

**MINUTES OF THE REGULAR MEETING OF COUNCIL
OF ALBERTA BEACH IN THE PROVINCE OF ALBERTA
HELD IN COUNCIL CHAMBERS
SEPTEMBER 20, 2016 AT 7:00 P.M.**

PRESENT:

MayorJim Benedict
Deputy MayorBill Love
CouncillorAngela Duncan
CouncillorTara Elwood
CouncillorDon McNair
CAOKathy Skwarchuk

CALL TO ORDER:

Mayor Benedict called the meeting to order at 7:02 P.M.

IN CAMERA:

The 'In Camera' session was held at the end of the meeting.

AGENDA ADDITIONS/DELETIONS: None.

AGENDA ADOPTION:

#189-16

MOVED BY Councillor Duncan that the agenda be adopted as presented.

CARRIED UNANIMOUSLY

DELEGATION:

NORTHERN GATEWAY PUBLIC SCHOOLS:

Mr. Kevin Andrea, Superintendent as well as School Board Trustees Mrs. Judy Muir, Chairperson, Ms. Shari Jeffries, Vice Chair and Mr. Terry Slemko met with Council to discuss the following:

Enrolment trends in Alberta Beach and across the division – Mr. Andrea presented and reviewed a handout showing the enrolment trends and accountability report. There is a 1.8 percent decline in enrolment across the division.

Impact of grade reconfiguration on schools – Mr. Andrea reported that originally they were concerned on the impact of moving the grade eight classes from Grasmere, Darwell and Rich Valley Schools to the new Onoway Junior/Sr. High School, however the impact was low due to the enrolment in the lower grades being up and Rich Valley retaining their Grade 7 class.

County joint use agreement – Mr. Andrea reported they will be meeting with Lac Ste. Anne County to review the County joint use agreement for the schools. Northern Gateway School Board have concerns on community use of the schools in relation to liability, access, security and economics. The School Board wants to ensure that municipal insurance covers community use of schools.

Council thanked the School Board Representatives for attending the meeting.

COLLEEN KLOTZ – DEVELOPMENT OF A FENCE ON LOT 4, BLOCK 9, PLAN 3321BQ:

Colleen Klotz met with Council to discuss the development of a fence on Lot 4, Block 9, Plan 3321BQ. The Municipal Planning Commission had approved the fence to a maximum height of 4 feet in the front yard, however the fence was built an additional 7 feet into the front yard at a height of 6 feet. Ms. Klotz requested Council allow this area of the fence to remain at the higher height.

Mayor Benedict advised Ms. Klotz that the Municipal Planning Commission ruling would stand as originally approved. Ms. Klotz advised that she would comply with the height requirement.

Council thanked Ms. Klotz for attending the meeting.

CONFIRMATION OF MINUTES:

#190-16

MOVED BY Deputy Mayor Love that the minutes of the Regular Council Meeting of August 16, 2016 be adopted as presented.

CARRIED UNANIMOUSLY

#191-16

MOVED BY Councillor McNair that the minutes of the Municipal Planning Commission Meeting of August 16, 2016 be adopted as presented.

CARRIED UNANIMOUSLY

MEETING ADJOURN FOR MUNICIPAL PLANNING COMMISSION MEETING:

#192-16

MOVED BY Mayor Benedict that the meeting adjourn to hold a Municipal Planning Commission Meeting at 7:48 P.M.

CARRIED UNANIMOUSLY

MEETING RECONVENED:

Mayor Benedict reconvened the meeting at 8:12 P.M.

AGENDA ITEM 12.H

PATRICK MILLS & MIMI WILLIAMS – DEVELOPMENT PERMIT APPLICATION #16DP22-01 APPEAL:

As Ms. Williams was in attendance at the meeting Council requested to move the item up on the agenda.

Ms. Williams reviewed their correspondence and reasons for their appeal on Development Permit Application No. 16DP22-01. Ms. Williams advised that as Council will be enforcing compliance on the height of the fence as approved by the Municipal Planning Commission, they will be withdrawing their appeal.

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MEETING RECESS:

Mayor Benedict called for a brief recess at 8:28 P.M.

MEETING RECONVENED:

Mayor Benedict reconvened the meeting at 8:36 P.M.

