

LAC LA BICHE COUNTY

REGULAR COUNCIL MEETING

DATE: March 26, 2013
TIME: 1:30 p.m.
PLACE: Council Chambers
County Centre

AGENDA

1. CALL TO ORDER
2. ADOPTION OF AGENDA
3. ADOPTION OF MINUTES
 - 3.1 March 12, 2013 Regular Council Meeting.
4. UNFINISHED BUSINESS
 - 4.1 RFD – Request for First Extension – Subdivision Approval for File 2011-S-038; Proposed Subdivision of Pt. of SW-33-66-14-W4M (tabled motion);
 - 4.2 RFD – Rezoning Bylaw No. 12-026; T. White Trucking Ltd.; Pt. SW 07-67-12-W4M; from Agricultural District (AG) to Rural Industrial District (RI) 2nd & 3rd Readings (tabled item).
5. URGENT MATTERS
6. PUBLIC INPUT SESSION/DELEGATIONS/PUBLIC HEARINGS
 - 6.1 1:35 p.m. Public Input Session;
 - 6.2 2:15 p.m. Public Hearing – Rezoning Bylaw 13-005; Lac La Biche County; Lot 24, Block 1, Plan 1025313; from Urban Reserve (UR) to Low Density Hamlet Residential District (LDR) and Arterial Commercial/Shopping Centre District (C2);
 - 6.3 2:45 p.m. Tender Opening – Beaverhill Road;
 - 6.4.1 3:15 p.m. Tender Opening – Plamondon Water & Sewer Project;
 - 6.4.2 Tender Opening – Plamondon Sewer Main Line – Secondary Highway 858;
 - 6.5 3:45 p.m. Tender Opening – BNR Road Upgrade.

7. DISPOSITION OF DELEGATION BUSINESS
 - 7.1 Public Input Session.
8. NEW BUSINESS
 - 8.1 RFD – Request for First Extension – Subdivision Approval for File 2012-S-006; Proposed Subdivision of SW 17-65-14-W4M;
 - 8.2 RFD – Rezoning Bylaw No. 13-005; Lac La Biche County; Lot 24, Block 1, Plan 1025313; from Urban Reserve (UR) to Low Density Hamlet Residential District (LDR) and Arterial Commercial/Shopping Centre District (C2) 2nd & 3rd Readings;
 - 8.3 RFD – Final Mile Rural Community Program Agreement (added to Agenda);
 - 8.4 Discussion on examining Land Use Bylaw Re: Agricultural District and provisions for discretionary campground use (added to Agenda).
9. NOTICES OF MOTION
10. IN CAMERA SESSION
 - 10.1 RFD – Land Matter (sections 17 & 27 FOIP);
 - 10.2 RFD – Land Matter (section 23 FOIP).
11. ADJOURNMENT

**LAC LA BICHE COUNTY
REGULAR COUNCIL MEETING
COUNTY CENTRE, LAC LA BICHE**

MARCH 26, 2013 – 1:30 p.m.

Minutes of the Lac La Biche County Regular Council Meeting held on March 26, 2013 at 1:30 p.m.

CALL TO ORDER Mayor Langevin called the meeting to order at 1:30 p.m.

PRESENT	Aurel Langevin	Mayor
	Alvin Kumpula	Councillor
	Robert Richard	Councillor
	Guy Piquette	Councillor
	Eugene Uganecz	Councillor
	Tim Thompson	Councillor
	Gail Broadbent-Ludwig	Councillor / Deputy Mayor (entered at 1:45 p.m.)
	John Nowak	Councillor

STAFF IN ATTENDANCE	Roy Brideau	Chief Administrative Officer
	Dan Small	General Manager, Corporate Services
	Melanie Kanarek	Manager, Legislative Services
	Joanne Onciul	Legislative Services Coordinator

REGRETS	MJ Siebold	Councillor
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ADOPTION OF AGENDA

13.095 Motion by Councillor Kumpula to approve the March 26, 2013 Regular Council meeting agenda as amended:

- Addition of Item 8.3 Final Mile Rural Community Program Agreement;
- Addition of Item 8.4 Land Use Bylaw Re: Agricultural District and provision for discretionary campgrounds.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

3.1 Regular Council Meeting of March 12, 2013.

A typographical error on page 3.1-6, Item 8.4 was identified, whereby “Parcels 3 and 4” should read as “Parcels 2 and 4” and the same should be reflected in Motion 13.080.

