



## **MINUTES**

Cypress County Council Meeting  
Administration Building, Dunmore Alberta  
April 3, 2018

### **COUNCIL PRESENT:**

Richard Oster, Reeve  
Dan Hamilton, Deputy Reeve  
Dustin Vossler, Councillor  
Darcy Geigle, Councillor  
Shane Hok, Councillor  
Ernest Mudie, Councillor  
Michelle McKenzie, Councillor  
Alf Belyea, Councillor  
Robin Kurpjuweit, Councillor

### **ADMINISTRATION PRESENT:**

Doug Henderson, Chief Administrative Officer  
Curtis Richter, Director of Public Works  
Jeffrey Dowling, Planning Supervisor  
LesleyAnn Collins, Official Recorder

**CALL TO ORDER:** 10:00 A.M

### **AGENDA - ADDITIONS, DELETIONS & APPROVAL:**

#### **Resolution No. 2018/138**

Councillor Vossler moved to accept the agenda with the addition of Rural Transportation Pilot Program to 5r) to Municipal Services.

Carried.

### **PUBLIC HEARING:**

Reeve Oster opened the Public Hearing for Bylaw 2018/07 Seven Persons Area Structure Plan.

### **Purpose of Public Hearing – Bylaw 2018/07**

To discuss and receive public comment on Bylaw 2018/07 for the Seven Persons Area Structure Plan.

Jeffrey Dowling explained the purpose of the Seven Persons Area Structure Plan is to provide a framework to guide future growth and land uses in an orderly and economical manner. This Plan was developed to promote Seven Persons as a result of Council's strategic planning. Scheffer Andrew Ltd. was hired to draft and provide the engineering for the Area Structure Plan.

In 1997, Council considered the adoption of an Area Structure Plan for Seven Persons (Bylaw 1997/13) and the surrounding area. However, the Bylaw lapsed after 2nd reading, and was never adopted.

An area structure plan is considered a "Statutory Plan" within Section 633 of the Municipal Government Act. An area structure plan must address development to be proposed within the area, land uses appropriate within the area, population density, major transportation routes, public utilities, and any other significant matters a council may want to include.

Seven Persons is serviced with water and sanitary sewer infrastructure and has the capacity to accommodate additional growth within the current Hamlet's boundary for the foreseeable future. It is identified that there are twinning options for Highway 3, north of the Hamlet, however Alberta Transportation's twinning project timeline is unknown.

In June of 2017, the concept of the Plan was introduced to the Seven Persons community through an open house presentation. After gathering feedback and input from the community, the Plan was drafted by Scheffer Andrew Ltd. and reviewed by Planning & Development Services. In December of 2017, the draft of the Plan was then presented to the community for any further comments or amendments to the draft. The community did not request any further changes.

After 1<sup>st</sup> reading of the Bylaw, notification of the Area Structure Plan was provided to the land owners in and around the plan boundary, to government agencies, as well as affected bodies and utility companies for further comments prior to the public hearing. The Plan was also posted on the County's website for viewing, and promoted on Facebook, as well as advertised in the Cypress Courier.

Doug Fleming and Kirby Finley, of Scheffer Andrew Ltd., presented a summary of the Plan.

The Planner recommends postponing the passing of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Bylaw 2018/07 to allow the comments from Alberta Transportation, S.M.R.I.D, and any others that Council may wish to include to be written into the Plan.

**Applicant’s Comments**

None.

**Support of the Application**

None.

**Opposition of the Application**

None.

**Questions/Comments**

None.

**Applicant’s Final Comments**

None.

The Reeve closed the Public Hearing.

**MINUTES:**

**Resolution No. 2018/139**

Councillor Mudie moved to approve the minutes of the March 3, 2018 by amending Resolution No. 2018/126 to include the Bull Trail to Hwy 515.

Carried.

**MUNICIPAL SERVICES:**

**Bylaw 2018/07 –  
Seven Persons Area  
Structure Plan**

The purpose of the Seven Persons Area Structure Plan is to provide a framework to guide future growth and land uses in an orderly and economical manner. This Plan was developed to promote Seven Persons as a result of Council’s strategic planning. A public hearing was held earlier in the meeting.

