

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**Tuesday, June 12, 2012
10:00 a.m.**

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

PRESENT:

Bill Neufeld	Reeve
Walter Sarapuk	Deputy Reeve
Jacque Bateman	Councillor
Peter F. Braun	Councillor
Elmer Derksen	Councillor
Dicky Driedger	Councillor
John W. Driedger	Councillor
Odell Flett	Councillor
Eric Jorgensen	Councillor
Lisa Wardley	Councillor

REGRETS:

ADMINISTRATION:

Joulia Whittleton	Chief Administrative Officer
William (Bill) Kostiw	Exec. Director of Infrastructure Development & Government Relations
John Klassen	Director of Operations
Carol Gabriel	Executive Assistant
Liane Lambert	Development Officer
Dallas Campbell	Development Officer

ALSO PRESENT: Members of the public and the media.

Minutes of the Regular Council meeting for Mackenzie County held on June 12, 2012 in the Fort Vermilion Council Chambers.

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

Reeve Neufeld called the meeting to order at 10:21 a.m.

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

MOTION 12-06-374 **MOVED** by Councillor Jorgensen

That the agenda be approved with the following additions:

11. f) Letter of Support - Tolko Burner

- 11. g) CO₂
- Remove item 10. b)
- 13. b) Organizational Chart
- 11. h) Aboriginal Days

CARRIED

**STRATEGY & POLICY
SESSION:**

- 3. a) None

**ADOPTION OF
PREVIOUS MINUTES:**

- 4. a) **Minutes of the May 23, 2012 Regular Council Meeting**

MOTION 12-06-375

MOVED by Councillor Wardley

That the minutes of the May 23, 2012 Regular Council meeting be adopted as presented.

CARRIED

DELEGATION:

- 5. c) **Helena Peters**

Delegation by Helena Peters regarding 80 acre parcels.

DELEGATION:

- 5. a) **S/Sgt. Tom Love, Fort Vermilion RCMP- 10:00 a.m.**

MOTION 12-06-376

MOVED by Councillor Wardley

That the RCMP report be received for information.

CARRIED

Reeve Neufeld recessed the meeting at 11:03 a.m. and reconvened the meeting at 11:17 a.m.

MOTION 12-06-377

MOVED by Councillor Bateman

That Council move in-camera at 11:17 a.m.

CARRIED

MOTION 12-06-378

MOVED by Councillor Jorgensen

That Council move out of camera at 11:31 a.m.

CARRIED

13. b) Labour – Organizational Chart

MOTION 12-06-379

MOVED by Councillor Flett

That the organizational chart be approved as amended.

CARRIED

GENERAL REPORTS:

6. a) CAO Report

MOTION 12-06-380

MOVED by Councillor Derksen

That the CAO report for June 2012 be received for information.

CARRIED

GENERAL REPORTS:

6. b) Agricultural Land Use Planning Committee Meeting Minutes

MOTION 12-06-381

MOVED by Councillor D. Driedger

That the Agricultural Land Use Planning Committee meeting minutes of March 2 and March 5, 2012 be received for information.

CARRIED

6. c) Municipal Planning Commission Meeting Minutes

MOTION 12-06-382

MOVED by Councillor J. Driedger

That the Municipal Planning Commission meeting minutes of May 10, 2012 be received for information.

CARRIED

6. d) Mackenzie Library Board Meeting Minutes

MOTION 12-06-383

MOVED by Councillor Wardley

That the Mackenzie Library Board meeting minutes of April 5, 2012 be received for information.

CARRIED

**COMMUNITY &
PROTECTIVE
SERVICES:**

7. a) Bylaw 866-12 Hamlet Residential Waste Collection

MOTION 12-06-384

MOVED by Councillor J. Driedger

That first reading be given to Bylaw 866-12 being a Hamlet Residential Waste Collection bylaw for Mackenzie County as amended.

CARRIED

MOTION 12-06-385

MOVED by Councillor Braun

That Part 7 of Bylaw 866-12 being a Hamlet Residential Waste Collection bylaw for Mackenzie County be amended to include the provision for the municipality supplying garbage bins to residents on a cost recovery basis.

