

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE
MUNICIPAL DISTRICT OF BRAZEAU NO. 77, HELD IN THE
M. D. ADMINISTRATION BUILDING, COUNCIL CHAMBERS, IN
DRAYTON VALLEY ON WEDNESDAY, 95 02 22.**

CALL TO ORDER Reeve W. Tweedle called the meeting to order at 9:32 am.

PRESENT

Present

W. Tweedle, Reeve
L. Coward, Councillor
J. Coombes, Councillor
B. Guyon, Councillor
L. Johnson, Municipal Manager
K. Robinson, Recording Secretary
T. Fleming, Superintendent of Public Works
R. Flikkema, Utility Co-ordinator

Absent

E. Lambert, Councillor

Also in Attendance

T. Trudeau, Western Review

**ADDITIONS TO
AND ADOPTION
OF THE AGENDA**

Additions to and Adoption of the Agenda

085-95 Moved by B. Guyon to adopt the agenda with the following additions:

- 9. (g) Correspondence from Tom Thurber's office
Regarding Meeting Request.
- (h) 1995 Local Road Program - In-Camera Session

CARRIED UNANIMOUSLY

**ADOPTION
OF MINUTES**

Adoption of Minutes

J. Coombes requested more detail be noted in the minutes under ratepayers concerns.

086-95 Moved by J. Coombes to adopt the minutes of the Regular Meeting of 95 02 09.

CARRIED UNANIMOUSLY

B. Guyon suggested that Administration investigate the cost of cordless microphones for use in Council meetings, ASB Tours and other seminars.

R. Flikkema left the meeting at 9:40 am.

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**EMERGENT
ITEMS**

Emergent Items

W. Tweedle recommended that Council set up dates to review the Land Use and Procedural By-laws.

L. Johnson suggested that the review take place after the passage of the Planning Act Revisions and the adoption of the Infrastructure Study recommendations.

087-95 Moved by J. Coombes that a meeting date for a review of the Land Use By-Law be set at the next meeting of Council.

CARRIED UNANIMOUSLY

A. Vogel arrived at the meeting at 9:44 am.

R. Matthews arrived at the meeting at 9:45 am.

**PLANNING,
DEVELOPMENT
AND LANDS
MATTERS**

Planning, Development and Lands Matters

**Application for Amendment to Land Use By-Law No. 109-90
Proposed By-Law No. 229-95 Partial Re-Designation of Plan 792 1304,
Block 1, Lot 3 from Agricultural One to Country Residential
Restricted
Applicant/Registered Owners: Merschel, Rudi & Lynn**

R. Matthews, Planning and Development Officer reported that the Applicants/Registered Owners have applied for re-designation of a part of Plan 792 1304, Block 1, Lot 3 (@4.53 acres) from Agricultural One to Country Residential Restricted. The application conforms to the Williams Area Structure Plan adopted by Council of the Municipal District of Brazeau No. 77 on October of 1994.

Mrs. Matthews reported that the Joint Municipal Planning Commission recommends to Council of the Municipal District of Brazeau No. 77 that first reading be given to By-law No. 229-95 and a date be set for a public hearing in respect of this application.

J. Coombes requested that more detailed directions for land location be given in future reports.

088-95 Moved by L. Coward to accept the recommendation from the JMPC to give first reading to By-law 229-95.

IN FAVOR: W. Tweedle
L. Coward
B. Guyon

OPPOSED: J. Coombes

CARRIED

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COUNCIL MEETING MINUTES -3- 95 02 22

089-95 Moved by B. Guyon to hold a public hearing for By-Law 229-95 on 95 03 22 at 10:00 am.

IN FAVOR: W. Tweedle
L. Coward
B. Guyon

OPPOSED: J. Coombes

CARRIED

Ivan Dusterhoft arrived at the meeting at 9:53 am.

Don Anderson arrived at the meeting at 9:55 am.