OLD BUSINESS & BUSINESS ARISING FROM THE MINUTES:

THINGS TO DO LIST:

#193-16

SANITARY SEWER MANHOLE FRAME & COVER RAISING PROJECT:

MOVED BY Deputy Mayor Love that the Project Manager negotiate with the contractor on the costs for the overage of the manhole rings supplied in lieu of the un-located manholes.

CARRIED UNANIMOUSLY

#194-16

SANITARY SEWER MANHOLE FRAME & COVER RAISING PROJECT – PROJECT MANAGER:

MOVED BY Councillor Duncan that Council approve the invoice submitted by Jason Madge for managing the Sanitary Sewer Manhole Frame & Cover Raising Project.

CARRIED UNANIMOUSLY

#195-16

WEST CENTRAL REGIONAL EMERGENCY SERVICES COMMISSION – 2017 BUSINESS PLAN:

MOVED BY Mayor Benedict that Council defer the West Central Regional Emergency Services Commission 2017 Business Plan to the October 18th, 2016 Council meeting.

CARRIED UNANIMOUSLY

#196-16

FIRE SERVICES MUTUAL AID AGREEMENT WITH LAC STE. ANNE COUNTY:

MOVED BY Deputy Mayor Love that Council approve the latest draft of the Mutual Aid Fire Agreement with Lac Ste. Anne County as presented by the Town of Onoway on September 19, 2016.

CARRIED UNANIMOUSLY

FINANCIAL:

#197-16

LIST OF ACCOUNTS:

MOVED BY Deputy Mayor Love that the list of accounts in the amount of \$356,854.70 as attached be accepted for information.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS:

COUNCILLOR DUNCAN:

BEACHWAVE PARK COMMITTEE – Councillor Duncan reviewed and submitted report on the September 7th meeting (attached).

COUNCILLOR ELWOOD:

ALBERTA BEACH LIBRARY BOARD – Councillor Elwood gave a brief report on the September 13th meeting.

LAC STE. ANNE FOUNDATION – Councillor Elwood gave a brief report on the September 14th meeting.

COUNCILLOR MCNAIR:

ALBERTA BEACH MUSEUM & ARCHIVES – Councillor McNair reviewed and submitted the minutes of the September 14th meeting (attached).

DEPUTY MAYOR LOVE:

EAST END BUS COMMITTEE – Deputy Mayor Love reviewed and submitted report on the September 19th meeting (attached).

HIGHWAY 43 EAST WASTE COMMISSION – Deputy Mayor Love reviewed and submitted report on the September 12th meeting (attached).

MAYOR BENEDICT:

TRIVILLAGE REGIONAL SEWAGE SERVICES COMMISSION – Mayor Benedict reviewed and submitted report on the August 23rd and September 1st meetings (attached).

REGIONAL EMERGENCY SERVICES STEERING COMMITTEE – Mayor Benedict reviewed and submitted report on the September 2nd meeting (attached).

WEST CENTRAL REGIONAL EMERGENCY SERVICES COMMITTEE – Mayor Benedict reviewed and submitted report on the September 2nd and 19th meetings (attached).

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FIRE SERVICES COMMITTEE – Mayor Benedict reviewed and submitted report on the September 6th and 12th meetings (attached).

PATROL DEPARTMENT:

The Patrol Department submitted a report for Council's information which included statistical data on calls to service, violations issued and fine revenue.

DEVELOPMENT PERMIT REPORT:

The Administration Department submitted a report for Council's information on the 2016 Development Permits issued to date.

#198-16

MOVED BY Councillor Elwood that the committee reports be accepted for information.

CARRIED UNANIMOUSLY

CORRESPONDENCE – FOR INFORMATION:

ALBERTA MUNICIPAL AFFAIRS – MUNICIPAL SUSTAINABILITY INITIATIVE PROJECT APPROVAL:

A letter was received from Alberta Municipal Affairs advising on the approval of eligible projects under the Municipal Sustainability Initiative (MSI) capital program.

ATCO GAS – ATCO GAS AND PIPELINES LTD. FRANCHISE AGREEMENT CLAUSE 4(a):

A letter was received from ATCO Gas advising that any changes to the franchise fee percentage must be received by November 1st as per clause 4(a) of the Franchise Agreement.

