

MINUTES OF THE REGULAR COUNCIL MEETING OF THE COUNTY OF STETTLER NO. 6 HELD ON WEDNESDAY, AUGUST 12, 2020 AT 10:13 A.M. IN THE COUNCIL CHAMBERS OF THE COUNTY OF STETTLER NO. 6 ADMINISTRATION BUILDING, STETTLER, ALBERTA AND VIA TELECONFERENCE

PRESENT: Reeve Larry Clarke
Councillor Ernie Gendre
Councillor Cheri Neitz
Councillor James Nibourg
Councillor Wayne Nixon
Councillor Les Stulberg
Chief Administrative Officer Yvette Cassidy
Director of Communications Niki Thorsteinsson
Director of Municipal Services Andrew Brysiuk
Director of Operations Rick Green
Executive Assistant Marlene Hanson

ABSENT: Councillor Dave Grover

CALL TO ORDER

The meeting was called to order at 10:13 a.m., Wednesday, August 12, 2020 by Reeve Clarke.

AGENDA APPROVAL

249.08.12.20 Moved by Councillor Stulberg

“that the agenda for the August 12, 2020 Regular County of Stettler No. 6 Council Meeting be approved with the following additions:

- Great Plains MDF
- Maintaining of Back Roads/Road Allowances/Lease Roads
- In-Camera Session
 - Section 27: Privileged Information
 - RE: Update on Ongoing Legal Proceedings;
 - and
 - RE: Botha Drainage and Contract
- Road Closure (Councillor Gendre)
- Proposed Assessment Review
- Stimulus Funding Projects.”

Carried Unanimously

MINUTES APPROVAL

250.08.12.20 Moved by Councillor Gendre

“that the July 8, 2020 Regular County of Stettler No. 6 Council Meeting minutes be approved as presented.”

Carried Unanimously

COUNCIL'S REQUEST FOR INFORMATION

Sewer Pumping at Rochon Sands Heights (Councillor Neitz):

Councillor Neitz has received emails, phone calls and the letter, being in the agenda package, regarding Rochon Sands Heights Septic Tanks on Lot MR 24, Block 2, Plan 0620307. Concern was outlined with the number of vacuum truck loads occurring each day, associated noise and air quality; and suggested solutions.

251.08.12.20 Moved by Councillor Neitz
“that the County of Stettler No. 6 Council have Administration research how to help the sewer situation at Rochon Sands Heights Septic Tanks on Lot MR 24, Block 2, Plan 0620307, and for administration to report back.” Carried Unanimously

CAEP Alberta Infrastructure Advocacy (Councillor Nibourg):
Central Alberta Economic Partnership (CAEP) are requesting County of Stettler support of affordable rural and Indigenous broadband.

252.08.12.20 Moved by Councillor Nibourg
“that the County of Stettler No. 6 Council authorize Administration to draft a letter in '*support of economical broadband in rural and Indigenous communities*' (with an addition highlighting the demand that online schooling as created), addressed to Alberta Infrastructure and carbon copied to Central Alberta Economic Partnership (CAEP), Premier Kenny and Clearview School Division, requesting that Clearview supports as well.” Carried Unanimously

Road Closure (Councillor Gendre):
Councillor Gendre reported that a ratepayer is inquiring about farming over a land locked, unused road allowance, located at Range Road 20-4 between NW and SW ½ 4-39-20 W4M and NE and SE ½ 5-39-20 W4M.

CAO Cassidy suggested entering into a License of Occupation as dictated by the Traffic Safety Act rather than to close the road allowance.

253.08.12.20 Moved by Councillor Gendre
“that the County of Stettler No. 6 Council direct Administration to research the portion of the unused road allowance, located at Range Road 20-4 between NW and SW ½ 4-39-20 W4M and NE and SE ½ 5-39-20 W4M, for farming activities, and report information and options at a future County of Stettler No. 6 Council Meeting.” Carried Unanimously

NEW BUSINESS

Maintaining of Back Roads/Road Allowances/Lease Roads:
Councillor Nixon reported that a ratepayer has identified that they wish to build a house at an old County gravel pit location (NW ¼ 28-41-18 W4M) and voiced concern about the internal roadway.

- Discussion regarding County responsibility to maintain these roadways for access took place.
- When a development permit is applied for the Municipal Planning Commission will address the road concerns.

Councillor Nibourg left the meeting at 10:58 a.m.

