

**MINUTES OF THE REGULAR COUNCIL MEETING OF BRAZEAU COUNTY, HELD IN THE COUNTY ADMINISTRATION BUILDING, COUNCIL CHAMBERS IN BRAZEAU COUNTY ON TUESDAY 2022 12 06**

**CALL TO ORDER**

Reeve B. Guyon called the meeting to order at 9:00 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, Acting Chief Administrative Officer  
T. Scharfl, Executive Assistant  
J. Grainger, Customer Service/Administrative Assistant  
K. MacInnis, Corporate Communications Coordinator (by telephone)

**URGENT ADDITIONS AND ADOPTION OF AGENDA**

**Addition to and Adoption of Agenda**

- 1088/22-12-06** Moved by A. Heinrich to approve the agenda with the following additions:
- 8. Planning and Development
    - a) Response from Alberta Transportation and Fire Services
  - 12. General Matters
    - a) Santa's Helpers Request for Donation Letter
  - 15. Meeting Dates
    - b) Tentative WEC Meeting Dec 16, 2022
  - 16. Closed Session
    - c) Land FOIP s. 25 - A. Heinrich
    - d) Labour FOIP s. 19 - R. Swap

**CARRIED UNANIMOUSLY**

**ADOPTION OF MINUTES**

**Adoption of Minutes**

- 1089/22-12-06** Moved by D. Ekstrom to approve the minutes of the November 3, 2022 Special Council meeting as presented.

**CARRIED UNANIMOUSLY**

**1090/22-12-06** Moved by D. Ekstrom to approve the minutes of the November 17, 2022 Council Budget meeting as presented.

**CARRIED UNANIMOUSLY**

**1091/22-12-06** Moved by A. Heinrich to approve the minutes of the November 18, 2022 Council Budget meeting as amended: Page 8 of 8 "suggested."

**CARRIED UNANIMOUSLY**

**1092/22-12-06** Moved by A. Heinrich to approve the minutes of the November 22, 2022 Regular Council meeting as amended: Page 45 Motion 1003/22-11-22 "and refusal of her request for support"

**CARRIED UNANIMOUSLY**

**1093/22-12-06** Moved by D. Wiltse to approve the minutes of the November 23, 2022 Council Budget meeting as amended: Motion 1013/22-11-23 "Bernadine" not "Dean."

**CARRIED UNANIMOUSLY**

**1094/22-12-06** Moved by D. Ekstrom to approve the minutes of the November 24, 2022 Council Budget meeting as presented.

**CARRIED UNANIMOUSLY**

**1095/22-12-06** Moved by A. Heinrich to approve the minutes of the November 25, 2022 Council Budget meeting as amended: Motion 1076/22-11-25 "A. Heinrich in favour".

**CARRIED UNANIMOUSLY**

**1096/22-12-06** Moved by D. Ekstrom to approve the November 25, 2022 as corrected: Motion 1081/22-11-25 remove the second "the."

**CARRIED UNANIMOUSLY**

**BUSINESS  
ARISING**

**Business Arising**

**Follow Up Action List**

C. Swap reviewed the status of the action items.

**1097/22-12-06** Moved by D. Ekstrom to receive the Follow Up Action List for information.

**CARRIED UNANIMOUSLY**

## CAO REPORT

### CAO Report

#### CAO Appointment

**1098/22-12-06** Moved by R. Swap that Kent Edney be appointed as the Chief Administrative Officer for Brazeau County effective January 3, 2023.

**CARRIED UNANIMOUSLY**

**1099/22-12-06** Moved by D. Wiltse that the appointment of Colin Swap as Acting Chief Administrative Officer be rescinded as of January 3, 2023.

**CARRIED UNANIMOUSLY**

**1100/22-12-06** Moved by K. Westerlund to bring item 8. a) forward to now on the agenda.

**CARRIED UNANIMOUSLY**

## PLANNING & DEVELOPMENT

### Planning and Development

#### Proposed Development Permit within Pt. NE & SE 3-49-7-W5M

C. Dyck presented a development permit within Direct Control designated lands for Council's approval.

**1101/22-12-06** Moved by K. Westerlund to allow the applicant to speak to item 8. a).

**CARRIED UNANIMOUSLY**

Ave Peck indicated she currently does not have a client interested in storing camp trailers but wanted documents in place in the event the opportunity arises. She asked what would the next steps be if she wanted to store something other than camp trailers?

