

MINUTES OF THE REGULAR COUNCIL MEETING OF BRAZEAU COUNTY, HELD IN THE COUNTY ADMINISTRATION BUILDING, COUNCIL CHAMBERS IN BRAZEAU COUNTY ON TUESDAY 2022 09 20

CALL TO ORDER

Reeve B. Guyon called the meeting to order at 9:02 a.m.

PRESENT

B. Guyon, Reeve
R. Swap, Councillor
D. Wiltse, Councillor
D. Ekstrom, Councillor
C. Brooks, Councillor
A. Heinrich, Councillor
K. Westerlund, Councillor
C. Swap, Interim Chief Administrative Officer
T. Scharfl, Executive Assistant
J. Grainger, Customer Service/Administrative Assistant
K. MacInnis, Corporate Communications Coordinator (by telephone)

MOMENT OF SILENCE

Council observed a moment of silence in honour of the late Queen Elizabeth II

URGENT ADDITIONS AND ADOPTION OF AGENDA

Addition to and Adoption of Agenda

719/22-09-20

Moved by D. Ekstrom to approve the agenda with the following additions:

7. Development Permit 22D-026 Northern Thunder Ranch
c) Additional letter from Colin Frost and response from the Applicant
8. Public Works
b) Country Club Estates Signage - K. Westerlund
c) Approach RR 83 off of HWY 621 - R. Swap
d) Township Road 474 - D. Ekstrom
12. General Matters
c) Draft RMA Resolution re: Crime - C. Brooks
33. Meeting Dates
c) Road Priority Workshop
34. Closed Session
a) Code of Conduct Reports TIMED: 4:00 P.M.
c) Council Code of Conduct *FOIP Section 19* - R. Swap

CARRIED UNANIMOUSLY

**ADOPTION OF
MINUTES**

Adoption of Minutes

720/22-09-20 Moved by R. Swap to approve the minutes of the September 6, 2022 Council meeting as amended Public Input name corrections:
Tristin O'byrne and Myron Pearman.

CARRIED UNANIMOUSLY

**BUSINESS
ARISING**

Business Arising

Follow Up Action List

C. Swap reviewed the status of the action items.

721/22-09-20 Moved by C. Brooks to receive the Follow Up Action List for information.

CARRIED UNANIMOUSLY

CAO REPORT

CAO Report

Code of Conduct Bylaw 1122-22

C. Swap presented the revised Code of Conduct Bylaw for Council's approval.

722/22-09-20 Moved by D. Ekstrom to direct Administration to contact DLA Piper by October 1, 2022 to provide Council with a consultation on draft Bylaw 1122-22.

IN FAVOUR

D. Wiltse

R. Swap

B. Guyon

D. Ekstrom

OPPOSED

K. Westerlund

C. Brooks

A. Heinrich

CARRIED

FIRE SERVICES

Fire Services

Fire Department Stats June & July 2022

T. Thomson presented the activities and services calls for the Fire Department from June and July.

723/22-09-20 Moved by D. Ekstrom to receive the Fire Department Update for information.

CARRIED UNANIMOUSLY

Planning and Development

Development Permit Application 22D-026 Northern Thunder Ranch

C. Dyck presented additional information regarding the Northern Thunder Ranch development permit application.

724/22-09-20 Moved by K. Westerlund to allow the public to speak to item 7. c).
CARRIED UNANIMOUSLY

Public Input:

Garry Mastre spoke in favour of the racetrack just not in a residential area.

Sheldon Warwick spoke in favour of the racetrack and stated there are not too many areas where they can have organized events, that can be respectful and given an opportunity to do things safely.

Kevin Kostner spoke for the race track stating that Spruce Grove has track in middle of the city; he sees kids hanging out at the rink and feels this would give the kids a place to go where they won't become "riff raff"; this will be good for the community and bring more people and money; the store in Rocky Rapids will see an increase in business and this is a benefit for the whole of Brazeau county; racers have good work ethic and the place will be clean; he understands the concerns and feels the noise reduction etc. has been dealt with; this is not trying to hurt people but to help the community to grow.

