw Amendment. A question was asked if this allows a small shack without a garage to be built beside the current homes. It would be allowed as a discretionary use only and then adjacent landowners get notified. Discussion was held regarding leaving a transition area at the current zoning to be fair to the current residents. Discussion was held regarding putting in a tree barrier for owners along 110th. A comment was made that 100th Avenue would be a racetrack if it was a thoroughfare. A question was asked if the developer was proposing to move forward this year – the developer is proceeding with a portion this year.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 950-14. One written submission was received in opposition to the proposed Bylaw from Peter and Annie Driedger (a copy of the letter is attached).

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 950-14. No one was present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 950-14 at 1:20 p.m.

Councillor Jorgensen left the meeting at 1:26 p.m.

MOTION 14-05-340

MOVED by Councillor Wardley

That second reading be given to Bylaw 950-14, being a Land Use Bylaw Amendment to rezone the remainder of SW 9-106-

15-W5M from Hamlet Residential District 1A “HR1A” and Hamlet Residential 1 “HR1” to Hamlet Residential District 2 “HR2” to accommodate Condominium Development as AMENDED with the exclusion of a buffer area behind the current homes.

CARRIED

MOTION 14-05-341

MOVED by Councillor Paul

That third reading be given to Bylaw 950-14, being a Land Use Bylaw Amendment to rezone the remainder of SW 9-106-15-W5M from Hamlet Residential District 1A “HR1A” and Hamlet Residential 1 “HR1” to Hamlet Residential District 2 “HR2” to accommodate Condominium Development.

CARRIED

TENDERS:

6. b) Fort Vermilion and La Crete Streets – 2014 Graded Aggregate Seal Coat and Other Work

MOTION 14-05-342

MOVED by Councillor Wardley

That the Fort Vermilion and La Crete Streets – 2014 Graded Aggregate Seal Coat and Other Work tenders be opened.

CARRIED

Tenders Received:

	Schedule A (FV)	Schedule B (LC)
West Can Seal Coat	\$191,014.20	\$198,990.60 \$ 7,560.00 \$206,550.60
ACP	\$231,967.60	\$241,963.40

MOTION 14-05-343

MOVED by Councillor Braun

That the Fort Vermilion and La Crete Streets – 2014 Graded Aggregate Seal Coat and Other Work tender be awarded to the lowest qualified tender subject to being within budget.

CARRIED

Councillor Bateman and Councillor Jorgensen rejoined the meeting at 2:04 p.m.

FINANCE:

12. a) Bylaw 957-14 Honorariums and Expense Reimbursement

MOTION 14-05-347
Requires 2/3

MOVED by Councillor Braun

That first reading be given to Bylaw 957-14 being the honorariums and expense bylaw for Mackenzie County as AMENDED.

CARRIED

MOTION 14-05-348
Requires 2/3

MOVED by Councillor Wardley

That second reading be given to Bylaw 957-14 being the honorariums and expense bylaw for Mackenzie County.

CARRIED

MOTION 14-05-349
Requires Unanimous

MOVED by Councillor Knelsen

That consideration be given to go to third reading of Bylaw 957-14 being the honorariums and expense bylaw for Mackenzie County at this meeting.

CARRIED UNANIMOUSLY

MOTION 14-05-350
Requires 2/3

MOVED by Councillor Derksen

That third and final reading be given to Bylaw 957-14 being the honorariums and expense bylaw for Mackenzie County.

CARRIED

FINANCE:

12. b) Policy ADM033 Personal Vehicle Allowance Rate Structure

MOTION 14-05-351

MOVED by Councillor Wardley

That Policy ADM033 Personal Vehicle Allowance Rate Structure be amended as presented.

CARRIED

**ADMINISTRATION: 13. d) Mobile Diabetic Screening Initiative (MDSI)
(ADDITION)**

MOTION 14-05-352

Requires Unanimous

MOVED by Councillor Jorgensen

That a letter be sent to the Minister of Health and Alberta Health Services requesting their support for the Mobile Diabetic Screening Initiative (MDSI).

