AGENDA
BIRCH HILLS COUNTY
REGULAR COUNCIL MEETING
TO BE HELD IN THE
WANHAM BIRCH HILLS COUNTY OFFICE
August 9, 2018

1. CALL THE MEETING TO ORDER

2. ADOPTION OF THE AGENDA

3. ADOPTION OF THE MINUTES

a. July 12, 2018 Regular Council Meeting Minutes (Page 3)

4. PUBLIC HEARING(S)

a. Public Hearing re Bylaw 2018-04, a bylaw to amend Land Use Bylaw 02-08 re Cannabis (Page 14)
b. Public Hearing re Bylaw 2018-05, a bylaw to amend Land Use Bylaw 02-08 by Rezoning Lot 1 Block 1 Plan 8920829 (Page 25)
c. Public Hearing re Bylaw 2018-06, a bylaw to amend Land Use Bylaw 02-08 re Waste Management Facilities (Page 29)

5. DELEGATIONS

9:30 AM a. Mr. Pat Carswell – Trace Water Solutions re Rycroft Alternative Water Hub Project (Page 34)
10:00 AM b. Mr. Murray Redel re invoice for fire at 252040 Highway 49 (See Item 9.b)

6. COUNCILLOR REPORTS

a. Reeve Manzulenko (Ward 4)
b. Deputy Reeve Carbone (Ward 7)
c. Councillor Paradis (Ward 1)
d. Councillor Wendland (Ward 2)
e. Councillor Reum (Ward 3)
f. Councillor Bogdanek (Ward 5)
g. Councillor Joudrey (Ward 6)

7. CHIEF ADMINISTRATIVE OFFICER REPORT

a. CAO Report (Page 35) (Directors Reports Only – CAO Verbal)
b. CAO Action Log (Page 40)

8. BYLAWS

a. Bylaw 2018-04 Amend LUB re Cannabis (Page 50)
b. Bylaw 2018-05 Amend Bylaw 02-08 to Rezone Lot 1 Block 1 Plan 8920829 (Page 51)
c. Bylaw 2018-06 Amend Bylaw 02-08 to include Waste Management Facilities (Page 52)

AGENDA
BIRCH HILLS COUNTY
REGULAR COUNCIL MEETING
TO BE HELD IN THE
WANHAM BIRCH HILLS COUNTY OFFICE
August 9, 2018 (continued)

9. BUSINESS ARISING OUT OF THE MINUTES (UNFINISHED BUSINESS)

a. PVCRTS (inputs to take to August 22, 2018 meeting) (Page 54)
b. Request for Reduction of Invoice for Fire Services (Page 65)
c. Request from Wayne & Stuart re Purcha re Fence Damages (Page 68)

10. NEW BUSINESS

a. Grande Spirit Foundation Harvest Dinner Fundraiser (Page 74)
b. Appointment of Weed Inspectors (Page 78)
c. Disposal of Assets – Misc. (Page 79)
d. Nomination and By-Election Dates (Page 84)
e. Appointment of Returning Officer (Page 88)
f. Upcoming Schedules (Page 90)
g. Appointment of Clerks – SDAB (Page 92)

11. FOR INFORMATION

a. Bank Reconciliation for period ending July 31, 2018 (Page 100)
b. Minutes from the Municipal Planning Commission
   Meeting held May 16, 2018 (Page 106)

12. CORRESPONDENCE

a. Letter dated July 16, 2018 re Payphone Removal (Page 107)
b. Letter dated July 25, 2018 from Minister of Municipal Affairs re Extensions and Exemptions for ICF's and IDP's (Page 108)

13. IN-CAMERA

a. Legal (To be distributed at meeting)

NEXT REGULAR COUNCIL MEETING DATE – September 13, 2018

Present:	**Reeve**	Gerald Manzulenko
	Deputy Reeve	Terry Carbone
	Councillor	Ginette Paradis
	Councillor	Deanne Wendland
	Councillor	Paul Reum
	Councillor	Denise Joudrey
	CAO	Hermann Minderlein
	Recording Secretary	Beverly Howard
Absent:	**Councillor**	Cheryl Bogdanek

CALL TO ORDER: **Reeve Manzulenko** called the meeting to order at 9:00 a.m.

ADOPTION OF AGENDA

RC18-208 Moved by Councillor Paradis that Council adopt the agenda of the July 12, 2018 Regular Council Meeting as presented.

CARRIED

ADOPTION OF MINUTES

Regular Council Meeting June 14, 2018

RC18-209 Moved by Councillor Wendland that Council approve the minutes of the June 14, 2018 Regular Council Meeting as presented.

CARRIED

COUNCILLOR REPORTS

Reeve Manzulenko

Reeve Manzulenko provided a verbal update on the Asset Management training he and CAO Minderlein attended in Grande Prairie on June 15, 2018, a meeting he, Councillor Reum, CAO Minderlein,and Lucy Stevenson had with Pat Carswell President of Trace Water Solutions on July 9, 2018, and a meeting he and CAO Minderlein had on July 10, 2018 with Rob Petrone and another representative from Canadian National Resource Limited (CNRL).

Deputy Reeve Carbone

Deputy Reeve Carbone provided a verbal update on the G5 General Meeting he attended on June 25, 2018 and the Health Clinic Corporation and Committee Meeting he attended on June 14, 2018.

Councillor Paradis

Councillor Paradis made mention of the Eaglesham Adventure Race she volunteered at June 21, 2018.

Councillor Wendland Councillor Wendland provided a verbal update to the written report she provided to Council regarding the Peace Valley Conservation Recreation and Tourism Society (PVCRTS) Meeting on June 20, 2018 and the G5 General Meeting on June 25, 2018 in Spirit River.

Councillor Reum Councillor Reum provided a verbal update on the CPREM Meeting he attended June 28, 2018.

Councillor Bogdanek Absent.

Councillor Joudrey Councillor Joudrey provided a verbal update to the written report she provided to Council regarding the Grande Spirit Foundation Management Committee (GSFMC) Meeting she attended on June 22, 2018 in Beaver Lodge, the G5 General Meeting on June 25, 2018 in Spirit River and the Central Peace Physician Attraction and Retention Committee (CPPARC) Meeting in Spirit River on July 11, 2018.

RC18-210 Moved by Councillor Joudrey that Council accept the Councillor Reports for information.

CARRIED

DELEGATIONS None.

CHIEF ADMINISTRATIVE OFFICER'S REPORTS

CAO Report CAO Minderlein provided Council with a verbal update to the written report that had been distributed to Council.

RC18-211 Moved by Councillor Wendland that Council receive the CAO's written report and verbal update as information.

CARRIED

RC18-212 Moved by Councillor Paradis that Administration be directed to advertise to fill an anticipated vacancy on the Municipal Planning Commission, and to bring information regarding any applicants to a future Council Meeting.

CARRIED

CAO Action Log Council reviewed the CAO Action Log updated to June 11, 2018 provided in the Agenda Package.

RC18-213 Moved by Deputy Reeve Carbone that Council receive the CAO Action Log for information.

CARRIED

Meeting was recessed at 9:51 a.m.

Meeting was resumed at 9:55 a.m.

BYLAWS

Bylaw 2018-04 Amend LUB re Cannabis

Council was presented with Bylaw 2018-04, a bylaw to amend Land Use Bylaw 02-08.

RC18-214 Moved by Councillor Joudrey that Council provide 1st reading to Bylaw 2018-04.

CARRIED

RC18-215 Moved by Councillor Reum that Council direct Administration to bring back Bylaw 2018-04 for 2nd and 3rd reading at the August 9, 2018 Regular Council Meeting.

CARRIED

RC18-216 Moved by Councillor Wendland that Council set August 9, 2018 as the date for the public hearing on Bylaw 2018-04.

CARRIED

Bylaw 2018-05 Rezone Lot 1 Block 1 Plan 8920829

Council was presented with Bylaw 2018-05, a bylaw to amend Land Use Bylaw 02-08.

RC18-217 Moved by Deputy Reeve Carbone that Council provide 1st reading to Bylaw 2018-05.

CARRIED

RC18-218 Moved by Councillor Paradis that Council direct Administration to bring Bylaw 2018-05 for 2nd and 3rd reading at the August 9, 2018 Regular Council Meeting.

CARRIED

RC18-219 Moved by Councillor Wendland that Council set August 9, 2018 as the date for the public hearing on Bylaw 2018-05.

CARRIED

DRAFT

Bylaw 2018-06 Waste Management Facility

Council was presented with Bylaw 2018-06, a bylaw to amend Land Use Bylaw 02-08.

RC18-220 Moved by Councillor Paradis that Council provide 1st reading to Bylaw 2018-06.

CARRIED

RC18-221 Moved by Councillor Wendland that Council direct Administration to bring back Bylaw 2018-06 for 2nd and 3rd reading at the August 9, 2018 Regular Council Meeting.

CARRIED

RC18-222 Moved by Deputy Reeve Carbone that Council set August 9, 2018 as the date for the public hearing on Bylaw 2018-06.

CARRIED

UNFINISHED BUSINESS

Trucks Slated to Go to Auction

Council was requested to amend the list of County trucks slated for disposal by means of auction.

RC18-223 Moved by Councillor Joudrey that Council Rescind motion RC18-84.

CARRIED

RC18-224 Moved by Deputy Reeve Carbone that Council direct Administration to sell the four 4WD pickup trucks with unit numbers 126, 138, 139, and 145 at a future auction.

CARRIED

Appointment(s) to Municipal Library Board

Council was requested to amend the appointments made to the Municipal Library Board.

RC18-225 Moved by Councillor Reum that Council rescind resolution RC17-360.

CARRIED

RC18-226 Moved by Deputy Reeve Carbone that Council appoint Councillor(s) Paradis and (alternate) Joudrey to sit on the Peace Library System (PLS).

CARRIED

RC18-227 Moved by Councillor Wendland that Council appoint Councillor Paradis to sit on the Municipal Library Board.

CARRIED

DRAFT

NEW BUSINESS

Terms and Conditions

Council was requested to set the terms and conditions that will apply to the sale of parcels of land shown on the County's 2018 Tax Arrears List.

RC18-228 Moved by Councillor Paradis that Council set the Terms and Conditions of the 2018 Tax Sale, scheduled for October 1, 2018, to be a 10% down payment payable on the day of the sale and the remaining balance to be paid within 10 days.

CARRIED

Request for Cash Lease Agreement

Council was requested to authorize a cash lease agreement for Plan 8220700 Block 4 excepting thereout Lots 4MR and 7 in the hamlet of Eaglesham to Barb Chandonnet.

RC18-229 Moved by Councillor Joudrey that Council authorize Administration to enter into a lease agreement (on behalf of Birch Hills County) with Mrs. Barb Chandonnet of Raybar Enterprises Ltd. for the lands located at Plan 8220700 Block 4 excepting thereout Lots 4MR and 7 for the purpose of harvesting hay.

CARRIED

Request from PVCRTS

Council was provided with a letter received from the Peace Valley Conservation Recreation and Tourism Society (PVCRTS) requesting that each of the member municipalities provide input through their appointed representatives as to the direction for the future of the Society.

RC18-230 Moved by Councillor Wendland that Council direct Administration to advertise for input from Birch Hills County residents for new access points to the Peace River as well as potential economic development opportunities related to tourism along the Peace River with a deadline for responses of July 31, 2018, and to direct Administration to add this item to the August 9, 2018 Regular Council Meeting for additional discussion and to provide the representative to the PVCRTS and the CAO with input to take to the August 22, 2018 meeting.

CARRIED

DRAFT

Royal Canadian Legion Request for Support

Council was provided with a request received by CAO Minderlein from the Alberta-Northwest Territories Command of The Royal Canadian Legion for Birch Hills County to purchase an advertisement in their annual Military Service Recognition Book.

RC18-231 Moved by Councillor Paradis that Council authorize the expenditure of $323.81 (excluding GST) from Council Expense Account 2-11-10-00-221, Advertising for the purchase of a 1/10th page (business card size) full color advertisement in the Royal Canadian Legion's annual Military Service Recognition Book.

CARRIED

Proclamation – National Drowning Prevention Week

Council was requested to adopt a resolution proclaiming July 15-21, 2018 as National Drowning Prevention Week in Birch Hills County.

RC18-232 Moved by Councillor Reum that

WHEREAS: the mission of the Lifesaving Society Canada is to prevent drowning throughout this great country, and even one drowning in Alberta is one too many; and

WHEREAS: most drownings are preventable in a Water Smart community, and only through Water Smart education and a healthy respect for the potential danger that any body of water may present can we truly enjoy the beauty and recreation opportunities offered by these bodies of water; and

WHEREAS: the Lifesaving Society urges Canadians and residents of Birch Hills County in the Province of Alberta to actively supervise children who are in and around the water, to refrain from drinking alcoholic beverages while participating in aquatic activities, and to wear a lifejacket at all times while boating; and

WHEREAS: the Lifesaving Society Canada has declared July 15-21, 2018 National Drowning Prevention Week to focus on the drowning problem and the hundreds of lives that could be saved this year.

THEREFORE: Reeve and Council for Birch Hills County do hereby proclaim July 15-21, 2018 National Drowning Prevention Week in Birch Hills County in the Province of Alberta and do commend its thoughtful recognition to all citizens of Birch Hills County in the Province of Alberta.

CARRIED

Eaglesham Fire Department Request for Support – Barrels & Buckles

Council was presented with a request from the Eaglesham Fire Fighter Society for the County to provide the Eaglesham Hall for use for their Barrels and Buckles fundraiser event on July 21 and 22, 2018.

RC18-233 Moved by Councillor Paradis that Council approve the provision of a Grant of an amount up to $125.00 to the Eaglesham Fire Fighter Society to be utilized to cover Eaglesham Hall rental for the Barrels and Buckles fundraiser event planned for July 21 and 22, 2018 provided that the facilities and equipment are returned in good repair and to standard of cleanliness that will be inspected and approved by the County's representatives.

CARRIED

G5 Application – AB Water for Life – Regional Water System

Council was requested to provide a letter of support to Saddle Hills County for an application to Alberta Transportation for a Grant under the Water for Life Program to develop a water source from the Peace River for our Central Peace (G5) municipalities.

RC18-234 Moved by Councillor Joudrey that Council direct Administration to draft a letter for Reeve Manzulenko's signature to Saddle Hills County in support of their application for an Alberta

Transportation Water for Life Program Grant to support efforts to develop a water source from the Peace River for the Central Peace (G5) municipalities.

CARRIED

Request for Reduction of Invoice for Fire Services

Council was provided with a letter from Murray Redel that was delivered on July 9, 2018 requesting Council to reduce an invoice prepared for fire services to a structure and grass fire at 252040 Highway 49.

RC18-235 Moved by Councillor Paradis that Council table the request from Mr. Murray Redel regarding Invoice 10332 to the August 9, 2018 Regular Council Meeting and direct Administration to invite Mr. Redel to appear as a delegation to that meeting.

CARRIED

FOR INFORMATION

Council was provided with a copy of the following information documents that had been supplied by Administration:

1. Birch Hills County Library Board Draft Minutes – June 13, 2018
2. Reconciliation for period ending June 30, 2018
3. Website Statistics
4. Minutes of the MPC Meeting held Jun 22, 2016
5. Minutes of the MPC Meeting held Jul 6, 2016
6. Minutes of the MPC Meeting held Dec 7, 2016
7. Minutes of the MPC Meeting held Feb 10, 2017
8. Minutes of the MPC Meeting held Jun 6, 2017
9. Minutes of the MPC Meeting held Jul 6, 2017
10. Minutes of the MPC Meeting held Jul 18, 2017
11. Minutes of the MPC Meeting held Sept 6, 2017
12. Minutes of the MPC Meeting held Nov 7, 2017
13. Minutes of the MPC Meeting held Nov 21, 2017
14. 2018 Capital Budget Update
15. 2018 Operating & Maintenance Budget Update

RC18-236 Moved by Councillor Joudrey that Council accept the information items for information.

CARRIED

CORRESPONDENCE

Council was provided with a copy of the following correspondence that had been received or sent by the County:

1. Letter dated June 22, 2018 re ARPA Workshop(s)

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2. Letter dated June 25, 2018 Approving MSI Capital Projects
3. Letter dated June 28, 2018 re Stars of Alberta Volunteer Awards
4. Follow-Up Invitation re Doug Griffiths Presentation

RC18-237 Moved by Councillor Joudrey that Council accept the correspondence provided for information.

CARRIED

Meeting was recessed at 10:34 a.m.

Meeting was resumed at 10:43 a.m.

IN-CAMERA

In-Camera

Administration was to provide Council with information related to a response received to the Request for Proposal for the Eaglesham Airport, and another matter that is legal in nature.

RC18-238 Moved by Councillor Joudrey that Council close the July 12, 2018 Regular Council Meeting to the public for the following Agenda items:
12.a Legal – Eaglesham Airport
12.b Legal – Claim by Landowner
as per Section 27, FOIP Act at 10:45 a.m.

CARRIED

RC18-239 Moved by Councillor Joudrey that Council open the July 12, 2018 Regular Council Meeting to the public at 12:03 p.m.

CARRIED

RC18-240 Moved by Councillor Wendland that Council approve the sale of the Eaglesham airstrip property located at Plan 832 1887 (North Portions SE/SW 27-78-26-W5M) to Mr. David Suter of Delta Tango Aviation Services Ltd. for a total price of $230,000.00 and direct Administration to contact the County's legal representatives at Reynolds, Mirth, Richards, and Farmer to arrange for the sale of the property with the following conditions (provided that they may be included in the sales agreement):

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a. The property is being sold on an "as is where is" basis;
b. The sale of the property will be subject to:
   i. Mr. Suter (the purchaser) will be responsible to honour the remaining period of any current leases provided that those lease holders are agreeable to the transfer of the lease;
   ii The purchaser will be required to take all actions necessary to continue the operation of the airstrip portion of the property and permit the use of the airstrip by the public for that purpose for a period of no less than ten (10) years from the date of transfer;
   iii The purchaser will be required to obtain permits to begin the development of those improvements spelled out in their proposal (repair of the airstrip and the construction of a hanger and residence) within two (2) years of obtaining title for the property; and
   iv Failure by the purchaser to adhere to any conditions of the sales agreement will result in the sale being declared void, and the sales proceeds (less all of the municipality's costs related to the sale of the property plus all costs required to reacquire title for the property plus ten percent (10%) of the original purchase price) being returned to the purchaser.

CARRIED

RC18-241 Moved by Councillor Paradis that Council direct Administration to conduct an investigation regarding the claim by Wayne and Stuart Purcha that damages had been sustained to a fence along the east side of their property at NE 25 77 25 W 5 due to the roadside brushing, and report back to Council with photographic evidence at the August 9, 2018 Regular Council Meeting on the following:

1. was the damage referred to by the Purchas on their property caused by the roadside brushing;
2. were any of the damages preexisting, and if so, is it reasonable to determine what portion of the

damage was preexisting and what portion resulted from the roadside brushing;

3. if some or all of the damages are attributable to the roadside brushing, what are the available options to repair those damages, and what are the costs for each of the options: and
4. if some or all of the damages are attributable to the roadside brushing, does the contractor concur with the findings, and what, if any, action is he/she willing to undertake or contribute to rectify the situation.

CARRIED

ADJOURNMENT

Being that there was no further business, Reeve Manzulenko adjourned the meeting at 12:10 p.m.