254.08.12.20 Moved by Councillor Stulberg
“that the County of Stettler No. 6 Council receive for information the Maintaining of Back Roads/Road Allowances/Lease Roads item.” Carried Unanimously

Councillor Nibourg rejoined the meeting at 11:01 a.m.

- Water Hookup SW 4-35-15 W4M:
255.08.12.20 Moved by Councillor Stulberg
"that the County of Stettler No. 6 Council authorize Administration to construct a water service connection for SW 4-35-15 W4M with expenses up to \$15,000 and funds to be drawn from the Revenue for Water Service Connections account." Carried Unanimously

Rick Green left the meeting at 11:01 a.m.

- Water Hookup SW 7-35-16 W4M:
256.08.12.20 Moved by Councillor Stulberg
"that the County of Stettler No. 6 Council authorize Administration to construct a water service connection for SW 7-35-16 W4M with expenses up to \$15,000 and funds to be drawn from the Revenue for Water Service Connections account." Carried Unanimously

Lee Hardman joined the meeting at 11:03 a.m.
Rick Green rejoined the meeting at 11:04 a.m.

Unightly Property:

It was noted that an offer to purchase has been made on this property and that all expenses will be collected prior to the sale being finalized.

- 257.08.12.20 Moved by Councillor Nixon**
"that the County of Stettler No. 6 proceeds with the enforcement of the Nuisance Bylaw to have the property, located at 19260 Highway 601, brought into compliance." Carried Unanimously

Lee Hardman left the meeting at 11:08 a.m.

- Tax Sale Date:
258.08.12.20 Moved by Councillor Stulberg
"that the County of Stettler No. 6 Council sets the date for the 2020 Tax Sale for December 2, 2020 at the County Administration Building for 9:00 a.m." Carried Unanimously

- Pheasant Festival Sponsorship:
259.08.12.20 Moved by Councillor Nibourg
"that the County of Stettler No. 6 Council support the 2020 Stettler Pheasant Festival scheduled for October 16-18, 2020 by continuing to provide land use for hunting, in kind work; and notify the Stettler Pheasant Festival Committee by letter." Carried Unanimously

- Great Plains MDE:
260.08.12.20 Moved by Councillor Nibourg
"that the County of Stettler No. 6 Council direct Administration to send a letter, from the Reeve, to Great Plains MDF Production Inc. to keep the lines of communication open and request an update on the project." Carried Unanimously

UNFINISHED BUSINESS

Bayview Street Signage Plan:

Major discussion took place regarding parking availability, noting that roads must remain accessible for emergency vehicles and safety purposes and that residents need to provide parking on their private property for their own and company's vehicles.

261.08.12.20 Moved by Councillor Nibourg

“that the County of Stettler No. 6 Council authorize signage for Rochon Sands Heights as 'No Parking' signs along Bayview Street and restricted parking on internal roads being 'No Parking' signs on one side of the street and allowing parking on the other side (alternating sides), as per Protective Services' discretion.” Carried Unanimously

The meeting recesses at 12:05 p.m.

PUBLIC HEARING

Call To Order:

Larry Clarke as Chairperson opened the Public Hearing for Bylaw 1637-20 at 1:02 p.m.

Jacinta Donovan and Cara McKenzie joined the meeting.
Andrew Brysiuk, identified the staff and Councillor Members that were present.

Purpose of Public Hearing:

To hold a Public Hearing for Bylaw 1637-20 – Buffalo Lake Intermunicipal Development Plan Amendment.

Notice of Intention:

Bylaw 1637-20's notice of intention was published in the July 30 and August 6, 2020 editions of the Stettler Independent.

Director of Planning Services Jacinta Donovan read out loud the nature of the proposed amendment as advertised.

Reeve Clarke outlined the meeting agenda and stated the Rules of Conduct to be followed during the Public Hearing.

Written Notice of Intention Responses:

In Support: None

In Opposition: None

Justin Stevens joined the meeting by teleconference at 1:03 p.m.

Verbal Presentations:

In Support: None

In Opposition:

Justin Stevens identified that he is in the neutral category then noted:

- Procedural Bylaws have been followed and questions if they should be changed
- Noted that Paradise Shores Hearing was their opportunity to express concern/approval and informed that during the development stage it is too late.
 - Documents and discussion stated that density would not change, therefore, asked why is this being amended from 168 to 325, if a major review is required? Will this increase risk factors by allowing expansion? Questioned why reviews are required for some applicants and not others (RE: Hayden's).
 - Traffic speed limits – would parties consider walking trails – walking on roadways alleviates this.
 - Rural lake life style – IDP to define.
 - Suggested to entertain requiring bonds for large entertainment functions.