13.096 Motion by Councillor Uganez to adopt the Regular Council Meeting minutes of March 12, 2013 as amended.

CARRIED UNANIMOUSLY

PUBLIC INPUT SESSION/DELEGATIONS/PUBLIC HEARINGS

6.1 Public Input Session.

Mayor Langevin declared the public input session open at 1:35 p.m.

Mayor Langevin introduced Council and Administration.

Les and Yolanda Schaub were present to discuss several issues they had with the construction taking place on Range Road 145A. Their concerns related to the procedure taken by the road builder and whether proper policies and procedures were being followed.

Mayor Langevin thanked the presenters for their comments, and declared the public input session closed at 1:43 p.m.

Councillor Broadbent-Ludwig entered Council Chambers at 1:45 p.m.

RECESS

Mayor Langevin called a recess at 1:45 p.m.

RECONVENE

Mayor Langevin reconvened the meeting at 1:49 p.m. with all those Members of Council previously listed in attendance with the exception of Councillor Richard.

UNFINISHED BUSINESS

- 4.1 RFD – Request for First Extension – Subdivision Approval for File 2011-S-038; Proposed Subdivision of Pt. of SW-33-66-14-W4M;

Councillor Richard entered Council Chambers at 1:49 p.m.

- 13.097 Motion by Councillor Kumpula to lift Motion 13.037 from the table.

CARRIED UNANIMOUSLY

- 13.037 Motion by Councillor Uganez that Lac La Biche County Council approves an extension to the Subdivision Approval for File 2011-S-038 until December 21, 2013.

- 13.098 Motion by Councillor Richard to table Motion 13.037 until after the Municipal Development Plan is adopted by Council.

IN FAVOUR

- Mayor Langevin**
- Councillor Kumpula**
- Councillor Richard**
- Councillor Piquette**
- Councillor Thompson**
- Councillor Broadbent-Ludwig**
- Councillor Nowak**

OPPOSED

- Councillor Uganez**

CARRIED

- 4.2 Rezoning Bylaw No. 12-026; T. White Trucking Ltd.; Pt. SW 07-67-12-W4M; from Agricultural District (AG) to Rural Industrial District (RI).

- 13.099 Motion by Councillor Kumpula to table Item 4.2 Rezoning Bylaw No. 12-026 until the new Municipal Development Plan is adopted by Council.

IN FAVOUR

- Mayor Langevin**
- Councillor Kumpula**
- Councillor Richard**
- Councillor Piquette**
- Councillor Broadbent-Ludwig**
- Councillor Nowak**

OPPOSED

- Councillor Uganez**
- Councillor Thompson**

CARRIED

NEW BUSINESS

8.1 RFD – Request for First Extension – Subdivision Approval for File 2012-S-006; Proposed Subdivision of SW 17-65-14-W4M;

13.100 Motion by Councillor Uganez that Lac La Biche County approves an extension for Subdivision Approval for File 2012-S-006 until March 07, 2014.

CARRIED UNANIMOUSLY

8.3 RFD – Final Mile Rural Community Program Agreement;

13.101 Motion by Councillor Nowak that Council directs Administration to negotiate and execute the following agreements in relation to the Final Mile Rural Community Program:

- Grant Agreement with Alberta Agriculture and Rural Development (AARD).
- Internet Service Provider Infrastructure Rental and Purchase Agreement with Lemalu Holdings Ltd. (MCSNet).
- Tower and Equipment Purchase Agreement with Lemalu Holdings Ltd. (MCSNet).

CARRIED UNANIMOUSLY

PUBLIC INPUT SESSION/DELEGATIONS/PUBLIC HEARINGS

6.2 Public Hearing – Rezoning Bylaw No. 13-005; Lac La Biche County; Lot 24, Block 1, Plan 1025313; from Urban Reserve (UR) to Low Density Hamlet Residential District (LDR) and Arterial Commercial/Shopping Centre District (C2);

Mayor Langevin declared the public hearing open at 2:17 p.m.

Mayor Langevin asked the Manager, Legislative Services whether or not the public hearing was advertised and notice was provided in accordance with the applicable legislation. The Manager, Legislative Services advised that this was the case.

Dave Dittrick, Acting Manager, Planning & Development, summarized the purpose for the hearing.

Mayor Langevin asked the Manager, Legislative Services if any written submissions were received. The Manager, Legislative Services advised that one written submission was received from Susan and Brydon Ward, and the same was read into record and is attached to and forming part of these minutes.