DRAFT

Original to be Signed by
GERALD MANZULENKO
REEVE

Original to be Signed by
HERMANN MINDERLEIN
CAO

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Hermann Minderlein CAO	**Manager:**	
Item Title:	Public Hearing re Bylaw 2018-04 Amend LUB re Cannabis	**Presenter:**	Lucy Stevenson Tax/Dev. Clerk and CAO/Development Officer Hermann Minderlein

DESCRIPTION:

Birch Hills County is required to hold a Public Hearing regarding Bylaw 2018-04, bylaw to amend the Birch Hills County Land Use Bylaw re Cannabis. Bylaw 2018-04 will be presented for second and third reading later on as part of this Regular Council Meeting agenda.

As a point of order, Administration is reminding Council that as per Section 4.16 of Bylaw 2014-06, the Procedural Bylaw, "Recording of Public Hearings or quasi-judicial meetings (e.g. Subdivision Appeal Board) will not be permitted" and advising Council that the recorder will be turned off until the Public Hearing has been completed.

BACKGROUND:

The federal government passed Bill C-45 and announced that the formal date for cannabis legalization will be October 17, 2018. Requests for development in Birch Hills County related to the legalization are not anticipated, but in the event that applications are received prior to the adoption of the Land Use Bylaw update that is underway, Administration recommends that Bill C-45 be addressed in the Land Use Bylaw.

RELEVANT LEGISLATION (Cite):

In accordance with MGA, Section 692(1)(e) - before giving second reading to a proposed planning bylaw, a council must hold a public hearing with respect to the proposed planning bylaw in accordance with section 230 after giving notice of it in accordance with MGA, Section 606 - the bylaw is required to be advertised for two consecutive weeks before second reading takes place.

Legislation related to Public Hearings may be found in Section 230 of the Municipal Government Act, and a copy of that Legislation is included in this package.

Additional legislation regarding Public Hearings is included in Section 5 of Birch Hills County Bylaw 2014-06, the Procedural Bylaw, and a copy of that section has also been included in this package.

Birch Hills County Land Use Bylaw No. 02-08 and Amendments thereof
Section 8.2: The Amendment Process

ATTACHMENT(S):

Municipal Government Act Revised Statutes of Alberta 2000 Chapter M-26
Sections 230(1) Public Hearings, 606(1) Requirements for advertising and 692(1) Planning bylaws.

Section 5 of Birch Hills County Bylaw 2014-06, the Procedural Bylaw

Agenda/schedule for Public Hearing re Bylaw 2018-04

Bylaw No. 2018-04, Amend LUB re Cannabis

RECOMMENDED ACTION:

It is Administration's recommendation that Council proceed with the Public Hearing as per the Agenda/schedule included with this RFD.

Excerpt from Municipal Government Act (MGA)

Public Hearing

When to hold public hearing

230(1) When this or another enactment requires council to hold a public hearing on a proposed bylaw or resolution, the public hearing must be held, unless another enactment specifies otherwise,

(a) before second reading of the bylaw, or

(b) before council votes on the resolution.

(2) If a public hearing is held on a proposed bylaw or resolution, council must conduct the public hearing during a regular or special council meeting.

(3) A council may by bylaw establish procedures for public hearings.

(4) In the public hearing, council

(a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw or resolution and who has complied with the procedures outlined by the council, and

(b) may hear any other person who wishes to make representations and whom the council agrees to hear.

(5) After considering the representations made to it about a proposed bylaw or resolution at a public hearing and after considering any other matter it considers appropriate, the council may

(a) pass the bylaw or resolution,

(b) make any amendment to the bylaw or resolution it considers necessary and proceed to pass it without further advertisement or hearing, or

(c) defeat the bylaw or resolution.

(6) The minutes of the council meeting during which a public hearing is held must record the public hearing to the extent directed by the council.

RSA 2000 cM-26 s230;2015 c8 s31

Excerpt from Municipal Government Act (MGA)

Requirements for advertising

606(1) The requirements of this section apply when this or another enactment requires a bylaw, resolution, meeting, public hearing or something else to be advertised by a municipality, unless this or another enactment specifies otherwise.

(2) Notice of the bylaw, resolution, meeting, public hearing or other thing must be

(a) published at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held,

(b) mailed or delivered to every residence in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held, or

(c) given by a method provided for in a bylaw under section 606.1.

(3) A notice of a proposed bylaw must be advertised under subsection (2) before second reading.

(4) A notice of a proposed resolution must be advertised under subsection (2) before it is voted on by council.

(5) A notice of a meeting, public hearing or other thing must be advertised under subsection (2) at least 5 days before the meeting, public hearing or thing occurs.

(6) A notice must contain

(a) a statement of the general purpose of the proposed bylaw, resolution, meeting, public hearing or other thing,

(b) the address where a copy of the proposed bylaw, resolution or other thing, and any document relating to it or to the meeting or public hearing may be inspected,

(c) in the case of a bylaw or resolution, an outline of the procedure to be followed by anyone wishing to file a petition in respect of it, and

(d) in the case of a meeting or public hearing, the date, time and place where it will be held.

(7) A certificate of a designated officer certifying that something has been advertised in accordance with this section is proof, in the absence of evidence to the contrary, of the matters set out in the certificate.

(8) The certificate is admissible in evidence without proof of the appointment or signature of the person who signed the certificate.

RSA 2000 cM-26 s606;2015 c8 s56;2017 c13 s3

Excerpt from Municipal Government Act (MGA)

Planning bylaws

692(1) Before giving second reading to

(a) a proposed bylaw to adopt an intermunicipal development plan,

(b) a proposed bylaw to adopt a municipal development plan,

(c) a proposed bylaw to adopt an area structure plan,

(d) a proposed bylaw to adopt an area redevelopment plan,

(e) a proposed land use bylaw, or

(f) a proposed bylaw amending a statutory plan or land use bylaw referred to in clauses (a) to (e),

a council must hold a public hearing with respect to the proposed bylaw in accordance with section 230 after giving notice of it in accordance with section 606.

(2) Despite subsection (1), if a proposed development relates to more than one proposed bylaw referred to in subsection (1), the council may hold a single public hearing.

(3) Despite subsection (1), in the case of a public hearing for a proposed bylaw adopting or amending an intermunicipal development plan,

(a) councils may hold a joint public hearing to which section 184 does not apply, and

(b) municipalities may act jointly to satisfy the advertising requirements of section 606.

(4) In the case of an amendment to a land use bylaw to change the district designation of a parcel of land, the municipality must, in addition to the requirements of subsection (1),

(a) include in the notice described in section 606(2)

(i) the municipal address, if any, and the legal address of the parcel of land, and

(ii) a map showing the location of the parcel of land,

(b) give written notice containing the information described in clause (a) and in section 606(6) to the assessed owner of that parcel of land at the name and address shown on the assessment roll of the municipality, and

(c) give a written notice containing the information described in clause (a) and in section 606(6) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.

(5) If the land referred to in subsection (4)(c) is in another municipality, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.

Excerpt from Municipal Government Act (MGA)

(6) Despite subsection (1), a bylaw referred to in subsection (1) may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the bylaw in principle or substance.

(6.1) Subsection (1)(f) does not apply in respect of a proposed bylaw amending a statutory plan or land use bylaw to specify the purposes of a community services reserve.

(7) In this section,

(a) "adjacent land" means land that is contiguous to the parcel of land that is being redesignated and includes

(i) land that would be contiguous if not for a highway, road, river or stream, and

(ii) any other land identified in the land use bylaw as adjacent land for the purpose of notifications under this section;

(b) "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.

(8) If an ALSA regional plan requires a council to pass a bylaw referred to in this section, the council must

(a) consider whether, in view of the requirement in the ALSA regional plan, consultation is necessary, desirable or beneficial, and

(b) decide whether or not to proceed with consultation.

(9) If a council decides under subsection (8) that consultation is neither necessary nor desirable or would not be beneficial, subsections (1) to (7) do not apply to the council in respect of the bylaw concerned.

RSA 2000 cM-26 s692;2008 c37 s9;2009 cA-26.8 s83

4.19 Delegations or other persons may participate in a Council meeting or Public Hearing by electronic or other means if Council passes a resolution authorizing participation of a delegation or other persons in a Council meeting or Public Hearing by electronic or other means.

5.0 PUBLIC HEARINGS

5.1 Public Hearings will be held in conjunction with a Regular Council meeting. However, a special Council meeting for the purpose of holding a Public Hearing may be called.

5.2 The procedure for a Public Hearing is as follows:

a) The Chair will call for a motion to go into Public Hearing;
b) The Chair will introduce members of Council and staff, outline the purpose of the Public Hearing, the process to be followed in the Public Hearing and any preliminary matters;
c) If applicable,

   i. Birch Hills County staff will present their report followed by questions for clarification by Council; or
   ii. The proponent or their agent will be requested to present his/her application within a reasonable time period followed by questions for clarification by Council;

d) After identifying themselves, members of the public will be invited to make a verbal presentation followed by questions for clarification by Council;
e) Depending on the number of written submissions, Birch Hills County staff may provide a report on the number of written submissions received and if appropriate a general overview of the contents of the written submissions;
f) Verbal or written representation from the federal governments or federal agencies will be invited to make a verbal presentation followed by questions for clarification by Council;
g) Verbal or written representation, representatives from the provincial government or provincial agencies will be invited to make a verbal presentation followed by questions for clarification by Council;
h) After identifying themselves, representatives from municipal governments or municipal agencies will be invited to make a verbal presentation followed by questions for clarification by Council;
i) If applicable

   i. Birch Hills County planning staff will present a closing summary and respond to any questions that may have been raised in the presentations; and
   ii. The proponent or their agent will present a closing summary and respond to any questions that may have been raised in the presentations.

5.3 The use of slides, maps, videos and other similar materials is permitted and these along with written submissions become the property of Birch Hills County as exhibits to the hearing.

5.4 Persons addressing Council shall give their name, location of residence, an indication as to whether they are speaking on their own behalf or for another person or a group, and address the Chair when responding to questions or providing information.

5.5 Individuals may speak for a maximum of five (5) minutes.

5.6 One spokesperson per petition or group may speak for a maximum of ten (10) minutes.

5.7 At the discretion of the Chair, the time limits for speaking and presentations may be extended to ensure that all interested parties have had a fair and equitable opportunity to express their views.

5.8 At the discretion of the Chair, after everyone has had an opportunity to speak once, those interested in speaking a further time and providing new information, may be granted further opportunity to speak.

5.9 The Chair is hereby authorized to make any other decisions or determinations with respect to the process or rules of order for the Public Hearing.

5.10 The minutes of a Council meeting during which a Public Hearing is held must contain the names of the speakers and a summary of the nature of representations made at the Public Hearing.

6.0 COUNCIL REVIEW HEARING

6.1 In this section, the following terms have the following meanings:

a) "Order to Remedy" means an order issued under 545 or 546 of the *Act;*
b) "Review Hearing" means a review by Council of an Order to Remedy in accordance with section 547 of the *Act;*
c) "Staff" means a designated officer of Birch Hills County or an employee of Birch Hills County that has been delegated the responsibility to issue an Order to Remedy.

6.2 A request for a Review Hearing must meet the requirements of section 547 of the *Act* and shall include:

a) the name of the appellant;
b) the address of the property to which the Order to Remedy relates;
c) the reasons for the request to review the Order to Remedy;
d) daytime contact telephone number of the appellant; and
e) any address to which documents relating to the Review Hearing may be delivered.

6.3 The Chief Administrative Officer will schedule the Review Hearing to be heard at a regular Council Meeting as soon as practicable following receipt of the request after ensuring that all parties have sufficient time to prepare for the Review Hearing.

6.4 Written submissions from the appellant and Staff must be submitted not less than seven (7) days prior to the Review Hearing and will be distributed as part of the Council Agenda.

BIRCH HILLS COUNTY
PUBLIC HEARING RE BYLAW 2018-04

1. The Chair to call for a motion to go into a Public Hearing

RC18-___ Moved by _____ that Council go into Public Hearing related to Bylaw No. 2018-04, to Amend LUB re Cannabis Bylaw.

2. The Chair will introduce members of Council and staff.

3. The Chair will outline the purpose of the Public Hearing, that being Bylaw No. 2018-04, to Amend LUB re Cannabis Bylaw. The chair will outline the process to be followed, that being:

a. Hermann Minderlein, Development Officer, and Lucy Stevenson, Development Clerk, for Birch Hills County will present a report followed by questions for clarification by Council:

b. After identifying themselves, members of the public will be invited to make a verbal presentation followed by questions for clarification by Council. Persons addressing Council shall give their name, location of residence, an indication as to whether they are speaking on their own behalf or for another person or a group and address the Chair when responding to questions or providing information.

i. Individuals may speak for a maximum of five (5) minutes;

ii. One spokesperson per group may speak for a maximum of ten (10) minutes;

iii. At the discretion of the Chair, the time limits for speaking and presentations may be extended to ensure that all interested parties have had a fair and equitable opportunity to express their views; and

iv. At the discretion of the Chair, after everyone has had an opportunity to speak once, those interested in speaking a further time and providing new information, may be granted further opportunity to speak.

4. Depending on the number of written submissions, Birch Hills County staff may provide a report on the number of written submissions received and if appropriate a general overview of the contents of the written submissions**.**

5. If applicable, Birch Hills County staff will present a closing summary and respond to any questions that may have been raised in the presentations.

6. The Chair is authorized to make any other decisions or determinations with respect to the process or rules of order for the Public Hearing.

7. The Chair to call for a motion to adjourn the Public Hearing

RC18-___ Moved by _____ _____ that Council adjourn the Public Hearing related to Bylaw No. 2018-04, to Amend LUB re Cannabis Bylaw.

BYLAW NO. 2018-04

BEING A BYLAW OF BIRCH HILLS COUNTY IN THE PROVINCE OF ALBERTA TO AMEND THE BIRCH HILLS COUNTY LAND USE BYLAW NO. 02-08

WHEREAS Pursuant to the Municipal Government Act, Revised Statues of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;

WHEREAS The Council of Birch Hills County, in the Province of Alberta, has adopted Birch Hills County Land Use Bylaw No. 02-08, as amended, and;

WHEREAS The Council of Birch Hills County, in the Province of Alberta, has deemed it desirable to amend its Land Use Bylaw to provide for the legalization of cannabis;

NOW THEREFORE Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, the Council of Birch Hills County, duly assembled, hereby enacts as follows:

1. Add the following definition “Cannabis”, to Section 2:

   “Cannabis**”** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time.

2. Add the following definition “Cannabis Retail Sales”, to Section 2:

   “Cannabis Retail Sales” means a retail store licensed by the Alberta Liquor and Gaming Commission (AGLC) where cannabis and cannabis accessories are sold to individuals who attend at the premises.

3. Add the following definition “Cannabis Production Facility”, to Section 2:

   “Cannabis Production Facility” means a premise used for growing, producing, testing, destroying, storing, or distribution of cannabis authorized by a license issued by Health Canada.

DRAFT

4. Add the following to Section 3.3.8 *Development Authority's Discretion* be replaced with:

> 3.3.8 Notwithstanding Sections 3.2.2(b) and 3.3.1, if a proposed use of land or a building is not listed as a "Permitted Use" or "Discretionary Use" in the Bylaw or is not listed in the Definitions Section of this bylaw, the Municipal Planning Commission may determine that such a use is similar in character and purpose to a use listed under that land use district and may issue a development permit.

This Bylaw shall come into effect the date of the final passage thereof.

READ a first time this 12th day of July, 2018.

READ a second time this 9th day of August, 2018.

READ a third and final time this 9th day of August, 2018.

SIGNED this 9th day of August, 2018.

_____	_____
Reeve	Chief Administrative Officer
Gerald Manzulenko	Hermann Minderlein

DRAFT

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Hermann Minderlein CAO	**Manager:**	
Item Title:	Public Hearing Bylaw 2018-05 to Amend Bylaw 02-08 to Rezone Lot 1 Block 1 Plan 8920829	**Presenter:**	Lucy Stevenson Tax/Dev. Clerk and CAO/Development Officer Hermann Minderlein

DESCRIPTION:

Birch Hills County is required to hold a Public Hearing regarding Bylaw 2018-05, a bylaw to amend the Birch Hills County Land Use Bylaw 02-08 to Rezone Lot 1 Block 1 Plan 8920829. Bylaw 2018-05 will be presented for second and third reading later on as part of this Regular Council Meeting agenda.

As a point of order, Administration is reminding Council that as per Section 4.16 of Bylaw 2014-06, the Procedural Bylaw, "Recording of Public Hearings or quasi-judicial meetings (e.g. Subdivision Appeal Board) will not be permitted" and advising Council that the recorder will be turned off until the Public Hearing has been completed.

BACKGROUND:

Staff received a Land Use Bylaw Amendment application to rezone Lot 1 Block 1 Plan 8920829 from the district of Hamlet General to Agriculture Restricted. The owner is selling her property and believes that the zone change would help to market the land.

RELEVANT LEGISLATION (Cite):

In accordance with MGA, Section 692(1)(e) - before giving second reading to a proposed planning bylaw, a council must hold a public hearing with respect to the proposed planning bylaw in accordance with section 230 after giving notice of it in accordance with MGA, Section 606 - the bylaw is required to be advertised for two consecutive weeks before second reading takes place.

Legislation related to Public Hearings may be found in Section 230 of the Municipal Government Act, and a copy of that Legislation is included in this package.

Additional legislation regarding Public Hearings is included in Section 5 of Birch Hills County Bylaw 2014-06, the Procedural Bylaw, and a copy of that section has also been included in this package.

Birch Hills County Land Use Bylaw No. 02-08 and Amendments thereof
Section 8.2: The Amendment Process

ATTACHMENT(S):

Municipal Government Act Revised Statutes of Alberta 2000 Chapter M-26
Sections 230(1) Public Hearings, 606(1) Requirements for advertising and 692(1) Planning bylaws. (See Item 4.a - Page 16 of Agenda Package)

Section 5 of Birch Hills County Bylaw 2014-06, the Procedural Bylaw (See Item 4.a - Page 20 of Agenda Package)

Agenda/schedule for Public Hearing re Bylaw 2018-05

Bylaw No. 2018-05, Amend Bylaw 02-08 to Rezone Lot 1 Block 1 Plan 8920829

RECOMMENDED ACTION:

It is Administration's recommendation that Council proceed with the Public Hearing as per the Agenda/schedule included with this RFD.

BIRCH HILLS COUNTY
PUBLIC HEARING RE BYLAW 2018-05

1. The Chair to call for a motion to go into a Public Hearing

RC18-___ Moved by _____ that Council go into Public Hearing related to Bylaw No. 2018-05, to Amend Bylaw 02-08 to Rezone Lot 1 Block 1 Plan 8920829.

2. The Chair will introduce members of Council and staff.

3. The Chair will outline the purpose of the Public Hearing, that being Bylaw No. 2018-05, to Amend Bylaw No. 02-08 to Rezone Lot 1 Block 1 Plan 8920829. The chair will outline the process to be followed, that being:

a. Hermann Minderlein, Development Officer, and Lucy Stevenson, Development Clerk, for Birch Hills County will present a report followed by questions for clarification by Council:

b. After identifying themselves, members of the public will be invited to make a verbal presentation followed by questions for clarification by Council. Persons addressing Council shall give their name, location of residence, an indication as to whether they are speaking on their own behalf or for another person or a group and address the Chair when responding to questions or providing information.

i. Individuals may speak for a maximum of five (5) minutes;

ii. One spokesperson per group may speak for a maximum of ten (10) minutes;

iii. At the discretion of the Chair, the time limits for speaking and presentations may be extended to ensure that all interested parties have had a fair and equitable opportunity to express their views; and

iv. At the discretion of the Chair, after everyone has had an opportunity to speak once, those interested in speaking a further time and providing new information, may be granted further opportunity to speak.