- Increased tax bases – Do the services provided match?
- Should the above items be a factor in the development permit and future use process?
- Feces in lake – due to large amounts being present, septic systems may be questionable. Need greater enforcement, therefore suggested supplying proof of at least one sewage dumping during the year.
- Fund raising for emergency services – offered to participate if possible.

Presentations from Resource Person(s):

Director of Planning Services Jacinta Donovan responded that:

- Density reduction requesting is in the BLSSIDP and applies with the 0.9 density; and Hayden's development permit had issues due to the number lots as it was within the limited development area and campground in the future density area;
- Bonds – can look at in the future;
- Septic systems – the BLIDP states that new development permits must install holding tanks meeting required setbacks.

Reeve Clarke asked if there were any questions from Council.

262.08.12.20 Reeve Clarke declared

“that the Public Hearing for Bylaw 1637-20 – Buffalo Lake Intermunicipal Development Plan Amendment be adjourned at 1:20 p.m.”

UNFINISHED BUSINESS continued . . .

Removal of Shoulder Accumulations:

Councillor Stulberg noted that concerns were brought forward due to accumulations consisting of grass, gravel and dirt along the shoulders of many roads. Ratepayers expressed concerns being: the timing (time of year) of this event, wet conditions, ability to retain the work that was completed, supervisor confirming employee is following their instructions accordingly; and suggested considering discing/mulching shoulders first; and noted that safety is a major concern. Councillor Stulberg noted that the crowns on the road, with no ridges on the edge to hold water, are important in order to shred the moisture from the road.

Rick Green informed Council that this aggressive procedure is what needs to happen in order to address the accumulation issues. He also noted that some road test areas have received 1½ inch gravel and the packed-in result has been positive with the road firming up well and hopefully, will require less maintenance time. In the future 1½ inch gravel may be used on soft spots on roads.

Councillor Nibourg noted that 1½ inch gravel will change driving habits with drivers choosing to use alternate roads; has negative effects on vehicles with small tires and makes driving those roads tough as the gravel does move until it is packed. It was suggested that the gravel be packed-in when applied and noted to this method of packing should be tested for success prior to purchasing additional equipment.

263.08.12.20 Moved by Councillor Neitz

“that the County of Stettler No. 6 Council receive for information the Removal of Shoulder Accumulations and Grass item.”

Carried Unanimously

Jacinta Donovan and Cara McKenzie left the meeting at 2:00 p.m.

DELEGATIONS

Roger McNair RE: Back Road Upgrade:

Roger McNair joined the meeting by teleconference to discuss access to NE and NW 14-35-21 W4M and SE and SW 23-35-21 W4M for himself, a neighbor and Ember Resources.

At 2:00 p.m. Roger McNair joined by teleconference and noted that he is experiencing problems with the road allowance:

- A deal was made for access and use of corrals, however, recently the land (containing the corrals) changed owners and the old agreement is no longer in place.
- Trident Exploration had some wells at that location, however, they have gone out of business. The roads are in poor condition as Trident Exploration did not maintain. Ember Resources have taken the wells over.
- Road allowance is in rough shape (has low spots and clay that is slippery when wet) – he needs reliable access for cattle liners and holiday trailers in order to get to his land.
- Identified that his neighbor and Ember Resources are isolated as well.
- Geographic land problems were identified – road holds water (would need cat work to rectify).

Through discussion the following was discussed:

- Councillor Nibourg noted that there is access, and the option to upgrade the road would be at his expense.

Dustin Stauffer RE: Speed Limit:

Dustin Stauffer joined the meeting at 2:30 p.m. by teleconference to further discuss his concerns and to request a speed limit of 50 km on the extremely busy road in front of his residence at 21241 Twp. Rd. 38-2.