CARRIED

MOTION 12-06-386

MOVED by Deputy Reeve Sarapuk

That second and third reading of Bylaw 866-12 being a Hamlet Residential Waste Collection bylaw for Mackenzie County be TABLED to the next meeting.

CARRIED

7. b) Surplus Fire Trucks

MOTION 12-06-387

MOVED by Councillor Jorgensen

That the sale of unit numbers 9103 (1977 Cab-over) and 9104 (1979 conventional) to the public through a closed bid system with no minimum reserve bid advertised be TABLED to the next meeting.

CARRIED

Reeve Neufeld recessed the meeting at 11:59 a.m. and reconvened the meeting at 12:57 p.m.

PUBLIC HEARING:

**10. a) Bylaw 857-12 Land Use Amendment Bylaw
(Equestrian Uses in Urban Fringe (UF) Land Use District)**

Reeve Neufeld called the public hearing for Bylaw 857-12 to order at 1:00 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 857-12 was properly advertised. Liane Lambert, Development Officer, 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. Liane Lambert, Development Officer, presented the Development Authority's submission and indicated that first reading was given on March 28, 2012.

Reeve Neufeld asked if Council has any questions of the proposed Land Use Bylaw Amendment. Question regarding fencing setbacks and discretionary uses for stables (animal shelter). Animal shelters would require a development permit.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 857-12. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 857-12. No one was present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 857-12 at 1:04 p.m.

MOTION 12-06-388

MOVED by Councillor Bateman

That second reading be given to Bylaw 857-12, being a Land Use Bylaw amendment to amend the County Land Use Bylaw (791-10).

CARRIED

MOTION 12-06-389

MOVED by Councillor J. Driedger

That third reading be given to Bylaw 857-12, being a Land use Bylaw amendment to amend the County Land Use Bylaw (791-10).

CARRIED

10. b) Bylaw 860-12 Land Use Bylaw Amendment to Rezone Plan 992 5332; Block 1; Lot 3 from Rural Country Residential 2 “RC2” to Agricultural “A” (Rural La Crete)

Item was removed from the agenda.

10. c) Bylaw 863-12 Plan Cancellation Plan 022 7583, Block 15, Lot 14 (La Crete)

Reeve Neufeld called the public hearing for Bylaw 863-12 to order at 1:06 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 863-12 was properly advertised. Liane Lambert, Development Officer, 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. Liane Lambert, Development Officer, presented the Development Authority's submission and indicated that first reading was given on May 23, 2012.

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

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 863-12. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 863-12. There was no one present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 863-12 at 1:08 p.m.

MOTION 12-06-390

MOVED by Councillor Bateman

That second reading be given to Bylaw 863-12, being a Plan Cancellation Bylaw to cancel Plan 022 7583, Block 15, Lot 14 in the Hamlet of La Crete.

CARRIED

MOTION 12-06-391

MOVED by Councillor J. Driedger

That third reading be given to Bylaw 863-12, being a Plan Cancellation Bylaw to cancel Plan 022 7583, Block 15, Lot 14 in the Hamlet of La Crete.

CARRIED

5. b) Alvin Liknes (Winter Petroleum) – 1:30 p.m.

MOTION 12-06-392

MOVED by Councillor J. Driedger

That administration negotiate a payment plan for taxes with Winter Petroleum and bring it back to Council for information.

CARRIED

Reeve Neufeld recessed the meeting at 1:30 p.m. and reconvened the meeting at 1:41 p.m.

**PLANNING &
DEVELOPMENT:**

**9. a) Bylaw 865-12 Land Use Bylaw Amendment for the
Creation of an Airport Land Use District (AP)**

MOTION 12-06-393

MOVED by Councillor Bateman

That first reading be given to Bylaw 865-12, being a land use bylaw amendment to establish an Airport Land Use district as presented including provisions for parking requirements.

CARRIED

**9. b) Policy DEV004 Minimum Construction Value for
Safety Codes Permits Policy**

MOTION 12-06-394

MOVED by Councillor Bateman

That Policy DEV004 Minimum Construction Value for Safety Codes Permits be approved as amended.

