

## MINUTES

Yellowhead County Council held a meeting on January 27, 2009 at 9:30 a.m. in the Council Chambers, at the Yellowhead County Administration Building in Edson, Alberta.

### COUNCILLORS

#### PRESENT:

Larry Richter, Deputy Mayor & Councillor, Division No. 4  
George Webster, Councillor, Division No. 1  
Ewald Kwirant, Councillor, Division No. 2  
Jay Lowe, Councillor, Division No. 3  
Lavone Olson, Councillor, Division No. 8

### COUNCILLORS

#### ABSENT:

Gerald Soroka, Mayor  
Cheryl Bissell, Councillor, Division No. 5  
William Velichko, Councillor, Division No. 6  
Roxanne Scherger, Councillor, Division No. 7

### ADMINISTRATION

#### PRESENT:

Jack Ramme, Chief Administrative Officer  
Linde Proskow, Council Secretary/Recording Secretary  
Catherine Adair, Communications Coordinator  
Barb Lyons, Director of Corporate and Planning Services  
Brent Shepherd, Planning Supervisor  
Kelly Jensen, Planning and Subdivision Officer  
Don O'Quinn, Director of Infrastructure Services  
Debbie Charest, Director of Community and Protective Services

Deputy Mayor Richter called the council meeting to order at 9:30 a.m.

#### 1.1 ADOPTION OF THE JANUARY 27, 2009 REGULAR COUNCIL MEETING AGENDA

RES 020-01-27-09

MOVED BY Councillor Lowe that Council adopts the January 27, 2009 regular council meeting agenda with the following amendments:

- Add agenda item "5.2 Award of Tender – Carrot Creek Tower Road – Grading, Granular Base Course, Asphalt Concrete Pavement and Other Work"; and
- Add agenda item "5.3 Award of Tender – Niton North Road – Subgrade Preparation, Granular Base Course, Asphalt Concrete Pavement and Other Work"; and
- Add agenda item "5.4 Award of Tender – Muskeg Diesel Road and Leaman Road – Grading and Other Work".

CARRIED UNANIMOUSLY

#### 2.1 ADOPTION OF THE JANUARY 13, 2009 REGULAR COUNCIL MEETING MINUTES

RES 021-01-27-09

MOVED BY Councillor Webster that Council adopts the January 13, 2009 regular council meeting minutes as presented.

CARRIED UNANIMOUSLY

#### 2.2 ADOPTION OF THE JANUARY 13, 2009 PUBLIC HEARING MINUTES FOR BYLAW NO. 36.08

RES 022-01-27-09

MOVED BY Councillor Kwirant that Council adopts the January 13, 2009 Public Hearing minutes for Bylaw No. 36.08 as presented.

CARRIED UNANIMOUSLY

#### 2.3 ADOPTION OF THE JANUARY 19, 2009 COMMITTEE OF THE WHOLE MEETING MINUTES

RES 023-01-27-09

MOVED BY Councillor Olson that Council adopts the January 19, 2009 Committee of the Whole meeting minutes with the following amendment:

- Page 2, second paragraph "Administration brings back il a . . ." remove "il".

CARRIED UNANIMOUSLY

#### 4.1 HAMLET OF PEERS – FORMER SCHOOL SITE

Administration advised that Yellowhead County was the owner of title to Plan 5681MC, Block 4, which contained 7.28 acres of land in the Hamlet of Peers, being the old school site. This property was purchased for the purpose of future community need and/ or development.

Council's intent had been to acquire the land base and demolish the old school structure. Prior to an offer to purchase on this parcel, a "Hazardous Materials Assessment" was conducted to determine the extent of any hazardous materials present, and the cost to remove same prior to demolition.

The assessment was conducted by RH Services Inc. and it was determined that there were levels of various hazardous materials present, and that prior to any renovation and/ or demolition, these materials had to be removed in accordance with provincial standards and regulations for removal and disposal. It was estimated that the cost of this removal would be approximately \$20,000.00.

