

MINUTES OF THE REGULAR COUNCIL MEETING OF BRAZEAU COUNTY, HELD IN THE COUNTY ADMINISTRATION BUILDING, COUNCIL CHAMBERS IN BRAZEAU COUNTY ON TUESDAY 2021 01 05

CALL TO ORDER

Reeve B. Guyon called the meeting to order at 9:00 a.m.

PRESENT

B. Guyon, Reeve
H. Swan, Councillor (by telephone)
D. Wiltse, Councillor
S. Wheale, Councillor
M. Gressler, Councillor
A. Heinrich, Councillor
K. Westerlund, Councillor
J. Whaley, Chief Administrative Officer
T. Scharfl, Executive Assistant
J. Grainger, Customer Service/Administrative Assistant
K. MacInnis, Corporate Communications Coordinator (by telephone)

OTHER

G. Long, Drayton Valley and District Free Press (by telephone)

ADDITION TO AND ADOPTION OF AGENDA

Addition to and Adoption of Agenda

001/21-01-05

Moved by M. Gressler to approve the agenda with the following additions:

Remove Longest Service Award Presentation

13. General Matters

a) Hunter's Behaviour Additional information – D. Wiltse

35. Closed Session

e) Interim CAO Update *FOIP Section 19*

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Adoption of Minutes

002/21-01-05

Moved by D. Wiltse to approve the minutes of the December 15, 2020 regular Council meeting as presented.

CARRIED UNANIMOUSLY

003/21-01-05 Moved by A. Heinrich to approve the minutes of the December 16, 2020 Special Council meeting as presented.

CARRIED UNANIMOUSLY

**BUSINESS
ARISING**

Business Arising

Follow Up Action List

J. Whaley reviewed the status of the action items.

004/21-01-05 Moved by H. Swan to receive the Follow Up Action List for information.

CARRIED UNANIMOUSLY

**URGENT
ITEMS**

Urgent Items

None

CAO REPORT

CAO Report

Procedural Bylaw 992-18

Council reviewed the Procedural Bylaw 992-18.

005/21-01-05 Moved by M. Gressler to change clause 5.17 in Bylaw 992-18 to read: *Council members may utilize electronic devices during council meetings, following etiquette that does not disrupt the meeting and that the devices are on silent mode.*

H. Swan offered a friendly amendment "*for council business*"

M. Gressler accepted the amendment.

IN FAVOUR

S. Wheale

H. Swan

B. Guyon

K. Westerlund

D. Wiltse

M. Gressler

OPPOSED

A. Heinrich

CARRIED

006/21-01-05 Moved by K. Westerlund to table the Procedural Bylaw discussion until after the delegation.

CARRIED UNANIMOUSLY

**DELEGATIONS/
APPOINTMENTS**

Delegations/Appointments

Breton FCSS

Deanne Young presented the Breton FCSS 2020 Annual Report.

007/21-01-05 Moved by M. Gressler to accept the FCSS 2020 Annual Report for information.

CARRIED UNANIMOUSLY

Public Hearing: Bylaw 1067-20

Reeve B. Guyon declared a pecuniary interest to Bylaw 1067-20 and left the meeting at 10:01 a.m. Deputy Reeve K. Westerlund assumed the chair.

008/21-01-05 Moved by M. Gressler that the regular Council meeting of January 5, 2021 proceed into public hearing at 10:01 a.m. for Bylaw 1067-20.

CARRIED UNANIMOUSLY

C. Dyck presented Bylaw 1067-20 to rezone NW 2-48-7-W5M from Agricultural to Agricultural Holdings for second and third reading.

Public Input

009/21-01-05 Moved by A. Heinrich that the regular Council meeting of January 5, 2021 come out of public hearing at 10:04 a.m.

CARRIED UNANIMOUSLY

010/21-01-05 Moved by D. Wiltse to give second reading to Bylaw 1067-20.

IN FAVOUR

H. Swan

B. Guyon

K. Westerlund

D. Wiltse

M. Gressler

OPPOSED

A. Heinrich

S. Wheale

CARRIED

011/21-01-05

Moved by M. Gressler to give third reading to Bylaw 1067-20.

IN FAVOUR

H. Swan

B. Guyon

K. Westerlund

D. Wiltse

M. Gressler

OPPOSED

A. Heinrich

S. Wheale

CARRIED

Deputy Reeve K. Westerlund called for a break at 10:07 a.m. and the meeting resumed at 10:15 a.m. Reeve B. Guyon resumed the chair.

Procedural Bylaw 992-18

Discussion continued on Procedural Bylaw 992-18.