PUBLIC
HEARING

Public Hearing

090-95 Moved by L. Coward that the Regular Council Meeting of 95 02 22 adjourn into Public Hearing at 10:00 am for the purposes of:

-By-Law #222-94 to amend By-Law #109-90 changing land use designation of Pt NW 1/4-3-49-7-W5M from Agricultural One to Country Residential Restricted.

- By-Law # 226-94 to amend By-Law # 109-90 changing land use designation of Pt NW 1/4-16-49-7-W5M from Agricultural One to Country Residential Restricted.

R. Matthews reported that the JMPC recommended to Council for the M. D. of Brazeau that By-Law 222-94 and By-Law 226-94 be tabled until the Infrastructure Study has been adopted.

T. Fleming left the meeting at 10:05 am.

D. Anderson stated his concerns. He reported that he had first applied for this subdivision in 1993 and it met all the requirements. First he is informed that his application is on hold because the Land Use By-Law needed revision and now his application is on hold because of the Infrastructure Study. He stated that his application is caught up in bureaucracy, has not been handled properly and this has carried on and on. He stated that he doesn't feel that this is justified and requested that the application be looked at on its own without the Infrastructure Study.

Mr. Anderson reported that he paid for the land use re-designation fee in 1993 when he originally applied and has since paid for it again.

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COUNCIL MEETING MINUTES -4- 95 02 22

R. Matthews, Development Officer stated that she has reviewed the file and that Mr. Anderson was required to submit an outline plan prior to re-designation and subdivision. She further reported that the JMPC has tabled this application until the Infrastructure Study recommendations and Off-site Levy By-laws have been adopted.

D. Anderson thanked Council for their time and left at 10:13 am.

A. Vogel left the hearing at 10:13 am.

J. Coombes asked if Council could proceed with this application against the recommendation of the JMPC.

R. Matthews stated that Council could proceed with approving this application and informed Council that there were also several others waiting for approval.

W. Tweedle stated that it is unfortunate that people have to wait so long, but Council could not approve one application without approving the others.

No other objections or comments regarding the proposed By-Law amendments were received.

091-95 Moved by B. Guyon that the Regular Council Meeting of 95 02 22 reconvene from the Public Hearing at 10:20 am.

CARRIED UNANIMOUSLY

092-95 Moved by B. Guyon to give second reading to By-Law 222-94.

CARRIED UNANIMOUSLY

093-95 Moved by L. Coward to give second reading to By-Law 226-95.

CARRIED UNANIMOUSLY

**PLANNING,
DEVELOPMENT
AND LANDS
MATTERS**

Planning, Development and Lands Matters

**Subdivision Application, Pt of NW 16-49-7-W5M, Proposal to Create
4 Country Residential Restricted Parcels**

Applicant: J. K. Smith & Associates

Registered Owners: Williams, Lewis & Elvie

R. Matthews, Planning and Development Officer reported that this application in general complies with the provisions as set out in the Land Use By-Law, and Joint General Municipal Plan. The proposed lots have good road access via a developed road allowance. The Area Structure Plan indicates that these lots will be serviced with municipal water and sewer. The development of such services will need to be to the satisfaction of both the Municipal District of Brazeau No. 77 and the Town of Drayton Valley.

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JG

R. Matthews reported that the Joint Municipal Planning Commission recommended to Council of the Municipal District of Brazeau No. 77 that approval of the subdivision application be tabled until after the Infrastructure Study has been adopted.

A. Vogel arrived at the meeting at 10:25 am.

J. Coombes stated that the recommendation from the JMPC in the agenda package was different from the recommendation given at this meeting.

R. Matthews explained that she must prepare a report to council one week prior to the Council meeting in order to have the information in the agenda package. The JMPC meeting took place after that information had been submitted, just prior to the Council Meeting. At the time of the Council meeting, she was prepared to confirm or amend the recommendations in her report from the JMPC.

J. Coombes stated that this is very confusing and there was sufficient time for the Development Officer to have a revised report for Council.

R. Matthews accepted full responsibility for the confusion.

T. Fleming arrived at the meeting at 10:30 am.

R. Matthews left the meeting at 10:30 am.

094-95 Moved by L. Coward to table the subdivision application until after the Infrastructure Study has been adopted.