At the January 19, 2009 Committee of the Whole meeting, Council members confirmed that the intent was to demolish the old school facility and to begin a consultation process with the community relative to what future initiatives should be pursued for the land base.

Administration had booked the Peers Agricultural Centre for February 10, 2009 at 7:00 p.m. to start the consultation forum on future direction for the Hamlet of Peers and area.

RES 024-01-27-09

MOVED BY Councillor Olson that Council directs Administration to arrange for the removal of the hazardous materials from the former Peers school building in preparation for demolition;

AND THAT Administration obtains proposals to demolish the former Peers school;

AND THAT Administration arranges a Community forum to take place in Peers on February 10, 2009 to gather feedback and ideas from the community with respect to future community development for the Hamlet and area.

CARRIED UNANIMOUSLY

#### 4.2 APPROVAL OF LANDOWNER COMPENSATION POLICY 3200.12

Administration advised that at the request of Council, Landowner Compensation Policy 3200.12 had been drafted which dealt with proposed guidelines to be used in providing compensation to landowners affected by Yellowhead County road construction.

The past practices of Yellowhead County with respect to disturbances and or damages when the County moved forward with a road improvement program was that land itself was purchased at fair market value, existing "functional" fences were replaced to the same or better standard (using Alberta Transportation and Utilities guidelines as the fencing standard) and other improvements (gates or ornamental fences) were moved and or rebuilt. Trees, either native or ornamental and shelterbelts were not typically compensated for.

Draft Landowner Compensation Policy 3200.12 formalized the practices of Yellowhead County and added a new component that was not contemplated in past road construction projects. That was provision of some form of compensation for planted shelterbelt trees and ornamental trees.

There would be a cost impact to approval of Landowner Compensation Policy 3200.12 relative to the addition of the section that dealt with compensation for trees. The extent of the impact was unknown as it varied dependent on the project and the lands under consideration.

RES 025-01-27-09

MOVED BY Councillor Lowe that Council approves Landowner Compensation Policy 3200.12;

AND THAT Section 4 Tree Loss stated: "Planted Shelterbelt, ornamental trees, and or Native tree loss shall not be compensated for";

AND THAT the budget was amended to reflect potential project cost increases.

CARRIED UNANIMOUSLY

#### **4.3 FIRST, SECOND AND THIRD READINGS OF BYLAW NO. 1.09, BEING A BYLAW TO ESTABLISH MEETING PROCEDURES**

Administration advised that as part of an ongoing review of governance issues, (policy and bylaw review) the Meeting Procedures Bylaw was reviewed by Administration and Council relative to any required amendments that might be required.

Administration reviewed the bylaw and referenced "Roberts Rules of Order" to ensure the bylaw followed the protocols of parliamentary procedure.

Administration presented revised Bylaw No. 1.09 to the Committee of the Whole on January 19, 2009 for review and discussion. At that meeting Council was advised that Administration was satisfied that the bylaw provided excellent direction for meeting conduct, procedure and decorum. The suggested amendments presented were:

- Page 6/21 – 8.6.5: Revise clause to read – "addition of items to the agenda after the agenda has been set shall require the approval of the Mayor and the CAO."
- Page 17/21: Clause 22.2: should read – "In accordance with Section 22.1, a Notice of Motion ....."

#### **FIRST READING**

RES 026-01-27-09

MOVED BY Councillor Kwirant that Council gives Bylaw No. 1.09, being a bylaw to establish meeting procedures, first reading.

CARRIED UNANIMOUSLY

#### **SECOND READING**

RES 027-01-27-09

MOVED BY Councillor Lowe that Council gives Bylaw No. 1.09 second reading.

CARRIED UNANIMOUSLY

RES 028-01-27-09

MOVED BY Councilor Webster that Council presents Bylaw No. 1.09 for third reading at this meeting.

CARRIED UNANIMOUSLY

#### **THIRD READING**

RES 029-01-27-09

MOVED BY Councillor Olson that Council gives Bylaw No. 1.09 third and final reading.

