

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 TUESDAY, FEBRUARY 12, 2002.

CALL TO ORDER

Reeve B. Guyon called the meeting to order at 9:00 am.

PRESENT

B. Guyon, Reeve
A. Heinrich, Councillor
R. Sekura, Councillor
D. Ellis, Councillor
J. Starling, Councillor
K. Porter, Municipal Manager
K. Robinson, Recording Secretary

**ADDITION TO
AND ADOPTION
OF AGENDA**

Addition To and Adoption of Agenda

- 133-02** Moved by J. Starling to adopt the agenda for the regular Council meeting of February 12, 2002 with the following additions:
- 8. FCSS - Character Community (report by A. Heinrich)
 - 10. aa) Per Diem Rate Review
 - a) Negotiating Committee should read "Surface Lease Negotiating Committee"
 - mm) Approaches in Cynthia
 - n) Alberta Mixed Curling Championships
 - 13. d) Additional correspondence from the Town regarding the Zimbabwe Delegation

CARRIED UNANIMOUSLY

**ADOPTION OF
MINUTES**

Adoption of Minutes

- 134-01** Moved by A. Heinrich to adopt the minutes of the Special Council meeting of January 17, 2002 as presented.

CARRIED UNANIMOUSLY

- 135-01** Moved by D. Ellis to adopt the minutes of the Regular Council meeting of January 22, 2002 as presented.

CARRIED UNANIMOUSLY

- 136-01** Moved by D. Ellis to adopt the minutes of the Special Council meeting of January 28, 2002 as presented.

CARRIED UNANIMOUSLY

- 137-01** Moved by J. Starling to adopt the minutes of the Special Council meeting of February 01, 2002 as presented.

CARRIED UNANIMOUSLY

**BUSINESS
ARISING**

Business Arising From the Minutes

None

**URGENT
ITEMS**

Urgent Items

None

Tyler Waugh arrived at the meeting at 9:05 am.

**PLANNING AND
DEVELOPMENT
MATTERS**

Planning and Development Matters

**Application for Direct Control 3 District Proposed Bylaw 415-2001
Blk. 6, Plan 772 2959, Pt. of NW33-49-07-W5M**

Appl/Owner: Bob Dow

Council reviewed the report presented.
Jean Stewart arrived at the meeting at 9:07am.

138-02 Moved by A. Heinrich that on Bylaw 415-2001 Schedule "A" the term 'home occupation' be amended to 'Direct Control' throughout the schedule.

CARRIED UNANIMOUSLY

139-02 Moved by D. Ellis to give 1st reading to Bylaw No, 415-2001 and to schedule a Public Hearing for February 26, 2002 at 10:00 am.

CARRIED UNANIMOUSLY

**GENERAL
MATTERS**

General Matters

Evaluation of Per Diem Rates

Council discussed the per diem rates and whether or not the rates be reviewed and evaluated.

140-02 Moved by R. Sekura to establish a committee of John Altobelli, Keith Ebbs and Louise LaForce-Fertig to review and evaluate Municipal District per diem rates and make recommendations to Council.

141-02 Moved by A. Heinrich to amend Motion 140-02 to add Lee Hansen's name to the per diem review committee.

IN FAVOUR: A. Heinrich
D. Ellis

OPPOSED: B. Guyon
J. Starling
R. Sekura

DEFEATED

Nick Fraser arrived at the meeting at 9:22 am.

142-02 Moved by A. Heinrich to amend Motion 140-02 to add Bill Flesher's name to the per diem review committee.

IN FAVOUR: A. Heinrich
D. Ellis

OPPOSED: B. Guyon
J. Starling
R. Sekura

DEFEATED

Voting on Motion No. 140-02

IN FAVOUR: R. Sekura
J. Starling
B. Guyon

OPPOSED: D. Ellis
A. Heinrich

CARRIED

COUNCIL MEETING MINUTES -3- 2002 02 12

Surface Lease Negotiating Committee

143-02 Moved by R. Sekura to re-establish the Surface Lease Negotiating Committee of Reeve B. Guyon and Councillor J. Starling.

IN FAVOUR: R. Sekura
J. Starling
B. Guyon

OPPOSED: D. Ellis
A. Heinrich

CARRIED

Legal Proposals

Council reviewed the report presented.

144-02 Moved by A. Heinrich that the present system be continued by utilizing the legal firms of Sharek Reay; Brownlee Fryett; Reynolds, Mirth, Richards & Farmer and Lucas Bowker & White, based upon their specialities or upon the nature of the legal advise required.