MINISTER OF CULTURE AND TOURISM – ALBERTA CULTURE DAYS:

Correspondence was received from the Minister of Culture and Tourism regarding Alberta Culture Days being held from September 30 to October 2, 2016.

NORTHERN GATEWAY PUBLIC SCHOOLS – ONOWAY JUNIOR/SENIOR HIGH SCHOOL OPENING:

A letter was received from Northern Gateway Public Schools announcing the completion and official school opening of the Onoway Junior/Senior High School being held on October 25, 2016. Mayor Benedict and Councillor Elwood confirmed they will attend.

LAC STE. ANNE COUNTY – 2016 FCSS GRANT ALLOCATION - VOLUNTEER APPRECIATION EVENT:

A letter was received from Lac Ste. Anne County advising on the approval of the County 2016 FCSS Grant Allocation for a Volunteer Appreciation Event.

MCGOWAN & ASSOCIATES CONSULTING – MUNICIPAL GOVERNMENT ACT:

Correspondence was received from McGowan & Associates Consulting regarding the changes to the Municipal Government Act and the consulting services their firm provides.

OGILVIE LLP – ALARIE ASSET DISTRIBUTION:

Correspondence was received from Ogilvie LLP regarding the ALARIE Asset Distribution, also included was an Originating Application, an Ex-Parte Order and an invitation to attend one of three webinars.

TRANSPORT CANADA – RAILWAY CROSSING REGULATION:

A letter was received from Transport Canada regarding the requirements under the grade crossings regulation pursuant to the Railway Safety Act which improves safety by establishing comprehensive standards, clarifies roles and responsibilities and the sharing of safety related information.

TRIVILLAGE REGIONAL SEWAGE SERVICES COMMISSION – PUBLIC NOTICE:

A request was received from Trivillage Regional Sewages Services Commission to place a public notice regarding their borrowing bylaw No. 10-2016 on the Alberta Beach website until October 30th, 2016.

WHITCOURT – STE. ANNE WILDROSE CONSTITUENCY ASSOCIATION EAT AND GREET:

An invitation was received from Whitecourt – Ste. Anne Wildrose Constituency Association to attend a meet and greet barbeque being held on October 1st, 2016 in Whitecourt.

HARDMAN LAW OFFICE – WITNESS & CROSS EXAMINATION LIST FOR THE FORT MCMURRAY WEST 500kV TRANSMISSION PROJECT PROCEEDINGS:

Correspondence was received from Hardman Law Office which included a Witness & Cross Examination List for the Fort McMurray West 500kV Transmission Project Proceedings.

ALBERTA UTILITIES COMMISSION – PROCESS FOR HEARING FOR THE FORT MCMURRAY WEST 500kV TRANSMISSION PROJECT PROCEEDING:

Correspondence was received from the Alberta Utilities Commission describing the process for the Hearing on the Fort McMurray West 500kV Transmission Project Proceeding 21030 beginning on September 19, 2016.

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ALBERTA UTILITIES COMMISSION – COMMISSION RULING ON THE PROCESS TO CONSIDER NOTICES OF QUESTIONS FOR THE FORT MCMURRAY WEST 500kV TRANSMISSION PROJECT PROCEEDING:

Correspondence was received from the Alberta Utilities Commission regarding the Commission ruling on the process to consider the Notices of Questions of Constitutional Law for the Fort McMurray West 500kV Transmission Project Proceeding.

- #199-16 MOVED BY Councillor McNair that the correspondence be accepted for information.
CARRIED UNANIMOUSLY

CORRESPONDENCE – REQUIRING ACTION:

ALBERTA DEVELOPMENT OFFICERS ASSOCIATION – ALBERTA DEVELOPMENT OFFICERS WEEK PROCLAMATION:

- #200-16 MOVED BY Mayor Benedict that Council support the Alberta Development Officers Association and approve the proclamation to declare Alberta Development Officers Week from September 25 to October 1, 2016.

CARRIED UNANIMOUSLY

MUSCULAR DYSTROPHY CANADA – MUSCULAR DYSTROPHY AWARENESS MONTH PROCLAMATION:

- #201-16 MOVED BY Mayor Benedict that Council support Muscular Dystrophy Canada and approve the proclamation to declare September 2016 as Muscular Dystrophy Awareness Month in Alberta Beach.