012/21-01-05

Moved by M. Gressler to direct Administration to draft Bylaw 992-18 as discussed by Council on January 5, 2021 and bring back to Council for three readings on January 19, 2021.

Friendly amendment D. Wiltse to "February 2, 2021"

M. Gressler accepted.

CARRIED UNANIMOUSLY

Council-1 Policy

Council reviewed the Council and at Large Appointee Remuneration Policy.

013/21-01-05

Moved by H. Swan that council remuneration for 2021 remain the same as set in April 2020, and stay consistent until the new council is sworn in fall 2021.

IN FAVOUR

A. Heinrich

S. Wheale

H. Swan

B. Guyon

K. Westerlund

D. Wiltse

OPPOSED

M. Gressler

CARRIED

**PLANNING &
DEVELOPMENT**

Planning and Development

Bylaw 1070-20 Rezone NW 26-48-4-W5M from AG to AGH

C. Dyck presented Bylaw 1070-20 for first reading.

014/21-01-05 Moved by M. Gressler to give first reading to Bylaw 1070-20 and scheduled public hearing for 10:00 a.m. February 2, 2021.

CARRIED UNANIMOUSLY

Reeve B. Guyon called for a break at 10:55 a.m. and the meeting resumed at 11:02 a.m.

**PUBLIC INPUT
SESSION**

Public Input Session

Reeve B. Guyon opened the Public Input Session at 11:02 a.m.

Allan Taylor spoke to the report regarding Modeste Creek Campground and remarked that it looks like everything has been run illegally to date. He complained about the continuous noise from the campground and lack of notification to himself.

Peter McCabe, adjacent landowner to Modeste Creek Campground, agrees with Allan Taylor's concerns. He has never been contacted regarding the campground in 40 some odd years and no one keeps in touch with him about anything. He would like to know why he doesn't know, and what Council is going to do about it. He stated it is a mess right now. He commented that the County cleans his driveway, so how come council doesn't know about him or who he is?

Allan Taylor and Peter McCabe recommend the campground be shut down immediately as it has been run illegally from day one. They have been disgusted for years stating this thing was built with no permits or nothing.

Allan Taylor commented on the recent spill west of Drayton Valley. He has spoken to AER regarding the affected lands, who said they have it contained but he thinks it will be a long time until it is cleaned up. This is very important for the County as an environmental concern and he thinks the County should be more involved. He further commented on the sewer concerns with Modeste Creek and the County allowing ARC to use the campground to pump. The County should be more alert to the environmental concerns and the people should be made more aware.

Reeve B. Guyon closed the Public Input Session at 11:17 a.m.

MEDIA QUESTIONS Media Questions

Graham Long, Drayton Valley and District Free Press requested clarification of Council's remuneration rate change made earlier in the meeting.

**AGRICULTURAL
SERVICES**

Agricultural Services

Appointment of Agricultural Fieldman

J. Whaley presented a request to appoint Matthew Martinson as Brazeau County's Agricultural Fieldman.

015/21-01-05 Moved by S. Wheale to appoint Matthew Martinson as Brazeau County's Agricultural Fieldman as per requirements of the *Agricultural Service Board Act*.

CARRIED UNANIMOUSLY

016/21-01-05 Moved by S. Wheale to direct Administration to draft a thank you letter to Clearwater County for allowing Brazeau County to share their Agriculture Fieldman.

CARRIED UNANIMOUSLY

Pest and Weed Appeals Committee

J. Whaley presented the request to appoint members-at-large to the Pest and Weed Appeals Committee.

017/21-01-05 Moved by M. Gressler to appoint Allan Goddard and Duane Movald as members-at-large to the Pest and Weed Appeals Committee.

CARRIED UNANIMOUSLY

018/21-01-05 Moved by D. Wiltse to schedule item 10. b) Modeste Creek Campground for 2:00 p.m.

CARRIED UNANIMOUSLY

**COMMUNITY
SERVICES**

Community Services

Family and Community Support Services (FCSS)

Council discussed the information on the legislative requirements, agreements and programming of the FCSS.

019/21-01-05 Moved by D. Wiltse to table the discussion on FCSS until after closed session.

CARRIED UNANIMOUSLY

**CLOSED
SESSION**

Closed Session

020/21-01-05 Moved by S. Wheale that the regular Council Meeting of January 5, 2021 proceed into 'closed session' at 11:30 a.m. for the purpose of discussing:

d) Discussion with Legal Counsel: Birchwood Expropriation
FOIP Section 27 and Independent Contractor *FOIP Section 16*

CARRIED UNANIMOUSLY

L. Fischer, Director of Public Works, and Shauna Finlay, legal counsel (by telephone) joined the closed session at 11:33 a.m. for the purpose of discussing Birchwood Expropriation *FOIP Section 27* and Independent Contractor *FOIP Section 16*.