Mayor Langevin asked if there was anyone else present wishing to speak to Rezoning Bylaw No. 13-005.

Wally Kuncio, owner of adjacent property, was present and provided a history on the development of this area noting that the area was previously declared an environmental reserve.

Mayor Langevin asked if there was anyone else present wishing to speak to Rezoning Bylaw No. 13-005.

Mayor Langevin thanked Mr. Kuncio for his comments, and declared the public hearing closed at 2:28 p.m.

NEW BUSINESS

8.2 RFD – Rezoning Bylaw No. 13-005; Lac La Biche County; Lot 24, Block 1, Plan 1025313; from Urban Reserve (UR) to Low Density Hamlet Residential District (LDR) and Arterial Commercial/Shopping Centre District (C2) 2nd & 3rd Readings;

13.102 Motion by Councillor Kumpula to table item 8.2 until further information is provided to Council regarding drainage.

CARRIED UNANIMOUSLY

NEW BUSINESS

8.4 Land Use Bylaw Re: Agricultural District and provision for discretionary campgrounds;

Councillor Nowak left Council Chambers at 2:33 p.m. as he is a member of the Subdivision and Development Appeal Board, and that the Board is in deliberations on a campground appeal.

13.103 Motion by Councillor Thompson that Council set aside some time for review of the process of the Poplar Point Campground as well as review of the policies in regards to Discretionary Uses of Lands to be completed after a decision is rendered with the Poplar Point Campground.

IN FAVOUR	OPPOSED
Mayor Langevin	Councillor Piquette
Councillor Kumpula	Councillor Broadbent-Ludwig
Councillor Richard	
Councillor Uganecz	
Councillor Thompson	CARRIED

13.104 Motion by Councillor Broadbent-Ludwig that the Municipal Development Plan approval process takes precedent over the discretionary use review.

IN FAVOUR	OPPOSED
Mayor Langevin	Councillor Kumpula
Councillor Piquette	Councillor Richard
Councillor Uganecz	Councillor Thompson
Councillor Broadbent-Ludwig	CARRIED

Councillor Nowak entered Council Chambers at 2:55 p.m.

RECESS Mayor Langevin called a recess at 2:55 p.m.

RECONVENE Mayor Langevin reconvened the meeting at 3:05 p.m. with all those Members of Council previously listed in attendance.

PUBLIC INPUT SESSION/DELEGATIONS/PUBLIC HEARINGS

6.3 Tender Opening – Beaverhill Road;

Al Hoggan, Manager, Transportation Services and Jim Blaney with Genivar were present to open the tenders for Beaverhill Road Project. Two tenders were opened and the unofficial results are as follows:

No.	Tenderer	Total Tender Amount incl. GST
1	E-Construction	\$8,974,839.51
2	Knelson Sand & Gravel	\$11,259,419.06

RECESS

Mayor Langevin called a recess at 3:12 p.m.

RECONVENE

Mayor Langevin reconvened the meeting at 3:15 p.m. with all those Members of Council previously listed in attendance.

6.4.1 Tender Opening – Plamondon Water & Sewer Project;

Jeff Lawrence, General Manager, Operations and Derek Sinclair, with V3 Companies of Canada Inc., were present to open the tenders for Plamondon Water & Sewer Project. Two tenders were opened and the unofficial results are as follows:

No.	Tenderer	Total Tender Amount incl. GST
1	Knelson Sand & Gravel	\$4,285,847.10
2	E-Construction	\$4,203,383.86

6.4.2 Tender Opening – Plamondon Sewer Main Line – Secondary Highway 858;

Jeff Lawrence, General Manager, Operations and Derek Sinclair, with V3 Companies of Canada Inc., were present to open the tender for Plamondon Sewer Main Line – Secondary Highway 858. One tender was opened and the unofficial result is as follows:

No.	Tenderer	Total Tender Amount incl. GST
1	Insituform Technologies Ltd.	\$334,305.62

IN CAMERA SESSION

13.105 Motion by Councillor Piquette to go in camera at 3:25 p.m.
p.m.

CARRIED UNANIMOUSLY

10.2 RFD – Land Matter (section 23 FOIP).

RETURN TO REGULAR MEETING

13.106 Motion by Councillor Nowak to proceed with the meeting
out of camera at 3:49 p.m.

CARRIED UNANIMOUSLY

BUSINESS ARISING OUT OF “IN CAMERA SESSION”

10.2 RFD – Land Matter (section 23 FOIP).

13.107 Motion by Councillor Kumpula that the privately funded
road construction of extended Range Road 145A be allowed
to continue and that the objections to the project be noted.