4. Depending on the number of written submissions, Birch Hills County staff may provide a report on the number of written submissions received and if appropriate a general overview of the contents of the written submissions**.**

5. If applicable, Birch Hills County staff will present a closing summary and respond to any questions that may have been raised in the presentations.

6. The Chair is authorized to make any other decisions or determinations with respect to the process or rules of order for the Public Hearing.

7. The Chair to call for a motion to adjourn the Public Hearing

RC18-___ Moved by _____ _____ that Council adjourn the Public Hearing related to Bylaw No. 2018-05, to Amend Bylaw 02-08 to Rezone Lot 1 Block 1 Plan 8920829.

BYLAW NO. 2018-05

BEING A BYLAW OF BIRCH HILLS COUNTY IN THE PROVINCE OF ALBERTA TO AMEND THE BIRCH HILLS COUNTY LAND USE BYLAW NO. 02-08

WHEREAS Pursuant to the Municipal Government Act, Revised Statues of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;

WHEREAS The Council of Birch Hills County, in the Province of Alberta, has adopted Birch Hills County Land Use Bylaw No. 02-08, as amended, and;

WHEREAS The Council of Birch Hills County, in the Province of Alberta, has deemed it desirable to amend its Land Use Bylaw to provide for the rezoning of Lot 1 Block 1 Plan 8920829;

NOW THEREFORE Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, the Council of Birch Hills County, duly assembled, hereby enacts as follows:

1. The portion located in Lot 1 Block 1 Plan 8920829, as shown on attached Schedule "A", be re-designated from Hamlet General (HG) to Agriculture Restricted (AR) District.

This Bylaw shall come into effect the date of the final passage thereof.

READ a first time this 12th day of July, 2018.

READ a second time this 9th day of August, 2018.

READ a third and final time this 9th day of August, 2018.

SIGNED this 9th day of August, 2018.

_____	_____
Reeve	Chief Administrative Officer
Gerald Manzulenko	Hermann Minderlein

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Hermann Minderlein CAO	**Manager:**	
Item Title:	Public Hearing re Bylaw 2018-06 to Amend Bylaw 02-08 to include Waste Management Facilities	**Presenter:**	Lucy Stevenson Tax/Dev. Clerk and CAO/Development Officer Hermann Minderlein

DESCRIPTION:

Birch Hills County is required to hold a Public Hearing regarding Bylaw 2018-06, bylaw to amend the Birch Hills County Land Use Bylaw to include Waste Management Facilities. Bylaw 2018-06 will be presented for second and third reading later on as part of this Regular Council Meeting agenda.

As a point of order, Administration is reminding Council that as per Section 4.16 of Bylaw 2014-06, the Procedural Bylaw, "Recording of Public Hearings or quasi-judicial meetings (e.g. Subdivision Appeal Board) will not be permitted" and advising Council that the recorder will be turned off until the Public Hearing has been completed.

BACKGROUND:

Antelope Land Services Ltd. on behalf of Trace Water Solutions Inc. is making application to amend Birch Hills County Land Use Bylaw to include the definition of a waste management facility and to add the use to "discretionary" in the Agriculture district. We are in receipt of the development permit application that would require this change.

DISCUSSION/BENEFITS/DISADVANTAGES:

Bylaw 02-08, the County's Land Use Bylaw (LUB), does have definitions for "LANDFILL (INDUSTRIAL)" and "LANDFILL (SANITARY)" uses, but both of these specifically pertain to solid wastes. The County has approved a development in past similar to the one currently being proposed by the applicant and appear to have used a very liberal interpretation of the Bylaw at that time to process the application. Administration is reluctant to pursue that same process and sought advice from Mackenzie Municipal Services Agency (MMSA), the consultants working on the current LUB review, and requested that they ensure that the new Bylaw does not have similar shortcomings.

The amendment being proposed comes from research completed by staff and the advice provided by MMSA. The intent is only to update the Bylaw, and in no manner provides any authorization for the Trace Water Solutions Inc. project. It does provide the opportunity for Trace Water Solutions Inc. (or any other company considering a similar development in Birch Hills County) to apply for a development permit for their project and have them considered utilizing approved processes.

COST/SOURCE OF FUNDING: - Nil

RELEVANT LEGISLATION (Cite):

In accordance with MGA, Section 692(1)(e) - before giving second reading to a proposed planning bylaw, a council must hold a public hearing with respect to the proposed planning bylaw in accordance with section 230 after giving notice of it in accordance with MGA, Section 606 - the bylaw is required to be advertised for two consecutive weeks before second reading takes place.

Legislation related to Public Hearings may be found in Section 230 of the Municipal Government Act, and a copy of that Legislation is included in this package.

Additional legislation regarding Public Hearings is included in Section 5 of Birch Hills County Bylaw 2014-06, the Procedural Bylaw, and a copy of that section has also been included in this package.

Birch Hills County Land Use Bylaw No. 02-08 and Amendments thereof
Section 8.2: The Amendment Process

ATTACHMENT(S):

Municipal Government Act Revised Statutes of Alberta 2000 Chapter M-26
Sections 230(1) Public Hearings, 606(1) Requirements for advertising and 692(1) Planning bylaws. (See Item 4.a - Page 16 of Agenda Package)

Section 5 of Birch Hills County Bylaw 2014-06, the Procedural Bylaw (See Item 4.a - Page 20 of Agenda Package)

Agenda/schedule for Public Hearing re Bylaw 2018-06

Bylaw No. 2018-06, to Amend Bylaw 02-08 to include Waste Management Facilities

RECOMMENDED ACTION:

It is Administration's recommendation that Council proceed with the Public Hearing as per the Agenda/schedule included with this RFD.

BIRCH HILLS COUNTY
PUBLIC HEARING RE BYLAW 2018-06

1. The Chair to call for a motion to go into a Public Hearing

RC18-___ Moved by _____ that Council go into Public Hearing related to Bylaw No. 2018-06, to Amend Bylaw 02-08 to include Waste Management facilities.

2. The Chair will introduce members of Council and staff.

3. The Chair will outline the purpose of the Public Hearing, that being Bylaw No. 2018-06, to Amend Bylaw 02-08 to include Waste Management Facilities. The chair will outline the process to be followed, that being:

a. Hermann Minderlein, Development Officer, and Lucy Stevenson, Development Clerk, for Birch Hills County will present a report followed by questions for clarification by Council:

b. After identifying themselves, members of the public will be invited to make a verbal presentation followed by questions for clarification by Council. Persons addressing Council shall give their name, location of residence, an indication as to whether they are speaking on their own behalf or for another person or a group and address the Chair when responding to questions or providing information.

i. Individuals may speak for a maximum of five (5) minutes;

ii. One spokesperson per group may speak for a maximum of ten (10) minutes;

iii. At the discretion of the Chair, the time limits for speaking and presentations may be extended to ensure that all interested parties have had a fair and equitable opportunity to express their views; and

iv. At the discretion of the Chair, after everyone has had an opportunity to speak once, those interested in speaking a further time and providing new information, may be granted further opportunity to speak.

4. Depending on the number of written submissions, Birch Hills County staff may provide a report on the number of written submissions received and if appropriate a general overview of the contents of the written submissions**.**

5. If applicable, Birch Hills County staff will present a closing summary and respond to any questions that may have been raised in the presentations.

6. The Chair is authorized to make any other decisions or determinations with respect to the process or rules of order for the Public Hearing.

7. The Chair to call for a motion to adjourn the Public Hearing

RC18-___ Moved by _____ _____ that Council adjourn the Public Hearing related to Bylaw No. 2018-06, to Amend Bylaw 02-08 to include Waste Management Facilities.

BYLAW NO. 2018-06

BEING A BYLAW OF BIRCH HILLS COUNTY IN THE PROVINCE OF ALBERTA TO AMEND THE BIRCH HILLS COUNTY LAND USE BYLAW NO. 02-08

WHEREAS Pursuant to the Municipal Government Act, Revised Statues of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;

WHEREAS The Council of Birch Hills County, in the Province of Alberta, has adopted Birch Hills County Land Use Bylaw No. 02-08, as amended, and;

WHEREAS The Council of Birch Hills County, in the Province of Alberta, has deemed it desirable to amend its Land Use Bylaw to provide for a waste management facility;

NOW THEREFORE Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, the Council of Birch Hills County, duly assembled, hereby enacts as follows:

1. Add the following definitions to Section 2:

   a. "Waste Management Facility-Major" means a site used primarily for the storage, processing, treatment and disposal of solid and / or liquid wastes, which may have adverse environmental impact on adjacent sites by virtue of potential emissions and / or appearance. Typical uses include sanitary landfills, garbage transfer and compacting stations, recycling facilities, incinerators, sewage lagoons, wrecking and scrap metal yards, and similar uses;

   b. "Waste Management Facility-Minor" means a site used for the storage, recycling, disposal and filling of clean clay, waste concrete and paving materials, non-noxious scrap building materials, and similar non-hazardous wastes which normally do not generate any environmental pollution to the site and surrounding lands;

DRAFT

2. Add the following discretionary use to Section 11.1 b) *Agriculture (A) District*:

Waste Management Facility

This Bylaw shall come into effect the date of the final passage thereof.

READ a first time this 12th day of July, 2018.

READ a second time this 9th day of August, 2018.

READ a third and final time this 9th day of August, 2018.

SIGNED this 9th day of August, 2018.

_____	_____
Reeve	Chief Administrative Officer
Gerald Manzulenko	Hermann Minderlein

DRAFT

Hermann Minderlein

From: Pat Carswell <pat@trace-water.com>
Sent: Thursday, July 26, 2018 7:17 AM
To: Hermann Minderlein
Subject: Delegation Request

Good Morning Hermann,

I would like to request a Delegation attendance at the August 9 Council meeting and an opportunity to present an overview of Trace Water Solutions proposed facility to the Council.

Thank You,

Pat Carswell
Trace Water Solutions Ltd.
(587) 998-0581

MEMORANDUM

August 9, 2018

TO: CAO, Birch Hills County

Director of Corporate Services – Administrative Update as of August 1, 2018

Financial Update – 2017-18 Reporting: Local, Provincial and Federal Grant Program

Provincial **2017 Statement of Funding & Expenditure (SFE) certification** is pending on the following grant programs:

- Agriculture Service Board (ASB) **Certification received July 11**
- Family and Community Support Services (FCSS)
- Gas Tax Fund (GTF)
- Municipal Sustainability Initiative (MSI) Capital
- MSI Capital Basic Municipal Transportation Grant (BMTG)
- MSI Operating **Certification received July 20**

Financial Update – 2018-19 Application: Local, Provincial and Federal Grant Program

2018-19 Gas Tax Funding (GTF) commitment plans remain outstanding. GTF may be used as BHC's 20% share of the Municipal Asset Management Program. Administration is reviewing our future Asset Management and Public Works infrastructure plans. In order to receive our 2018-19 funding of $85,654, program plans must be submitted.

The following 2018-19 grant program funding remains a receivable:

- Agriculture Service Board (ASB) $115,946 **Received July 19th**
- Canada Summer Jobs (maximum $14,688) must report on actual hours worked
- Family and Community Support Services (FCSS) (received quarterly) $10,910
- Gas Tax Fund (GTF) – $85,654 (program plan remains outstanding)
- MSI Operating $86,644

Finance Update – Miscellaneous

Family and Community Social Services (FCSS) Outcome Measures Trainer, Karen Titanich was onsite July 17 to complete a FCSS Progress and Outcomes Report review. Administration will work with Ms. Titanich to complete the 2016 and 2017 Provincial Progress and Outcomes Reporting. Saddle Hills County is hosting the FCSS Funded Agency Training August 21 & 22. Larger funded agencies are strongly encouraged to attend.

RMA Insurance annual verification package was received July 19 for the November 1 policy renewals. Verification reporting for Automobile, Heavy Equipment and Property Insurance schedules were provided and are to be reviewed by BHC and Additional Named Insured (community groups) insured through BHC. The Verification Report is due to RMA Insurance by September 7 in order for changes to be incorporated on the November 1 policy renewal

Notice Demand Account (NDA) authorized withdrawal transfer scheduled for July 20 was not initialized. The first property tax deadline is August 15. Administration will review cash flows throughout August & September and transfer funds to the NDA.

The next Notice Demand Account (NDA) withdrawal transfer is scheduled for October 20. Administration will review cash flows mid-October and initialize the transfer if operating funds are required.

GST/HST Public Service Bodies' Rebate for June was submitted July 24 in the amount of $32,309.68 Birch Hills County is zero rated for GST, meaning we receive a 100% net rebate of our GST collected as revenue and paid as expenses.

RMA Insurance Risk Management Riskpro Account remaining funding of $1,446 was received July 30 to cover 40% of the National Safety Code (NSC) training costs completed November 2017. This training was a requirement of the Carrier Safety Fitness Rating audit completed July 2017. Annual Riskpro funding has been fully allocated.

The **1st Property Tax deadline** is August 15th. A 2% penalty will be added to tax rolls that remain outstanding after August 15, 2018.

ATB Investment Policy Statement (IPS) agreement for the Fixed Income account 0504 is due for renewal September 1. Primary objectives of the Fixed Income account include a requirement for lower volatility levels and a focus on preservation of capital in real, inflation-adjusted terms.

ATB Investment Policy Statement (IPS) agreement for the Cash Management account 0508 is due for renewal September 1. Primary objectives of the Cash Management account are capital preservation and the liquidity of funds.

ATB is scheduled for a September onsite visit to review and update agreements. By signing the IPS agreements, administration is appointing ATB Investment Management Inc. (ATBIM) authorized representatives to be our agent and to act on our behalf. As Custodian, ATB holds the assets of our investment account(s) and facilitate trading, settlement and other back office services.

Canada Summer Jobs program ends September 1**.** Administration will submit the Payment Claim and Activity Report within 30 days after the departure of the last student. This document is used to request payment and report on Canada Summer Jobs activities.

BHC is participating in the mandatory quarterly **Statistics Canada Job Vacancy and Wage Survey** in early September. The survey requests information regarding average pay and hourly wages, distribution of job vacancies by level of education and experience sought, and the competitiveness of particular jobs.

Finance Update – Budget 2019

Municipal Government Act (MGA) Amendments include the **Municipal Corporate Planning Regulation** which requires BHC to adopt, as a minimum standard, a written three (3)-year financial plan and five (5)-year capital plan in addition to the annual budget. The first financial plans will need to be prepared by the end of 2019 and cover the 2020-22 (financial) or 2020-24 (capital) periods depending when the budget is approved. Financial plans must include anticipated total revenues and total expenditures by major category; anticipated annual surplus or deficit; and anticipated accumulated surplus or deficit. Capital plans must include planned capital property additions; and allocated or anticipated funding sources.

As part of the **2019 O&M and Capital Budget preparation**, administration has initiated a restructuring of the Excel budget workbook that will include multiple year budget planning capability. The 2019 Capital Budget process is being reviewed and administration will decide the most efficient process moving forward. Hermann has tentatively schedule October 11 Council meeting for the initial 2019 O&M and Capital Budget reviews.

Emergency Management – It makes "cents" to invest.

Shawna and I are registered to attend the **Alberta Emergency Management Agency** Personal Emergency Preparedness – The First 72 Hours (Train-the-Trainer) and Scribing for Emergency Management workshops September 5 at the MD of Greenview. This Train-the-Trainer workshop prepares municipal participants to conduct sessions on personal disaster preparedness in their community. Presentations, handouts and brochures to facilitate future training sessions will be provided.

Indecision is born of a lack of purpose. When you know what you truly want, most of your decisions can – and should – be almost automatic.

Shelley Braun
Director of Corporate Services

MEMORANDUM

August 7th, 2018

TO: CAO, Birch Hills County

Public Works Report (As of July 17th, 2018)

Gravel Crushing Update
The removal and stock piling of raw material is going really well with more material being found then the test holes indicated. As of July 17th, 2018 WSP measured the raw stock pile of material and concluded that we had 72,500 cubic meters. Short of the 92,500 cubic meters of finished crushed product as per the contract.
Hired crew continue to stockpile material with the estimated time frame set for the end of the first week in August to produce sufficient raw material.
Surmont has communicated that they intend to mobilize the crusher that first week of August, with gravel crushing operations to start immediately after that.
Crushing is still expected to take 6 weeks under ideal conditions.

Township Road 790 Repair
Crews started repair work on sections of the township road 790 east of Eaglesham to Hwy 740. The plan is to completely remove the material from soft spots and holes and replace the material and pack accordingly.

Culvert Repairs and Replacements
Staff have been busy with replacing and repairing culverts that were in need of maintenance. Following the list generated every year and prior years from residents and the PW department culvert work will continue until weather makes it impossible to do so.

Eaglesham Hall
Staff will do some minor repairs to the roof that covers the entrance to the hall to prevent water from seeping in. After years of weathering the caulking along the roof area has deteriorated to the point where it needs be replaced.

Landfill Operations
Friday the 3rd of August someone attempted to remove the gate leading into the Wanham landfill. See attached photo. We have seen damage to the gates at all of the landfills similar to this. Council will be provided with an operations report at a future meeting.

Dion Hynes, CET PMP
Director of Public Works

Agricultural Service Board
Director's Report
July 12, 2018 – August 7, 2018

Once again it has been a busy month. With the moisture situation we have been busy trying to keep up with the weeds as fast as they are appearing. It's coming to the end of the season and we are needing all hands-on deck. Needless to say we have all spent very little time in the Office this past month.

On July 27th all the ASB staff including Town Maintenance and Roadside Mowers attended a field school day held at the MD of Smoky River. In the morning we had Scott Mears talk about pests such grasshoppers, bertha army worm, lagus bug, and the flea beetle types, showing us how to distinguish the different types of insect damage to different crops and how to scout for them. Along with Scott, DR. Michael Harding a Plant Pathologist with Alberta Agriculture and Forestry discussed crop disease and what to look for when we are out doing our crop inspections and sampling. Some of the diseases he discussed are Clubroot of Canola, Blackleg of Canola, Sclerotinia of Canola, Fusarium Graminearum and Stripe rust in Cereals. In the afternoon we went out into different types of fields looking for disease and going through how to properly inspect fields for sampling.

Roadside mowing was going really well until the 5 inches of rain we endured. We attempted to start up again last weekend and it was still too wet. We are hoping with the heat this week we will be able to get both tractors back out on the road.

Spraying has begun, a few good weeks of weather and a good portion of our plans will be complete.

This week Kathrin and I are attending the International Clubroot Conference in Edmonton. This 3-day workshop has scientists from all over the world discussing the biology and scientific advancements along with coping strategies for the control of clubroot. Half the time will be spent indoors with the speakers while the other half we will be touring the CDC building and doing farm tours.

We will be working to get sampling completed in the next couple weeks. The grasshopper survey will be done this week. Once the wheat starts hardening we will do the Fusarium testing. The canola surveys as long as we have the staff will try and compete them while swathing is taking place. Right now, it's too hard and time consuming for us to be trying to walk through 6ft tall canola fields.

If there are any questions please let me know.