The applicant decided to work with Administration to amend the application.

**1102/22-12-06** Moved by A. Heinrich to receive the application for direct control for information.

**CARRIED UNANIMOUSLY**

#### Procedural Bylaw 1131-22

C. Swap presented the Procedural Bylaw with amendments as directed by Council for three readings.

**1103/22-12-06** Moved by D. Ekstrom to give first reading to Procedural Bylaw 1131-22.

**IN FAVOUR**

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

**OPPOSED**

K. Westerlund  
C. Brooks  
A. Heinrich

**CARRIED**

**1104/22-12-06**

Moved by R. Swap to give second reading to Procedural Bylaw 1131-22.

**IN FAVOUR**

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

**OPPOSED**

K. Westerlund  
C. Brooks  
A. Heinrich

**CARRIED**

**1105/22-12-06**

Moved by D. Wiltse to go to third reading of Procedural Bylaw 1131-22.

**IN FAVOUR**

R. Swap  
D. Wiltse  
B. Guyon  
D. Ekstrom  
K. Westerlund  
C. Brooks

**OPPOSED**

A. Heinrich

**MOTION LOST (as required unanimous consent)**

**FIRE SERVICES**

**Fire Services**

**Department Statistics September - October 2022**

T. Thomson presented information regarding fire department calls.

**1106/22-12-06**

Moved by D. Ekstrom to receive the Fire Services report for information.

**CARRIED UNANIMOUSLY**

**PUBLIC WORKS**

**Public Works**

**BF 70530 (Moose Hill Bridge) Speed and Weight Restriction**

A. Saltesz presented information and recommendations for speed and weight restrictions for Bridge File 70530.

Discussion paused for Closed Session.

**CLOSED  
SESSION**

**Closed Session**

**1107/22-12-06** Moved by D. Ekstrom that the regular Council Meeting of December 6, 2022 proceed into closed session at 10:00 a.m. for the purpose of discussing:  
a) Code of Conduct *FOIP Section 21*

**CARRIED UNANIMOUSLY**

R. Seidel, legal counsel, joined the closed session by telephone at 10:01 a.m. for the purpose of discussing: Code of Conduct *FOIP Section 21*.

C. Swap and B. Guyon left the closed session at 10:09 a.m.

R. Seidel left the closed session at 10:45 a.m.

**1108/22-12-06** Moved by K. Westerlund that the regular Council Meeting of December 6, 2022 come out of closed session at 10:53 a.m.

**CARRIED UNANIMOUSLY**

Reeve B. Guyon called for a break at 10:53 a.m. to allow the public ample time to return and the meeting resumed at 11:00 a.m.

**1109/22-12-06** Moved by K. Westerlund to table closed session until after public input.

**CARRIED UNANIMOUSLY**

**PUBLIC INPUT  
SESSION**

**Public Input Session**

Reeve B. Guyon opened the Public Input Session at 11:01 a.m.

Alan Taylor mentioned that he had phoned five different councillors and only two replied.

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

**CLOSED  
SESSION**

**Closed Session**

**1110/22-12-06** Moved by K. Westerlund that the regular Council Meeting of December 6, 2022 proceed into closed session at 10:00 a.m. for the purpose of discussing:

a) Code of Conduct *FOIP Section 21*

**CARRIED UNANIMOUSLY**

B. Guyon left the closed session at 11:06 a.m.

B. Guyon joined the closed session at 11:16 a.m.

**1111/22-12-06** Moved by A. Heinrich that the regular Council Meeting of December 6, 2022 come out of closed session at 11:26 a.m.

**CARRIED UNANIMOUSLY**

Reeve B. Guyon called for a break at 11:27 a.m. to allow the public ample time to return and the meeting resumed at 11:32 a.m.

B. Guyon removed himself due to conflict of interest and left the meeting at 11:32 a.m. Deputy Reeve C. Brooks assumed the chair.

**1112/22-12-06** Moved by K. Westerlund to approve the conclusion of the Brazeau County Council report on code of conduct complaint by Mr. Huber.

**CARRIED UNANIMOUSLY**

**1113/22-12-06** Moved by K. Westerlund to include the summary of the report from the code of conduct complaint by Mr. Huber in the minutes.