IN FAVOUR: A. Heinrich
D. Ellis

OPPOSED: B. Guyon
J. Starling
R. Sekura

DEFEATED

145-02 Moved by J. Starling to accept the legal proposal by Lucas Bowker & White and the use of any other legal firms must have prior Council approval.

IN FAVOUR: R. Sekura
J. Starling
B. Guyon

OPPOSED: D. Ellis
A. Heinrich

CARRIED

**DELEGATIONS/
APPOINTMENTS**

Delegations/Appointments

Nick Fraser

Nick Fraser stated that he was at the meeting to discuss the survey completed on a satellite dish. He stated that he didn't think the survey was accurate and that he was down there and measured it out with a 50-ft. tape.

Mr. Fraser further stated that under Section 13 in the Land Use Bylaw it states "in all residential districts a television aerial or satellite dish shall not require a development permit, but shall be located in accordance with the minimum setback provisions". Mr. Fraser stated that this has been his point all along, there is a minimum setback and Administration seems to feel that it didn't apply in this case.

Mr. Fraser was requesting that the satellite dish follow the setback regulations as outlined in the Land Use Bylaw.

146-02 Moved by A. Heinrich that Administration research the Land Use Bylaw in regards to whether or not this fits in the criteria requiring setback distances and report back to Council.

CARRIED UNANIMOUSLY

**GENERAL
MATTERS**

General Matters

Danica Erickson arrived at the meeting at 9:52 am.

Highway Corridors Study

Council reviewed the correspondence received from Armin A. Preiksaitis & Associates Ltd. regarding the Highway Corridor Study.

147-02 Moved by R. Sekura that the project not proceed to completing further outline plans.

CARRIED UNANIMOUSLY

148-02 Moved by A. Heinrich to add the Highway Corridor Study to the Land Use Bylaw discussion.

IN FAVOUR: A. Heinrich
D. Ellis
J. Starling
R. Sekura

OPPOSED: B. Guyon

CARRIED

**DELEGATION/
APPOINTMENTS**

Delegation/Appointments

Danica Erickson attended the meeting to provide Council with a program update.

Julie Van Ember arrived at the meeting at 10:12 am.

Councillor A. Heinrich recommended that the Municipal District work together with the Town to promote a Character Community.

149-02 Moved by A. Heinrich to adopt the Character Community Resolution.

CARRIED UNANIMOUSLY

Reeve B. Guyon thanked Danica Erickson for her presentation and she left the meeting at 10:20 am.

150-02 Moved by A. Heinrich to defer items 10 (j) Discussion on the Land Use Bylaw and 10 (mm) Approaches in Cynthia to the Feb. 26th regular Council meeting.

CARRIED UNANIMOUSLY

**GENERAL
MATTERS**

General Matters

Settlement Agreement

Council reviewed the Annexation Settlement Agreement and the correspondence from the Town of Drayton Valley.

151-02 Moved by D. Ellis to contact the Town to see if they will accept the wording of the Memorandum of Agreement, Schedule "A", item 4(d), on page 3 of the agreement and page 21 of the agenda.

IN FAVOUR: D. Ellis
B. Guyon
R. Sekura

OPPOSED: A. Heinrich
J. Starling

CARRIED



COUNCIL MEETING MINUTES -4- 2002 02 12

Land Use Bylaw

Council reviewed the correspondence received from the Subdivision and Development Appeal Board.

- 152-02** Moved by A. Heinrich to add the recommendations from the Subdivision and Development Appeal Board to the discussions regarding the Land Use Bylaw.

CARRIED UNANIMOUSLY

Rocky Rapids Ag Summit Meeting

Council reviewed the correspondence received from Maureen Schwab regarding a discussion about grants and reserves that took place at the Ag Summit Meeting in Rocky Rapids.

- 153-02** Moved by R. Sekura to forward a letter to Mrs. Schwab to thank her for her comments and since this appears to be an issue between her and her Councillor to suggest that she contact her Councillor and that he would be happy to meet with her to discuss her concerns.

CARRIED UNANIMOUSLY

- 154-02** Moved by A. Heinrich that Administration provide the information requested in M. Schwab's letter.