Dustin Stauffer provided a video of the road in question and asked or identified the following through his presentation:

- Why are haul roads different than his road?
- Dust control will be placed in front of his residence. Will the county place some dust control for visibility of the signs?
- Why is his request different than others? (Councillor Gendre noted that MacDonald Road - Rge Rd 21-2 (very busy road – constant holiday trailers – 2 subdivisions and residences) was a paved road and due to its condition, is being tore up, with dust abatement being the rate payer's responsibility, however, slow down signs were put in place for vehicle safety as there would still be dust.)
- Speed and shooting rocks is an issue – reduced speed could illuminate the need for dust control and improve visibility.
- Noted that this is a haul road and very busy and asked what we have done to validate. (Councillor Nibourg noted that there is no speed limit policy, however, upon occasion for dust control issues, Council can authorize reduced speed limits. He is no longer opposed to dropping speed limits in front of residents for dust control and safety, especially on haul roads.) (CAO Cassidy identified that reduced speeds for short portions of roads is not an option, the entire stretch of road would need to be included.)

- Noted that when the Stop signs at the intersection, were reversed, people did adapt.
- Was the decision made subjectively or objectively?

Dustin Stauffer disconnected from teleconference at 2:51 p.m.

- Councillor Nixon noted that Council did look at objectively as pictures indicated that there were trees involved.
- Noted that changing of the stop sign was due to a Road Study and being consistent with all others in the County, did change the traffic flow.
- Council continued to discuss and noted that this may be an item to address through a Policy in the future.

Christa Cornelssen joined at 2:55 p.m.

Proposed Assessment Review:

Council discussed proposed changes to Oil and Gas Assessment announced by the Province of Alberta noting that the proposed assessment changes would reduce property taxes for large oil and gas companies, shifting the tax burden from industry to County residents, commercial properties, and local businesses. This will impact all ratepayers, residents and businesses with our County, as well as those of and in other surrounding Counties.

- CAO Cassidy identified that 9.8 million dollars is the cash flow that runs the County of Stettler.
- Director of Finance Christa Cornelssen presented a presentation on the funds that the County receives and the expenditures associated. Less revenue will effect amounts to be paid out then affecting other organizations as well.
- Council gave an update on financial, government announcements, and the oil and gas items that are affecting the County.

It was suggested to send a letter to all MLA's, as the Council strongly objected the lack of consultation held with affected municipalities and the review process undertaken by the Province, therefore, identifying the importance of notifying/discussing issues with Counties prior to making decisions

AGENDA ITEMS

Fenn Road:

The condition of the Fenn Road was discussed.

Stimulus Funding Projects:

Have been approved for:

- Stimulus Funding – \$661,000. Proposed projects are:
 - Resource Road (4 miles of 60 mm overlay) and
 - Fenn Road (7 miles of 50 mm overlay)
 - Range Road 21-2 North of HWY 601 (2 miles subgrade prep.)
 - Bayview Street Extension (1/2 mile base/pavement)
- CAP Levy – \$11,000 so far this year
 - Collected funds should go toward the Fenn Road.

Council noted that the Fenn Road should be addressed first then the Resource Road.

264.08.12.20 Moved by Councillor Nibourg
"that the County of Stettler No. 6 Council authorize repairs and overlays on the Resource (4 miles of 60 mm overlay) and Fenn (7 miles of 50 mm overlay) Roads."
Carried Unanimously

BYLAWS

Bylaw 1637-20 – Buffalo Lake Intermunicipal Development Plan

Amendment:

Have revise Home Use as per Camrose County's request.

265.08.12.20 Moved by Councillor Stulberg
"that Bylaw 1637-20 – Buffalo Lake Intermunicipal Development Plan Amendment's second and third readings be tabled until after the September 18, 2020 Buffalo Lake Intermunicipal Development Plan (BLIDP) Committee Meeting at which time all comments received at the Public Hearing held in the member municipalities will be reviewed."
Carried Unanimously

Bylaw 1639-20 – Borrowing Bylaw – Gravel:

266.08.12.20 Moved by Councillor Nibourg
"that Bylaw 1639-20 – Borrowing Bylaw for the Acquisition of Land and Gravel, be given second reading."
Carried Unanimously

267.08.12.20 Moved by Councillor Nixon
"that Bylaw 1639-20 – Borrowing Bylaw for the Acquisition of Land and Gravel, be given third reading."
Carried Unanimously

Bylaw 1640-20 – Amend Land Use Bylaw 1443-10 (Urban Chickens):

- Councillor Nibourg noted that this needs to be moved from Planning and Developed to Protective Services to be able to give a timeline and fine if the timeline is not met.
- Council requested implementing an application fee of \$300 for a 5 year term (Village of Gadsby is still under their own bylaw). (Cara McKenzie noted that reports (being a discretionary use gives adjacent landowners an option to object) and staff timeframes are part of the fee. Being part of the Land Use Bylaw gives the County some control and the ability to be able to fine for offences.)