CARRIED UNANIMOUSLY

PUBLIC INPUT SESSION/DELEGATIONS/PUBLIC HEARINGS

6.5 Tender Opening – BNR Road Upgrade.

Jeff Lawrence, General Manager, Operations and Mike Dowhun with DCL
Siemens were present to open the tenders for BNR Road Upgrade. Three
tenders were opened and the unofficial results are as follows:

No.	Tenderer	Tender Security & Bid Bond	Construction Time (Days)	Total Tender Amount incl. GST
1	Knelson Sand & Gravel	Yes	TBA	\$4,931,880.00
2	E-Construction	Yes	150	\$4,750,221.00
3	Cruikshank West Inc.	Yes	142	\$4,910,952.27

DISPOSITION OF DELEGATION BUSINESS

7.1 Public Input Session.

Administration will send a letter and meet with the Schaub’s to notify them of Council’s decision.

IN CAMERA SESSION

13.108 Motion by Councillor Broadbent-Ludwig to go in camera at 4:02 p.m.

CARRIED UNANIMOUSLY

10.1 RFD – Land Matter (sections 17 & 27 FOIP).

RETURN TO REGULAR MEETING

13.109 Motion by Councillor Kumpula to proceed with the meeting out of camera at 4:21 p.m.

CARRIED UNANIMOUSLY

BUSINESS ARISING OUT OF “IN CAMERA SESSION”

10.1 RFD – Land Matter (sections 17 & 27 FOIP);

13.110 Motion by Councillor Kumpula to seek a Court Order declaring SE 2-67-13-W4 Range Road 131, TWP 663 to be a road, and request that an Order be registered on title.

IN FAVOUR

- Mayor Langevin**
- Councillor Kumpula**
- Councillor Richard**
- Councillor Piquette**
- Councillor Thompson**
- Councillor Broadbent-Ludwig**
- Councillor Nowak**

OPPOSED

Councillor Uganecz

CARRIED

IN CAMERA SESSION

13.111 Motion by Councillor Broadbent-Ludwig to go in camera at 4:25 p.m.

IN FAVOUR

**Mayor Langevin
Councillor Kumpula
Councillor Richard
Councillor Piquette
Councillor Uganecz
Councillor Broadbent-Ludwig
Councillor Nowak**

OPPOSED

Councillor Thompson

CARRIED

RETURN TO REGULAR MEETING

13.112 Motion by Councillor Kumpula to proceed with the meeting out of camera at 4:27 p.m.

CARRIED UNANIMOUSLY

BUSINESS ARISING OUT OF “IN CAMERA SESSION”

No Action Required.

ADJOURNMENT

13.113 Motion by Councillor Uganecz to adjourn the Regular Council Meeting of March 26, 2013 at 4:29 p.m.

CARRIED UNANIMOUSLY

Aurel Langevin, Mayor

**J. Roy Brideau, CLGM, CMM
Chief Administrative Officer**

Joanne Onciul

From: Melanie Kanarek
Sent: March-27-13 2:10 PM
To: Joanne Onciul
Subject: FW: By-Law # 13-005

Melanie Kanarek
Manager, Legislative Services
Lac La Biche County
Phone: 780-623-6806
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Fax: 780-623-2039
Email: melanie.kanarek@laclabichecounty.com

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From: bsward@telusplanet.net [mailto:bsward@telusplanet.net]
Sent: Monday, March 25, 2013 11:05 AM
To: Melanie Kanarek
Subject: By-Law # 13-005

Melanie, Brydon and I are out of the country at present but we understand there is a public hearing tomorrow regarding this By-Law.

By the email we are formally opposing this By-Law for the following reasons:

- the property in this proposed subdivision is affected by a natural underground spring. When the Town of Lac La Biche constructed the road beside the water treatment plant they filled in the pond which was directly behind the Stratichuk and Ward properties leaving no where for water to drain. If this property is further developed it will affect the water table and could lead to problems with water on our property.
- our property will loose value if we have commercial property adjoining residential This creates more issues with traffic and garbage.

We are not adverse to residential development but it must take into consideration the impact on existing single family residential homes.

As we are out of town please advise us of the outcome of this hearing.

Thank you for your consideration of this concern.

Susan and Brydon Ward
780-689-6325