Respectfully Submitted,

Amanda Ouellet
Director of Agriculture Services

Motion #	Motion	By	Action	Status
MEETING	**NOVEMBER 23, 2017 REGULAR COUNCIL MEETING**			
RC17-404	that Council direct Administration to: 1. post a copy of Bylaw 2017-08, the Code of Conduct Bylaw on the County's website; 2. to include a copy of Bylaw 2017-08, the Code of Conduct Bylaw in future nomination/election packages; and 3. bring the Procedural Bylaw No. 2014-06 back to Council at a future Governance meeting regarding the review requirements for Bylaw 2017-08, the Code of Conduct Bylaw.	Bev/Lucy/ Shawna Shawna Hermann	Post Bylaw to website Updated the nomination /election packages. Add Bylaw to future Governance Meeting Agenda	 COMPLETED COMPLETED Incomplete
MEETING	**DECEMBER 14, 2017 REGULAR COUNCIL MEETING**			
RC17-428	that Council bring the policy - Personal Handbook back to a future governance meeting.	Hermann		
MEETING	**FEBRUARY 15, 2018 REGULAR COUNCIL MEETING**			
RC18-062	that Council direct Administration not to proceed with the purchase of a County Vehicle and to conduct a review County's policies and bring back recommendations to Council at a future Governance Meeting as to changes that would encourage or require participants to conferences and meetings to travel together.	Shelley Hermann/ Shawna	Shelley updated 2018 Capital Budget	

Motion #	Motion	By	Action	Status
MEETING	**March 1, 2018 REGULAR COUNCIL MEETING**			
RC18-083	that Council direct Administration to sell unit E50 2004 John Deere 310SJ Backhoe at a future auction.	Dion	Fall Auction - Ritchie Bros. Date Oct 2-3, 2018	
RC18-084	that Council direct Administration to sell the three 4WD pickup trucks with unit numbers 136, 138 & 139 at a future auction.	Dion	Change Unit #s Fall Auction - Ritchies	RESCINDED replaced with **RC18-224.**
RC18-085	that Council direct Administration to accept the bid from Finning for $495,600 for a 2018 Cat 140M3 AWD Grader and to dispose of the 2014 John Deere 772GP at auction at a time that would be convenient and estimated to provide the best return.	Dion	Fall Auction - Ritchie Bros. Date Oct 2-3, 2018	Received
MEETING	**April 12, 2018 REGULAR COUNCIL MEETING**			
RC18-130	that Council direct Administration to research information related to the recognition of individuals and organizations, both voluntary and others, and bring their findings to a future Regular Council Meeting.	Hermann		
RC18-132	that Council provide 1st reading to Bylaw 2018-01, a Road Closure Bylaw and direct Administration to forward the bylaw to the Minister of Transportation for approval prior to bringing it back to Council for second reading.	Hermann		Sent to Minister awaiting response.

Motion #	Motion	By	Action	Status
MEETING	**May 10, 2018 REGULAR COUNCIL MEETING**			
RC18-173	that Council approve the addition of the Tangent Yaremko Social Club as an Added Named Insured under the Birch Hills County's insurance umbrella.	Lucy	Advise group and arrange insurance	Awaiting Confirmation from Insurance Company
MEETING	**July 12, 2018 REGULAR COUNCIL MEETING**			
RC18-212	that Administration be directed to advertise to fill an anticipated vacancy on the Municipal Planning Commission, and to bring information regarding any applicants to a future Council Meeting.	Beverly	Ad in Signal starting week of July 16th.	
RC18-214	that Council provide 1st reading to Bylaw 2018-04.			COMPLETED
RC18-215	that Council direct Administration to bring back Bylaw 2018-04 for 2nd and 3rd reading at the August 9, 2018 Regular Council Meeting.			On Aug. 9th Agenda
RC18-216	that Council set August 9, 2018 as the date for the public hearing on Bylaw 2018-04.	Beverly	Ad in Signal week of July 16th.	On Aug. 9th Agenda
RC18-217	that Council provide 1st reading to Bylaw 2018-05.			COMPLETED
RC18-218	that Council direct Administration to bring Bylaw 2018-05 for 2nd and 3rd reading at the August 9, 2018 Regular Council Meeting.			On Aug. 9th Agenda
RC18-219	that Council set August 9, 2018 as the date for the public hearing on Bylaw 2018-05.		Ad in Signal week of July 16th	On Aug. 9th Agenda

Motion #	Motion	By	Action	Status
RC18-220	that Council provide 1st reading to Bylaw 2018-06.			COMPLETED
RC18-221	that Council direct Administration to bring back Bylaw 2018-06 for 2nd and 3rd reading at the August 9, 2018 Regular Council Meeting.			On Aug. 9th Agenda
RC18-222	that Council set August 9, 2018 as the date for the public hearing on Bylaw 2018-06.		Ad in Signal went out for week of July 16th.	On Aug. 9th Agenda
RC18-223	that Council Rescind motion RC18-84.	Shawna	Made note in 2018 master motions.	COMPLETED
RC18-224	that Council direct Administration to sell the four 4WD pickup trucks with unit numbers 126, 138, 139, and 145 at a future auction.	Dion	Fall Auction - Ritchie Bros. Date Oct 2-3, 2018	
RC18-225	that Council rescind resolution RC17-360.	Shawna	Made note in 2017 master motions.	COMPLETED
RC18-226	that Council appoint Councillor(s) Paradis and (alternate) Joudrey to sit on the Peace Library System (PLS).	Hermann/Shawna	Will send Ken Allan PLS a copy of July 12th minutes when they are approved on Aug. 9th.	
RC18-227	that Council appoint Councillor Paradis to sit on the Municipal Library Board.	Hermann/Shawna	Will send BHC MLB a copy of July 12th minutes when they are approved Aug 9th.	

Motion #	Motion	By	Action	Status
RC18-228	that Council set the Terms and Conditions of the 2018 Tax Sale, scheduled for October 1, 2018, to be a 10% down payment payable on the day of the sale and the remaining balance to be paid within 10 days.	Lucy		
RC18-229	that Council authorize Administration to enter into a lease agreement (on behalf of Birch Hills County) with Mrs. Barb Chandonnet of Raybar Enterprises Ltd. for the lands located at Plan 8220700 Block 4 excepting thereout Lots 4MR and 7 for the purpose of harvesting hay.	Lucy	Signed on July 25, 2018	COMPLETED
RC18-230	that Council direct Administration to advertise for input from Birch Hills County residents for new access points to the Peace River as well as potential economic development opportunities related to tourism along the Peace River with a deadline for responses of July 31, 2018, and to direct Administration to add this item to the August 9, 2018 Regular Council Meeting for additional discussion and to provide the representative to the PVCRTS and the CAO with input to take to the August 22, 2018 meeting.	Hermann/Beverly	Ad in Signal, on Facebook & Web page	On Aug. 9th Agenda
RC18-231	that Council authorize the expenditure of $323.81 (excluding GST) from Council Expense Account 2-11-10-00-221, Advertising for the purchase of a 1/10th page (business card size) full color advertisement in the Royal Canadian Legion's annual Military Service Recognition Book	Hermann		COMPLETED

Motion #	Motion	By	Action	Status
RC18-232	that WHEREAS: the mission of the Lifesaving Society Canada is to prevent drowning throughout this great country, and even one drowning in Alberta is one too many; and WHEREAS: most drownings are preventable in a Water Smart community, and only through Water Smart education and a healthy respect for the potential danger that any body of water may present can we truly enjoy the beauty and recreation opportunities offered by these bodies of water; and WHEREAS: the Lifesaving Society urges Canadians and residents of Birch Hills County in the Province of Alberta to actively supervise children who are in and around the water, to refrain from drinking alcoholic beverages while participating in aquatic activities, and to wear a lifejacket at all times while boating; and WHEREAS: the Lifesaving Society Canada has declared July 15-21, 2018 National Drowning Prevention Week to focus on the drowning problem and the hundreds of lives that could be saved this year. THEREFORE: Reeve and Council for Birch Hills County do hereby proclaim July 15-21, 2018 National Drowning Prevention Week in Birch Hills County in the Province of Alberta and do commend its thoughtful recognition to all citizens of Birch Hills County in the Province of Alberta.	Beverly	Advertised	COMPLETED

Motion #	Motion	By	Action	Status
RC18-233	that Council approve the provision of a Grant of an amount up to $125.00 to the Eaglesham Fire Fighter Society to be utilized to cover Eaglesham Hall rental for the Barrels and Buckles fundraiser event planned for July 21st and 22nd, 2018 provided that the facilities and equipment are returned in good repair and a to standard of cleanliness that will be inspected and approved by the County's representatives.	Hermann	Tom request change date to Nov. 17 for fundraiser event.	Tom to submit detailed request for November function and it will be brought back to Council when received.
RC18-234	that Council direct Administration to draft a letter for Reeve Manzulenko's signature to Saddle Hills County in support of their application for an Alberta Transportation Water for Life Program Grant to support efforts to develop a water source from the Peace River for the Central Peace (G5) municipalities.	Hermann/Shawna	Letter mailed June 20.	COMPLETED
RC18-235	that Council table the request from Mr. Murray Redel regarding Invoice 10332 to the August 9, 2018 Regular Council Meeting and direct Administration to invite Mr. Redel to appear as a delegation to that meeting.	Hermann		On Aug. 9th Agenda
RC18-240	that Council approve the sale of the Eaglesham airstrip property located at Plan 832 1887 (North Portions SE/SW 27-78-26-W5M) to Mr. David Suter of Delta Tango Aviation Services Ltd. for a total price of $230,000.00 and direct Administration to contact the County's legal representatives at Reynolds, Mirth, Richards, and Farmer to arrange for the sale of the			Sales agreement drafted with required clauses and provided to Mr Suter's lawyer for finalization.

Motion #	Motion	By	Action	Status
	property with the following conditions (provided that they may be included in the sales agreement): a. The property is being sold on an “as is where is” basis; b. The sale of the property will be subject to: i. Mr. Suter (the purchaser) will be responsible to honour the remaining period of any current leases provided that those lease holders are agreeable to the transfer of the lease; ii The purchaser will be required to take all actions necessary to continue the operation of the airstrip portion of the property and permit the use of the airstrip by the public for that purpose for a period of no less than ten (10) years from the date of transfer; iii The purchaser will be required to obtain permits to begin the development of those improvements spelled out in their proposal (repair of the airstrip and the construction of a hanger and residence) within two (2) years of obtaining title for the property; and			

Motion #	Motion	By	Action	Status
	iv Failure by the purchaser to adhere to any conditions of the sales agreement will result in the sale being declared void, and the sales proceeds (less all of the municipality's costs related to the sale of the property plus all costs required to reacquire title for the property plus ten percent (10%) of the original purchase price) being returned to the purchaser.			
RC18-241	that Council direct Administration to conduct an investigation regarding the claim by Wayne and Stuart Purcha that damages had been sustained to a fence along the east side of their property at NE 25 77 25 W 5 due to the roadside brushing, and report back to Council with photographic evidence at the August 2018 Regular Council Meeting on the following: 1. was the damage referred to by the Purchas on their property caused by the roadside brushing; 2. were any of the damages preexisting, and if so, is it reasonable to determine what portion of the damage was preexisting and what portion resulted from the roadside brushing; 3. if some or all of the damages are attributable to the roadside brushing, what are the available options to	Dion/Mike		RFD being drafted

Motion #	Motion	By	Action	Status
	repair those damages, and what are the costs for each of the options: and 4. if some or all of the damages are attributable to the roadside brushing, does the contractor concur with the findings, and what, if any, action is he/she willing to undertake or contribute to rectify the situation.			

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Lucy Stevenson Tax/Dev. Clerk	**Manager:**	
Item Title:	Bylaw 2018-04 Amend LUB re Cannabis	**Presenter:**	Lucy Stevenson

DESCRIPTION:

Council is being presented with Bylaw 2018-04, a bylaw to amend Bylaw 02-08, the Land Use Bylaw. Staff is requesting that Council provide 2nd, and 3rd reading to the bylaw.

BACKGROUND:

The federal government passed Bill C-45 and announced that the formal date for cannabis legalization will be October 17, 2018. Requests for development in Birch Hills County related to the legalization are not anticipated, but in the event that applications are received prior to the adoption of the Land Use Bylaw update that is underway, Administration recommends that Bill C-45 be addressed in the Land Use Bylaw.

RELEVANT LEGISLATION (Cite):

Municipal Government Act Revised Statutes of Alberta 2000 Chapter M-26
Sections 230(1) Public Hearings, 606(1) Requirements for advertising and 692(1) Planning bylaws.

Birch Hills County Land Use Bylaw No. 02-08 and Amendments thereof
Section 8.2: The Amendment Process

ATTACHMENT(S):

Draft Bylaw 2018-04 (see Agenda Item 4.a – Page 23)

OPTIONS:

Council may choose to:

1. provide 2nd and 3rd reading to Bylaw 2018-04, a bylaw to amend Bylaw 02-08, the Land Use Bylaw at this meeting;
2. defeat Bylaw 2018-04, a bylaw to amend Bylaw 02-08, the Land Use Bylaw on either 2nd or 3rd reading at this meeting;
3. accept this item for information.

RECOMMENDED ACTION:

It is Administration's recommendation that Council:

1. That Council provide second reading to Amend LUB re Cannabis Bylaw 2018-04 a bylaw to amend Bylaw 02-08, the Land Use Bylaw; and
2. That Council provide third and final reading to Amend LUB re Cannabis Bylaw 2018-04 a bylaw to amend Bylaw 02-08, the Land Use Bylaw.

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Lucy Stevenson Tax/Dev. Clerk	**Manager:**	
Item Title:	Bylaw 2018-05 to Amend Bylaw 02-08 to Rezone Lot 1 Block 1 Plan 8920829	**Presenter:**	Lucy Stevenson

DESCRIPTION:

Council is being presented with Bylaw 2018-05, a bylaw to amend Bylaw 02-08, the Land Use Bylaw. Staff is requesting that Council provide 2nd, and 3rd reading to the bylaw.

BACKGROUND:

Staff received a Land Use Bylaw Amendment application to rezone Lot 1 Block 1 Plan 8920829 from the district of Hamlet General to Agriculture Restricted. The owner is selling her property and believes that the zone change would help to market the land.

RELEVANT LEGISLATION (Cite):

Municipal Government Act Revised Statutes of Alberta 2000 Chapter M-26
Sections 230(1) Public Hearings, 606(1) Requirements for advertising and 692(1) Planning bylaws.

Birch Hills County Land Use Bylaw No. 02-08 and Amendments thereof
Section 8.2: The Amendment Process

ATTACHMENT(S):

Draft Bylaw 2018-05 (see Agenda Item 4.b – Page 28)

OPTIONS:

Council may choose to:

1. provide 2nd and 3rd reading to Bylaw 2018-05, a bylaw to amend Bylaw 02-08, the Land Use Bylaw at this meeting;
2. defeat Bylaw 2018-05, a bylaw to amend Bylaw 02-08, the Land Use Bylaw on either 2nd or 3rd reading at this meeting;
3. accept this item for information.

RECOMMENDED ACTION:

It is Administration's recommendation that Council:

1. That Council provide second reading to Rezone Lot 1 Block 1 Plan 8920829, Bylaw 2018-05 a bylaw to amend Bylaw 02-08, the Land Use Bylaw; and
2. That Council provide third and final reading to Rezone Lot 1 Block 1 Plan 8920829, Bylaw 2018-05 a bylaw to amend Bylaw 02-08, the Land Use Bylaw.

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Lucy Stevenson Tax/Dev. Clerk	**Manager:**	
Item Title:	Bylaw 2018-06 to Amend Bylaw 02-08 to include Waste Management Facilities	**Presenter:**	Lucy Stevenson

DESCRIPTION:

Council is being presented with Bylaw 2018-06, a bylaw to amend Bylaw 02-08, the Land Use Bylaw. Staff is requesting that Council provide 2nd, and 3rd reading to the bylaw.

BACKGROUND:

Antelope Land Services Ltd. on behalf of Trace Water Solutions Inc. is making application to amend Birch Hills County Land Use Bylaw to include the definition of a waste management facility and to add the use to "discretionary" in the Agriculture district. We are in receipt of the development permit application that would require this change.

DISCUSSION/BENEFITS/DISADVANTAGES:

Bylaw 02-08, the County's Land Use Bylaw (LUB), does have definitions for "LANDFILL (INDUSTRIAL)" and "LANDFILL (SANITARY)" uses, but both of these specifically pertain to solid wastes. The County has approved a development in past similar to the one currently being proposed by the applicant and appear to have used a very liberal interpretation of the Bylaw at that time to process the application. Administration is reluctant to pursue that same process and sought advice from Mackenzie Municipal Services Agency (MMSA), the consultants working on the current LUB review, and requested that they ensure that the new Bylaw does not have similar shortcomings.

The amendment being proposed comes from research completed by staff and the advice provided by MMSA. The intent is only to update the Bylaw, and in no manner provides any authorization for the Trace Water Solutions Inc. project. It does provide the opportunity for Trace Water Solutions Inc. (or any other company considering a similar development in Birch Hills County) to apply for a development permit for their project and have them considered utilizing approved processes.

COST/SOURCE OF FUNDING: - Nil

RELEVANT LEGISLATION (Cite):

Municipal Government Act Revised Statutes of Alberta 2000 Chapter M-26
Sections 230(1) Public Hearings, 606(1) Requirements for advertising and 692(1) Planning bylaws.

Birch Hills County Land Use Bylaw No. 02-08 and Amendments thereof
Section 8.2: The Amendment Process

ATTACHMENT(S):

Draft Bylaw 2018-06 (see Agenda Item 4.c – Page 32)

OPTIONS:

Council may choose to:

1. provide 2nd and 3rd reading to Bylaw 2018-06, a bylaw to amend Bylaw 02-08, the Land Use Bylaw at this meeting;
2. defeat Bylaw 2018-06, a bylaw to amend Bylaw 02-08, the Land Use Bylaw on either 2nd or 3rd reading at this meeting;
3. accept this item for information.

RECOMMENDED ACTION:

It is Administration's recommendation that Council:

1. That Council provide second reading to Amend LUB to include Waste Management Facilities, Bylaw 2018-06 a bylaw to amend Bylaw 02-08, the Land Use Bylaw; and
2. That Council provide third and final reading to Amend LUB to include Waste Management Facilities, Bylaw 2018-06 a bylaw to amend Bylaw 02-08, the Land Use Bylaw.

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Hermann Minderlein, CAO	**Manager:**	
Item Title:	Request from Peace Valley Conservation Recreation and Tourism Society (PVCRTS)	**Prepared by:**	Hermann Minderlein

DESCRIPTION:

This item is being back to Council from the Regular Council Meeting of July 12, 2018 where Council passed Resolution R18-230 that read as follows:

> *"that Council direct Administration to advertise for input from Birch Hills County residents for new access points to the Peace River as well as potential economic development opportunities related to tourism along the Peace River with a deadline for responses of July 31, 2018, and to direct Administration to add this item to the August 9, 2018 Regular Council Meeting for additional discussion and to provide the representative to the PVCRTS and the CAO with input to take to the August 22, 2018 meeting."*

BACKGROUND:

The background regarding this matter was provided in the original RFD and has been included with this RFD. The advertising referred to in Council's motion was done through social media, but due to space limitations, was not included in the Central Peace Signal until July 31st. Administration has not received any responses as of the date that this RFD was prepared, but we will continue to remain open for responses up to the time of the meeting.

DISCUSSION / BENEFITS / DISDVANTAGES:

Direction is being sought at this meeting as it will apply to the next PVCRTS meeting slated for August 22, 2018.

COST / SOURCE OF FUNDING:

Cost would be dependent on Council decision.

ATTACHMENT(s):

Copy of RFD presented to Council at the July 12, 2018 Regular Council Meeting regarding the request from the Peace Valley Conservation, Recreation & Tourism Society (PVCRTS).