021/21-01-05 Moved by S. Wheale that the regular Council Meeting of January 5, 2021 come out of 'closed session' at 12:55 p.m.

(H. Swan absent from the vote)

CARRIED UNANIMOUSLY

Reeve B. Guyon called for a break at 12:57 p.m. to allow the public ample time to return and the meeting resumed at 1:36 p.m.

022/21-01-05 Moved by D. Wiltse that the regular Council Meeting of January 5, 2021 proceed into 'closed session' at 1:36 p.m. for the purpose of discussing:

a) Modeste Creek Update *FOIP Section 16*

(H. Swan absent from the vote)

CARRIED UNANIMOUSLY

H. Swan joined the closed session at 1:36 p.m. by telephone.

L. Chambers, Director of Community Services joined the closed session at 1:36 p.m. for the purpose of discussing Modeste Creek Update *FOIP Section 16*.

023/21-01-05 Moved by K. Westerlund that the regular Council meeting of January 5, 2021 come out of 'closed session' at 2:01 p.m.

CARRIED UNANIMOUSLY

Reeve B. Guyon called for a break at 2:01 p.m. to allow ample time for the public to return and the meeting resumed at 2:06 p.m.

**COMMUNITY
SERVICES**

Community Services

Reeve B. Guyon declared pecuniary interest and left the meeting at 2:09 p.m.

Deputy Reeve K. Westerlund assumed the chair.

Modeste Creek Campground

L. Chambers presented research and recommended public consultation for Modeste Creek Campground.

024/21-01-05 Moved by A. Heinrich to let the landowner speak at this time.
CARRIED UNANIMOUSLY

Allan Taylor stated that the campground has never been busy; the lands need to be rezoned before anything else is done; some of the statements in the reports regarding concerned residents has never happened; the group campground will be noisy on weekends but a regular campground will be noisy all the time; the campground has never made money; and, this is unfair to the close residents. Council doesn't understand how close the residents are and the noise they hear. He warned Council to be cautious of what they about to do because the residents are not happy.

025/21-01-05 Moved by M. Gressler to table the Modeste Creek Campground discussion until April 6, 2021 Council meeting.
CARRIED UNANIMOUSLY

Reeve B. Guyon returned to the meeting and resumed the chair at 2:39 p.m.

**COMMUNITY
SERVICES**

Community Services

Family and Community Support Services (FCSS)

Council continued the discussion regarding FCSS.

026/21-01-05 Moved by A. Heinrich to add the FCSS discussion to the joint council gathering on January 12, 2021 with the intent to make them aware of possible changes to the FCSS.

CARRIED UNANIMOUSLY

FINANCE

Finance

FIN - 4 Surplus Funds Policy

027/21-01-05 Moved by M. Gressler to table the FIN-4 discussion to the final 2021 budget deliberations.

CARRIED UNANIMOUSLY

**GENERAL
MATTERS**

General Matters

Hunter's Behaviour

D. Wiltse raised concerns on behalf of a resident regarding hunting laws in Alberta and the out of control behaviour of hunters.

028/21-01-05 Moved by H. Swan to direct Administration to investigate possible signage for hunting information and bring it back to the February 19, 2021 Council Meeting.

IN FAVOUR

A. Heinrich
H. Swan
B. Guyon
K. Westerlund
D. Wiltse
M. Gressler

OPPOSED

S. Wheale

CARRIED

029/21-01-05

Moved by A. Heinrich to direct Administration to write a letter to Minister Nixon and other appropriate ministries and thank them for the letter they sent to the resident and remind them to work with their partners including the RCMP and Fish and Wildlife.

A. Heinrich
H. Swan
B. Guyon
K. Westerlund
D. Wiltse
M. Gressler

OPPOSED

S. Wheale

CARRIED

Municipal Measurement Index (MMI)

J. Whaley presented updated information on the Municipal Measurement Index concerns.

030/21-01-05 Moved by H. Swan to receive the update report on the MMI for information.

CARRIED UNANIMOUSLY

Xplornet Request for Letter of Support

Council reviewed the request for a letter of support from Xplornet.

031/21-01-05 Moved by M. Gressler to receive the request from Xplornet for information.

CARRIED UNANIMOUSLY

**CORRESPONDENCE
ITEMS**

Correspondence/Items for Information

Phyllis Schmitt re: Church and Library

032/21-01-05 Moved by H. Swan to receive the letter from Phyllis Schmitt for information.