CARRIED UNANIMOUSLY

Subdivision Application, Pt of NW 3-49-7-W5M Proposal to Create 5 Lots from a Titled Area of 21.01 Acres,
Applicants/Registered Owners: Anderson, Donald & Joan

In her report, R. Matthews, Planning and Development Officer stated that the proposal is to create 5 lots from a titled area of 21.01 acres, Lot 1 is developed and will contain 6.8 acres. The remaining 4 lots are undeveloped and will consist of 3.5 acres. The Town of Drayton Valley sewer right-of-way traverses Lot 1 and the northwest corner of Lot 2. It is specified in the outline plan for Ring Road Estates that, if required, Lot 1 and 2 will be tied into the Town's sewer service.

In her report, Mrs. Matthews states that no reserves are required on the proposed parcel as they have been deferred to the balance of the quarter section at the time the 21.01 acre parcel was created. This proposal complies with the provisions as contained in the Land Use By-Law and Joint General Municipal Plan.

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COUNCIL MEETING MINUTES -6- 95 02 22

L. Johnson reported that the Joint Municipal Planning Commission recommended to Council of the Municipal District of Brazeau No. 77 that approval of the subdivision application be tabled until the Infrastructure Study has been adopted.

095-95 Moved by L. Coward that Council table the application for subdivision until after the Infrastructure Study recommendations have been adopted.

IN FAVOR: W. Tweedle
 B. Guyon
 L. Coward

OPPOSED: J. Coombes

CARRIED

Subdivision Application, NW 1/4 4-48-8-W5M, Application to Create One 17.6 Acre Residential Lot out of 1/4 section
Applicants/Registered Owners: Dusterhoft, Ivan & Karin

In her report, R. Matthews, Planning and Development Officer reports that the proposed first residential parcel out of the quarter section conforms to all provincial regulations and statutory documents. However, the proposed size of 17.6 acres exceeds the maximum size permitted under the Agricultural One district of the Land Use By-law. Reducing the parcel size to the permissible 5 acres is also not feasible as it would not include the existing access and septic field. A wooded area provides a natural boundary to the south. An existing pipeline provides a definable boundary to the north and could be used in place of the 1/4 section line as the north boundary. This would result in a parcel approximately 10 acres in size, would contain all elements of the existing farmstead and would not prematurely remove potentially good quality agricultural lands from the balance of the 1/4 section.

Mrs. Matthews report recommends that Council approve the application for subdivision subject to the following conditions:

1. That the north boundary of the proposed lot be moved south of the 1/4 section line to coincide with the south boundary of the Mobile high pressure water pipeline right-of-way (as shown on attached plan), resulting in a reduced parcel size of approximately 10 acres (4.1 hectares) for the following reasons:

-the proposed lot at 17.6 ac (7.1 ha) exceeds the maximum parcel size of 5.0 ac (2.0 ha) permitted under the AG 1 Land Use District.

-although the amended parcel still exceeds the maximum permitted for a residential parcel under the Ag 1 Land Use District, Section 72-3(c) of the LUB allows for a larger parcel size where shelter belts, driveways or other features are considered part of the farmstead. This section can be appropriately applied in the case of the proposed parcel (as amended).

WT 20

COUNCIL MEETING MINUTES -7- 95 02 22

2. Pursuant to Section 92(1)(b) of the Planning Act, that the owner/developer enter into a development agreement with the Municipal District of Brazeau No. 77 which is to include, but not be limited to:

-the provision of legal and physical access to the parcel being created and the remnant, to the standards and specifications of the Municipal District of Brazeau No. 77.
3. Pursuant to Section 91(1)(d) of the Planning Act, that all outstanding property taxes be paid.

Council discussed with Mr. Dusterhoft the recommendation and his plans for the 17 acre parcel.

096-95 Moved by L. Coward to approve the subdivision application for the proposed parcel size of 17.6 acres and subject to conditions 2 & 3 in the Development Officer's report.