CARRIED

**9. c) 119-DP-12 Development Permit – Restaurant Plan
922 0928, Block 6, Lot 39 (Fort Vermilion)**

MOTION 12-06-395

MOVED by Councillor Wardley

That Development Permit 119-DP-11 in the name of Jodie Toews and Travis Miller on Plan 922 0928, Block 6, Lot 39 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. This Development Permit is for the APPROVAL of a 24 Seat Restaurant located on the main floor of the Trapper Shack Building.
2. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
3. Building must be brought up to All Safety Code requirements. This includes Building, Electrical, Gas and Plumbing. Failure to do so will result in this Development permit to be null and void.
4. Comply with applicable legislation under the Public Health Act and obtain the appropriate approvals prior to commencement of development. Contact the Health Inspector at 926-7000.
5. Refer the application to the Protection and Stewardship section of Alberta Community Development in order to ascertain whether a Historical Resources Impact Assessment is required.
6. Provide adequate off street parking as follows: The minimum parking standards are 1 customer parking stall per 3 seats and 1 parking stall per permanent employee. According to the Real Property Report supplied, there is enough space for 10 parking stalls; therefore you are allowed 24 seats with two stall for employees. "One parking space, including the driveway area, shall occupy 300 square feet."
7. The Municipality has assigned the following address to the noted property (5003-River Road). You are required to display the address (5003) 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.

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

CARRIED

9. d) Town of High Level Land Use Amendment Bylaw 922-12 Referral

MOTION 12-06-396

MOVED by Deputy Reeve Sarapuk

That a letter be sent to the Town of High Level advising that Mackenzie County has no issues or concerns with their proposed Land Use Bylaw Amendment Bylaw 922-12.

CARRIED

OPERATIONAL SERVICES:

8. a) Policy PW009 – Dust Control Policy

MOTION 12-06-397

MOVED by Councillor Wardley

That Policy PW009 Dust Control Policy be adopted as amended.

CARRIED

8. b) New Centerline Culvert - Highway 697 / AJA Road Intersection

MOTION 12-06-398

MOVED by Councillor Derksen

That administration be authorized to proceed with a request to Alberta Transportation to provide funding and install the culverts at the intersection of AJA Road and Highway 697 along the Seven Mile Road on Highway 58.

CARRIED UNANIMOUSLY

Reeve Neufeld recessed the meeting at 2:24 p.m. and reconvened the meeting at 2:40 p.m.

8. c) Tompkins Crossing Bridge Project

MOTION 12-06-399

MOVED by Councillor D. Driedger

That administration be authorized to proceed with requesting at least three firms to provide their engineering cost for an "A" estimate for the Tompkins Crossing Bridge Project and instruct the most suitable engineering firm to proceed if within budget.

CARRIED

8. d) Roads & Water Management for New Farm Lands

MOTION 12-06-400

MOVED by Councillor Wardley

That the roads and water management for new farm lands be received for information and that it be brought back to the next meeting for decision.

CARRIED

**CORPORATE
SERVICES:**

**11. a) Bylaw 816-11 Local Improvement Tax for Curb,
Gutter and Sidewalk on 100 Avenue for Plan 952
3854 Lots 3-9, Block 21 & Lot 11, Block 13, and Plan
785 1076, Lots 5-7, Block 13 and Lot 9, Block 11,
Plan 862 2277 in the Hamlet of La Crete**

MOTION 12-06-401
(requires 2/3)

MOVED by Councillor Bateman

That second reading be given to Bylaw 816-11 being a local improvement tax for curb, gutter and sidewalk on 100 Avenue for Plan 952 3854 Lots 3-9, Block 21 & Lot 11, Block 13, and Plan 785 1076, Lots 5-7, Block 13 and Lot 9, Block 11, Plan 862 2277 in the Hamlet of La Crete as amended.

CARRIED

MOTION 12-06-402
(requires 2/3)

MOVED by Councillor Wardley

That third and final reading be given to Bylaw 816-11 being a local improvement tax for curb, gutter and sidewalk on 100 Avenue for Plan 952 3854 Lots 3-9, Block 21 & Lot 11, Block 13, and Plan 785 1076, Lots 5-7, Block 13 and Lot 9, Block 11, Plan 862 2277 in the Hamlet of La Crete.

CARRIED

11. b) Bylaw 867-12 Fee Schedule Bylaw

MOTION 12-06-403
(requires 2/3)

MOVED by Councillor Bateman

That first reading be given to Bylaw 867-12 being the Fee Schedule Bylaw for Mackenzie County as amended.