RECOMMENDED ACTION:

It is Administration's recommendation that Council:

1. have a discussion regarding this matter, provide the representative to the PVCRTS and the CAO with input to take to the August 22, 2018 meeting;

2. and "accept the discussions regarding the request from the Peace Valley Conservation, Recreation & Tourism Society (PVCRTS) for information"

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	July 12, 2018	**CAO:**	
Originated By:	Hermann Minderlein, CAO	**Manager:**	
Item Title:	Request from Peace Valley Conservation Recreation and Tourism Society (PVCRTS)	**Prepared by:**	Hermann Minderlein

DESCRIPTION:

Council is being provided with letter received from the Peace Valley Conservation Recreation and Tourism Society (PVCRTS) requesting that each of the member municipalities provide input through their appointed representatives as to the direction for the future of the Society.

BACKGROUND:

The background information and basis of the request has been provided in the letter.

The appointees to the PVCRTS are Councillors Reum and Wendland, with Councillor Bogdanek being the alternate.

The CAO has not attended these meetings historically.

DISCUSSION / BENEFITS / DISDVANTAGES:

The direction and information being sought is not required until the next PVCRTS meeting slated for August 22, 2018.

COST / SOURCE OF FUNDING:

The historical information regarding funding provided for the PVCRTS is as follows:

Year	Expenditure
2015	$1,000
2016	$1,000
2017	$1,500
2018	$1,000

RELEVANT LEGISLATION (Cite): NA

ATTACHMENT(s):

Copy of Letter from Peace Valley Conservation Recreation and Tourism Society dated June 25, 2018

Peace Valley Conservation, Recreation & Tourism Society (PVCRTS) Bylaws

Peace Valley Conservation, Recreation & Tourism Society (PVCRTS) Ojectives

OPTIONS:

Council may choose to:

1. Discuss the Peace Valley Conservation Recreation and Tourism Society (PVCRTS) to insure all members are familiar with the organization, allow members to conduct their own research into the matter, and then direct Administration to add this item to the August 9, 2018 Regular Council Meeting for additional discussion and to provide the representative to the PVCRTS and the CAO with input to take to the August 22, 2018 meeting; or

2. Table this item to the August 9, 2018 Regular Council Meeting; or

3. accept this item for information.

RECOMMENDED ACTION:

It is Administration's recommendation that Council discuss the Peace Valley Conservation Recreation and Tourism Society (PVCRTS) to insure all members are familiar with the organization, allow members to conduct their own research into the matter, and then

> "direct Administration to add this item to the August 9, 2018 Regular Council Meeting for additional discussion and to provide the representative to the PVCRTS and the CAO with input to take to the August 22, 2018 meeting."

The Peace Valley Conservation,
Recreation and Tourism Society
Box 189
Fairview, AB T0H 1L0

Phone: (780) 835-4903 Fax: (780) 835-3131

BIRCH HILLS COUNTY
RECEIVED
JUN 20 2018
WANHAM

June 25, 2018

Council of
Birch Hills County
Box 157
Wanham, AB T0H 3P0

Dear Council,

Re: Expanding Society Direction

The Peace Valley Conservation Recreation and Tourism Society (PVCRTS) held their regular meeting along with an Annual General Meeting June 20, 2018 in the MD of Fairview Council Chambers. The current municipal members on the society are the MD of Peace, MD of Spirit River, MD of Fairview, Birch Hills County and Saddle Hills County of which you have appointed representation.

Our focus of the PVCRTS society in the late 90's and early 2000's was on access to and camp sites along the river. When recreation funding dried up the society became heavily focused on maintaining the boat launch at Dunvegan; all of the resources went to that single task. Last year and so far this year a new society of boating enthusiasts have taken over the maintenance of the launch allowing the PVCRTS opportunity to do some bigger opportunity searching. We are suggesting that with the support of the municipalities the PVCRTS should apply for grant funding to conduct a feasibility study exploring our societies original focus; that of access and tourism opportunities for potential economic development in the area. We discussed applying for a PREDA project grant as well as the possibility of an ACP grant through Municipal Affairs. There may be other opportunities through economic development and tourism channels as well.

Page 2...

We are asking that each of the five municipalities represented in PVCRTS have a mini brain storming session with their respective council and send their representatives and CAOs to a meeting of PVCRTS scheduled for August 22, 2018 at 7:00 pm in MD of Fairview Council Chambers where the Board can draft further direction for the CAOs to prepare application for grants using that input. Additional support letters or in the event of an ACP Grant through Municipal Affairs, partnering and lead municipalities will have to be identified to host the applications

I trust that you will have the same enthusiasm for this project as the PVCRTS Board and look forward to discussing the many ideas that you may have to share.

Sincerely;

Peggy Johnson

Peggy Johnson
Chair, PVCRTS

CC: MD of Fairview #136
MD of Peace #135
Saddle Hills County
MD of Spirit River #133

The name of the Society is

THE PEACE VALLEY CONSERVATION, RECREATION AND TOURISM SOCIETY

BYLAW – APRIL 2015

MEMBERSHIP

1. – Any persons: residing in Alberta; being of the full age of 18 years; and upon the payment of any fee, may become a member of the Society.

2. – Membership fees, if any, in the Society shall be determined, by the members of the Society at the Annual General Meeting.

3. – All members have the right to attend General Membership Meetings and the Annual General Meeting of the Society. Members in attendance at General Membership Meetings and the Annual General Meeting of the Society may vote on questions put forward at the meeting. Voting by proxy shall not be allowed.

4. – Members must act in accordance with the bylaw and objectives of the Society. Any member acting without proper authority may be expelled from the Society following review of their actions by the Board of Directors.

5. – Any member wishing to withdraw from membership in the Society may do so in writing to the Board of Directors for the Society or to one of the member municipalities represented on the Board of Directors for the Society which include: Birch Hills County, Saddle Hills County, Municipal District of Peace No. 135, Municipal District of Fairview No. 136 and the Municipal District of Spirit River #133

BOARD OF DIRECTORS

1. The Board of Directors shall have full control and management of the affairs of the Society.

2. The Board of Directors shall be comprised of two (2) members from the council and/or recreation board of each of the following organizations: Birch Hills County, Saddle Hills County, Municipal District of Peace No.135, Municipal District of Fairview No.136 and the Municipal District of Spirit River #133, as appointed by approved resolution of the councils of the municipalities. Directors may be removed from the Board of Directors by approved resolution of the municipal Council that has appointed them.

3. Any three (3) members of the Board of Directors shall constitute a quorum and meetings of the Board of Directors shall be held when required.

4. The Board of Directors, on an annual basis and from within their membership, shall elect a President, Vice- President and Secretary – Treasurer for the Society.
    a) Officers of the Society shall be the President, Vice- President and Secretary-Treasurer as elected by the Board of Directors

5. – A meeting of the Board of Directors may be called, with reasonable notice, by any member of the Board of Directors

6. – Withdrawal from membership on the Board of Directors may be done so in writing to the Secretary- Treasurer of the Society or when a person ceases to be a member of a Society member municipality's council and/or recreation board.

PRESIDENT

1. - The President shall, when present, preside at all meetings of the Society and the Board of Directors. (In the absence of the President, the Vice- President shall preside at any such meetings, and in the absence of both, a chairman may be elected by the Directors in attendance at the meeting.)

SECRETARY- TREASURER

1. – The Secretary- Treasurer shall attend all meetings of the Society and the Board of Directors, and shall take and keep in their possession accurate minutes of the same. (In the case of the absence of the Secretary- Treasurer, their duties shall be discharged by such person as may be appointed by the Board of Directors.)

2. – The Secretary- Treasurer shall keep a record of all members of the Society and their addresses.

3. – The Secretary- Treasurer shall collect and receive all monies paid to the society and shall be responsible for the deposit of the same in whatever Bank, Trust Company, Credit Union or Treasury Branch the Board of Directors may order.

4. – The Secretary- Treasurer shall: properly account for all funds of the Society; keep such books as may be directed by the Board of Directors; and present a detailed account of receipts and disbursements to the Board of Directors of the Society whenever requested.

5. – The Secretary- Treasurer shall prepare for submission to the Annual General Meeting a statement of the duly audited financial position of the Society and keep a copy of the statement for records of the Society.

AUDITING

1. – The books, accounts and records of the Secretary- Treasurer shall be audited at least once a year by two (2) members of the Board of Directors of the Society as appointed by the Board of Directors of the Society for that purpose.

2. – A complete and proper statement of the standing of the books for the previous year shall be submitted by such auditors at the Annual General Meeting of the Society.

3. – The fiscal year of the Society in each year shall be March 31

4. – The books and records of the Society may be inspected by any member of the Society at the Annual General Meeting of the Society, provided for herein or at any time upon giving reasonable notice to the Secretary-Treasurer of the Society.

5. – Each member of the Board of Directors of the Society shall at all times have access to such books and records.

BORROWING POWERS

1. – The Society or the Society's members shall have no borrowing powers and will not be permitted to borrow money in the name of the Society.

MEETINGS

1. – The society shall hold an annual general meeting on or before May 31 in each year or in any case not more than 15 months after the previous annual general meeting.

2. – The Board of Directors may convene special meetings and general membership meetings whenever they deem such meetings appropriate.

3. – At least twenty-one (21) days notice of an annual general meeting and general membership meeting, specifying the place, the date and the hour of the meeting shall be given in writing to all members of the Society or advertised in the local newspaper.

4. – At least six (6) members of the society shall constitute a quorum at a special meeting, an annual general meeting or a general membership meeting.

5. – Board of Directors meeting and special meeting may be held whenever any member of the Board of Directors deems such meetings appropriate. At least three (3) days notice of every Board of

Directors meeting or special meeting, specifying the place, the date and the hour of the meeting shall be given in writing to all members of the board.

REMUNERATION

1. – The Peace Valley Conservation, Recreation and Tourism Society is a volunteer organization. No remuneration will be paid by the Society to any Member, Officer or Director. Remuneration paid to a Director by the municipality they represent will be at the sole discretion of each municipality in accordance to their policies.

CORPORATE SEAL

1. – The Society will not use a corporate seal.

BY LAWS

1. – The By-law of the Society may be rescinded, altered or added to by a special resolution of the Board of Directors of the Society at any Board of Directors meeting. Such Resolutions require approval by at least three quarters majority of the members present.

2. – Prior to the passing of an amendment to the Society's by-law, proper notice in writing, not less than 21 days, will be forwarded to all members of the Society.

The name of the Society is

THE PEACE VALLEY CONSERVATION, RECREATION AND TOURISM SOCIETY

OBJECTIVES

1. -To promote the use of access points and campgrounds along the Upper Peace River Valley, between the British Columbia/Alberta border and the Town of Peace River.

2. – To protect and conserve the natural environment along the Peace River Valley as much as possible.

3. - To increase recreation and tourism opportunities for the residents of the Peace River region and for visitors to the area.

4. – To link the historic past of the Peace River and its valley with the development of tourism and recreation opportunities along the river valley .

5. – To encourage, foster and develop among its members a recognition of the importance of the Peace River as a major resource.

April 2015

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Hermann Minderlein, CAO	**Manager:**	
Item Title:	Request for Reduction of Invoice For Fire Services	**Prepared by:**	Hermann Minderlein

DESCRIPTION:

This item is being brought back to Council from the Regular Council Meeting of July 12, 2018 where Council passed Resolution R18-235 that read as follows:

> *"that Council table the request from Mr. Murray Redel regarding Invoice 10332 to the August 9, 2018 Regular Council Meeting and direct Administration to invite Mr. Redel to appear as a delegation to that meeting."*

Prior to beginning discussion on the matter Council will need to bring the item back from the table. Suggested wording to do this is as follows:

> ***"Moved by _____ that Council remove from the table the request from Mr. Murray Redel regarding Invoice 10332 for Fire Services."***

BACKGROUND:

The RFD from the original request has been included for Council's reference. As indicted, the fire occurred on May 2, 2018, and the invoice was raised on June 21, 2018 in the amount of $12,750.

Section 8.2 of Birch Hills County Bylaw No. 2014-03, the "Birch Hills County Regional Fire Services Bylaw." reads as follows:

> *"Where Fire Services has extinguished a fire or responded to an Incident within or outside the County for the purpose of preserving life or property from injury or destruction by such Incident, including any such action taken by Fire Services on a False Alarm, the Fire Chief, will charge costs incurred by Fire Services in taking such action, charge any costs so incurred by Fire Services to:*
>
> *(a) the person who caused the incident;*
>
> *(b) the owner of the land or the person in possession where the Incident occurred; or*
>
> *(c) the owner of the property involved where the Incident does not occur on privately owned land."*

Section 8.4 of Bylaw No, 2014-03 reads as follows:

> *"In respect of the fees or charges described above:*
>
> *(a) the County may recover such fees or charges as a debt due and owing to the County; or*
>
> *(b) In the case of action taken by Fire Services in respect of land within the County, where the fees or charges are not paid upon demand by the County, then in default of payment, such fees or charges may be charged against the land as taxes due and owing in respect of that land.*
>
> *(c) In the event that the owner or occupant of any land within or outside the County shall feel aggrieved by the fees described in Section 9, such owner or occupant shall have a period of thirty (30) days from the date of the mailing of the fee assessment to appeal the fees to the Birch Hills County Council. The decision of the Council on any such appeal shall be final and binding upon the owner or occupant of the land and is not subject to further appeal."*

A search for the word "aggrieved" was done, and provided the following:

> ag·grieved
> adjective
>
> feeling resentment at having been unfairly treated.
>
> "they were aggrieved at the outcome"
> synonyms: resentful, affronted, indignant, disgruntled, discontented, upset, offended, piqued, riled, nettled, vexed, irked, irritated, annoyed, put out, chagrined;
>
> informal - peeved, miffed, in a huff, sore, steamed
>
> "the manager looked aggrieved at the suggestion"
>
> wronged, injured, mistreated, ill-treated, abused, harmed
> "the aggrieved party"

DISCUSSION / BENEFITS / DISDVANTAGES:

The Bylaw provides "that the owner or occupant of any land within or outside the County shall feel aggrieved", but Mr. Redel is not claiming that he has been "unfairly treated", but that the amount is "overwhelming" due to no insurance, and is asking that Council "consider waiving the bill to a more manageable figure".

The invoice was prepared as per the requirements and rates contained in the Bylaw.

COST / SOURCE OF FUNDING:

Cost will be dependent on Council decision.

RELEVANT LEGISLATION (Cite):

Birch Hills County Bylaw No. 2014-03, the "Birch Hills County Regional Fire Services Bylaw."

ATTACHMENT(s):

Copy of RFD presented to Council at the July 12, 2018 Regular Council Meeting regarding the request from Mr. Murray Redel.

Portions of Bylaw No. 2014-03

OPTIONS:

Council may choose to:

1. authorize Administration to arrange a schedule with Mr. Redel for the payment of Invoice Number 10332 in the amount of $12,750 over a period of _____ (months or years as deemed appropriate) with no interest added, provided that Mr. Redel makes payments as per the schedule, and to process the outstanding debt as per Section 8.4 (b) should Mr. Redel fail to arrange for or follow a payment schedule;

2. accept this item for information; or

3. find that Mr. Redel had been “unfairly treated”, and consider waiving the bill to a more manageable figure as per Mr. Redel’s request; or

4. a combination of the above options.

RECOMMENDED ACTION:

It is Administration’s recommendation that Council authorize Administration to arrange a schedule with Mr. Redel for the payment of Invoice Number 10332 in the amount of $12,750 over a period of _____ (months or years as deemed appropriate) with no interest added, provided that Mr. Redel makes payments as per the schedule, and to process the outstanding debt as per Section 8.4 (b) should Mr. Redel fail to arrange for or follow a payment schedule;

.

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	July 12, 2018	**CAO:**	
Originated By:	Hermann Minderlein, CAO	**Manager:**	
Item Title:	Request for Reduction of Invoice For Fire Services	**Prepared by:**	Hermann Minderlein

DESCRIPTION:

Table this item to the August 9, 2018 Regular Council Meeting and direct Administration to schedule Mr. Redel as a delegation to that meeting
Council is being provided with letter from Murray Redel that was delivered on July 9th and requested council for a reduction of an invoice prepared for fire services to a structure and grass fire at 252040 Highway 49.

BACKGROUND:

The fire occurred on May 2, 2018, and the invoice was raised on June 21, 2018 in the amount of $12,750.

DISCUSSION / BENEFITS / DISDVANTAGES:

The letter was hand delivered to CAO Minderlein. Normally, this would have been place on the agenda for the next meeting due to late submission, but I advised Mr. Redel that I would provide it to Council at this meeting, and that Council may wish to speak with him regarding the matter. Mr. Redel would be available to speak with Council at the August 9, 2018 Regular Council Meeting.

COST / SOURCE OF FUNDING:

Cost would be dependent on Council decision.

ATTACHMENT(s):

Copy of Letter from Murray Redel received July 9, 2018

Copy of Invoice 195714

OPTIONS:

Council may choose to:

1. Table this item to the August 9, 2018 Regular Council Meeting and direct Administration to schedule Mr. Redel as a delegation to that meeting; or
2. accept this item for information.

RECOMMENDED ACTION:

It is Administration's recommendation

> "that Council table the request from Mr. Murray Redel regarding Invoice 195714 to the August 9, 2018 Regular Council Meeting and direct Administration to invite Mr. Redel to appear as a delegation to that meeting."

July 7, 2018

Dear Members of Birch Hills County Council,

We had a fire lately that destroyed our Quonset and all the contents. These contents represented 40 years of our lives. We are back to needing the basic necessities of rural acreage living. We had no insurance on the building or the contents. We are seniors living on a fixed income and find this bill overwhelming. We ask that you consider waiving the bill to a more manageable figure.

Sincerely yours

Murray Redel

Elaine Redel

Cc Ginette Paradis

Cc Tom Morgan

Birch Hills County

BOX 157
Wanham AB T0H 3P0
Phone: 780-694-3793 Fax: 780-694-3788

INVOICE #: IVC010332

INVOICE

Customer

REDEL, MURRAY

BOX 285
EAGLESHAM AB T0H 1H0

Date: 6/21/2018

ID: 195714

13971 9272 RT0001 Net 30

Quantity		Unit Price	Total
0.00	STRUCTURE & GRASS FIRE MAY 2 252040 HWY 49 SE 03-078-25-W5	$0.00	$0.00
4.00	TANGENT TANKER UNIT	$500.00	$2,000.00
4.00	WANHAM FAST ATTACK UNIT	$500.00	$2,000.00
4.00	WANHAM PUMPER UNIT	$500.00	$2,000.00
1.00	EAGLESHAM PUMPER UNIT 4.5 hours X $500.00 per hour	$2,250.00	$2,250.00
1.00	EAGLESHAM TANKER UNIT 4.5 hours X $500.00 per hour	$2,250.00	$2,250.00
1.00	EAGLESHAM COMMAND UNIT 4.5 hours X $500.00 per hour	$2,250.00	$2,250.00

Revised (No Tax)
Invoice mailed
July 3/18

Subtotal	$12,750.00
Tax	$0.00
Total	**$12,750.00**

Payment due upon receipt - Payable to BIRCH HILLS COUNTY

(b) approve the application with or without conditions, or

(c) determine that a permit is not required.

7.4 If a fire pit is not an Acceptable Fire Pit or if a fireplace is not an Acceptable Fireplace, the Fire Chief or designate may issue an Open Air Fire Permit if satisfied that the non-conforming fire pit or fireplace meets appropriate safety standards.

7.5 There is no permit fee.

7.6 An Open Air Fire Permit shall not be transferable.

7.7 An Open Air Fire Permit issued pursuant to this Bylaw is valid for such period of time as shall be determined and set by the Fire Chief or designate and shall have endorsed thereon the period of time for which the permit is valid.

7.8 The Fire Chief or designate may extend in writing the period of time that an Open Air Fire Permit is valid provided such permit has not expired.