CARRIED UNANIMOUSLY

Reeve Neufeld recessed the meeting at 2:38 p.m. and reconvened the meeting at 2:48 p.m.

Councillor Bateman declared herself in conflict and left the meeting at 2:48 p.m.

MOTION 14-05-353

MOVED by Councillor Knelsen

That the 2014 Regravelling Program Tenders be awarded to the lowest qualified tender (Schedule A – Bateman Petroleum, Schedule B-E – Knelsen Sand & Gravel).

CARRIED

MOTION 14-05-354

MOVED by Councillor Paul

That Council move in-camera at 2:51 p.m. to discuss detailed unit prices of the regravelling tender.

CARRIED

MOTION 14-05-355

MOVED by Councillor Wardley

That Council move out of camera at 2:58 p.m.

CARRIED

Councillor Bateman rejoined the meeting at 2:59 p.m.

**INFORMATION/
CORRESPONDENCE:**

14. a) Information/Correspondence

MOTION 14-05-356

MOVED by Councillor Wardley

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

CARRIED

MOTION 14-05-357

MOVED by Councillor Derksen

That the August 5, 2014 regular council meeting be moved to August 6, 2014.

CARRIED UNANIMOUSLY

IN-CAMERA SESSION:

MOTION 14-05-358

MOVED by Councillor Braun

That Council move in-camera to discuss issues under the Freedom of Information and Protection of Privacy Regulations 18 (1) at 3:03 p.m.

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

CARRIED

MOTION 14-05-359

MOVED by Councillor Jorgensen

That Council move out of camera at 3:11 p.m.

CARRIED

15. a) Legal – Mustus Energy Agreement

MOTION 14-05-360

MOVED by Councillor Knelsen

That the Mustus Energy agreement be TABLED to the next meeting.

CARRIED

15. a) Legal – Town of Rainbow Lake Revenue Sharing Agreement

MOTION 14-05-361

Requires 2/3

MOVED by Councillor Bateman

That the request from the Town of Rainbow Lake to amend the

Revenue Sharing Agreement, to recognize \$796,400.00 as a minimum amount, be approved and that administration prepare the documentation for signature.

CARRIED

NOTICES OF MOTION: 16. a) None

NEXT MEETING DATES: 17. a) Regular Council Meeting
Wednesday, June 11, 2014
10:00 a.m.
Fort Vermilion Council Chambers

ADJOURNMENT: 18. a) Adjournment

MOTION 14-05-362 **MOVED** by Councillor Jorgensen

That the council meeting be adjourned at 3:14 p.m.

CARRIED

These minutes were approved by Council on June 11, 2014.

(original signed)

Bill Neufeld
Reeve

(original signed)

Joulia Whittleton
Chief Administrative Officer

From. **P.W. OR A. DRIEDGER**
La Crete, Alberta
T0H 2H0

M. County
Fax 780 927 4266

May 3 / 14

To - Planner

Thank-you for your time to consider our input.
As an adjacent land owner:

- ① We want to trust that you'll consider how messy rental units can be. Right now there are some existing apartments in Fabrite that look like? Filthy; Take a look you selves. This would make a big impact on our resale value. When we built our house this was zoned for Res. Houses Right? why must this be in consideration to be changed? If this idea passes will regret ever building our house here. We would further like to stress that we are almost surrounded with the 55 plus units already, as it is.
- ② With all the Grand Children and Great Grand Children visiting their Elder Parents, a Playground is a must in this Area. But at least with the 55 Plus. units its neat and tidy.
- ③ But I can't see the 100 Ave being connected with other Roads. To many children. High risk for accidents with children. I've been watching. That's a big concern to a lot of these Residents, and our selves.

Our intention was not meant to be rude
Submitted with caring Love / Thank for your Time

Peter & Annie Driedger
Res. 9934 - 110 ST