CARRIED UNANIMOUSLY

I. Dusterhoft thanked Council for their time and left the meeting at 10:42 am.

**PUBLIC WORKS
MATTERS**

Public Works Matters

Local Road Construction - Sand Pit Road N. of Sec. 23-49-7-5

G. Thomson, Project Manager reports that as stated in the Planning Act section 118, Council approval is required prior to any construction on an Environment Reserve. This reserve parallels the proposed project, as shown on the attached plan. The disturbance will be limited to the installation of culverts and additional backsloping.

Mr. Thomson recommends that Council authorize the work that is required on the Environment Reserve for the construction of the Sand Pit Road.

097-95 Moved by J. Coombes to approve the recommendation to authorize the work required on the Environment Reserve.

CARRIED UNANIMOUSLY

**GENERAL
MATTERS**

General Matters

By-Law # 227-95 To Provide for the Regulation of Emergency Medical Services Within the Municipal District of Brazeau

Council reviewed By-Law 227-95 for the purpose of providing for the regulation of emergency medical services within the M.D.

098-95 Moved by J. Coombes to give second reading to By-Law 227-95.

CARRIED UNANIMOUSLY

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COUNCIL MEETING MINUTES -8- 95 02 22

099-95 Moved by B. Guyon to give third and final reading to By-Law 227-95.

CARRIED UNANIMOUSLY

Society for the Coalition of Rural Representatives from Breton and Buck Creek

Correspondence received from the Society responded to Councils earlier decision to eliminate the position of the FCSS Co-ordinator and reduce involvement in FCSS program areas.

L. Johnson prepared a draft letter in response to the concerns from the Society to clarify the position taken by Council regarding continued involvement in Family and Community Support initiatives.

100-95 Moved by L. Coward to send the response to the Society.

CARRIED UNANIMOUSLY

Orientation for Candidates for Municipal Office

Correspondence to the M.D. received from the University of Alberta, in response to a suggestion made by A. Heinrich, stated that they will be sponsoring sessions in several locations across the province for anyone who is thinking of running for municipal office in the 1995 municipal elections.

The communities of Breton, Warburg, Entwistle and Evansburg have been contacted to initiate interest in a session proposed for Breton, and the response has been favorable.

101-95 Moved by J. Coombes to approve the sponsorship of an orientation session and cost of program to be covered from M. D. funds.

IN FAVOR: J. Coombes

OPPOSED: L. Coward
W. Tweedle
B. Guyon

DEFEATED

L. Coward stated that if people are interested in attending they would not have a problem with paying a nominal fee. She stated that she had attended one and found it to be beneficial and well worth the cost. She further stated that M.D. funds should not be used for public training sessions.

J. Coombes disagreed, stating that the cost should be divided amongst the municipalities and he felt that we would be losing good people if we charge them.

WT 20

102-95 Moved by B. Guyon to approve hosting a session and participants to be charged a nominal fee of \$15 - \$30.

IN FAVOR: W. Tweedle
B. Guyon
L. Coward

OPPOSED: J. Coombes

CARRIED

APPOINTMENTS/
DELEGATIONS

Appointments/Delegations

RATEPAYERS
CONCERNS

Ratepayers Concerns

A. Vogel stated that the minutes are very brief unless you have a copy of all the letters under correspondence and a written copy of Councillors reports. He suggests that copies of letter and reports be put on record for the public to see.

L. Coward informed Mr. Vogel that he may purchase copies of the agenda package that would contain all the information he requests.

B. Guyon stated that most of the reports are verbal because they are meetings that individual Councillors have attended apart from the regular Council meetings.

Mr. Vogel stated also that according to the minutes of the last Council meeting, everything appeared to be peaches and cream and it wasn't like that. He stated that none of the bickering and name-calling appeared in the minutes.

J. Coombes stated that it was true, even the Western Review didn't print all the news. He stated that he used to be torn to shreds in the news and now his name rarely appears. He stated that people think he's keeping his mouth shut.

A. Vogel stated that when Councillors get elected the power goes to their heads and when they get used to wheeling and dealing....look out.