D. Ekstrom offered a friendly amendment to use the word "conclusion" not "summary"

K. Westerlund accepted the amendment.

**CARRIED UNANIMOUSLY**

B. Guyon returned to the meeting at 11:36 a.m. and resumed the chair.

D. Ekstrom and R. Swap removed themselves from the meeting due to conflict of interest 11:37 a.m.

**1114/22-12-06** Moved by K. Westerlund to include the conclusion of the report from Mr. Taylor's code of conduct complaint file in the minutes.

**CARRIED UNANIMOUSLY**

R. Swap and D. Ekstrom returned to the meeting at 11:38 a.m.

**1115/22-12-06** Moved by R. Swap to add under Closed Session Code of Conduct FOIP s. 21 as item 16. e).

**CARRIED UNANIMOUSLY**

**PUBLIC WORKS**

**Public Works**

**BF 70530 (Moose Hill Bridge) Speed and Weight Restriction**

Discussion continued.

**1116/22-12-06** Moved by D. Ekstrom to direct Administration to lower the speed limit to 30 km/hr at the Modeste Creek crossing Moose Hill bridge file 70530.

D. Ekstrom requested his motion be withdrawn.

**MOTION WITHDRAWN**

**1117/22-12-06** Moved by D. Ekstrom to direct Administration to bring back the Speed Bylaw for amendment to reduce the speed limit at the Modeste Creek crossing Moose Hill Hall bridge file 70530.

**CARRIED UNANIMOUSLY**

**1118/22-12-06** Moved by D. Ekstrom to direct Administration to stop the passage of 27 tonne truck trains from crossing bridge file 70530.

**CARRIED UNANIMOUSLY**

**1119/22-12-06** Moved by D. Ekstrom to direct Administration to further reduce by 10% the posted weight restrictions on the bridge file 70530.

**IN FAVOUR**

R. Swap  
D. Wiltse  
B. Guyon  
D. Ekstrom  
C. Brooks  
K. Westerlund

**OPPOSED**

A. Heinrich

**CARRIED**

**1120/22-12-06** Moved by D. Ekstrom to direct Administration to bring back to Council for March 2023, the cost estimate and viability for in-house crews to perform the bridge repairs listed on page 105 of the agenda.

**CARRIED UNANIMOUSLY**

**AWARDS**

Council presented Mr. Bill Flesher with a gift to honour his 90<sup>th</sup> Birthday and regaled in their family history.

Reeve B. Guyon called for a break at 12:13 p.m. and the meeting resumed at 1:07 p.m.

**PLANNING &  
DEVELOPMENT**

**Planning and Development**

**Crown Land Options for Development**

K. Sterling requested additional information from Council regarding the types of development that Council wished directed towards Crown land.

**1121/22-12-06** Moved by A. Heinrich to direct Administration to look at options that may allow Council to pursue a generalized zone in the green area for expediting development.

**CARRIED UNANIMOUSLY**

**AGRICULTURAL  
SERVICES**

**Agricultural Services**

**Appointment of Agricultural Fieldman**

E. McAdam requested the appointment of Amber Kynoch as Brazeau County’s Agricultural Fieldman.

**1122/22-12-06** Moved by K. Westerlund to appoint Amber Kynoch as Brazeau County’s Acting Agricultural Fieldman as per the requirements of the *Agricultural Service Board Act* effective December 12, 2022.

**1123/22-12-06** Moved by D. Ekstrom to table K. Westerlund’s motion to January 17, 2023 Council meeting.

**IN FAVOUR**

D. Ekstrom

R. Swap

**OPPOSED**

A. Heinrich

D. Wiltse

B. Guyon

C. Brooks

K. Westerlund

**DEFEATED**

Vote on original motion **1122/22-12-06**

**CARRIED UNANIMOUSLY**



**FINANCE**

**Finance**

**Bylaw 1130-23 – Operating Line of Credit**

C. Swap presented Bylaw 1130-23 to allow for operational borrowing for three readings.

**1124/22-12-06** Moved by C. Brooks to give first reading to Bylaw 1130-23.  
**CARRIED UNANIMOUSLY**

**1125/22-12-06** Moved by D. Ekstrom to give second reading to Bylaw 1130-23.  
**CARRIED UNANIMOUSLY**

**1126/22-12-06** Moved by R. Swap to go to third reading of Bylaw 1130-23.  
**CARRIED UNANIMOUSLY**

**1127/22-12-06** Moved by D. Wiltse to give third reading to Bylaw 1130-23.  
**CARRIED UNANIMOUSLY**

**Terms and Conditions of Tax Recovery Sale**

C. Swap presented proposed terms and conditions for the tax recovery sale set for February 15, 2023.

**1128/22-12-06** Moved by K. Westerlund to approve the proposed terms and conditions for the Tax Recovery Sale.  
**CARRIED UNANIMOUSLY**

**Bylaw 1129-23 – 2023 Schedule of Fees**

C. Swap presented the 2023 Schedule of Fees Bylaw for three readings.

**1129/22-12-06** Moved by R. Swap to amend Section 8 of the proposed Schedule of Fees Bylaw 1129-23 regarding Area Structure Plan for no fee on five parcels or less applications.