IN FAVOUR: A. Heinrich
D. Ellis

OPPOSED: B. Guyon
J. Starling
R. Sekura

DEFEATED

- 155-02** Moved by R. Sekura that if after he meets with M. Schwab and she still feels that she would like Administration to provide the information, then it would be done.

IN FAVOUR: R. Sekura
J. Starling
B. Guyon

OPPOSED: D. Ellis
A. Heinrich

CARRIED

Community Organization Grant Funding Requests

Council reviewed the report and application forms.

- 156-02** Moved by D. Ellis to approve the requests for funding as follows:

Capital Projects

Breton & District Historical Society	\$2,000.00
Drayton Valley Brazeau Ski Hill	5,000.00

Senior's/Disabled Transportation

Breton Golden Age Club	\$1,666.00
Senior Citizen Club of DV	1,666.00
Beehive Support Services	1,666.00

COUNCIL MEETING MINUTES -6- 2002 02 12

Recreation Funding

Rocky Rapids Community League	\$1,500.00
Cynthia Recreation Association	1,500.00
Easyford Community Centre Society	1,500.00
Violet Grove Community Club	1,500.00
Lindale Hall Association	1,500.00

Cultural Funding

Breton & District Historical Society	\$ 500.00
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CARRIED UNANIMOUSLY

Appointment of Agricultural Service Board Members

Council reviewed the report presented.

Reeve B. Guyon called for nominations for the position of Agricultural Service Board Members.

Councillor D. Ellis nominated Councillor A. Heinrich
Councillor J. Starling nominated Reeve B. Guyon
Councillor R. Sekura nominated Councillor D. Ellis
Councillor J. Starling nominated Councillor R. Sekura

Reeve B. Guyon called a 2nd and 3rd time for nominations.

157-02 Moved by R. Sekura that nominations cease.

CARRIED UNANIMOUSLY

Reeve B. Guyon, Councillor D. Ellis and Councillor R. Sekura were elected members of the Agricultural Service Board.

Reeve B. Guyon called for nominations for the position of member at large for the Agricultural Service Board.

Councillor R. Sekura nominated L. Fleischhacker
Councillor J. Starling nominated R. Robb
Councillor D. Ellis nominated M. Raines

Reeve B. Guyon called a 2nd and 3rd time for nominations.

158-02 Moved by J. Starling that nominations cease.

CARRIED UNANIMOUSLY

Lorne Fleischhacker and Randy Robb were elected members at large of the Agricultural Service Board.

Reeve B. Guyon called for nominations for the position of Chairman for the Agricultural Service Board.

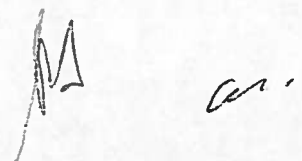
Councillor J. Starling nominated Councillor D. Ellis

Reeve B. Guyon called a 2nd and 3rd time for nominations.

159-02 Moved by A. Heinrich that nominations cease.

CARRIED UNANIMOUSLY

Councillor D. Ellis was acclaimed for the position of Chairman of the Agricultural Service Board.



COUNCIL MEETING MINUTES -7- 2002 02 12

Fire Services Bylaw No. 423-2002

Council reviewed the draft Fire Services Bylaw No. 423-2002.

160-02 Moved by D. Ellis to give 1st reading to Fire Services Bylaw No. 423-2002 and to schedule a Public Hearing for February 26, 2002 at 10:15 am.

CARRIED UNANIMOUSLY

Bylaw No. 419-2001 (Procedural Bylaw)

Council reviewed the report presented.

161-02 Moved by J. Starling to bring forward Bylaw No. 419-2001 (Procedural Bylaw) to the February 26, 2002 regular Council meeting.

IN FAVOUR: J. Starling
B. Guyon
R. Sekura

OPPOSED: A. Heinrich
D. Ellis

CARRIED

**MEETING
DATES**

Meeting Dates

Northern East Slopes Sustainable Resource and Environmental Management Strategy public consultations.

162-02 Moved by A. Heinrich to authorize Councillors attendance at the NES public consultation in Drayton Valley on February 25, 2002.

CARRIED UNANIMOUSLY

**17th Annual Municipal Law Seminar
March 15, 2002**

163-02 Moved by A. Heinrich to authorize Councillors attendance at the Municipal Law Seminar on March 15, 2002.

CARRIED UNANIMOUSLY

Council Meeting Schedule - March 26, 2002

164-02 Moved by J. Starling to re-schedule the regular Council meeting of March 26, 2002 to March 29, 2002 due to a conflict with the AAMD&C Spring Convention.