CARRIED UNANIMOUSLY

#### **4.4 APPROVAL OF STRATEGIC PLANNING POLICY 1100.12**

Administration advised that annually, Administration arranged for a facilitator to join council and senior management to conduct a Strategic Planning Session. Council was aware that this process set the direction, priorities and projects of the municipality for the future.

As the process was a critical element of good governance, it was recommended that the practice be formalized via council policy.

RES 030-01-27-09

MOVED BY Councillor Kwirant that Council approves Strategic Planning Policy 1100.12 as presented.

CARRIED UNANIMOUSLY

#### **5.1 SEWER SERVICING – HAMLET OF CADOMIN**

Administration advised that sewer servicing had been an ongoing issue in the Hamlet of Cadomin. Over the years Yellowhead County had brought forth to the community a plan for sewer improvements with cost estimates. At the last public meeting held in Cadomin there was mixed reaction from the residents and after that meeting Council decided to proceed with the construction of a lagoon and the installation of a sewer collection system. The lagoon was tendered in 2007 and awarded to Glenn Armstrong of Peace River and construction was completed in 2008. The collection system was also tendered in 2007, however the tenders were double the estimate and Council rejected the tenders. If the tender had been awarded at that time, the tender would have resulted in a local improvement levy of \$1,288.00 per year per lot being required to cover a portion of the cost and this was never brought forth to the residents.

Yellowhead County requested that AMEC investigate and provide estimates for a low pressure sewer system for the Hamlet of Cadomin.

The cost estimate break down for the low pressure sewer collection system was as followed:

Homeowner	\$804,000.00
Yellowhead County	\$1,804,000.00
Province	\$0.00
Mine Donation	<u>\$1,000,000.00</u>
Total	\$3,608,000.00

The local improvement charge would be \$496.00 per year per lot for 20 years.

RES 031-01-27-09

MOVED BY Councillor Olson that Council directs Administration to call for tenders for the low pressure sewer collection system for the Hamlet of Cadomin;

AND THAT Administration arranges a public meeting in the Hamlet of Cadomin on April 18, 2009, to discuss the sewer system with the residents prior to award of the tender.

CARRIED UNANIMOUSLY

**5.2 AWARD OF TENDER - CARROT CREEK TOWER ROAD – GRADING, GRANULAR BASE COURSE, ASPHALT CONCRETE PAVEMENT AND OTHER WORK**

Administration advised that Tenders had closed for Carrot Creek Tower Road – Grading, Granular Base Course, Asphalt Concrete Pavement and Other Work on January 26, 2009. There were 7 tenders submitted for this project with the lowest bid being that of E Construction Ltd. of Edmonton, Alberta in the amount of \$6,585,340.02. Attached to the agenda package was a summary of the tenders. Yellowhead County's engineering consultant AMEC Earth & Environmental (Infrastructure) reviewed the tenders and found them to be compliant. The summary of the tender results were:

Total project costs:	
Tender less site occ.	\$6,450,340.02
Contingencies (10%)	\$645,034.00
Site Occ.	\$3,000.00
Potential bonus	\$20,100.00
Engineering	\$861,200.60
Right-of-way	\$61,909.50
Utilities	<u>\$191,600.00</u>
TOTAL	\$8,233,184.12

Carrot Creek Tower Road project consisted of Grading, Granular Base Course and Asphalt Concrete Pavement starting at the junction of Highway 16 south to Township Road 530 for a total distance of 7.84 kilometres.

Yellowhead County had allocated \$11,850,000.00 to this project in the 2009 Interim budget. This project was \$3,616,815.88 under budget.

RES 032-01-27-09

MOVED BY Councillor Lowe that Council awards the Tender for Carrot Creek Tower Road – Grading, Granular Base Course, Asphalt Concrete Pavement and Other Work to E Construction Ltd. of Edmonton, Alberta in the amount of \$6,585,340.02 (excluding GST).