7.9 Provincial Fire Bans automatically means a Fire Ban in Birch Hills County.

SECTION 8. RECOVERY OF COSTS

8.1 Where Fire Services has taken any action for which a fee is payable under this Bylaw, such fee shall be paid upon the taking of such action or within a reasonable time thereafter if, in the circumstances, it is impractical to pay or receive the fee at the time such action is taken.

8.2 Where Fire Services has extinguished a fire or responded to an Incident within or outside the County for the purpose of preserving life or property from injury or destruction by such Incident, including any such action taken by Fire Services on a False Alarm, the Fire Chief, will charge costs incurred by Fire Services in taking such action, charge any costs so incurred by Fire Services to:

(a) the person who caused the incident;

(b) the owner of the land or the person in possession where the Incident occurred; or

(c) the owner of the property involved where the Incident does not occur on privately owned land.

8.3 The schedule of fees and charges by Fire Services for services rendered pursuant to this Bylaw shall be as set in the annual budget, as approved by Council.

8.4 In respect of the fees or charges described above:

(a) the County may recover such fees or charges as a debt due and owing to the County; or

(b) In the case of action taken by Fire Services in respect of land within the County, where the fees or charges are not paid upon demand by the County, then in default of payment, such fees or charges may be charged against the land as taxes due and owing in respect of that land.

(c) In the event that the owner or occupant of any land within or outside the County shall feel aggrieved by the fees described in Section 9, such owner or occupant shall have a period of thirty (30) days from the date of the mailing of the fee assessment to appeal the fees to the Birch Hills County Council. The decision of the Council on any such appeal shall be final and binding upon the owner or occupant of the land and is not subject to further appeal.

SECTION 9. OFFENCES AND PENALTIES

9.1 The Fire Chief or designate may terminate, suspend or cancel an Open Air Fire Permit upon contravention of any provision of this Bylaw, the Alberta Fire Code or any terms and conditions included in the permit.

9.2 A person, who contravenes any provision of this Bylaw, or any terms or conditions is guilty of an offence and upon a conviction, is liable to a fine of not less than $500.00 and not more than $5000.00, plus court costs.

9.3 Where a person:

(a) fails to obtain an Open Air Fire Permit as required under this Bylaw; or

(b) obtains an Open Air Fire Permit but fails to follow the provisions of this Bylaw or the conditions included in such Permit; and

(c) a fire beyond the control of the person or other emergency to which Fire Services responds results wherefrom, then such person shall be liable to pay all costs of all emergency response service incurred by Fire Services calculated in accordance with the current fee schedule, as established in the annual budget, approved by Council, and the County may recover from such person all such costs as a debt owing to the municipality.

9.4 A Peace Officer is hereby authorized and empowered to issue a Violation Ticket to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

9.5 A Violation Ticket shall be served upon the person named therein in accordance with the provisions of the *Provincial Offences Procedure Act,* R.S.A. 2000, c. P-34.

9.6 Where a contravention of this Bylaw is of a continuing nature, further Violation Tickets may be issued by a Peace Officer, provided that no more than one Violation Ticket shall be issued for each calendar day that the contravention continues.

9.7 Where a Safety Codes Officer in the Fire Discipline, holding a Designation of Powers to the Birch Hills County, or a Peace Officer, has reasonable grounds to believe that a

Schedule of Fees and Charges

Minimum Fee for Fire Department Response-	$100.00
Fire Department Response each unit/hour Unit refers to fire engine, tender or command unit	$500.00
Fire Department Response each/unit hour- As per Alberta Government Policy	
Contracted or rented equipment	Cost plus 5%
Any services or supplies required to mitigate an incident	Cost plus 5%
Fire Cause Investigation or inspection	$50.00

Request for Decision (RFD)

Meeting:	Regular Council Meeting	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Hermann Minderlein	**Director:**	
Item Title:	Friends of the Grande Spirit Foundation Harvest Dinner Fundraiser	**Presenter:**	

DESCRIPTION:

Council is being provided with a request for support received from the Friends of the Grande Spirit Foundation regarding their Harvest Dinner Fundraiser being held on October 20, 2018

DISCUSSION / BENEFITS / DISADVANTAGES:

Past Council decisions regarding this request were as follows:

In 2017:

RC17-341 … that Council authorize Administration to purchase two (2) tickets for the Friends of Grande Spirit Foundation Harvest Dinner being held in Grande Prairie on October 14, 2017 and to spend up to $200 for items to be donated for silent auction donations for that event.

and in 2016:

RC16-347 … that Council direct administration to purchase a table and delegate designates to attend the Grande Spirit Foundations Fundraiser on October 22nd, 2016 at a cost of $550.00 to be coded to account 2-11-10-00-735 – Grants to Individuals or Organizations.

and

RC16-348 … that Council authorize administration to purchase the bench and wine rack provided by Wayne Grusie to the Grande Spirit Foundations Fundraiser on October 22nd, 2016 at a cost of $200.00 to be coded to account 2-11-10-00-735 – Grants to Individuals or Organizations.

2018 may be a little different as G5 is working with GSF in an attempt to secure a long-term facility in our area, and Council may wish to take this into consideration when making a decision. Administration has polled staff from the other G5 members to determine what their Councils' traditionally have contributed to this cause, if there has been any decision made yet for 2018, and to determine if there may be any appetite for making a joint decision from the G5. Responses to date indicate that there have been no decisions made regarding 2018, and past practice has been as follows:

MD of Spirit River:
donates the equivalent of a table in cash for them to buy auction items so that they can sell the table to those who might bid on the silent auction items

Village of Rycroft:
CAO does not believe that there has been a contribution in past.

COST / SOURCE OF FUNDING:

The amount to be spent on a donation, and the cost attendance by any participants chosen to Council should be coded to Account 2-11-10-00-735 – Grants to Individuals or Organizations. There is $7,000 budgeted in the account, $2,300 spent to date, leaving a free balance of $4,700. Historically, other expenditures from this account that have not been authorized in 2018 to date include exemption for rental fees for Eaglesham Hall, BHC Library Board, Sorrentino's Compassion House, and Lakeside Golf & Country Club.

OPTIONS:

Regarding the donation of an item for the event's Silent or Live Auctions, Council may wish authorize Administration to spend an amount to be decided upon to procure items from local artisans for donation as silent auction items.

WRT to the actual event, should Council decide to purchase a table for the event, selections of individuals to provide the tickets to could include:

Reeve Gerald Manzulenko and his wife;
Councillor Denise Joudrey (Member of Council appointed to Grande Spirit Foundation) and her husband;
Other members of Birch Hills County Council or Staff and their spouses;
Other Birch Hills County residents and their spouses.

Another option available to Council would be to make a monetary donation in lieu of providing an item for either of the auctions or purchasing a table or tickets for County representatives.

If such a decision is made, then Council will need to consider reimbursement of individual expenses including travel, accommodations, etc. and the payment of honorarium. With such cost potentially outweighing the cost of a table, it may be more beneficial to do as the MD of Spirit River and make a cash donation and leave the table spaces to be sold to potential contributors and auction supporters.

The last option that is always available to Council would be to decide not to do anything, and receive the request for information.

RECOMMENDED ACTION:

It is recommended that Council discuss this matter and determine the level of support to provide in response to the request.

Grande Spirit Foundation

"Providing Affordable Housing to Seniors and Families"

BIRCH HILLS COUNTY
RECEIVED
JUL 30 2018
WANHAM

July 25, 2018

We invite you to participate in our annual fundraiser. The Friends of the Grande Spirit Foundation are hosting their Harvest Dinner on October 20th, 2018 at the Stonebridge Hotel. Doors will open at 5:00 pm. There will be a dance with live music by Night Ryders following dinner, as well as a silent and live auction.

Through fundraisers, such as this dinner, we are able to raise money for our lodges and senior apartments that are not accounted for in the day to day operations. Our mission is to purchase items that improve the quality of life and in the past have included: outdoor glider swings, exercise equipment, updated furniture and TVs for common areas, sound systems, a new bus and more...with much more left to do.

Here's how you can help:

1. Please mark your calendar now and plan to attend the fundraiser on October 20th. We encourage you to bring a friend or colleague and your checkbook! Corporate tables are $550 which includes 8 dinner tickets, 2 bottles of wine, signage and advertising. Individual tickets are also available at $60 each.

2. Please consider contributing an item to the silent auction. All donations are greatly appreciated. Your donation can be a gift certificate to your business, merchandise or services.

We will gladly pick up your donation, or it can be mailed or dropped off to the address listed below. Please fill out the attached Donation Form and return it to kedginton@grandespirit.org or you can drop it off with your donation. We must receive all donations by Friday, October 5th.

We very much appreciate any support that your organization can provide. If you have any questions or would like to purchase tickets, please contact me at kedginton@grandespirit.org or Wendy Doucet at 780-978-3310

On behalf of the Friends of the Foundation,

K Edginton

Kelsey Edginton

9505 - 102 Avenue, Grande Prairie, Alberta T8V 7G9
Telephone: (780) 532-2905 Fax: (780) 539-3155

Grande Spirit Foundation

"Providing Affordable Housing to Seniors and Families"

Silent Auction Donation Form

Donor Representatives Name: _____

Donor Company Name: _____

Address: _____

Email: _____

Phone Number: _____

Description of item or service being donated:

_____

_____

_____

_____

Approximate Retail Value: _____

Thank you for your support!

Please return this form by October 5th.

9505 - 102 Avenue, Grande Prairie, Alberta T8V 7G9
Telephone: (780) 532-2905 Fax: (780) 539-3155

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Amanda Ouellet/Dir. Of Agriculture	**Manager:**	
Item Title:	Appt of Weed & Pest Inspectors	P**resenter:**	Amanda Ouellet

DESCRIPTION:

Council is being requested to appoint inspectors for the period August to October, 2018 in accordance with the Agricultural Pests Act.

BACKGROUND:

DISCUSSION / BENEFITS / DISDVANTAGES:

Benefits – To be compliant with the Agricultural Pests Act, Birch Hills County is required to appoint a sufficient number of individuals as pest inspectors.

Disadvantages – Birch Hills would not be compliant with the Agricultural Pests Act.

COST / SOURCE OF FUNDING:

There are no extra costs associated with appointing Agricultural Service Staff as inspectors under the Agricultural Pests Act. Funding for inspector positions comes out of the 2017 Agricultural Services Department Operating Budget.

RELEVANT LEGISLATION (Cite):

Provincial Pests Act Chapter A-8 RSA 2000

Pest and Nuisance Control Regulation AR 184/2001, Provincial Pests Act Chapter A-8 RSA 2000.,

Section 10 of the Agricultural Pests Act provides as follows:

ATTACHMENT(S): Nil

OPTIONS:

Council may choose to appoint pest inspectors for Birch Hills County or receive this item for information.

RECOMMENDED ACTION:

It is Administration's recommendation that Council add the appointments of the following Birch Hills County Agricultural Service Staff - Elizabeth Stockford and Courtney Scott - as Weed and Pest Inspectors under the Agricultural Pests Act.

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9th, 2018	**CAO:**	
Originated By:	Dion Hynes/Dir. Public Works	**Manager:**	
Item Title:	Disposal of Assets – Misc.	**Presenter:**	Dion Hynes

DESCRIPTION:

Administration is seeking Council's direction regarding the disposal of several assets that surpassed their useful life with Birch Hills County.

BACKGROUND:

The items listed on the attached are assets that staff deemed to reach its useful life and have been placed in the County yard some years ago.

DISCUSSION / BENEFITS / DISDVANTAGES:

Staff is wanting to clean up and maintain a county yard that has for numerous years looked like a stock pile for old items with no usefulness. Having a clean yard not only reflects sense of pride in the County it also allows staff to maintain a safe work environment.

Both Ritchie Bros and Weaver Auctions have been contacted to provide staff with an outlook on what might be sold and at what price. The attached asset list also includes a break down of anticipated revenue.

COST / SOURCE OF FUNDING:

N/A.

RELEVANT LEGISLATION (Cite):

Procurement Policy Ethical Practices

ATTACHMENT(S):

Disposals assets 2018 list and photos

OPTIONS:

Council may choose to:

1. Direct administration to sell all the miscellaneous items listed on the attached document at Weaver Auction at a future auction.

2. Direct administration to sell the miscellaneous items listed on the attached document at Ritchie Bros. Auction at the auction on October 2nd and 3rd.

3. Direct Administration to seek direct ways to dispose of the listed items on the attached document.

4. Direct staff to keep all the listed items on the attached document for future use.

RECOMMENDED ACTION:

It is Administration's recommendation:

"that Council direct administration to sell all the miscellaneous items listed at Weaver Auction at a future auction:

1.	3 V plows, 2 old champion and 1 somewhat newer with lift groups for two of them
2.	Tire Chains
3.	8 Fuel Tanks
4.	1 Used Oil Tank
5.	3 Fuel Stands
6.	Tool Box
7.	Head Ache Rack
8.	Old Pumps from Old Water Plant
9.	Rock/Gravel Screen Cover Off of Old Gravel Truck
10.	Old Grinder
11.	Old Welder
12.	File Cabinet
13.	Old Charger
14.	Step from Old Graders
15.	Lights from Office from Renovation (No market for used lights)
16.	Safety cages from old mowers
17.	Other Misc. Items

Disposal of assets 2018

1. 3 V plows, 2 old champion and 1 somewhat newer with lift groups for two of them $300.00 each
2. Tire Chains $100.00
3. 8 fuel Tanks $400.00
4. 1 used oil tank $50.00
5. 3 fuel stands $100.00
6. Tool Box $150.00
7. Head ache Rack $50.00
8. Old pumps from old water plant $100.00
9. Rock/gravel screen cover off of old gravel truck $200.00
10. Old grinder $20.00
11. Old welder $100.00
12. File Cabinet $10.00
13. Old Charger $30.00
14. Step from old graders $20.00
15. Lights from office from renovation (No market for used lights)
16. Safety cages from old mowers $200.00
17. Other Misc Items

Total approximately $2500.00

Item 1

Items 3 and 4

Item 5

Items 6 and 7

Item 8

Item 9

Items 10 and 11

Item 14

Items 12 and 13

Item 16

Item 15

Item 15

Item 17

Item 17

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Shawna Schwerdt L.O./E.A.	**Manager:**	
Item Title:	Nomination & By-Election Dates	**Presenter:**	Hermann Minderlein

DESCRIPTION:

Birch Hills County received two resignations from Council, one from Councillor Ginette Paradis who represented Ward 1, and the other from Councillor Cheryl Bogdanek who represented Ward 5.

BACKGROUND:

The letters from Councillors Paradis and Bogdanek were dated August 7th, 2018.

As per Section 162 of the MGA;

> A Council must hold a by-election to fill a vacancy on council unless
>
> (a) the vacancy occurs in the 6 months before a general election, or
>
> (b) the council consists of 6 or more Councillors and the vacancy occurs
>
> (i) in the 18 months before a general election and there is only one vacancy, or
>
> (ii) in the 12 months before a general election and the number of Councillors remaining is a least one more than the majority of the number of Councillors comprising the council under section 143.

DISCUSSION / BENEFITS / DISDVANTAGES:

As per the MGA section 165: Unless a council sets an earlier date, election day for a by-election under section 162 or 163 is 90 days after the vacancy occurs.

The by-election would need to be before *November 5th, 2018.*

As per section 25 of the Local Authorities Election Act: nomination day shall be 4 weeks before Election Day.

COST / SOURCE OF FUNDING:

RELEVANT LEGISLATION (Cite):

MGA 161, 162

ATTACHMENT(S):

Resignation letters from Ginette Paradis and Cheryl Bogdanek.

OPTIONS:

Council will need to accept the resignations from Councillors Bogdanek and Paradis, and following discussions, designate _____, 2018 as Nomination day and designate _____,2018 as the date of the by-election for Wards 1 and 5.

RECOMMENDED ACTION:

It is Administration's recommendation

> "that Council designate _____, 2018 as Nomination day and designate _____,2018 as the date of the by-election for Wards 1 and 5."

Immediate Letter of Resignation

Ginette M Paradis

Box 30 Watino, AB T0H 3R0

780-359-2772

August 7, 2018

Dear Birch Hills County Council;

Please accept this letter as my formal resignation from councillor for Ward #1, effective immediately.

I apologize for the abrupt timing of this announcement; however due to the negative impact we are experiencing in our personal business, I have decided to resign. Our business relies heavily on healthy collaborations with local farmers; without these relationships our business is unable to be successful.

Thank you for the great opportunity to develop my skills and have a positive impact on our communities. I have greatly enjoyed working with all members of council.

Please let me know if I can be of assistance during the transition period. I wish council and Birch Hills County the very best going forward.

Sincerely;

Ginette M Paradis

August 7, 2018

Reeve Manzulenko and Council

Please accept this as my formal resignation from Council as representative for Ward 5 effective immediately.

It has been brought to my attention that I have been absent from Council Meetings in excess of the period that is permitted by MGA 174(1) (d). My absence has been purely due to personal reasons.

I appreciate the opportunity for being able to represent the residents of my Ward for the past 5 years, and wish you all the best going forward.

Sincerely,

Cheryl Bogdanek

Request for Decision (RFD)

Meeting:	Regular Council Meeting	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Hermann Minderlein	**Director:**	Shelley Braun
Item Title:	Appointment of Returning Officer	**Presenter:**	

BACKGROUND:

Council is being requested to appoint a Returning Officer for the 2018 Municipal By-Election.

DESCRIPTION:

The Local Authorities Election Act states that an elected authority may, by resolution, appoint a returning officer for the purposes of conducting elections under this Act. If the elected authority does not appoint a returning officer, the secretary is deemed to have been appointed as the returning officer.

Shelley Braun, Director of Corporate Services, was appointed Returning Officer for the 2017 Municipal election.

DISCUSSION / BENEFITS / DISDVANTAGES:

COST / SOURCE OF FUNDING:

There is no cost associated with this decision.

RELEVANT LEGISLATION (Cite):

Local Authorities Election Act states:

"13(1) An elected authority may, by resolution, appoint a returning officer for the purposes of conducting elections under this Act.

"(2) If the elected authority does not appoint a returning officer, the secretary is deemed to have been appointed as the returning officer."

ATTACHMENT(S):

N/A

OPTIONS:

Council may choose to:

1. Appoint Shelley Braun, Director of Corporate Services as the returning officer for the 2018 municipal by-election; or

2. Appoint Hermann Minderlein, CAO as the returning officer for the 2018 municipal by-election; or

3. Direct Administration to take other action related to the appointment of a returning officer for the 2018 municipal by-election

RECOMMENDED ACTION:

It is Administration's recommendation that Council appoints Shelley Braun, Director of Corporate Services, as the returning officer for Birch Hills County for the 2018 municipal by-election.

Request for Decision (RFD)

Meeting:	Regular Council Meeting	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	CAO Minderlein	**Director:**	
Item Title:	Upcoming Council Meetings	**Presenter:**	CAO Minderlein

DESCRIPTION:

Council is being requested to review the upcoming Calendar as it relates to Council Meetings and Statutory Holidays.

BACKGROUND:

On May 10, 2018 Council passed Resolution RC18-176 that read as follows:

> "*that Council cancel the Regular Council Meetings and Governance Meetings scheduled for May 24, June, 28, July 26, August 23, September 27, November 22 and December 27 and add Governance Meeting to September 13 and November 8; and direct Administration to provide notice of these changes in accordance with the requirements of Bylaw 2014-06, the Procedures Bylaw.*"

Administration would like members of Council to review the upcoming meeting schedule to determine if it meets Council's requirements.

COST / SOURCE OF FUNDING:

There is adequate funding in the budget to hold the meetings as scheduled.