CARRIED UNANIMOUSLY

**COMMITTEE
REPORTS**

Committee Reports

033/21-01-05 Moved by M. Gressler to defer the Councillor Reports to the January 19, 2021 meeting and move on to 34 in the agenda.

CARRIED UNANIMOUSLY

**MEETING
DATES**

Meeting Dates

Meeting with Minister Municipal Affairs at RMA Spring Convention

034/21-01-05 Moved by H. Swan to select agenda items Inter-municipal Cooperation and the Western Economic Corridor.

CARRIED UNANIMOUSLY

ACCPA 2021 Conference May 10 - 13, 2021

035/21-01-05 Moved by H. Swan to receive the ACCPA conference invitation for information.

H. Swan asked to withdraw her motion.

MOTION WITHDRAWN

036/21-01-05 Moved by K. Westerlund to authorize any member of Council to attend ACCPA Conference May 10 - 13, 2021 and to utilize early bird pricing.

IN FAVOUR

S. Wheale

H. Swan

B. Guyon

K. Westerlund

D. Wiltse

M. Gressler

OPPOSED

A. Heinrich

CARRIED

**Brownlee LLP Presents: Virtual 2021 Emerging Trends in Municipal Law
February 11 & 18, 2021**

037/21-01-05 Moved by M. Gressler that those that wish to register for the Brownlee Seminar are allowed to do so.

IN FAVOUR

H. Swan

B. Guyon

K. Westerlund

D. Wiltse

M. Gressler

OPPOSED

A. Heinrich

S. Wheale

CARRIED

Reeve B. Guyon called for a break at 3:39 p.m. and the meeting resumed at 3:46 p.m.

**CLOSED
SESSION**

Closed Session

038/21-01-05

Moved by S. Wheale that the regular Council meeting of January 5, 2021 proceed into 'closed session' at 3:48 for the purpose of discussing:

Co-mediation with Town of Drayton Valley ACP Grant *FOIP Section 21*
Drake's Handi Bus *FOIP Section 16*

K. Westerlund offered a friendly amendment to add:

Interim CAO Update *FOIP Section 19*

S. Wheale accepted the amendment.

CARRIED UNANIMOUSLY

L. Chambers, Director of Community Services joined the 'closed session' at 3:50 p.m. for the purpose of discussing Drake's Handi Bus *FOIP Section 16*.

L. Chambers, Director of Community Services left the 'closed session' at 3:52 p.m.

L. Fisher, Director of Public Works and Infrastructure joined the 'closed session' at 3:53 p.m. for the purpose of discussing Independent Contractor *FOIP Section 16*.

L. Fisher, Director of Public Works and Infrastructure left the 'closed session' at 4:32 p.m.

039/21-01-05

Moved by A. Heinrich that the regular Council Meeting of January 5, 2021 come out of 'closed session' at 4:40 p.m.

(H. Swan absent from the vote)

CARRIED UNANIMOUSLY

Reeve B. Guyon called for a break at 4:40 p.m. to allow ample time for the public to return and the meeting resumed at 4:45 p.m.

040/21-01-05

Moved by S. Wheale to direct Administration to proceed with legal action as discussed in closed regarding Birchwood Expropriation.

CARRIED UNANIMOUSLY

041/21-01-05

Moved by M. Gressler to continue negotiations with the independent contractor as discussed in closed.

IN FAVOUR

S. Wheale
K. Westerlund
D. Wiltse
M. Gressler
B. Guyon

OPPOSED

A. Heinrich
H. Swan

CARRIED

042/21-01-05 Moved by D. Wiltse to accept the Modeste Creek Campground discussion for information.

CARRIED UNANIMOUSLY

043/21-01-05 Moved by K. Westerlund to direct Administration to bring back a list of mediators.

CARRIED UNANIMOUSLY

044/21-01-05 Moved by A. Heinrich to direct Administration to draft a letter to the Drake Handi Bus informing them that any funding from the County may be dependent upon the organization gaining their not-for-profit status.

CARRIED UNANIMOUSLY

045/21-01-05 Moved by A. Heinrich to approve the contract and appoint Shawn McKerry as Interim CAO as of 5:00 p.m. January 22, 2021.

CARRIED UNANIMOUSLY

ADJOURNMENT

046/21-01-05 Moved by M. Gressler that the regular Council Meeting of January 5, 2021 adjourn at 4:53 p.m.

CARRIED UNANIMOUSLY

Reeve

Chief Administrative Officer