CARRIED

MOTION 12-06-404
(requires 2/3)

MOVED by Councillor Wardley

That second reading be given to Bylaw 867-12 being the Fee Schedule Bylaw for Mackenzie County.

CARRIED

MOTION 12-06-405
(requires unanimous)

MOVED by Deputy Reeve Sarapuk

That consideration be given to proceed to third reading of Bylaw 867-12 being the Fee Schedule Bylaw for Mackenzie County.

CARRIED UNANIMOUSLY

MOTION 12-06-406
(requires 2/3)

MOVED by Councillor Derksen

That third reading be given to Bylaw 867-12 being the Fee Schedule Bylaw for Mackenzie County.

CARRIED

11. c) Policy ADM051 Facility Rental Policy

MOTION 12-06-407

MOVED by Councillor Bateman

That Policy ADM051 Facility Rental Policy be approved as amended.

CARRIED

11. d) Policy FIN031 Methods of Payments Policy

MOTION 12-06-408
(requires 2/3)

MOVED by Councillor Braun

That Policy FIN031 Methods of Payment Policy be approved as presented.

CARRIED

11. e) Request to Waive Penalty for Tax Roll 082975

MOTION 12-06-409
(requires 2/3)

MOVED by Councillor D. Driedger

That a penalty of \$35.07 for 2011 be written off and a penalty of \$74.35 for 2012 be voided for the roll 082975.

CARRIED

11. f) Tolko Burner (ADDITION)

MOTION 12-06-410
Requires Unanimous

MOVED by Deputy Reeve Sarapuk

That a letter be sent to the Minister of Sustainable Resource Development/Environment in support of extending the timeline for the replacement of the Tolko burner.

DEFEATED

MOTION 12-06-411
Requires Unanimous

MOVED by Councillor Bateman

That a letter be sent to the Minister of Sustainable Resource Development/Environment in support of extending the timeline for the replacement of the Tolko burner, and that administration obtain confirmation of Tolko receiving grant funding for this project.

CARRIED UNANIMOUSLY

11. g) CO₂ (ADDITION)

MOTION 12-06-412
Requires Unanimous

MOVED by Councillor Wardley

That administration submit information on the CO₂ EOR project to the AAMDC Zone 4 for discussion at the next zone meeting.

CARRIED UNANIMOUSLY

11. h) Aboriginal Day (ADDITION)

MOTION 12-06-413

MOVED by Councillor Wardley

That the Aboriginal Day celebration in Fort Vermilion on June

21, 2012 be received for information.

CARRIED

**INFORMATION/
CORRESPONDENCE:**

12. a) Information/Correspondence

MOTION 12-06-414

MOVED by Councillor Flett

That the information/correspondence items be received for information.

CARRIED

IN CAMERA SESSION:

MOTION 12-06-415

MOVED by Councillor Flett

That Council move in-camera to discuss issues under the Freedom of Information and Protection of Privacy Regulations 18 (1) at 3:32 p.m.

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

CARRIED

MOTION 12-06-416

MOVED by Deputy Reeve Sarapuk

That Council move out of camera at 4:27 p.m.

CARRIED

13. a) Legal – Access to Plan 0023789, Block 1, Lot 1

MOTION 12-06-417

MOVED by Councillor Bateman

That the access plan for Plan 0023789, Block 1, Lot 1 be accepted for information.

CARRIED

13. c) Land – Subdivisions and Municipal Reserve

MOTION 12-06-418

MOVED by Councillor Bateman

That administration brings back the Municipal Reserve policy for review.

CARRIED

MOTION 12-06-419

MOVED by Councillor Bateman

That the High Level Flood control Project Phase III be added to the Phase II tender.

CARRIED

**NEXT MEETING
DATE:**

14. a) Regular Council Meeting
Wednesday, June 27, 2012
10:00 a.m.
Fort Vermilion Council Chambers

ADJOURNMENT:

15. a) Adjournment

MOTION 12-06-420

MOVED by Councillor Jorgensen

That the meeting be adjourned at 4:29 p.m.

CARRIED

These minutes were approved by Council on June 27, 2012

(original signed)

Bill Neufeld
Reeve

(original signed)

Joulia Whittleton
Chief Administrative Officer