**Resolution No. 2018/140**

Councillor Vossler moved 2<sup>nd</sup> reading of Bylaw 2018/07.

**Resolution No. 2018/141**

Deputy Reeve Hamilton moved to postpone 2<sup>nd</sup> reading of Bylaw 2018/07.

Carried.

**Bylaw 2018/09–  
Land Use Amendment  
(NW 26-12-5-W4)**

An application was received from L Gill Ventures Ltd., to re-classify a portion of the NW 26-12-5-W4, from Agricultural IDP District 1 “A-1 IDP” to Industrial District “I”.

**Resolution No. 2018/142**

Councillor Vossler moved 1<sup>st</sup> reading of Bylaw 2018/09.

Carried.

**Bylaw 2018/12 –  
Irvine Area  
Structure Plan**

The purpose of the Irvine Area Structure Plan is to provide a framework to guide future growth and land uses in an orderly and economical manner. The Plan was developed to promote Irvine as part of Council’s strategic planning.

**Resolution No. 2018/143**

Councillor Geigle moved 1<sup>st</sup> reading of Bylaw 2018/12.

Carried.

**Bylaw 2018/11 –  
Repeal of Fire  
Service Board**

During the March 6, 2018 Council directed Administration to draft a Bylaw to repeal Bylaw 2016/15. Bylaw 2018/11 has been created to repeal the Fire Service Board Bylaw 2016/11.

**Resolution No. 2018/144**

Councillor Hok moved 1<sup>st</sup> reading of Bylaw 2018/11.

Carried.

**Resolution No. 2018/145**

Councillor McKenzie moved 2<sup>nd</sup> reading of Bylaw 2018/11.

**Resolution No. 2018/146**

Councillor Hamilton moved for unanimous consent for Bylaw 2018/11 to be read for 3<sup>rd</sup> reading.

Defeated.

**Fire Guardian  
Appointments**

The Forest and Prairie Protection Act (FPPA) requires rural municipalities to appoint a sufficient number of fire guardians annually.

**Resolution No. 2018/147**

Councillor Belyea moved to appoint Anna Mast as a fire guardian.

Carried.

*Councillor Hok left the meeting at 10:39 A.M due to a pecuniary interest. His spouse, Deb Hok has applied to be a member of the Library Board.*

**Library Board  
Appointment**

The public Library Board member from the area served by the Graham Community Library has recently stepped down. The position was advertised with two applications being received from Deb Hok and Jaime Clark.

It was decided that Council would vote by secret ballot.

**Resolution No. 2018/148**

Councillor Mckenzie moved to appoint Deb Hok to the Cypress County Library Board as the public member representing the area served by the Graham Community Library.

Carried.

**Resolution No. 2018/149**

Councillor Vossler moved to destroy the secret ballots.

Carried.

*Councillor Hok joined the meeting at 10:49 A.M.*

**Media Training  
Proposals**

At the October 24, 2017 meeting, Council requested Administration research corporate media communication trainers. Proposals were received from two firms; Grant Ainsley Inc. Communications, and Calder Bateman Communications.

**Resolution No. 2018/150**

Councillor Hok moved to hire Grant Ainsley Inc. to provide corporate media communication training at a cost of \$3,500 (plus GST) plus travel and accommodation expenses per day for Council and select senior staff.

Carried.

**ASB Policy Approval –  
ASB 1.2 Agriculture  
Services Board Bursary**

The ASB amended its policy governing the two \$1000 bursaries that are available to be awarded to students entering into an agricultural or home economics related field of study. The amendments extended the application deadline and will allow the ASB to utilize funds not used in one year to the next year, if deserving applicants apply.

**Resolution No. 2018/151**

Councillor Vossler moved to ratify Policy ASB 1.2- Agricultural Service Board Bursary as presented.

Carried.

**ASB Policy Approval –  
ASB 2.3 No-Till  
Seed Drill**

The ASB has amended the No-Till Seed Drill rental policy to remove mention of the brand name of the previous seed drills and rental rates, which are in Council's Master Rates Bylaw.