CARRIED UNANIMOUSLY

Redcliff, Zimbabwe Delegation to Drayton Valley

165-02 Moved by D. Ellis to authorize Councillors attendance at the February 12, 2002 welcoming dinner with the Zimbabwe delegation.

CARRIED UNANIMOUSLY

166-02 Moved by D. Ellis to authorize Councillors attendance at the February 20, 2002 farewell supper with the Zimbabwe delegation.

CARRIED UNANIMOUSLY

167-02 Moved by J. Starling to authorize Councillors attendance at the February 14, 2002 information sharing meeting with the Zimbabwe delegation.

CARRIED UNANIMOUSLY

COUNCIL MEETING MINUTES -8- 2002 02 12

Federal Minister of Health visit to Drayton Valley

168-02 Moved by R. Sekura to authorize Councillors attendance at the February 13, 2002 meeting with Health Minister Anne McLellan.

CARRIED UNANIMOUSLY

**DELEGATIONS/
APPOINTMENTS**

Ratepayer Concerns

Jean Stewart stated that she was concerned with the selection of committee members to review and evaluate Council per diem rates. She asked why Council would select someone who was just elected to the RHA and wouldn't have the information that others would have.

Jean Stewart stated that she was also concerned with the Ag Summit meeting at Rocky Rapids and the discussion that took place regarding grants and reserves. She stated that she phoned the government and they said it was not true that grant funding was based on the amount of reserves a municipality had.

Jean Stewart also reported that the Drayton Valley REA Annual Meeting was scheduled for February 28, 2002 at 7:30 pm in the 55+ Seniors Drop-in Centre and asked if this could be advertised in the local newspaper in the Municipal District section.

Jean Stewart also asked Councillor R. Sekura how he could be contacted, indicating that she has called him several times and hasn't gotten an answer. Mrs. Stewart also reported that she has called Reeve B. Guyon and he hasn't returned her calls.

Reeve B. Guyon thanked Mrs. Stewart for her comments.

169-02 Moved by D. Ellis to add the ratepayer concerns to the agenda.

CARRIED UNANIMOUSLY

**GENERAL
MATTERS**

General Matters

Drayton Valley Thunder Sportsman Dinner and Fundraiser

Council reviewed the request from the DV Thunder to purchase a corporate table for \$1,000.00.

170-02 Moved by D. Ellis to receive the correspondence from the Drayton Valley Thunder for information.

IN FAVOUR: J. Starling
D. Ellis
A. Heinrich

OPPOSED: R. Sekura
B. Guyon

CARRIED

2004 Alberta Summer Games

Council reviewed the correspondence received from the Town of Drayton Valley requesting a letter of support for their bid to host the 2004 Alberta Summer Games.

171-02 Moved by J. Starling to provide a letter of support to the Town of Drayton Valley for their bid to host the 2004 Alberta Summer Games.

CARRIED UNANIMOUSLY

COUNCIL MEETING MINUTES -9- 2002 02 12

Mixed Curling Request for Funding

Council reviewed the request for funding from the Curling Club.

172-02 Moved by A. Heinrich to receive the correspondence from the Curling Club for information.

IN FAVOUR: A. Heinrich
J. Starling
R. Sekura
D. Ellis

OPPOSED: B. Guyon

CARRIED

173-02 Moved by D. Ellis to send a letter to the Curling Club regarding the Municipal District's funding policies.

CARRIED UNANIMOUSLY

Ratepayer Concerns

174-02 Moved by A. Heinrich to advertise the REA Annual Meeting in the local newspaper as per Jean Stewart's request.

IN FAVOUR: A. Heinrich
J. Starling
D. Ellis
R. Sekura

OPPOSED: B. Guyon

It was determined that the personal issues would be answered directly by the Councillor

CARRIED

175-02 Moved by R. Sekura to forward a letter of reply to Jean Stewart regarding the review of the Council per diem rates.

CARRIED UNANIMOUSLY

Reeve B. Guyon left the meeting at 11:30 am to attend another meeting in Edmonton.

Deputy Reeve R. Sekura assumed the Chair.

Recreation Master Plan

Council reviewed the Multipurpose Fieldhouse Concept Design Report and the Recreation Master Plan Update.

176-02 Moved by A. Heinrich to accept the report as a guideline for meeting the recreation needs in our community.