CARRIED UNANIMOUSLY

**5.3 AWARD OF TENDERS – NITON NORTH ROAD – SUBGRADE PREPARATION, GRANULAR BASE COURSE, ASPHALT CONCRETE PAVEMENT AND OTHER WORKS**

Administration advised that Tenders had closed for Niton North Road – Subgrade Preparation, Granular Base Course, Asphalt Concrete Pavement and Other Work on January 26, 2009. There were 6 tenders submitted for this project with the lowest bid being that of Ledcor Alberta Limited of Edmonton, Alberta in the amount of \$3,019,603.75. Attached to the agenda package was a summary of the tenders. Yellowhead County's engineering consultant AMEC Earth & Environmental (Infrastructure) reviewed the tenders and found them to be compliant. The summary of the tender results were:

Total project costs:	
Tender less site occ.	\$2,986,603.75
Contingencies (10%)	\$298,660.37
Site Occ.	\$3,000.00
Potential bonus	\$15,700.00
Engineering	\$247,483.30
Right-of-way	\$0.00
Utilities	<u>\$20,000.00</u>
TOTAL	\$3,571,447.42

Niton North Road project consisted of Subgrade Preparation, Granular Base Course and Asphalt Concrete Pavement starting 0.87 kilometres north of the junction of Highway 16 north to kilometre 6.45 for a total distance of 5.58 kilometres.

Yellowhead County had allocated \$4,200,000.00 to this project in the 2009 Interim budget. This project was \$628,552.58 under budget.

RES 033-01-27-09

MOVED BY Councillor Lowe that Council awards the Tender for Niton North Road – Subgrade Preparation, Granular Base Course, Asphalt Concrete Pavement and Other Work to Ledcor Alberta Limited of Edmonton, Alberta in the amount of \$3,019,603.75 (excluding GST).

CARRIED UNANIMOUSLY

**5.4 AWARD OF TENDERS – MUSKEG DIESEL ROAD & LEAMAN ROAD - GRADING AND OTHER WORK**

Administration advised that Tenders had closed for Muskeg Diesel Road and Leaman Road – Grading and Other Work on January 26, 2009. There were 8 tenders submitted for this project with the lowest bid being that of Brute Force of Stony Plain, Alberta in the amount of \$1,066,428.92. Attached to the agenda package was a summary of the tenders. Yellowhead County's engineering consultant AMEC Earth & Environmental (Infrastructure) reviewed the tenders and found them to be compliant. The summary of the tender results were:

Total project costs:	
Tender less site occ.	\$1,026,828.92
Contingencies (10%)	\$102,682.89
Site Occ.	\$1,800.00
Engineering	\$384,222.69
Right-of-way	\$19,000.00
Utilities	<u>\$5,200.00</u>
TOTAL	\$1,539,734.50

Muskeg Diesel Road project consisted of Grading and Calcium Stabilized subgrade from the junction of Highway 48 north to the junction of Township Road 540 for a total distance of 1.89 kilometres.

Leaman Road project consisted of Grading and Calcium Stabilized subgrade from the junction of Highway 16 north for a total distance of 0.91 kilometres.

Yellowhead County had allocated \$2,520,000.00 to this project in the 2009 Interim budget. This project was \$980,265.50 under budget.

RES 034-01-27-09

MOVED BY Councillor Kwirant that Council awards the Tender for Muskeg Diesel Road and Leaman Road – Grading and Other Work to Brute Force of Stony Plain, Alberta in the amount of \$1,066,428.92 (excluding GST).

CARRIED UNANIMOUSLY

Deputy Mayor Richter recessed the regular council meeting at 10:02 a.m.  
Deputy Mayor Richter reconvened the regular council meeting at 10:11 a.m.

**7.1 FIRST READING OF BYLAW NO. 2.09 BEING A BYLAW TO REDISTRIBUTE RD – RURAL DISTRICT TO CR – COUNTRY RESIDENTIAL DISTRICT FOR PART OF THE SE 22-56-15-W5M**

Richard Gardiner recently submitted an application to subdivide a portion of the SE 22-56-15-W5M to create one additional parcel. The quarter section was presently subdivided into 5 parcels which was the limit for the RD – Rural District. In order for the Subdivision Authority to approve the subdivision, the land use district for the proposed parcel area had to be amended to CR - Country Residential District.