**IN FAVOUR**

A. Heinrich  
R. Swap  
D. Wiltse  
B. Guyon  
D. Ekstrom  
K. Westerlund

**OPPOSED**

C. Brooks

**CARRIED**

**1130/22-12-06** Moved by D. Wiltse to table the discussion on the Schedule of Fees until after item 12. b).

**IN FAVOUR**

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

**OPPOSED**

R. Swap  
D. Ekstrom  
B. Guyon

**CARRIED**

**GENERAL  
MATTERS**

**General Matters**

**Drayton Valley and Tourism Opportunities**

C. Brooks presented a request from the DVHTA of a 3% levy on all campsite overnight stays to help fund the authority's operations.

**1131/22-12-06**

Moved by C. Brooks to join the Drayton Valley Hotel Tourism Association authority and levy 3% of the campground rentals.

**IN FAVOUR**

C. Brooks  
K. Westerlund

**OPPOSED**

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

**DEFEATED**

**Bylaw 1129-23 – 2023 Schedule of Fees**

**1132/22-12-06**

Moved by A. Heinrich to give first reading to Bylaw 1129-23 as amended.

**CARRIED UNANIMOUSLY**

**1133/22-12-06**

Moved by D. Wiltse to give second reading to Bylaw 1129-23 as amended.

**CARRIED UNANIMOUSLY**

**1134/22-12-06**

Moved by D. Ekstrom to go to third reading of Bylaw 1129-23 as amended.

**CARRIED UNANIMOUSLY**

**1135/22-12-06** Moved by R. Swap to give third reading to Bylaw 1129-23 as amended.

**CARRIED UNANIMOUSLY**

Reeve B. Guyon called for a break at 2:39 p.m. and the meeting resumed at 2:49 p.m.

D. Wiltse declared conflict of interest and left the meeting at 2:49 p.m.

### **Santa's Helpers**

Council reviewed a request for funding from the Santa's Helpers group.

**1136/22-12-06** Moved by K. Westerlund to receive 12. a) Request for Santa's Helpers for information.

### **IN FAVOUR**

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

### **OPPOSED**

C. Brooks

### **CARRIED**

D. Wiltse returned to the meeting at 2:55 p.m.

## **COUNCILLOR REPORTS**

### **Councillor Reports October 2022**

Reeve B. Guyon attended:

- Pembina Zone Meeting
- Warburg Seed Cleaning Board
- Regular Council Meeting and Rhpap
- ALUS
- CAO Recruitment Meeting x 2
- Road Tour
- Regular Council Meeting
- Organizational meeting and Chamber of Commerce Event
- Meeting with Village of Stirling x 3
- Legion Poppy Event and Meeting with O'Chiese and Sunchild Band

Councillor D. Ekstrom attended:

- Pembina Zone Meeting
- Regular Council Meeting x 2
- Rhpap Conference x 2
- MPC Meeting

- CAO meeting x 2
- Public Works
- ASB Meeting
- Organizational Meeting
- Special Council Meeting
- Public Works

**Councillor A. Heinrich attended:**

- Regular Council Meeting x 2
- CAO Interviews x 2
- East Road Tour
- ASB
- Organizational Meeting
- Breton Library Board Meeting
- West Road Tour
- Breton Library Board Budget Meeting

**Councillor K. Westerlund attended:**

- District 3 Meeting
- Regular Council Meeting x 2
- Rhpap Conference x 3
- CAO Interviews x 2
- Council Road Tour
- Organizational Meeting
- Brazeau/DV Fire Department Open House - no charge
- Special Council Meeting
- DV & District Learning Assoc. Meeting
- Road Tour
- O'Chiese Council Meeting

**Councillor R. Swap attended:**

- Pembina Zone Meeting
- Council Meeting
- Rhpap Conference x 3
- CAO Interviews x 2
- Council Road Tour East
- Regular Council Meeting
- ASB Meeting and Organizational Meeting
- Road Tour West
- Special Council Meeting
- O'Chiese meet and greet