**Resolution No. 2018/152**

Councillor Hok moved to ratify Policy ASB 2.3 – No-Till Seed Drill as presented.

Carried.

**ASB Policy Approval –  
ASB 3.3 Weed Control  
City of Medicine Hat**

In order to encourage the City of Medicine Hat to control regulated weeds along roadsides that are adjacent to the County a grant is made available to the City to cover some portion of the costs associated with the control efforts. The ASB amended the policy to reflect the changes in the names and location of roads needing attention as well as increasing the dollar value of the maximum available grant.

**Resolution No. 2018/153**

Councillor McKenzie moved to ratify Policy ASB 3.3 Weed Control – City of Medicine Hat as presented.

Carried.

**ASB Policy Approval –  
ASB 3.4 Seed Cleaning  
Plant Licensing**

The ASB has amended the policy governing the licensing of seed cleaning plants. The Weed Control Act makes it the responsibility of a Municipal Weed Inspector to inspect and license seed cleaning plants. The previous policy was very prescriptive, which was un-necessary as the Act provides adequate guidance to the inspector for completing the inspection.

**Resolution No. 2018/154**

Councillor Belyea moved to ratify Policy ASB 3.4 – Seed Cleaning Plants Licensing as presented

Carried.

**ASB Policy Approval –  
ASB 7.0 Extensions  
Projects**

The ASB has amended the policy governing the ASB's commitment to agricultural and environmental extension programs and projects. The policy was amended to allow for more flexibility in the type of activities that can take place as well as providing some over all guiding principles to assist staff as they seek out relevant opportunities.

**Resolution No. 2018/155**

Councillor Vossler moved to ratify Policy ASB 7.0 – Extension Projects as presented.

Carried.

**ASB Policy Approval –  
Soil Erosion**

The Agricultural Service Board Act makes it the County's responsibility to administer the Soil Conservation Act. While this is not a piece of legislation that has been used in recent years, it was still felt it was advisable to have a policy in place. Upon review the ASB felt it was appropriate to combine the two policies into one. ASB 9.0 is the combined policy and ASB 9.3 can be rescinded to reflect this change.

**Resolution No. 2018/156**

Councillor Hok moved to ratify Policy ASB 9.3 Soil Erosion Control Using County Equipment as presented.

Carried.

**ASB Policy Approval –  
ASB 1.4 ASB  
Public Relations**

The ASB amended its policy governing public relations to clarify the roles and expectations of staff and ASB members in conveying good information to the public. It also creates the expectation that the ASB will actively play a role in advertising and promoting agriculture.

**Resolution No. 2018/157**

Councillor Kurpjuweit moved to ratify Policy ASB 1.4 ASB Public Relations as amended, by adding 8) Any print advertising must go through the Cypress County brand manager to maintain brand continuity and clarity.

Carried.



**ASB Policy Ratification –  
ASB 9.2 Soil and Water  
Quality Projects**

Upon review it was determined that ASB 9.2 governs a program that is no longer in place. The ASB now supports the Growing Forward 2 program, and producers are able access grant funding for projects through that program.

**Resolution No. 2018/158**

Councillor Geigle moved to ratify Policy ASB 9.2 – Soil and Water Quality Projects.

Carried.

**Protective Policies –  
Proposed Amendments**

The Protective Services Policies for a Peace Officer are over 10 years old and therefore, an update is required to ensure they are reflective of good governance and current legislation.

**Resolution No. 2018/159**

Councillor Kurpjuweit moved to approve PS 1 Care and Control of a Baton, PS 2 Care and Control of OC Spray, PS 3 Code of Conduct for a Peace Officer and PS 4 Handling of Public Complaints of a Peace Officer as presented.

Carried.

**Consent Agenda**

The consent agenda was presented. It included a letter that was sent to the Minister of Environment and Parks relating to prevention of Quagga and Zebra Muscles.

**Resolution No. 2018/160**

Deputy Reeve Hamilton moved to receive the consent agenda for information.

Carried.