GENERAL
MATTERS

General Matters

Recreational/Cultural Grant Policies

Council reviewed the policies for the Recreational/Cultural Grant funding and revised them as follows:

Policy PD-2

1. The use of the funds approved by Council must primarily be for recreational or cultural purposes.

WT 28

COUNCIL MEETING MINUTES -10- 95 02 22

2. Council may consider capital related projects, but only when related to the maintenance/repair/upgrading or renovation of existing facilities and where the group can demonstrate that the remaining funds for the project have been or can be generated (construction will not be funded unless self-sustenance in ongoing operation and maintenance is proven).
3. Remains the same
4. At the discretion of Council funds may be applied to offset operating costs, ie: heat, light, gas, phone, insurance, electricity, paper, cleaning supplies, mowing costs, etc.
5. Remains the same
6. Remains the same

103-95 Moved by B. Guyon to adopt Policy No. PD-2 as amended.

CARRIED UNANIMOUSLY

J. Coombes requested a copy of the revision be given to Councillors.

L. Johnson recommended that Administration meet with representatives from community groups to discuss concerns and share ideas.

B. Guyon stated that this would be a good idea and suggested that a meeting be scheduled for 95 03 15 at 7:30 pm.

104-95 Moved by B. Guyon to schedule a meeting for community groups to include one or two representatives from each group.

CARRIED UNANIMOUSLY

Canadian Wildlife Federation

The Canadian Wildlife Federation has invited the Municipality to participate in the events planned for National Wildlife Week. The Municipal District of Brazeau No. 77 is asked to declare April 9 - 15, 1995 as National Wildlife Week in this municipality.

105-95 Moved by L. Coward to accept the correspondence for information.

CARRIED UNANIMOUSLY

Meeting Schedule for Brazeau Foundation, Landfill Authority and JMPC

The Town of Drayton Valley sent to Council for the M.D. a calendar showing the dates of meetings for the Brazeau Foundation, Landfill Authority, Joint Municipal Planning Commission and the Municipal Planning Commission. Council is requested to indicate which dates for these meetings would be agreeable.

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Council discussed several dates and agreed that the third Monday of each month would be the best date for all of them.

Council requested that a yearly calendar be posted in the Council Chambers that reports all of the meetings as they are scheduled.

J. Coombes suggested that JMPC meetings be regularly scheduled.

L. Coward stated that the issue of JMPC and Council meeting schedules should not be a big deal. The recommendations come in the agenda package and Councillors should be able to follow the discussion around the table to make their decisions.

J. Coombes stated that he cannot make a decision when he feels that he doesn't have all the right facts.

L. Coward stated that planning applications should not be held up any longer than necessary.

Correspondence from Tom Thurbers office

L. Johnson reported that correspondence from Tom Thurber's office confirming the scheduling of a meeting with the Minister on March 28, 1995 from 3:30 - 4:00 pm., during Spring Convention. Council confirmed the meeting date.

T. Fleming left the meeting at 11:58 am.

**ITEMS FOR
INFORMATION**

Correspondence/Items for Information

- a) Correspondence dated 95 02 14 from E. Lambert regarding the Brazeau Seniors Foundation, the Agricultural Service Board and the Agricultural Economic Development Group.

J. Coombes stated that E. Lambert's letter should be tabled until he is in attendance.

L. Coward disagreed stating that he was giving Council the information in advance.

B. Guyon stated that in E. Lambert's absence he chose to put comments in writing due to his absence from the meeting.

J. Coombes stated that ratepayers should be requested to give their comments in writing to Council.

L. Johnson stated that the suggestion could be made, but it needed to be included in the procedural by-laws.

L. Coward stated that ratepayers are welcome to bring their concerns to Council, but that Council should not have to spend 1/2 hour bickering with ratepayers.

T. Fleming arrived at the meeting at 12:01 pm.

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- b) Correspondence dated 95 02 06 from Northwestern Utilities Limited regarding proposed changes to the Federal Public Utilities Income Tax Transfer Act.