CARRIED UNANIMOUSLY

**CORRESPONDENCE/
ITEMS FOR
INFORMATION**

Correspondence/Items for Information

- a) Fire Commissioner's Statistical Report
- b) Correspondence from the FCM listing the Board Members for the Prairie Region
- c) Government of Alberta News Release regarding the Gaming Moratorium Extension
- d) Local Government Services Division Newsletter

COUNCIL MEETING MINUTES -10- 2002 02 12

- e) Correspondence from the AAMD&C listing the members of the committees the AAMD&C Executive are participating in.
- f) Correspondence from Alberta Transportation regarding their 2000-01 Annual Report
- g) Correspondence from PITCH-IN ALBERTA regarding the campaign of April 22-28, 2002
- h) Drayton Valley Chamber of Commerce Trade Show announcement
- i) Correspondence from the FCM regarding the Sustainable Community Awards.
- j) Correspondence from the Alberta Dairy Council regarding the Annual Report for Milk Container Recycling
- k) Correspondence from Municipal Affairs thanking Council for their response to the proposed re-enactment of the Well Drilling Equipment Tax Rate Regulation
- l) Correspondence from Municipal Affairs thanking Council for their response to the proposed amendments to the Community Organization Property Tax Exemption Regulation (AR 281/98)
- m) Notice of Rescheduling of Hearing from the EUB
- n) Local Government Services Division Assessment Bulletin
- o) VolunteerLink Newsletter from FCSS
- p) Yellowhead Regional Library Newsletter
- q) Correspondence from Alberta Children's Services regarding community-based prevention activities
- r) Correspondence from the AAMD&C regarding the Proposed 2002/2003 Membership Fee Formula
- s) Correspondence from the Office of the Premier regarding the invitation to the Premier to attend the proposed meeting with the Chairman of the Tire Recycling Management Association
- t) Correspondence from the AAMD&C regarding the Future Summit
- u) Correspondence from the AAMD&C regarding the Task Force Report on Municipal Financial Reserves
- v) Correspondence from the AAMD&C regarding the 2002 AAMD&C Spring Convention March 25-27, 2002
- w) SDAB Board Orders dated January 10, 2002
- x) Contact Newsletter dated January 16, 2002
- y) Contact Newsletter dated January 23, 2002
- z) Contact Newsletter dated January 30, 2002
- aa) AAMD&C Executive Meeting Highlights - Jan. 24/02

177-02 Moved by J. Starling to receive the correspondence items for information.

CARRIED UNANIMOUSLY

COUNCIL MEETING MINUTES -11- 2002 02 12

**COUNCILLOR
REPORTS**

Councillor Reports

Councillor D. Ellis reported that he attended:

- Pembina River Zone 3 Meeting in Edmonton
- Provincial ASB Conference (written report attached to agenda)
- Special Council meetings X 2
- Brazeau Seniors Foundation Strategic Planning Meeting
- Recreation Master Plan meeting
- MPC

Councillor A. Heinrich reported that he attended:

- West Central Airshed
- Meeting with a ratepayer
- Pembina River Zone 3 Meeting in Edmonton
- Provincial ASB Conference
- Special Council meetings X 2
- Brazeau Seniors Foundation Strategic Planning Meeting
- Recreation Master Plan Meeting
- FCSS
- MPC

Councillor J. Starling reported that he attended:

- Meeting with Administration regarding Keyspan projects
- Several meetings with Keyspan and a tour of the site
- Landfill Authority Meeting
- MPC
- Pembina River Zone 3 Meeting in Edmonton
- Provincial ASB Conference
- Special Council meetings X 2
- Brazeau Seniors Foundation Strategic Planning Meeting

Councillor R. Sekura reported that he attended:

- Pembina River Zone 3 Meeting in Edmonton
- Provincial ASB Conference
- Special Council meetings X 2
- Brazeau Seniors Foundation Strategic Planning Meeting
- Meeting with residents at the Rocky Rapids Community Hall
- FAC

**QUESTION
PERIOD FOR THE
MEDIA**

Question Period for the Media

Tyler Waugh requested clarification regarding the review of per diem rates, the decision for the legal proposals, the Fire Services Bylaw and the next meeting date of the ASB Board.

ADJOURNMENT

Adjournment

178-02 Moved by J. Starling that the regular Council Meeting of February 12, 2002 adjourn at 12:20 pm.

CARRIED UNANIMOUSLY



Reeve



Municipal Manager