**Rural Transportation  
Pilot Program**

Reeve Oster reported on the Provincial Pilot Program outlining the possible transportation options. The Rural Transportation Pilot Program will provide municipalities the opportunity to apply for funding to introduce new and expanded public transportation services to rural areas. Council discussed an option of a private ride for hire.

**Resolution No. 2018/161**

Councillor Vossler moved to receive for information.

Carried.

**RECESS:** 11:24 A.M.

**RECONVEINE:** 11:28 A.M.

**CORPORATE SERVICES:**

**Cancellation of Taxes**

Administration has reviewed the tax ledger and there are a four Tax rolls which have outstanding balances which are considered uncollectable.

**Resolution No. 2018/162**

Deputy Reeve Hamilton moved to direct Administration to cancel the taxes owing on tax rolls 1083200, 795800, 795700 and 24657000 for a total reduction in taxes receivable of \$495.85.

Carried.

**Community Aggregate Payment Levy**

The Community Aggregate Payment (CAP) Levy was introduced January 1, 2006 as a means to provide communities a visible and tangible benefit for local aggregate operations. The CAP Levy expired on December 31, 2017. New Regulations, introduced as of January 1, 2018, require that a municipality have a specific purpose for any monies collected under the CAP Levy and revenues may not be allocated to general municipal revenues.

**Resolution No. 2018/163**

Councillor Hok moved to direct Administration to draft a CAP Bylaw and provide notice to the public and Gravel Pit owners of intent to implement such Bylaw as of January 1, 2019.

Carried.

**Gravel Haul Tender**

On March 6, 2018, Council passed a motion to issue a Gravel Haul Request for Tender based on tonnes and kilometers for Gravel Haul. Administration has written a tender in line with direction received from Council. Prior to releasing the tender, Administration noted that issuing this tender is currently in contravention of Policy R7 Contract Gravel Trucks, and in contravention of Bylaw 2018-3 Master Rates.

**Resolution No. 2018/164**

Deputy Reeve Hamilton moved to lay on the table the discussion of Gravel Haul Tender to later in the meeting.

Carried.

**PUBLIC WORKS:**

**Policy R7 Contract  
Gravel Truckers –  
Proposed Amendment**

On March 06, 2018, Council directed Administration to tender the contract gravel haul in 2018 per tonne and per km for one year. Prior to releasing the tender, it was determined that issuing the tender would currently be in contravention of Policy R7 Contract Gravel Trucks and would need to be rationalized to accommodate the tender process.

Two draft policy options were presented, one with travel time rate set at 90% of road builders rates to and from gravel pits based out of Dunmore and one without the travel time rate. Both options include set tender bid price established by formula of Per Tonnes/km.

**Resolution No. 2018/165**

Councillor Mudie moved to postpone and bring back Policy R7 Contract Gravel Trucks proposed amendment to the April 17, 2018 meeting.

Carried.

**Resolution No. 2018/166**

Councillor Vossler moved take from the table the discussion of Gravel Haul Tender.

Carried.

**Resolution No. 2018/167**

Councillor Hok moved to postpone Gravel Haul Tender and bring back to the April 17, 2018 meeting.

Carried.

**CORPORATE SERVICES:**

**Financial Report**

The Financial Report ending February 28, 2018 was presented.

**Resolution No. 2018/168**

Councillor Belyea moved to receive the Financial Report ending February 28, 2018 as presented.

Carried.

**Director of Corporate Services Report**

The Director of Corporate Services Report was presented.

**Resolution No. 2018/169**

Deputy Reeve Hamilton moved to receive the Director Corporate Services Report as presented.

Carried.

**PUBLIC WORKS:**

**Irvine Durham Street Water and Sewer Sanitary Sewer Project**

Completion of the 2017 Irvine deep utility and paving project south of the CP Rail tracks was extended to be completed in July 2018. The project extension request and signed agreement with the Brooks Asphalt & Aggregate specifies the project completion date July 15, 2018. Durham Street in Irvine, Water and Sanitary Sewer Rehabilitation Project was approved in the 2018 capital budget for \$315,711.