The subject land was within the Rural Policy Area. The Municipal Development Plan Bylaw No. 1.06 supported country residential subdivision in this policy area.

The applicant submitted a Ground Water Potential Study which indicated that there was an adequate supply of potable water for the proposed parcel and an Assessment of Site Suitability for Establishment of Effluent Disposal Fields for the proposed parcel. The assessment indicated that the soils were not suitable for standard effluent disposal fields due to high clay content but suggested that an alternate method such as a mound system could be used in this location. Any system to be installed had to conform to the requirements of the Alberta Private Sewage Systems Standard of Practice.

**FIRST READING**

RES 035-01-27-09

MOVED BY Councillor Lowe that Council give first reading to Bylaw No. 2.09, being a bylaw to amend the land use district for a portion of SE 22-56-15-W5M from RD – Rural District to CR - Country Residential District, first reading;

AND THAT Council forwards Bylaw No. 1.09 to a Public Hearing on February 24, 2009.

CARRIED UNANIMOUSLY

**7.2 FIRST READING OF BYLAW NO. 3.09, BEING A BYLAW TO ADOPT THE STONEWATER RANCH AREA STRUCTURE PLAN AND FIRST READING OF BYLAW NO. 4.09, BEING A BYLAW TO AMEND LAND USE BYLAW NO. 2.06 FROM RD - RURAL DISTRICT TO SR-RC - STONEWATER RANCH RESORT CENTRE DISTRICT, SR-R1 - STONEWATER RANCH SINGLE DETACHED DISTRICT, SR-R2 - STONEWATER RANCH MEDIUM DENSITY RESIDENTIAL DISTRICT, SR-R3 - STONEWATER RANCH APARTMENT DISTRICT AND SR-RV - STONEWATER RANCH RV PARK DISTRICT FOR LANDS WITHIN PART OF THE NE 33-52-18-W5M, PART OF THE SE 4-53-18-W5M AND PART OF THE W1/2 3-53-18-W5M**

Yellowhead County received an application to prepare an Area Structure Plan and a re-districting application for lands within part of the NE 33-52-18-W5M, Part of the SE 4-53-18-W5M and Part of the W1/2 3-53-18-W5M. These applications were required to accommodate a proposed residential, recreational and commercial development which consisted of:

- Premier 18 hole golf course
- Commercial development
- Conference centre
- Condominium RV park
- Equine Centre
- Hotel
- Single Family, Multi family and adult living residential units

An Area Structure Plan was a land use-planning document that described how an area would be subdivided and developed. It laid out the types of land uses proposed for the area and addressed water supply, sewage disposal, storm water drainage, environmental issues, fire suppression, etc. An internal road system and its connection with Yellowhead County's road network were also included in the plan.

Area Structure Plans were adopted by bylaw as policies of Yellowhead County. The policies contained in the plan outlined the developer's responsibilities and provided guidance for Land Use Bylaw redistricting and subdivision decisions.

A draft plan was submitted by J. W. Osborne and Associates. Administration had worked closely on the preparation of the draft plan with the landowner and consultant to ensure that the needs of all affected parties were met. Internal referrals had already occurred and their comments were incorporated into the draft plan.

On December 11, 2008 a public meeting was held in Edson. This meeting was organized by the Developer and a total of 18 residents attended the open house and public presentation.

The Developer had met with Council on two occasions to discuss future plans for the land.

Administration would circulate the draft plan to the relevant agencies, including the Town of Edson and Alberta Transportation, and request their formal response on the plan after Council approved first reading of Bylaw No. 3.09 and Bylaw No. 4.09.