RELEVANT LEGISLATION (Cite):

Bylaw 2014-06, the Procedures Bylaw.

ATTACHMENT(s):

List of Calendar Dates from August to December 31, 2018

OPTIONS:

Council may choose to:

1. Accept the presentation regarding upcoming calendar for information; or
2. Make changes to the calendar as deemed necessary.

RECOMMENDED ACTION:

Administration recommends that Council review the list of upcoming meetings and make changes as determined appropriate.

UPCOMING 2018 COUNCIL EVENTS

Date	Time or Attendee(s)	Event
Aug 9	9:00 AM	Regular Council
Aug 10	10:00 AM	RMA District 4 Meeting in St. Isidore
Sep 3	**Labour Day**	County Office Closed
Sep 5 to 7	CAO Minderlein	ARMAA Conference
Sep 13	9:00 AM Following Regular Council	Regular Council Governance
Oct 8	**Thanksgiving Day**	County Office Closed
Oct 11	9:00 AM Following Regular Council	Regular Council Ag. Service Board
Oct 25	9:00 AM Following Organizational Following Regular Council	Organizational Meeting Regular Council Governance
Nov 8	9:00 AM Following Regular Council	Regular Council Governance
Nov 11	**Remembrance Day**	
Nov 12	**County Office Closed in Lieu of Remembrance Day**	
Nov 19 to 22	All of Council and CAO Minderlein	RMA Fall Conference
Dec 13	9:00 AM Following Regular Council Meeting	Regular Council Ag. Service Board
Dec 25	**Christmas Day**	County Office Closed
Dec 26	**Boxing Day**	County Office Closed

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Lucy Stevenson Tax/Dev Clerk	**Manager:**	
Item Title:	SDAB Clerk Appointment	**Presenter:**	Lucy Stevenson

DESCRIPTION:

Council is being requested to appoint Louise Gostick, Clerk and Designated Officer from the MD of Spirit River 133, and Tracy Lapping, Clerk and Designated Officer from Saddle Hills County, as Clerks of the Birch Hills County Subdivision and Development Appeal Board (SDAB).

BACKGROUND:

Birch Hills County established a Subdivision and Development Appeal Board through Bylaw No. 09 00 and as such as per s. 627.1(1) - MGA Council must authorize the appointment of one or more clerks. Bylaw No. 09 00 section 7 deems the CAO or their designate as the clerk but this has been superseded by s. 627.1(4) - MGA which states the clerk must have completed training, furthermore our current CAO is the Development Officer and is not eligible as per s.627.1(5) - MGA.

DISCUSSION / BENEFITS / DISDVANTAGES:

On August 7, 2018 the County received a notice of appeal, and as per s. 686(1) – MGA the appeal must hold a hearing within 30 days after receipt of a notice of appeal.

Shelley Braun is scheduled to attend training in Peace River on October 10, 2018 so that we may appoint a staff member as the clerk of the Subdivision and Development Appeal Board. Additionally, there has been discussion at the last G5 meeting of forming a Regional SDAB, but no action has been taken to date towards this initiative.

COST / SOURCE OF FUNDING:

The reimbursement to either the MD of Spirit River 133 or Saddle Hills County for time and expenses incurred to complete the duties of the SDAB Clerk would be coded to expense account number 2-61-20-00-249 SDAB other Professional Services

RELEVANT LEGISLATION (Cite):

Municipal Government Act Revised Statutes of Alberta 2000 Chapter M-26
Bylaw No. 09 00

ATTACHMENT(S):

Bylaw No. 09 00

OPTIONS:

Council may choose to:

1. Appoint Louise Gostick and Tracy Lapping as clerks of the Birch Hills County Subdivision and Development Appeal Board;

2. Appoint Louise Gostick as clerk of the Birch Hills County Subdivision and Development Appeal Board; or

3. Appoint Louise Gostick and Tracy Lapping as clerks of the Birch Hills County Subdivision and Development Appeal Board

RECOMMENDED ACTION:

It is Administration's recommendation that Council appoint Louise Gostick and Tracy Lapping as clerks of the Birch Hills County Subdivision and Development Appeal Board and authorizes Administration to reimburse time and expenses incurred to complete the duties of the SDAB Clerk.

BIRCH HILLS COUNTY

BY-LAW NO 09-00

A BY-LAW OF BIRCH HILLS COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD OF BIRCH HILLS COUNTY

WHEREAS Section 627 of the Municipal Government Act, S.A. 1994, as amended ("the Act") requires that a Municipal Council establish a Subdivision and Development Appeal Board by By-Law.

NOW THEREFORE the Council of Birch Hills County , duly assembled, enacts as follows:

1. Name

1.1. This By-Law may be cited as the "Subdivision and Development Appeal Board By-Law".

2. Definitions

The following words and phrases mean:

2.1. "Act" means the Municipal Government Act, S.A. 1994, as amended.

2.2. "Appellant" means a person who, pursuant to the Act, has served a notice of appeal on the Subdivision and Development Appeal Board.

2.3. "Council" means the Reeve and Councillors of Birch Hills County for the time being elected pursuant to the provisions of the Act, whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Act.

2.4. "Development Application" means an application made to the Development Authority in accordance with the Land Use By-Law for the purpose of obtaining a development permit.

2.5. "Development Authority" means the persons established under Section 3 of the Development Authority By-Law to perform the functions of a development authority under the Act.

2.6. "Development Permit" means a document authorizing a development issued in accordance with the Land Use By-Law of Birch Hills County .

2.7. "Land Use By-Law" means a By-Law adopted as a Land Use By-Law pursuant to the Act or the former Act.

2.8. "Subdivision Authority" means the persons established under Section 3 of the Subdivision Authority By-Law to perform the functions of a subdivision authority under the Act.

2.9. "Subdivision and Development Appeal Board" means the Board established to hear development and subdivision appeals, pursuant to Section 3 of this By-Law.

2.10. "Subdivision and Development Appeal Board Secretary" means the person appointed to the position established under Section 7 of this By-Law.

3. Establishment and Membership

3.1. The Subdivision and Development Appeal Board of Birch Hills County is hereby established.

3.2. The Subdivision and Development Appeal Board shall consist of 3 members appointed annually by resolution of the Council. The members shall be appointed from the public-at-large. (Residents of Birch Hills County).

3.3. No person who is an employee of Birch Hills County , who is a Development Authority or a Subdivision Authority for Birch Hills County , or who is a member of a Municipal Planning Commission shall be appointed to the Subdivision and Development Appeal Board.

3.4. Any vacancies caused by the death, retirement or resignation of a member may be filled by resolution of the Council.

3.5. Council may remove a member from the Subdivision and Development Appeal Board by resolution at any time.

4. Term of Office

4.1. Subject to Section 3.5 of this By-Law, each member of the Subdivision and Development Appeal Board shall be appointed at the pleasure of the Council for a term of one year and may be reappointed upon the expiry of the term at the pleasure of the Council.

5. Chairman

5.1. At the first meeting of the Subdivision and Development Appeal Board following Council's Organizational Meeting each year a Chairman shall be elected by vote of the majority of the members.

5.2. A member may be re-elected to the position of the Chairman.

5.3. The Chairman shall preside at the meetings of the Subdivision and Development Appeal Board.

6. Vice-Chairman

6.1. A Vice-Chairman shall be elected at the same time and under the same rules as the Chairman

6.2. A member may be re-elected to the position of Vice-Chairman.

6.3. The Vice-Chairman shall preside at the meetings of the Subdivision and Development Appeal Board in place of the Chairman if the Chairman, for any reason, does not preside at the meeting.

6.4. In the absence of the Chairman and the Vice-Chairman, one of the other members

of the Subdivision and Development Appeal Board shall be elected to preside.

7. Secretary of the Subdivision and Development Appeal Board

7.1. The position of designated officer for the limited purpose of carrying out the function of the Secretary to the Subdivision and Development Appeal Board is established ("Subdivision and Development Appeal Board Secretary").

7.2. The County Manager and/or designate is appointed the Subdivision and Development Appeal Board Secretary and shall not be a member of the Subdivision and Development Appeal Board.

7.3. The Subdivision and Development Appeal Board Secretary shall have responsibilities and functions including the following:

7.3.1. Makes and keeps a record of the Subdivision and Development Appeal Board proceedings which may be in the form of a summary of the evidence presented at a hearing.

7.3.2. Ensures statutory notices and decisions of the Subdivision and Development Appeal Board are provided to such persons as the Act requires.

7.3.3. Compiles and provides Agenda and meeting packages to members and make available to the public.

7.3.4. Signs orders, decisions, approvals, notices, and other items given by the Subdivision and Development Board on its behalf.

8. Quorum and Meetings

8.1. A quorum of the Subdivision and Development Appeal Board shall be a majority of the members of the Subdivision and Development Appeal Board.

8.2. The Subdivision and Development Appeal Board shall meet at such intervals as are necessary to consider and decide appeals filed with it in accordance with the Act.

8.3. The Subdivision and Development Appeal Board may make rules as are necessary for the conduct of its meetings, its hearings and its business that are consistent with this By-Law, Birch Hills County Land Use By-Law, and the Act.

9. Fees and Expenses

9.1. The remuneration, traveling, living and other expenses of the members of the Subdivision and Development Appeal Board and the Subdivision and Development Appeal Board Secretary, shall be established by Council from time to time.

9.2. Subdivision and Development appeal fees and the setting of any other fees for any matter referred to the Board shall be established by resolution of Council.

10. Development Appeals

10.1. Subject to Sections 641(4) and 685(3) of the Act, the Subdivision and Development Appeal Board shall hear appeals where the Development Authority for Birch Hills County.

10.1.1. refuses or fails to issue a development permit to a person.

10.1.2. issues a development permit subject to conditions, or;

10.1.3. issues an order under Section 645 of the Act,

and appeals are launched within the time limitations and in the manner indicated in the Act.

10.2. Subject to Sections 641(4) and 685(3) of the Act, the Subdivision and Development Appeal Board shall hear appeals from any person affected by an order, decision or development permit issued by the Development Authority, who appeals within the time limitations and in the manner indicated in the Act.

10.3. The Subdivision and Development Appeal Board shall hold an appeal hearing respecting any Development Appeal within 30 days of receipt of the notice of appeal.

10.4. The Subdivision and Development Appeal Board shall give at least 5 days notice in writing of the appeal hearing to:

10.4.1. the Appellant;

10.4.2. the Development Authority of Birch Hills County;

10.4.3. the owners required to be notified under the Land Use By-Law of Birch Hills County , and

10.4.4. any other person that the Subdivision and Development Appeal Board considers to be affected by the appeal and should be notified.

10.5. In determining an appeal, the Subdivision and Development Appeal Board:

10.5.1. shall comply with the Land Use Policies established pursuant to Section 622 of the Act;

10.5.2. shall comply with any statutory plan and, subject to subsection 10.5.5 of this By-Law, the Land Use By-Law of Birch Hills County ;

10.5.3. shall have regard to but not be bound to the Subdivision and Development Regulations established pursuant to Section 694 of the Act.

10.5.4. may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

10.5.5. may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the Land Use By-Law if, in its opinion,

10.5.5.1. the proposed development would not

10.5.5.1.1.unduly interfere with the amenities of the neighborhood, or

10.5.5.1.2.materially interfere with or affect the use, enjoyment or value of neighboring parcels of land, and;

10.5.5.2. the proposed development conforms with the use prescribed for that land or building in the Land Use By-Law.

10.6. The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within 15 days of the conclusion of the public hearing.

11. Subdivision Appeals

11.1. Subject to Section 678 of the Act, the Subdivision and Development Appeal Board shall hear appeals of decisions of the Subdivision Authority for Birch Hills County, provided an appeal is received within the time limitations and in the manner indicated in the Act.

11.2. The Subdivision and Development Appeal Board shall hold an appeal hearing respecting any appeal within 30 days of receipt of the notice of appeal.

11.3. The Subdivision and Development Appeal Board shall give at least 5 days notice in writing of the appeal hearing to:

11.3.1. applicant for subdivision approval;

11.3.2. the Subdivision Authority of Birch Hills County;

11.3.3. any school authority to whom the application for subdivision approval was referred;

11.3.4. all adjacent land owners who were given notice of the application for subdivision approval pursuant to Section 653(4) of the Act;

11.3.5. every Government department that was given a copy of the application for subdivision approval pursuant to the Act; and

11.3.6. the adjacent municipality, if the land that is the subject of the application for subdivision approval is adjacent to the County boundaries.

11.4. In determining an appeal, the Subdivision and Development Appeal Board:

11.4.1. shall be consistent with the Land Use Policies established pursuant to Section 622 of the Act;

11.4.2. shall have regard to any statutory plan which is in effect;

11.4.3. shall conform with the uses of land referred to in the Land Use By- Law;

11.4.4. shall have regard to but not be bound to the Subdivision and Development Regulations established pursuant to Section 694 of the Act,

11.4.5. may confirm, revoke or vary the approval or decision or any condition imposed by the Subdivision Authority or make or substitute a decision or any condition of its own; and

11.4.6. may exercise the same power as the Subdivision Authority is permitted to exercise pursuant to the Act or any Regulations or By-Laws adopted pursuant to the Act.

11.5. The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within 15 days of the conclusion of the public hearing.

12. This By-Law shall come into force upon final reading.

READ A FIRST TIME THIS 10TH DAY OF AUGUST, 2000

READ A SECOND TIME THIS 10TH DAY OF AUGUST, 2000

READ A THIRD TIME AND PASSED THIS 10TH DAY OF AUGUST, 2000

BEN BOETTCHER, REEVE

I. BASISTY, C.A.O.

Request for Decision (RFD)

Meeting:	**Regular Council Meeting**	**Reviewed/ Approved For Submission**	
Meeting Date:	August 9, 2018	**CAO:**	
Originated By:	Shelley Braun, DCS	**Director:**	**SDB**
Item Title:	Bank Reconciliation, Cheque Register	**Presenter:**	

BACKGROUND / PROPOSAL:

Council is being provided with the July 31, 2018 Bank Reconciliation and July 31, 2018 Register Report for cheques issued.

DISCUSSION / BENEFITS / DISADVANTAGES:

July 31, 2018 Bank Reconciliation adjustment details are as follows:

31-Jul-18	Interest	$1829.87
01-Jul-18	GST	$(3.00)
01-Jul-18	July Service Charges	$(143.19)
01-Ju1-18	Split Deposits	$2657.33
		$4341.01

Originator: Marlene McLaughlin

July 31, 2018 Pre-authorized Payments were as follows:

05-Jul-18	I Want Wireless	$62.85
09-Jul-18	Local Authorities Pension Plan	$31,820.89
10-Jul-18	Receiver General	$62,282.94
10-Jul-18	Manulife	$11,150.00
13-Jul-18	Telus	$1,243.62
16-Jul-18	Manulife	$996.71
19-Jul-18	Altagas (power) buildings	$5,856.28
19-Jul-18	Altagas (power) streetlights	$3,874.51
25-Jul-18	Access Gas	$236.89
		$117,524.69

Originator: Lisa Price

ATTACHMENT(s):

Bank Reconciliation (Posting Journal) for Bank Statement ending July 31, 2018
July 31, 2018 Vendor Cheque Register – Total cheques issued $321,143.65
Note: * cheques have been voided

RECOMMENDED ACTION:

That Council accept the July 31, 2018 Bank Reconciliation and July 31, 2018 Register of Cheques documentation for information.

Audit Trail Code: CMADJ00000253
Chequebook ID: ATB PRIMARY
Description: ALBERTA TREASURY BRANCH

Bank Statement Ending Balance: $1,143,297.79
Bank Statement Ending Date: 7/31/2018
Cutoff Date: 7/31/2018

Statement Ending Balance	$1,143,297.79
Outstanding Cheques (-)	$126,686.72
Deposits in Transit (+)	$16,472.74
Adjusted Bank Balance	$1,033,083.81
Chequebook Balance as of Cutoff	$1,028,742.80
Adjustments	$4,341.01
Adjusted Book Balance	$1,033,083.81
Difference	$0.00

Ranges:	From:	To:		From:	To:
Cheque Number	First	Last	Cheque Date	7/01/18	7/31/18
Vendor ID	First	Last	Chequebook ID	First	Last
Vendor Name	First	Last			