**Councillor C. Brooks attended:**

- Pembina Zone Meeting
- Regular Council Meeting and Rhpap Conference

- Rhpap Conference x 2
- West Central Airshed Board Meeting
- MPC
- CAO Interviews x 2
- Council Road Tour x 2
- Regular Council Meeting
- Organizational Meeting
- Special Council Meeting
- Brazeau Foundation - no charge
- O'Chiese Meeting

Councillor D. Wiltse attended:

- Pembina Zone Meeting
- Photo Opp, Council Meeting, Rhpap Conference
- Rhpap Conference x 2
- MPC
- CAO Interviews x 2
- Road Tour x 2
- Organizational Meeting
- Special Council Meeting
- O'Chiese Meeting

**1137/22-12-06** Moved by A. Heinrich to receive the Councillor Reports for information.

**CARRIED UNANIMOUSLY**

**MEETING  
DATES**

**Meeting Dates**

**Brownlee LLP Emerging Trends in Municipal Law Seminar Feb 16, 2023**

**1138/22-12-06** Moved by K. Westerlund to authorize Council to attend the Law Seminar February 16, 2023.

**CARRIED UNANIMOUSLY**

**WEC Meeting/Presentation**

**1139/22-12-06** Moved by D. Wiltse to approve Council's attendance at the WEC meeting/presentation December 16, 2022.

**CARRIED UNANIMOUSLY**

**CLOSED  
SESSION**

**Closed Session**

**1140/22-12-06** Moved by K. Westerlund that the regular Council Meeting of December 6, 2022 proceed into closed session at 2:58 p.m. for the purpose of discussing:  
b) Land *FOIP s. 25*  
c) Land *FOIP s. 25*  
d) Labour *FOIP s. 19*  
e) Code of Conduct *FOIP s. 21*

**CARRIED UNANIMOUSLY**

L. Chambers joined the closed session for the purpose of discussing Land *FOIP s. 25* at 2:59 p.m.

L. Chambers left the closed session at 3:10 p.m.

**1141/22-12-06** Moved by A. Heinrich that the regular Council Meeting of December 6, 2022 come out of closed session at 4:06 p.m.

**CARRIED UNANIMOUSLY**

Reeve B. Guyon called for a break at 4:06 p.m. to allow the public ample time to return and the meeting resumed at 4:12 p.m.

**1142/22-12-06** Moved by D. Ekstrom to deny the request from the landowner to purchase the County road right-of-way.

**CARRIED UNANIMOUSLY**

**1143/22-12-06** Moved by A. Heinrich to direct Administration to consult legal as discussed in closed regarding land.

**CARRIED UNANIMOUSLY**

**1144/22-12-06** Moved by K. Westerlund to receive the labour discussion for information.

**CARRIED UNANIMOUSLY**

**1145/22-12-06** Moved by D. Wiltse to direct Administration to consult legal with regards to the code of conduct discussion.

**IN FAVOUR**

D. Wiltse

R. Swap

B. Guyon

D. Ekstrom



C. Brooks

K. Westerlund

**OPPOSED**  
A. Heinrich  
**CARRIED**

**ADJOURNMENT**

**1146/22-12-06** Moved by K. Westerlund that the regular Council Meeting of  
December 6, 2022 adjourn at 4:16 p.m.  
**CARRIED UNANIMOUSLY**

  
\_\_\_\_\_  
Reeve  
  
\_\_\_\_\_  
Executive Assistant

**Attachments:**

*Conclusion of report from Code of Conduct Complaint by Mr. Huber.*  
*Conclusion of report from Code of Conduct Complaint by Mr. Taylor.*

**Brazeau County Council Report on Code of Conduct Complaint by Mr. Taylor**

**Conclusion**

We did not find a violation of the Code of Conduct, Bylaw No. 1010-18 (the "Code of Conduct") by Councillor Dallas Ekstrom.

We did not find a violation of the Code of Conduct by Councillor Randy Swap.

**Brazeau County Council Report on Code of Conduct Complaint by Mr. Huber**

**Conclusion**

Reeve Guyon acknowledged and agreed that he will modify his future behaviour to honour the purpose of 'Public Input' sessions to allow members of the public to engage in these sessions within the time permitted during Council Meetings in accordance with the Code of Conduct, Bylaw 1010-18 (the "Code of Conduct").