**FIRST READING**

RES 036-01-27-09

MOVED BY Councillor Kwirant that Council gives Bylaw No. 3.09, being a bylaw to adopt the Stonewater Ranch Area Structure Plan, first reading;

AND THAT Council forwards Bylaw No. 3.09 to a Public Hearing on February 24, 2009.

CARRIED UNANIMOUSLY

**FIRST READING**

RES 037-01-27-09

MOVED BY Councillor Olson that Council gives Bylaw No. 4.09, being a bylaw to redistrict portions of the NE 33-52-18-W5M; SE 4-53-18-W5M and W½ 3-53-18-W5M, first reading;

AND THAT Council forwards Bylaw No. 4.09 to a Public Hearing on February 24, 2009.

CARRIED UNANIMOUSLY

### 7.3 FINANCIAL REPORTS – NOVEMBER 2008 AND DECEMBER 2008

Administration advised that the following financial reports had been reviewed by Council:

- Short Term and Long Term Investment Report to January 15, 2009.
- Financial Summary for November 2008, the un-audited report for December 2008 would be forthcoming.
- Payroll report for Salary, Council and Wage Staff for November 2008 in the amount of \$260,307.18 and December 2008 in the amount of \$268,517.02.
- Salary and Benefit Disclosure to December 31, 2008.
- Listing of paid accounts for November 2008 (Cheques No. 62966 – 63379) in the amount of \$6,563,762.15, and December 2008 (Cheques No. 63380 - 63839) in the amount of \$7,078,904.47.

RES 038-01-27-09      MOVED BY Councillor Webster that Council accepts the financial information as presented, being the Short Term and Long Term Investment report to January 15, 2009, the Financial Summary for November 2008, the Payroll report for Salary, Council and Wage Staff for November 2008 in the amount of \$260,307.18 and December 2008 in the amount of \$268,517.02, Salary and Benefit Disclosure to December 31, 2008 and a listing of paid accounts for November 2008 (Cheques No. 62966 – 63379) in the amount of \$6,563,762.15, and December 2008 (Cheques No. 63380 - 63839) in the amount of \$7,078,904.47.  
CARRIED UNANIMOUSLY

### 8.1 COUNCIL AND COUNCIL COMMITTEES SCHEDULE

Council reviewed the Council and Council Committees Schedule.

RES 039-01-27-09      MOVED BY Councillor Kwirant that Council accepts for information the Council and Council Committees Schedule with the following amendment:  
- Add "February 10, 2009 Peers Community Meeting, 7:00 p.m."  
CARRIED UNANIMOUSLY

### 8.2 COUNCIL INFORMATION PACKAGE DATED JANUARY 20, 2009

Council reviewed the Council Information Package dated January 20, 2009.

RES 040-01-27-09      MOVED BY Councillor Webster that Council accepts for information the Council Information Package dated January 20, 2009 as previously circulated.  
CARRIED UNANIMOUSLY

### 10.0 MAYOR AND COUNCILLOR REPORTS

RES 041-01-27-09      MOVED BY Councillor Lowe that Council accepts for information the reports submitted by Councillors Kwirant, Olson, Velichko and Webster.  
CARRIED UNANIMOUSLY

### 11.0 MEDIA ENQUIRIES

The media had no questions.

Deputy Mayor Richter recessed the regular council meeting at 10:25 a.m.  
Deputy Mayor Richter reconvened the regular council meeting at 10:34 a.m.

### 12.0 IN-CAMERA SESSION

RES 042-01-27-09      MOVED BY Councillor Lowe that Council enters into an In-Camera Session at 10:35 a.m. to discuss a financial issue.  
CARRIED UNANIMOUSLY

RES 043-01-27-09      MOVED BY Councillor Webster that Council ends the In-Camera Session at 11:12 a.m.  
CARRIED UNANIMOUSLY

RES 044-01-27-09      MOVED BY Councillor Lowe that Council adjourns the regular council meeting at 11:12 a.m.  
CARRIED UNANIMOUSLY

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MAYOR, Gerald Soroka

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CHIEF ADMINISTRATIVE OFFICER, Jack Ramme