Corey Sekura, owner of the property, stated that the people in opposition are his neighbours; he grew up there; he ran the Rapid Fire for 19 years and hoped he addressed the issues back then; the young fellow that took over did a horrible job; he stated that one of Council's mandates is economic development and can't see a better way; he said that's what they did to stay out of trouble in their youth and to have someone with this business sense operating the track will only do well for both the Town and County; he feels Mr. Anderson is taking things seriously and opportunities don't come along like this often.

Shelia Thomspson, resident of Rocky Rapids, commented that Rocky Rapids has been around forever and that Council should cater to the residents first.

Lindsey Jergenson stated that both her kids compete, and they travel currently to use tracks; she would love to see a safe local place to ride.

Sheri McPherson commented that this was a fantastic economic development opportunity for the County and that this would be a sore loss if Council lost this opportunity.

Rob Thompson, resident of Rocky Rapids spoke against the development; he mentioned that when the track was running before he could not sit on his deck and there was noise up to 2 a.m.; he feels it is not fair for the residents to listen to this; he further stated if this goes through he would sell and leave the County and that he retired to relax not listen to this stuff.

Dan Anderson responded that the American sanctioned bodies have guidelines with noise, hours of operations, lights off engine off; when they have 4 major weekend events they will shut down at 11 p.m.; he understands the past negative experience but this is not him; his people will be respectful and most attendees leave to go to other events; he will respect the people in community and will adhere to professional business practices.

Presentation paused for public hearing.

PUBLIC HEARING

Bylaw 1120-22 to Rezone Pt SE 23-47-5-W5M from (AG) to (AGH)

725/22-09-20 Moved by D. Wiltse that the regular Council meeting of September 20, 2022 proceed into public hearing for Bylaw 1120-22 at 10:05 a.m.

CARRIED UNANIMOUSLY

C. Dyck presented Bylaw 1120-22 proposing a portion of Pt SE 23-47-5-W5M [± 10.52 ac (± 4.26 ha)] be rezoned from Agricultural (AG) to Agricultural Holdings (AGH).

Public Input: None

726/22-09-20 Moved by D. Ekstrom that the regular Council meeting of September 20, 2022 come out of public hearing at 10:08 a.m.

CARRIED UNANIMOUSLY

727/22-09-20 Moved by A. Heinrich to give second reading to Bylaw 1120-22.

CARRIED UNANIMOUSLY

728/22-09-20 Moved by K. Westerlund to give third reading to Bylaw 1120-22.

CARRIED UNANIMOUSLY

**PLANNING &
DEVELOPMENT**

Planning and Development

Development Permit Application 22D-026 Northern Thunder Ranch

Discussion continued.

Dan Anderson stated that noise will be restricted to 9 p.m. there will not be racing until 2 a.m.; the major events will have 11:00 p.m. quiet time; camping will be equipped with

portable potties; he does not understand the objection to bringing tourists to community; this will grow as an events centre but not all motorized events; this development is designed for families, commerce and education; he mentioned that the wave of the future is to electric bikes and vehicles.

Shelia Thompsen asked how is the local hospital going to accommodate any accidents with lack of AHS services currently?

Mark Colins spoke against the development due to the noise; he commented that Mr. Anderson said it would not be greater than 70 decibels and that if a permit is granted, include a regulation of no more than 70 decibels.

Sheldon Warwick commented that he has dealt with clubs and events all across Alberta and that in emergency situations they have resources that handle the situations; they do not rely on local hospitals and have strict safety regulations; he commented that they all want to go home and strive to be as safe as possible.

Tiffany LaRose spoke in favour of the racetrack and feels this will be great for the community and her family; it will be a great place for young people to put their energy into; the noise can be addressed; this will bring opportunity to Brazeau County.

Discussion paused for public hearing.

PUBLIC HEARING

Bylaw 1102-22 Textural Amendment to Land Use Bylaw 1002-18 re: of Airport Land

729/22-09-20 Moved by A. Heinrich that the regular Council meeting of September 20, 2022 proceed into public hearing for Bylaw 1102-22 at 10:17 a.m.