It was noted that a survey was completed and the majority of the resident participants were in favour of having chickens.

268.08.12.20 Moved by Councillor Nibourg
"that County of Stettler No. 6 Council gives first reading to Bylaw 1640-20 to amend Land Use Bylaw 1443-10 for the purpose of providing for the keeping of chickens on a small scale within the Country Residence (CR), Country Residence – Small Lot (CR-SL) and Hamlet Residential (HR) Districts of the County of Stettler Land Use Bylaw, and schedule a Public Hearing for September 9, 2020."
In Favour: Councillors Nibourg, Nixon, Neitz, Gendre and Reeve Clarke
Opposed: Councillor Stulberg
Carried

Jacinta Donovan and Cara McKenzie left the meeting at 4:50 p.m.

REPORTS

Chief Administrative Officer's Report:

- 269.08.12.20 Moved by Councillor Nixon**
"that the August 12, 2020 Chief Administrative Officer's Report be received for information." Carried Unanimously

Financial Reports:

- 270.08.12.20 Moved by Councillor Stulberg**
"that the Payment Register for payments posted between July 1 and 31, 2020; Bank Reconciliation – County and Gadsby, Reserves and the Year to Date Budget for the month ended June 30, 2020 (all attached and forming part of these minutes) Reports to be approved as presented." Carried Unanimously

Councillor Fee Sheet Reports:

- 271.08.12.20 Moved by Councillor Nixon**
"that the Councillor Fee Sheet Reports for the month of July, 2020 be approved as amended to show Councillors Nixon and Nibourg claiming a half day for the July 6, 2020 Electoral Boundaries." Carried Unanimously

Councillor Committee Reports:

1. Buffalo Lake Management Team: (Councillor Neitz)
Councillor Neitz requested Council's response in regard to a Mooring Policy, community docs and how the County would manage. Council noted that they are not in favour of either of these items.

Councillor Neitz noted that Buffalo Lake's water level is high at the moment and unsure if the narrows have been repaired or if this is creating the high water levels. Discussion took place regarding Buffalo Lake's bacterial content level and user safety/notification, identifying that this may be addressed at the Buffalo Lake Management Team (BLMT) Meeting.

- 272.08.12.20 Moved by Councillor Stulberg**
"that the County of Stettler No. 6 Committee Reports for the August 12, 2020 Council Meeting be received for information." Carried Unanimously

CONSENT AGENDA ITEMS

STARS RE: Support:

- 273.08.12.20 Moved by Councillor Neitz**
"that the County of Stettler No. 6 direct Administration to forward letters being transparent by noting that the County appreciates the partnerships, however, due to proposed revenue declines we may be unable to continue to support STARS and carbon copy to the Government and Rural Municipalities of Alberta (RMA)." Carried Unanimously

- 274.08.12.20 Moved by Councillor Nixon**
"that the following County of Stettler No. 6 Consent Agenda Items for the August 12, 2020 Council Meeting be received for information:
1. City of Cold Lake
RE: Criminal Code Amendments
 2. Alberta Municipal Affairs
RE: Regional Services Commission Amendments

- 3. Stettler Public Library
RE: Thank you and Annual Report
- 4. Potter Family
RE: Thank you
- 5. Johnson Family
RE: Thank you." Carried Unanimously

IN-CAMERA SESSION

- 275.08.12.20 Moved by Councillor Nibourg**
 "that the County of Stettler No. 6 enter into an in-camera session at 4:35 p.m. to discuss items exempt from disclosure in the *Freedom of Information and Protection of Privacy Act* as:
 Section 27: Privileged Information
 RE: Update on Ongoing Legal Proceedings; and
 Section 27: Privileged Information
 RE: Botha Drainage and Contract." Carried Unanimously

- 276.08.12.20 Moved by Councillor Nixon**
 "that the County of Stettler No. 6 Council exit out of in-camera at 4:57 p.m." Carried Unanimously

The meeting reconvened.

NEXT MEETING

The next regular Meeting of County of Stettler No. 6 Council will be held on Wednesday, September 3, 2020 at 10:00 a.m.

ADJOURNMENT

- 277.08.12.20 Moved by Councillor Stulberg**
 "that the County of Stettler No. 6 Regular Meeting of Council be adjourned at 4:58 p.m." Carried Unanimously

Reeve

Chief Administrative Officer