106-95 Moved by J. Coombes that Administration draft a letter to the Federal Minister of Finance regarding the Federal Public Utilities Income Tax Transfer Act, stating that any income tax changes to Utility companies should ensure equal treatment between publicly and privately owned.

CARRIED UNANIMOUSLY

- c) Correspondence dated 95 01 26 from the Minister of Canadian Heritage regarding the 30th anniversary of the National Flag of Canada.
- d) Premier's Council Bulletin, Winter 1995 edition, regarding International Year of the Family.

107-95 Moved by J. Coombes that Manny Deol, Administrator for the Town of Drayton Valley be invited to attend Council meetings quarterly to report on information regarding the Premier's Council as he is a member of that Council.

CARRIED UNANIMOUSLY

- e) Resources Available From the Premier's Council in Support of Alberta Families.
- f) Correspondence from the Drayton Valley and District Agricultural Society Livestock Show '94.
- g) Correspondence dated 95 02 08 from Grant Mitchell, Leader, Alberta Liberal Opposition regarding Bill 57: The Delegated Administration Act.
- h) Correspondence dated 95 02 01 from the A.A.M.D. & C. regarding a special committee to review Alberta Environmental Protection's proposed guidelines for subdivision review.
- i) Correspondence dated 95 02 08 from A.A.M.D. & C. regarding Temporary Storage of Power Poles in Road Right of Ways.
- j) Correspondence dated 95 02 09 from the Town of Drayton Valley regarding the amalgamation of ID No. 143 and the City of Fort McMurray.

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COUNCIL MEETING MINUTES -13- 95 02 22

- k) Beyond our Borders Report submitted by A. Heinrich.
- l) A.A.M.D. & C. Municipal News Highlights dated 95 02 01.
- m) A.A.M.D. & C. Municipal News Highlights dated 95 02 08.

108-95 Moved by L. Coward to accept the above correspondence as information.

CARRIED UNANIMOUSLY

**QUESTION
PERIOD**

Question Period

A. Vogel asked why E. Lambert was not in attendance at the meeting.

W. Tweedle stated that Councillor Lambert had informed Council previously that he would be absent from this meeting. E. Lambert also had informed Council that he would not be running in the coming election and that his business required him to be out of the country from time to time and asked Council to bear with him, that he would attend every meeting that he could.

A. Vogel stated that Councillors should live in the area they are elected and should attend every meeting.

L. Johnson stated that the Municipal Government Act did not require Councillors to attend every meeting.

A. Vogel stated that changes in the petition requirements and release of information make it difficult for ratepayers who have concerns.

W. Tweedle stated that any petition should take a lot of work and should be a burning issue.

**COUNCILLORS
REPORTS**

Councillors Reports

W. Tweedle stated that he had attended the workshop "Marketing for Municipalities" at the Town of Drayton Valley and found it to be very informative. He reported that he had a brochure full of information for anyone who would like to see it.

B. Guyon reported that the Ag Initiative Committee also promotes marketing of the community. He reported that the community had made application to host an international show - a North American Elk Horn Show. He stated that this type of promotion would bring people who haven't been here before into the community and expose them to this area.

J. Coombes stated that he couldn't get excited about it, he felt it was just a way for the Town to sell coffee.

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IN CAMERA
SESSION

In Camera Session (Closed Session) Local Road Projects

109-95 Moved by B. Guyon that the Regular Council meeting of 95 02 22 go "In Camera" at 12:20 pm.

CARRIED UNANIMOUSLY

110-95 Moved by L. Coward that the Regular Council meeting of 95 02 22 come out of "Camera" at 1:30 pm.

CARRIED UNANIMOUSLY

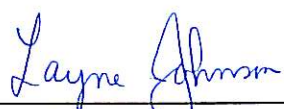
111-95 Moved by J. Coombes to acknowledge the letters regarding local road construction as received and requested that a response be sent to the concerned ratepayers stating that Council plans on proceeding with the road construction, however, concerns may be brought to Council.

CARRIED UNANIMOUSLY

112-95 Moved by L. Coward to adjourn the Regular Council Meeting of 95 02 22 at 1:32 pm.



Reeve



Municipal Manager