CARRIED UNANIMOUSLY

K. Sterling presented Bylaw 1102-22 proposing to add a new Airport Land (AL) District and provide new definitions for "Aviation Related Business", "Hangar" and "Terminal Facilities".

Public Input:

Tom Schroder, airport manager, feels this is a fantastic idea. There has been development with hangers being built and the prior rules are confusing. With the new amendments we will have our own regulations and this will simplify things.

730/22-09-20 Moved by D. Ekstrom that the regular Council meeting of September 20, 2022 come out of public hearing at 10:21 a.m.

CARRIED UNANIMOUSLY

731/22-09-20 Moved by K. Westerlund to give second reading to Bylaw 1102-22 as amended.

CARRIED UNANIMOUSLY

732/22-09-20 Moved by D. Wiltse to give third reading to Bylaw 1102-22 as amended.

CARRIED UNANIMOUSLY

**PLANNING &
DEVELOPMENT**

Planning and Development

Development Permit Application 22D-026 Northern Thunder Ranch

Discussion continued.

Susan Kelly asked why are we still in debate when this has been on the agenda since July? They are still adversely affected, and the issues have not been addressed; this is going to have very consequential effects on the residents; she has been on her land over 45 years; she feels there has been a lack in good land use and planning; she would like to move but can't take her land and memories with her; the noise issues in the past were taking place with no development permit and Council did nothing about it; she is opposed, as well as many others.

Dallas Kisser commented that unfortunately he is directly affected by the noise of this development; he has no problem with the school, but does have issue with four major events; he is concerned this is going to be a racetrack for everything; he would like Council to put major stipulations with these events; he is opposed along with multiple other people and also suggested the applicant put in a noise barrier.

Tom Schroeder, airport manager, spoke to past issues they had with the Thunder in the Valley events; in the beginning there were lots of problems including drinking, drug parties, damage to the airport and planes; they worked out the process with security, and were able to mitigate the issues and it worked out; he commented that it is a lot of work and if they do it right he is in favour; if you don't do it right, I am opposed but it can be done.

Yanica Warwick commented that she works for AHS and hears everyone's concerns; she has nothing but respect for organizations that do things properly and promotes volunteer work in a safe environment, fostering learning and brings families together; she feels this will bring positive sales to the County; she stated these are dry events and that they take rules seriously in the racing community.

Eric Kos stated he likes to go fast and would like a place to get it out of his system.

Dallas Catchum believes it would be good to give younger kids a place to go, to get kids off the streets rather than ripping up farmers' fields.

Alan Taylor stated that the noise bylaw “sucks” and no one controls it; he knows this as he lives beside a campground; he feels Council will have a big problem with this development as people cannot get a hold of CPOs after 10 p.m.; Council has done nothing for them and asked what are they going to do about this?

Candice Cradic identified as a mother with two young kids who are passionate about racing. She would love to have something local where kids to learn respect and feels it would be beneficial.

Darcy Carpenter, local resident, spoke in favour of the project stating he would like to have something like this to do in our community, if the applicant is willing to address the issues. He attended past events and would like to see this open.

Reeve B. Guyon called for a break at 10:38 a.m. and the meeting resumed at 10:44 a.m.

Council continued discussion on Development Permit Application 22D-026 Northern Thunder Ranch Events Center and Racing School.

Discussion paused for public input session.

PUBLIC INPUT SESSION

Public Input Session

Reeve B. Guyon opened the Public Input Session at 11:03 a.m.

Alan Taylor asked why doesn't the County have a fire ban? He mentioned that in the Brazeau County newsletter the Reeve states to bring forward any concerns and that people get frustrated because they don't get their questions answered. He commented on a letter to the editor about another county never having a *FOIP* request as all questions get answered; his *FOIP* request was refused; municipal affairs said everyone has the right to know; He spoke to code of conduct complaints in Rocky Mountain House and the Mayor was reprimanded and the details went public; he asked why have we been waiting for our answers? Why will you not give us results? He stated that it is disturbing that there are no answers; Why has his code of conduct complaint had nothing done? Why are ratepayers paying for everyone's stuff and we can't get answer of who is getting this money.