CARRIED UNANIMOUSLY

NATIONAL WALL OF REMEMBRANCE ASSOCIATION – REQUEST FOR SUPPORT:

- #202-16 MOVED BY Deputy Mayor Love that the request for support from the National Wall of Remembrance Association be denied.

CARRIED UNANIMOUSLY

NICHOLAS DOROSHENKO – LATE PENALTY FOR LAND TAXES:

- #203-16 MOVED BY Councillor Elwood that Council deny the request from Nicholas Doroshenko for the removal of the August 10, 2016 late tax penalty fee on Lot W10, Block 5, Plan 3321BQ.

CARRIED UNANIMOUSLY

JOHN RUANE – LOT 6, BLOCK 9, PLAN 3321BQ:

- #204-16 MOVED BY Mayor Benedict that a letter be forwarded to Mr. John Ruane in response to his letter received on September 16th, 2016 to advise that Council stands by the orders issued on his properties and further expects compliance to the orders.

CARRIED UNANIMOUSLY

MINISTER LARIVEE LETTER AND MINISTERIAL ORDER NO. P:011/16 – RE: MUTUAL AID AGREEMENT:

A letter was received from Alberta Municipal Affairs Minister Larivee which also included a Ministerial Order No. P:011/16 dated August 29, 2016 regarding mutual aid for fire services.

- #205-16 MOVED BY Councillor Duncan that Council approve Mayor Benedict's letter in response to Minister Larivee's letter and Ministerial Order No. P:011/16 regarding mutual aid for fire services.

CARRIED UNANIMOUSLY

REYNOLDS MIRTH RICHARDS & FARMER – FOIP REQUEST:

- #206-16 MOVED BY Mayor Benedict that administration proceed with compliance regarding the FOIP request from Reynolds Mirth Richards & Farmer on behalf of Lac Ste. Anne County.

CARRIED UNANIMOUSLY

PATRICK MILLS & MIMI WILLIAMS – DEVELOPMENT PERMIT APPLICATION NO. 16DP22-01 APPEAL:

This item was discussed earlier in the meeting.

NEW BUSINESS:

ORDERS TO REMEDY:

Lot 5, Block 2, Plan 0423757 (Tax Roll #927)
Lot 17, Block 1, Plan 0423757 (Tax Roll #917)
Lot 13A, Block 22, Plan 7920917 (Tax Roll #563)
Lot 2, Block 7, Plan 6604AO (Tax Roll #529)

- #207-16 MOVED BY Mayor Benedict that all costs incurred by the Village of Alberta Beach in remedying the condition regarding the orders to remedy issued under Bylaw #205-06 on Lot 5, Block 2, Plan 0423757; Lot 17, Block 1, Plan 0423757; Lot 13A, Block 22, Plan 7920917; and Lot 2, Block 7, Plan 6604AO be added to the tax rolls as a charge against the lands for the said owners, and further are deemed to be a tax from the date they are added to the tax rolls for the premises.

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QUESTION PERIOD:

A question period was held and a brief discussion arose on franchise fees, the sanitary sewer manhole frame & cover raising project, the Wild Water project as well as the School Board presentation regarding population census and joint use agreement.

IN CAMERA:

Due to Section 197 of the MGA and Division 2 of Part 1 of the Freedom of Information and Protection of Privacy (FOIPP) Act an 'In Camera' session was held to discuss matters related to personnel, legal and contract.

#208-16 MOVED BY Deputy Mayor Love that the meeting go 'In Camera' at 10:10 P.M.
CARRIED UNANIMOUSLY

OUT OF CAMERA:

#209-16 MOVED BY Deputy Mayor Love that the meeting 'Rise and Report' at 10:25 P.M.
CARRIED UNANIMOUSLY

COMMERCIAL LEASE AGREEMENT:

#210-16 MOVED BY Mayor Benedict that Council approve the September 13th, 2016 eviction notice for the tenancy at 4000B Museum Road.
CARRIED UNANIMOUSLY

ADJOURNMENT:

The meeting adjourned at 10:27 P.M.

Mayor – Jim Benedict

C.A.O. – Kathy Skwarchuk