Sorted By: Chequebook ID

* Voided Cheques

Cheque Number	Vendor ID	Vendor Cheque Name	Cheque Date	Chequebook ID	Audit Trail Code	Amount
0030225	AAMDC01	RURAL MUNICIPALITIES OF ALBERT	7/11/18	ATB PRIMARY	PMCHQ00001221	$2,685.52
0030226	ACEINILIFE01	CHUBB LIFE INSURANCE OF CANADA	7/11/18	ATB PRIMARY	PMCHQ00001221	$320.49
0030227	BCI01	BEAR COUNTRY INN	7/11/18	ATB PRIMARY	PMCHQ00001221	$299.21
0030228	BHILLGAS01	BIRCH HILLS GAS CO-OP LTD.	7/11/18	ATB PRIMARY	PMCHQ00001221	$392.06
0030229	BLAKETRU01	BLAKE'S TRUCKING LTD	7/11/18	ATB PRIMARY	PMCHQ00001221	$12,600.00
0030230	CANADAREVENUE01	RECEIVER GENERAL	7/11/18	ATB PRIMARY	PMCHQ00001221	$407.85
0030231	CAPITALI01	CAPITAL I INDUSTRIES INC	7/11/18	ATB PRIMARY	PMCHQ00001221	$395.66
0030232	CDROULEAU01	CD ROULEAU CONSTRUCTION LTD	7/11/18	ATB PRIMARY	PMCHQ00001221	$63,168.00
0030233	CIBCVISA01	CIBC Credit Card Services	7/11/18	ATB PRIMARY	PMCHQ00001221	$3,329.44
0030234	CO-OPGIROUX01	GIROUXVILLE GENERAL CO-OP	7/11/18	ATB PRIMARY	PMCHQ00001221	$4,741.31
0030235	CODESACONST01	CODESA CONSTRUCTION LTD	7/11/18	ATB PRIMARY	PMCHQ00001221	$15,878.89
0030236	COLLIE01	MIKE & JANET COLLIE	7/11/18	ATB PRIMARY	PMCHQ00001221	$220.00
0030237	FRAPE01	FRAPE, LORRAINE	7/11/18	ATB PRIMARY	PMCHQ00001221	$136.00
0030238	GHOSTKEEPERC01	GHOSTKEEPER, COLIN	7/11/18	ATB PRIMARY	PMCHQ00001221	$157.49
0030239	GIRARDM01	GIRARD, MATTHEW	7/11/18	ATB PRIMARY	PMCHQ00001221	$30.00
0030240	GREGG01	GREGG DISTRIBUTORS S.R. LTD.	7/11/18	ATB PRIMARY	PMCHQ00001221	$1,243.62
0030241	JDFINANCIAL01	JOHN DEERE FINANCIAL	7/11/18	ATB PRIMARY	PMCHQ00001221	$236.92
0030242	LEMAYM01	LEMAY, MAURICE	7/11/18	ATB PRIMARY	PMCHQ00001221	$175.00
0030243	MACAULEY J01	MACAULEY, JACK	7/11/18	ATB PRIMARY	PMCHQ00001221	$10,836.00
0030244	MANBEN01	MANULIFE FINANCIAL GROUP BENEF	7/11/18	ATB PRIMARY	PMCHQ00001221	$57.33
0030245	NMETALIC01	NORTHERN METALIC SALES (GP) L	7/11/18	ATB PRIMARY	PMCHQ00001221	$558.14
0030246	PRDISPOSAL01	PRAIRIE DISPOSAL LTD	7/11/18	ATB PRIMARY	PMCHQ00001221	$136.50
0030247	SMKEXP01	SMOKY RIVER EXPRESS	7/11/18	ATB PRIMARY	PMCHQ00001221	$42.00
0030248	SRHMHW01	SPIRIT RIVER HARDWARE	7/11/18	ATB PRIMARY	PMCHQ00001221	$306.24
0030249	SRINSURANCE01	SPIRIT RIVER INSURANCE & REGIS	7/11/18	ATB PRIMARY	PMCHQ00001221	$274.05
0030250	TSPRV01	TOWN OF SPIRIT RIVER	7/11/18	ATB PRIMARY	PMCHQ00001221	$500.00
0030251	WANHAMW01	WANHAM WAREHOUSE LTD	7/11/18	ATB PRIMARY	PMCHQ00001221	$124.48
0030252	WSP01	WSP CANADA	7/11/18	ATB PRIMARY	PMCHQ00001221	$945.23
0030253	ABHSERV01	ALBERTA HEALTH SERVICES	7/20/18	ATB PRIMARY	PMCHQ00001222	$130.00
0030254	BLAKETRU01	BLAKE'S TRUCKING LTD	7/20/18	ATB PRIMARY	PMCHQ00001222	$10,080.00
0030255	CDROULEAU01	CD ROULEAU CONSTRUCTION LTD	7/20/18	ATB PRIMARY	PMCHQ00001222	$67,767.00
0030256	CODESACONST01	CODESA CONSTRUCTION LTD	7/20/18	ATB PRIMARY	PMCHQ00001222	$13,836.38
0030257	DELEEUWF01	DELEEUW, FRANK	7/20/18	ATB PRIMARY	PMCHQ00001222	$242.82
0030258	EFROC01	EFROC INDUSTRIES LTD	7/20/18	ATB PRIMARY	PMCHQ00001222	$4,404.82
0030259	GFLENVI01	GFL ENVIRONMENTAL INC.	7/20/18	ATB PRIMARY	PMCHQ00001222	$4,589.83
0030260	INTERSELEC01	INTERSTELLER ELECTRIC LTD	7/20/18	ATB PRIMARY	PMCHQ00001222	$299.25
0030261	JOUDRY01	JOUDREY, DENISE	7/20/18	ATB PRIMARY	PMCHQ00001222	$115.00
0030262	JUBILEE01	RMA INSURANCE LTD	7/20/18	ATB PRIMARY	PMCHQ00001222	$643.75
0030263	MACAULEY J01	MACAULEY, JACK	7/20/18	ATB PRIMARY	PMCHQ00001222	$5,040.00
0030264	NEWHARVEST01	NEW HARVEST MEDIA INC	7/20/18	ATB PRIMARY	PMCHQ00001222	$892.50
0030265	NMETALIC01	NORTHERN METALIC SALES (GP) L	7/20/18	ATB PRIMARY	PMCHQ00001222	$702.70
0030266	PARADISD01	PARADIS, DANNY	7/20/18	ATB PRIMARY	PMCHQ00001222	$149.50
0030267	PATSAU01	PAT'S AUTO SUPPLY LTD	7/20/18	ATB PRIMARY	PMCHQ00001222	$1,371.50
0030268	PETROTANK01	PETROLEUM TANK MANAGEMENT ASSO	7/20/18	ATB PRIMARY	PMCHQ00001222	$520.00
0030269	RYCBLDG01	RYCROFT BUILDING SUPPLIES	7/20/18	ATB PRIMARY	PMCHQ00001222	$113.36
0030270	SCOTTJ01	SCOTT, JOANNE	7/20/18	ATB PRIMARY	PMCHQ00001222	$74.75
0030271	SRHMHW01	SPIRIT RIVER HARDWARE	7/20/18	ATB PRIMARY	PMCHQ00001222	$745.35
0030272	SSEMENIUK01	STEVE SEMENIUK CONSULTING	7/20/18	ATB PRIMARY	PMCHQ00001222	$3,969.00
0030273	TRINUS01	TRINUS TECHNOLOGIES INC.	7/20/18	ATB PRIMARY	PMCHQ00001222	$436.80
0030274	WINDFORD01	WINDSOR FORD	7/20/18	ATB PRIMARY	PMCHQ00001222	$1,241.07
0030275	COTTON01	COTTON TRUCKING	7/24/18	ATB PRIMARY	PMCHQ00001223	$6,305.25
0030276	IZOK01	IZOK MECHANICAL	7/24/18	ATB PRIMARY	PMCHQ00001223	$7,739.61
0030277	JMACAULEY01	JACK MACAULEY	7/24/18	ATB PRIMARY	PMCHQ00001223	$6,911.54
0030278	WILD01	WILD HORIZON VENTURES LTD	7/24/18	ATB PRIMARY	PMCHQ00001223	$1,793.23
0030279	TRIPLET01	TRIPLE T TRUCKING	7/24/18	ATB PRIMARY	PMCHQ00001223	$7,566.02
0030280	MITCHELLD01	GOSHAWK FARMS	7/24/18	ATB PRIMARY	PMCHQ00001223	$13,931.41

* Voided Cheques

Cheque Number	Vendor ID	Vendor Cheque Name	Cheque Date	Chequebook ID	Audit Trail Code	Amount
0030281	AAMDC01	RURAL MUNICIPALITIES OF ALBERT	7/25/18	ATB PRIMARY	PMCHQ00001224	$733.05
0030282	ACCUVEG01	ACCURATE VEG. LTD.	7/25/18	ATB PRIMARY	PMCHQ00001224	$293.58
0030283	ATCOELEC02	ATCO ELECTRIC	7/25/18	ATB PRIMARY	PMCHQ00001224	$333.90
0030284	BLAKETRU01	BLAKE'S TRUCKING LTD	7/25/18	ATB PRIMARY	PMCHQ00001224	$6,300.00
0030285	CIBCVISA01	CIBC Credit Card Services	7/25/18	ATB PRIMARY	PMCHQ00001224	$2,167.31
0030286	DLEQUIPMENT01	DOUGLAS LAKE EQUIPMENT	7/25/18	ATB PRIMARY	PMCHQ00001224	$90.82
0030287	DMREUMCONS01	DM REUM CONSULTING LTD	7/25/18	ATB PRIMARY	PMCHQ00001224	$4,567.50
0030288	GREGG01	GREGG DISTRIBUTORS S.R. LTD.	7/25/18	ATB PRIMARY	PMCHQ00001224	$2,025.85
0030289	HITECH01	HITECH BUSINESS SYSTEMS LTD	7/25/18	ATB PRIMARY	PMCHQ00001224	$224.42
0030290	JDFINANCIAL01	JOHN DEERE FINANCIAL	7/25/18	ATB PRIMARY	PMCHQ00001224	$4,957.30
0030291	JUBILEE01	RMA INSURANCE LTD	7/25/18	ATB PRIMARY	PMCHQ00001224	$54.59
0030292	LANGLOISK01	LANGLOIS, KATHRIN	7/25/18	ATB PRIMARY	PMCHQ00001224	$73.49
0030293	LEGION01	ALBERTA NWT COMMAND (ABNWT RCL	7/25/18	ATB PRIMARY	PMCHQ00001224	$340.00
0030294	LIGHTHOUSE02	LIGHTHOUSE PROMOTIONS	7/25/18	ATB PRIMARY	PMCHQ00001224	$15.75
0030295	MACAULEY J01	MACAULEY, JACK	7/25/18	ATB PRIMARY	PMCHQ00001224	$5,292.00
0030296	NMETALIC01	NORTHERN METALIC SALES (GP) L	7/25/18	ATB PRIMARY	PMCHQ00001224	$1,217.09
0030297	OUELLETA01	OUELLET, AMANDA	7/25/18	ATB PRIMARY	PMCHQ00001224	$234.02
0030298	PUROLAT01	PUROLATOR INC.	7/25/18	ATB PRIMARY	PMCHQ00001224	$64.30
0030299	RYCBLDG01	RYCROFT BUILDING SUPPLIES	7/25/18	ATB PRIMARY	PMCHQ00001224	$350.41
0030300	SHCOUNTY01	SADDLE HILLS COUNTY	7/25/18	ATB PRIMARY	PMCHQ00001224	$1,687.50
0030301	SRFCSS01	TOWN OF FALHER	7/25/18	ATB PRIMARY	PMCHQ00001224	$6,605.89
0030302	SRINSURANCE01	SPIRIT RIVER INSURANCE & REGIS	7/25/18	ATB PRIMARY	PMCHQ00001224	$173.25
0030303	VICSCAR01	VIC'S CAR CARE (FALHER) LTD.	7/25/18	ATB PRIMARY	PMCHQ00001224	$1,331.32
0030304	WENDLAND01	WENDLAND, DEANNE	7/25/18	ATB PRIMARY	PMCHQ00001224	$38.00
0030305	PETTY01	MCLAUGHLIN, MARLENE	7/25/18	ATB PRIMARY	PMCHQ00001224	$162.44
REMIT000000000000736	RECGEN01	RECEIVER GENERAL	7/11/18		PMCHQ00001221	$0.00

Total Cheques: 82 Total Amount of Cheques: $321,143.65

MINUTES OF A BIRCH HILLS COUNTY MUNICIPAL PLANNING COMMISSION MEETING HELD IN THE WANHAM BIRCH HILLS COUNTY OFFICE May 16, 2018

PRESENT:	**Chairperson**	Maurice Lemay
	Vice Chairperson	Martine Piebiak
	Member	Lorraine Frape
	Development Officer	Hermann Minderlein
	Development Clerk	Lucy Stevenson

ABSENT:

CALL TO ORDER: **Vice Chairperson Maurice Lemay called the meeting to order at 10:27 a.m.**

ADOPTION OF AGENDA

MPC18-01 Moved by Lorraine Frape that the Municipal Planning Commission adopt the agenda as amended.

6. New Business
   a. Vote - Replace Vote with "Election of Chairperson and Vice Chairperson"

CARRIED

ADOPTION OF MINUTES
MPC November 21, 2017

MPC18-02 Moved by Lorraine Frape that the Municipal Planning Commission approve the minutes of the November 21, 2017 Municipal Planning Commission meeting as presented.

CARRIED

DELEGATIONS There were no delegations.

UNFINISHED BUSINESS There was no unfinished business.

NEW BUSINESS
Election of Chairperson

Maurice Lemay was nominated as Chairperson, there were no other nominations, and therefore Maurice Lemay was appointed by acclamation.

Election of Vice Chairperson

Martine Piebiak was nominated as Vice Chairperson, there were no other nominations, and therefore Martine Piebiak was appointed by acclamation.

SA-01-19-18

Administration is providing the Municipal Planning Commission (MPC) with information regarding the application to subdivide the homestead at the SW 26-78-2 W6.

INITIALS: **Chairperson:** _____

Development Officer: _____

MPC18-03 Moved by Lorraine Frape that SA-01-19-18 be approved with the following conditions:

1. All taxes on the property to be subdivided are to be paid in full;
2. Any existing power line easements and/or utility right of ways must remain in place;
3. Any access required to the balance of the quarter section must be constructed at the developer/applicants expense and meet the approval of the Department of Public Works, Birch Hills County;
4. Dust control that may be required on the County road shall be the responsibility of the owner/resident;
5. No driveway or approach is installed under the power line without first obtaining a Crossing Agreement from ATCO Electric;
6. Any future development will require a development permit from Birch Hills County;
7. If the subdivision has not been registered within one year of this approval an extension must be applied for.

CARRIED

DP-08-18-19

Administration is providing the Municipal Planning Commission (MPC) with information regarding the application for a multi-family dwelling at the NW 34-77-02 W6.

MPC18-04 Moved by Martine Piebiak that DP-08-18-19 be approved subject to the following conditions:

1. Government of Alberta, Transportation, Roadside Development Permit approval;
2. The setbacks for the district are met.

CARRIED

INITIALS: **Chairperson**:

Development Officer:

FOR INFORMATION

Development Clerk Report

MPC18-05 Moved by Lorraine Frape that the MPC receive the Development Clerk's written report and updates as information.

CARRIED

CORRESPONDENCE

a. Letter to Crop Production Services dated May 2, 2018
b. Letter to NRCB C/O Ms. Julie Wright dated May 14, 2018
c. Letter to CEDA C/O Ms. Dianne Chiasson dated May 14, 2018

MPC18-06 Moved by Martine Piebiak that MPC receive the correspondence as information.

CARRIED

IN-CAMERA

There were no confidential items on the agenda.

ADJOURNMENT

Being that there were no other items for discussion, Chairperson Maurice Lemay adjourned the meeting at 11:15 a.m.

Maurice Lemay
CHAIRPERSON
MAURICE LEMAY

DEVELOPMENT OFFICER
HERMANN MINDERLEIN

INITIALS: **Chairperson:**

Development Officer:

WiMacTel Canada Inc.
#200A, 6420 – 6A Street SE,
Calgary, Alberta
T2H 2B7
1-800-820-4680

BIRCH HILLS COUNTY
RECEIVED
JUL 26 2018
WANHAM

Date: July 16, 2018

ATTN: Hermann Minderlein CAO
Birch Hills County
c/o Village of Wanham
P.O. Box 157
Wanham, Alberta, T0H 3P0

Re: Removal of TELUS Payphone, Wanham, AB.

Dear: Hermann Minderlien,

This communication is being sent in compliance with CRTC decision 2004-47 Sections 56 to 66, to provide notice that the last payphone in the Village of Acme was removed on April 25, 2018.

The TELUS Payphone at Kakut Lake Park was removed on July 13, 2018. The payphone located at Kakut Lake Park had no usage over the past 4 years was removed. The notification sign is posted onsite at Kakut Lake Park.

Please contact WiMacTel Canada Inc., at 1-844-825-8481 with any questions you may have about this communication.

Regards,

Andy Rasimas
WiMacTel Canada Inc.
In Behalf of TELUS Communications

ALBERTA
MUNICIPAL AFFAIRS

Office of the Minister
MLA, Leduc-Beaumont

AR93928

July 25, 2018

Reeve Gerald Manzulenko
Birch Hills County
PO Box 157
Wanham AB T0H 3P0

Dear Reeve Manzulenko,

As you are aware, recent changes to the *Municipal Government Act* will require all municipalities to create intermunicipal collaboration frameworks (ICF) and intermunicipal development plans (IDP) with their neighbours. This work reflects our mutual priority of ensuring all Albertans benefit from the efficient delivery of local services and effective co-ordination of development, and I am pleased to see the progress already made.

The two-year period set out in legislation to accomplish this task is challenging, but I am confident the existing legacy of intermunicipal co-operation has placed us in a position to be successful. I am nevertheless aware of some specific challenges that can be addressed at this time, and gratefully acknowledge the practical solutions that have been proposed during discussions with the municipal associations, the administrative associations, and municipalities.

As a result of these discussions, I have signed Ministerial Order No. MSL:047/18 (attached), which makes the following changes:

- Exempts parties from the requirement to create an IDP where the entire area along one or both sides of the common boundary between the parties is composed entirely of federal or provincial Crown land. This change recognizes the limited value in the creation of an IDP where development is restricted.
- Extends the timeline by one year (to April 1, 2021) for all ICFs and IDPs between municipal districts, special areas, improvement districts, or rural specialized municipalities. This change will allow rural municipalities to focus their efforts on working with their urban neighbours during the initial two-year period.

.../2

132 Legislature Building, 10800 - 97 Avenue, Edmonton, Alberta T5K 2B6 Canada Telephone 780-427-3744 Fax 780-422-9550

Printed on recycled paper

- Extends the timeline by one year (to April 1, 2021) for all ICFs and IDPs between municipalities that are members of the same growth management board (GMB). This change will allow GMB member municipalities to harmonize their ICFs and IDPs with their growth and service plan, and provide an opportunity to address through an ICF or IDP any matters not addressed in a growth or servicing plan.
- Extends the timeline by one year (to April 1, 2021) for all ICFs and IDPs between a municipality that is a member of a GMB, and a municipality that is not a member of the GMB, but is located within the boundaries of the member municipality. This change will allow GMB member municipalities to create their ICFs and IDPs within the context of their growth and servicing plan.

In each case, all parties to a framework or plan must agree to apply the exemption or extension by council resolution, and the resolution must be filed with the Minister within 90 days of the date the resolution is passed.

In the event other circumstances arise that are beyond your control, I will consider specific requests for an exemption or time extension. However, based on the importance of this work to all Albertans, I encourage you to make every effort to work with your neighbours and to meet the legislated timelines.

I trust these changes will provide some practical efficiencies as we work toward improved intermunicipal solutions.

Sincerely,

Hon. Shaye Anderson
Minister of Municipal Affairs

Attachment: Ministerial Order No. MSL:047/18

cc: Hermann Minderlein, Chief Administrative Officer, Birch Hills County

ALBERTA
MUNICIPAL AFFAIRS

Office of the Minister
MLA, Leduc-Beaumont

MINISTERIAL ORDER NO. MSL:047/18

I, Shaye Anderson, Minister of Municipal Affairs, pursuant to Sections 605 and 631 of the *Municipal Government Act (MGA)*, make the following order:

1) Two or more councils of municipalities that have common boundaries where the entire area along one or both sides of the common boundary is composed entirely of federal or provincial crown land are exempt from the requirements of Section 631 of the *MGA* on the condition that all parties to the framework agree to apply the exemption by resolution and file copies of the resolutions with the Minister within 90 days of the date each resolution is passed.

2) That the time for an intermunicipal collaboration framework to be created pursuant to Section 708.28(1) of the *MGA* or an intermunicipal development plan to be adopted pursuant to Section 631(3) of the *MGA* is April 1, 2021, where the framework or plan is between municipalities that are municipal districts or specialized municipalities referred to in Section 77 of the *MGA* (excluding the Municipality of Jasper), improvement districts referred to in Section 581 of the *MGA*, or special areas as defined in Section 1 of the *Special Areas Act*, and on the condition that all parties to the framework agree to apply the extension by resolution and file copies of the resolutions with the Minister within 90 days of the date each resolution is passed.

3) That the time for an intermunicipal collaboration framework to be created pursuant to Section 708.28(1) of the *MGA* or an intermunicipal development plan to be adopted pursuant to Section 631(3) of the *MGA* is April 1, 2021, where the framework or plan is between municipalities that are members of the same growth management board established pursuant to Section 708.02 of the *MGA* before April 1, 2018, and on the condition that all parties to the framework agree to apply the extension by resolution and file copies of the resolutions with the Minister within 90 days of the date each resolution is passed.

.../2

132 Legislature Building, 10800 - 97 Avenue, Edmonton, Alberta T5K 2B6 Canada Telephone 780-427-3744 Fax 780-422-9550

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4) That the time for an intermunicipal collaboration framework to be created pursuant to Section 708.28(1) of the *MGA* or an intermunicipal development plan to be adopted pursuant to Section 631(3) of the *MGA* is April 1, 2021, where the framework or plan is between a municipality that is a member of a growth management board established pursuant to Section 708.02 of the *MGA* before April 1, 2018 and a municipality that is not a member of the growth management board but is located entirely within the boundaries of the member municipality, and on the condition that all parties to the framework agree to apply the extension by resolution and file copies of the resolutions with the Minister within 90 days of the date each resolution is passed.

5) That the time for an arbitrator to create an intermunicipal collaboration framework or an intermunicipal development plan pursuant to Section 708.36(1)(a) of the *MGA* is April 1, 2022, where the time to create the framework or adopt the plan is modified by this Order.

Dated at Edmonton, Alberta, this 19th day of July, 2018.

Shaye Anderson
Minister of Municipal Affairs