Les Huber commented that the workshop on roads are done in the back room; He is not happy about his road, RR 64 Hwy 39 to Twp 494, the shoulder pulling looks a mess and suggested Council drive around and see these projects rather than sit in a back room; he stated it is embarrassing; he commented on the code of conduct and that he has filed a complaint and would like answers; he feels the County is wasting time and money and it is no wonder the County is broke.

Reeve B. Guyon closed the Public Input Session at 11:13 a.m.

**PLANNING &
DEVELOPMENT**

Planning and Development

Development Permit Application 22D-026 Northern Thunder Ranch

Discussion continued between Council and the applicant.

733/22-09-20

Moved by D. Wiltse to table the 22D-026 Development Permit until we get the information that has been asked for.

IN FAVOUR

K. Westerlund

D. Wiltse

C. Brooks

OPPOSED

A. Heinrich

R. Swap

D. Ekstrom

B. Guyon

DEFEATED

734/22-09-20

Moved by A. Heinrich to refuse application 22D-026 based on conditions of refusal on page 87.

IN FAVOUR

A. Heinrich

OPPOSED

D. Wiltse

R. Swap

B. Guyon

D. Ekstrom

C. Brooks

K. Westerlund

DEFEATED

735/22-09-20

Moved by K. Westerlund to defer item 7. c) to the October 18, 2022 Council meeting.

IN FAVOUR

D. Wiltse

R. Swap

B. Guyon

D. Ekstrom

C. Brooks

K. Westerlund

OPPOSED

A. Heinrich

CARRIED

Reeve B. Guyon called for a break at 12:15 p.m. and the meeting resumed at 1:03 P.M.

**PLANNING &
DEVELOPMENT**

Planning and Development

Community Standards Bylaw 1098-22 and PD-17

K. Sterling presented amendments to the Community Standards Bylaw 1098-22 and PD-17 Planning and Development Education and Enforcement Policy.

736/22-09-20 Moved by D. Ekstrom to table Bylaw 1098-22 to the November 22, 2022 Council meeting.

IN FAVOUR

D. Wiltse
R. Swap
B. Guyon
D. Ekstrom

OPPOSED

K. Westerlund
C. Brooks
A. Heinrich

CARRIED

737/22-09-20 Moved by D. Wiltse to table PD-17 to the November 22, 2022 Council meeting.

IN FAVOUR

D. Wiltse
R. Swap
B. Guyon
D. Ekstrom

OPPOSED

K. Westerlund
C. Brooks
A. Heinrich

CARRIED

Municipal Development Plan – Options for subdivision related policies

K. Sterling presented options for Council to consider enabling a 5th parcel to be subdivided from a quarter section without an area structure plan.

738/22-09-20 Moved by A. Heinrich to direct Administration to seek a legal interpretation in order to consider the waiving of policies 11, 13 and 14 in the Municipal Development Plan and to bring back a way to incorporate the criteria on page 123 subdivision concept plan, for the fifth subdivision on a quarter of land, in limited circumstances.

CARRIED UNANIMOUSLY

PUBLIC WORKS

Public Works

Road Construction Request - RR 85 South of TWP 503

A. Saltez presented options for Council's consideration following the resident's request for road construction to a land locked parcel.

739/22-09-20 Moved by R. Swap to approve the construction of ROAD-0287 to a lease road standard 6.5m with all required work and funding being provided by the requestor, as outlined in Policy PW-14.

CARRIED UNANIMOUSLY

Reeve B. Guyon called for a break at 2:44 p.m. and the meeting resumed at 2:52 p.m.

Country Club Estates Signage

K. Westerlund raised resident concerns for repairs to the signage at the entrance to Country Club Estates subdivision.

740/22-09-20 Moved by K. Westerlund to direct Administration to investigate the status of the Country Club Estate sign for repairs and bring back the cost estimate and a draft policy dealing with these types of signs going forward.