**Resolution No. 2018/170**

Councillor Hok moved to direct Administration to obtain a change order on the existing 2017 Irvine Deep Utility and Paving Project with Brooks Asphalt & Aggregate to complete the Durham Street Water and Sanitary Sewer Rehabilitation Project with hot mix asphalt paving at a cost not to exceed \$360,157, with the increased amount of \$45,000 coming from the Road Rehabilitation Fund.

Carried.

**Resolution No. 2018/171**

Councillor Mudie moved to directed Administration to bring back cost estimates to develop 39 lots in Irvine.

Carried.

**Resolution No. 2018/172**

Councillor Mudie moved to direct Administration to bring back servicing costs of County lots between Christie Street and Thompson Street in Irvine to a future meeting.

Carried.

**Proposed CP Rail  
Crossing Closures**

At the February 20, 2018 meeting, Council directed Administration to approach the Town of Redcliff and area stakeholders for input on the proposed CP Rail Crossing closures at Rge Rd 65 and Rge Rd 70 at Highway 1 before moving forward with negotiations with CP Rail. Administration met with the Town of Redcliff Administration to discuss what affects the Town feels would impact them if Rge Rd 65 rail crossing were to be closed.

**Resolution No. 2018/173**

Councillor Vossler move to direct Administration to approach the Town of Redcliff to enter into a cost share agreement to have Rge Rd 65 rail crossing remain open and survey rate payers on closing the Rge Rd 70 rail crossing.

Carried.

**Director of Public Works Report**

The Director of Public Works Report was presented.

**Resolution No. 2018/174**

Councillor McKenzie moved to receive the Director of Public Works Report as presented.

Carried.

**REPORTS:**

**Chief Administrative Officer Report**

The Chief Administrative Officer Report was presented.

**Resolution No. 2018/175**

Councillor McKenzie moved to receive the Chief Administrative Officer Report as presented.

Carried.

**Reeve/Councillors' Reports**

Councillor Belyea attended the Canadian Badlands conference.

Councillor Mudie attended the Eastern Alberta Trade Corridor conference, Canadian Badlands conference and the Rural Municipalities of Alberta (RMA) convention.

Deputy Reeve Hamilton attend the RMA convention and the HALO AGM.

Councillor Kurpjuweit attended the RMA convention.

Councillor McKenzie attended the RMA convention and Cypress View Foundation meetings.

Reeve Oster attended the RMA convention, where he met with various ministers and attended the Economic Development Alliance meeting.

Council as a whole attend a dinner meeting with the City of Medicine Hat Council.

**Resolution No. 2018/176**

Councillor McKenzie moved to receive the Councillor reports as presented.

Carried.

**CONFIDENTIAL**

Doug Henderson, and Jeffrey Dowling attended to provide advice to Council and Curtis Richter and LesleyAnn Collins attended for general interest purposes. All staff were excused at 2:21 P.M.

**Resolution No. 2018/177**

Deputy Reeve Hamilton moved to close the meeting to the public for Agenda items 9a) Legal Opinion for Revoking Development Permit FOIP Section FOIP 27(1), 9b) Westar Landfill Update FOIP Section 27(1) and 9c) Legal FOIP Section 17(1) at 1:59 P.M.

Carried.

**Resolution No. 2018/178**

Councillor Hok moved to open the meeting to the public at 3:20 P.M.

Carried.

**Legal Opinion  
for Revoking  
Development  
Permit**

**Resolution No. 2018/179**

Councillor Vossler moved to receive for information.

Carried.

**Resolution No. 2018/180**

Deputy Reeve Hamilton moved to accept Chief Administrative Officer, Doug Henderson's resignation effective immediately.

Carried.

**Resolution No. 2018/181**

Deputy Reeve Hamilton moved to appoint Peter Tarnawsky to carry out the powers, duties and functions of Chief Administrative Officer on an interim basis for a term of not more than 6 months.

Carried.

**ADJOURN:** The Reeve declared the meeting adjourned at 4:20 P.M.

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REEVE

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DESIGNATED OFFICER