CARRIED UNANIMOUSLY

Approach RR 83 off of HWY 621

R. Swap raised concern with an approach on RR 83, lack of rock and potential damage to the fence in the spring.

741/22-09-20 Moved by D. Ekstrom to receive the discussion on RR 83 approach for information.

CARRIED UNANIMOUSLY

Township Road 474 between RR 52 and RR 53

D. Ekstrom asked for expedited progress on this project in the pursuit of safety for traveling using the surplus from other projects.

742/22-09-20 Moved by A. Heinrich to receive the discussion on Twp 474 for information.

IN FAVOUR

A. Heinrich
D. Wiltse
R. Swap
C. Brooks
K. Westerlund

OPPOSED

D. Ekstrom
B. Guyon

CARRIED

**AGRICULTURAL
SERVICES**

Agricultural Services

ALUS PAC Members Appointment Extension

N. Chambers presented a request to have the current ALUS PAC members extended for the 2022/23 term.

743/22-09-20

Moved by A. Heinrich to move this item to the organizational meeting.

IN FAVOUR

A. Heinrich
R. Swap
B. Guyon
D. Ekstrom
C. Brooks
K. Westerlund

OPPOSED

D. Wiltse

CARRIED

**COMMUNITY
SERVICES**

Community Services

Draft Animal Control Bylaw 1123-22

L. Chambers presented a draft bylaw to address animal control issues.

744/22-09-20

Moved by A. Heinrich receive the draft Animal Control Bylaw for information with no intent to proceed with a cat bylaw.

CARRIED UNANIMOUSLY

FINANCE

Finance

Bank Reconciliation Statement as of August 31, 2022

745/22-09-20 Moved by K. Westerlund to receive the Bank Reconciliation Statement for information.

CARRIED UNANIMOUSLY

**GENERAL
MATTERS**

General Matters

Rodeo Royalty Signage

K. Westerlund introduced the request from a resident for signage to recognize the local Rodeo Queens.

746/22-09-20 Moved by K. Westerlund to direct Administration to promote Miss Rodeo Canada 2022 and Miss Alberta High School Rodeo Queen 2021/22 on social media and bring back a cost estimate to advertise on the Sekura Auction sign.

CARRIED UNANIMOUSLY

Alberta Crime Prevention Grant

Reeve B. Guyon asked if Administration had the information and explored the Alberta Crime Prevention Grant.

747/22-09-20 Moved by A. Heinrich to forward this information to the Breton and Drayton RCMP detachments to see if they have opportunities to use these dollars.

CARRIED UNANIMOUSLY

748/22-09-20 Moved by C. Brooks to add 12. d) ICF Resolution to the agenda.

CARRIED UNANIMOUSLY

Reeve B. Guyon called for a break at 4:00 p.m. and the meeting resumed at 4:06 p.m.

749/22-09-20 Moved by K. Westerlund to add to closed session 34. d) Public Conduct *FOIP Section 19* and e) ICF Discussion *FOIP Section 24*.

CARRIED UNANIMOUSLY

**CLOSED
SESSION**

Closed Session

750/22-09-20 Moved by D. Ekstrom that the regular Council Meeting of September 20, 2022 proceed into 'closed session' at 4:10 p.m. for the purpose of discussing:

- a) Code of Conduct Reports *FOIP Section 19*
- b) Easyford Hall *FOIP Section 24*
- c) Council Code of Conduct *FOIP Section 19*
- d) Public Conduct *FOIP Section 19*
- e) ICF Discussion *FOIP Section 24*

CARRIED UNANIMOUSLY

Gwendolyn Steward-Palmer, legal counsel, joined the closed session by telephone at 4:11 p.m. for the purpose of discussing Code of Conduct reports *FOIP Section 19*.

K. Westerlund left the meeting and closed session at 4:50 p.m.

K. Westerlund joined the meeting and the closed session by telephone at 5:00 p.m.

Gwendolyn Steward-Palmer disconnected from the closed session at 5:50 p.m.

L. Chambers Director of Community Services joined the closed session at 5:53 p.m. for the purpose of discussing Easyford Hall *FOIP Section 24*.

L. Chambers left the closed session at 5:58 p.m.

751/22-09-20 Moved by C. Brooks that the regular Council Meeting of September 20, 2022 come out of 'closed session' at 6:21 p.m.

CARRIED UNANIMOUSLY

Reeve B. Guyon called for a break at 6:21 p.m. to allow the public ample time to return and the meeting resumed at 6:27 p.m.

752/22-09-20 Moved by D. Ekstrom to add to the agenda under Meeting Dates, Special Council Meeting to deal with Code of Conduct reports, following the DLA Consultation regarding the Code of Conduct Bylaw.

CARRIED UNANIMOUSLY

753/22-09-20 Moved by C. Brooks to defer the Easyford Hall item to the October 18, 2022 regular Council meeting.

CARRIED UNANIMOUSLY

754/22-09-20 Moved by D. Wiltse to defer Council Code of Conduct to the October 18, 2022 regular Council meeting.

CARRIED UNANIMOUSLY

755/22-09-20 Moved by R. Swap to follow legal advice on issuing a notice of “not to trespass.”

IN FAVOUR

D. Wiltse

R. Swap

B. Guyon

D. Ekstrom

C. Brooks

K. Westerlund

OPPOSED

A. Heinrich

CARRIED

756/22-09-20 Moved by D. Ekstrom to direct Administration to send the letter drafted by legal counsel to the Minister regarding the ICF Agreement with the Town of Drayton Valley.

IN FAVOUR

A. Heinrich

D. Wiltse

R. Swap

B. Guyon

D. Ekstrom

K. Westerlund

OPPOSED

C. Brooks

CARRIED

Draft RMA Resolution re: Crime

C. Brooks presented a resolution he wishes to have submitted to the Pembina Zone meeting regarding the Justice System releasing repeat offenders.

757/22-09-20 Moved by C. Brooks to direct Administration to format the resolution the justice system bail process.

CARRIED UNANIMOUSLY

ICF Resolution

K. Westerlund presented a draft resolution regarding the ICF Resolution.

758/22-09-20 Moved by K. Westerlund to submit the ICF Resolution for the Pembina Zone meeting October 3, 2022.

CARRIED UNANIMOUSLY

**COMMITTEE
REPORTS**

Committee Reports

759/22-09-20 Moved by A. Heinrich to defer the Council Committee Reports to October 18, 2022.

CARRIED UNANIMOUSLY

**MEETING
DATES**

Meeting Dates

Drayton Valley & District Chamber of Commerce 2022 Chamber Awards Ceremony

760/22-09-20 Moved by K. Westerlund to authorize the Reeve or designate to present an award at the Drayton Valley & District Chamber of Commerce 2022 Chamber Awards Ceremony October 19, 2022.

CARRIED UNANIMOUSLY

RMA Member-Only Virtual Townhall on LGFF & APPS - Sept 19, 2022

761/22-09-20 Moved by R. Swap to ratify Council's attendance at the RMA Town Hall September 19, 2022.

CARRIED UNANIMOUSLY

Road Priority Workshop

762/22-09-20 Moved by R. Swap to set the Road Priority Workshop as October 11, 2022 at 1:00 p.m.

CARRIED UNANIMOUSLY

Special Council Meeting: Code of Conduct Reports and Justice System Resolution

763/22-09-20 Moved by D. Ekstrom to set the morning of September 26, 2022 to meet with DLA Piper.

CARRIED UNANIMOUSLY

764/22-09-20 Moved by R. Swap to set a Special Council meeting on September 29, 2022 for the purpose of discussing Council Code of Conduct Reports and the Justice System Crime resolution at 1:00 p.m.

CARRIED UNANIMOUSLY

ADJOURNMENT

765/22-09-20

Moved by A. Heinrich that the regular Council Meeting of
September 20, 2022 adjourn at 6:49 p.m.

CARRIED UNANIMOUSLY



Reeve



Executive Assistant