



MINUTES OF A REGULAR COUNCIL MEETING
FOR BIRCH HILLS COUNTY HELD
IN THE COUNCIL CHAMBERS
SEPTEMBER 26, 2019

Present: Reeve Gerald Manzulenko
Councillor Albert Poetker
Councillor Deanne Wendland
Councillor Paul Reum
Councillor Mel Duvall
Councillor Denise Joudrey

CAO Hermann Minderlein
Legislative Officer Shawna Schwerdt

Absent Deputy Reeve Terry Carbone

CALL TO ORDER

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

ADOPTION OF AGENDA

RC19-280 Moved by Councillor Duvall that Council adopt the agenda of the September 26, 2019 Regular Council Meeting with the addition of 7.a.iii Agricultural Services Report; 9.a RFP re Investment Management (to be discussed in closed session (13.)); 9.b Shallow Gas Tax Relief; 10.a.ii Request for Gravel re Eaglesham Lakeview Golf & Country Club; 10.a.iii Growing the North re Hospitality (verbal); 11.b Financial Report re corrected report; and 13.c Legal re Utilities.

CARRIED

ADOPTION OF MINUTES

Regular Council Meeting
August 15, 2019

RC19-281 Moved by Councillor Joudrey that Council approve the minutes of the August 15, 2019 Regular Council Meeting with the following change to Resolution RC19-271... "account number 2-12-10-00-239 is changed to 2-12-10-00-249".

CARRIED

DELEGATIONS

Veronica Allard

Absent.

COUNCILLOR REPORTS

Reeve Manzulenko

Reeve Manzulenko provided a verbal update to the Open House for the Intermunicipal Development Plan (IDP) between Birch Hills County and Saddle Hills County at the Kakut Lake Community Hall on August

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21, Open House for the Intermunicipal Development Plan (IDP) between Birch Hills County and County of Grande Prairie No. 1 at the Teepee Creek Hall Community Hall on August 27, and the Northern Alberta Elected Leaders (NAEL) Meeting he attended in Bonanza on August 23, 2019.

Deputy Reeve Carbone

Absent.

Councillor Poetker

No Report.

Councillor Wendland

Councillor Wendland provided a verbal update on the written report she had provided to Council about the Open House for the Intermunicipal Development Plan (IDP) between Birch Hills County and County of Grande Prairie No. 1 at the Teepee Creek Hall Community Hall on August 27, and the Peace Region Economic Development Alliance (PREDA) Meeting she attended on September 6, 2019 at Big Lakes County.

Councillor Reum

Councillor Reum provided a verbal update to Council on the Open House for the IDP between Birch Hills County and Saddle Hills County at the Kakut Lake Community Hall on August 21, 2019.

Councillor Duvall

No Report.

Councillor Joudrey

Councillor Joudrey provided a verbal update on the written report she had provided to Council about the Grande Spirit Foundation (GSF) Meeting she attended in Grande Prairie on August 23, the Birch Hills County Library Meeting she attended in Eaglesham on September 11, the Central Peace Attraction and Retention Meeting she attended in Spirit River on September 11, the Peace Library System Meeting she attended in High Prairie on September 14, and the GSF Full Management Meeting in Grande Prairie on September 20, 2019.

Glenda Farnden - STARS entered meeting at 9:08 a.m.

RC19-282 Moved by Councillor Wendland that Council accept the Councillor Reports for information.

CARRIED

INITIALS: Reeve: _____

CAO: _____



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DELEGATIONS
CONTINUED

Glenda Farnden - STARS

Ms. Farnden presented her annual update from STARS and thanked Council for the County's participation since their beginning in 2006.

Errol White – Water Trace Solutions and the following Public members: Elaine and Alex Kozeluk, Garfield Seward, David Tschetter, Craig Konshak, Paul Walters, Jan Benoit, Gwen Chenard, John Wurz; Alisha Mody – MMSA; and Lucy Stevenson BHC Development Clerk entered meeting at 9:45 a.m.

Reeve Manzulenko thanked Ms. Farnden for her presentation.

RC19-283 Moved by Councillor Duvall that Council accept Glenda Farnden – STARS presentation for information.

CARRIED

Meeting was recessed at 9:50 a.m.

Glenda Farnden - STARS exited meeting at 10:00 a.m.

Meeting was resumed at 10:05 a.m.

PUBLIC HEARING

Bylaw 2019-06 BHC Land Use Bylaw

Birch Hills County was required to hold a Public Hearing regarding Birch Hills County Land Use Bylaw 2019-06, prepared for Birch Hills County by Mackenzie Municipal Services Agency (MMSA), and that is planned to be presented for second and third reading later on as part of this Regular Council Meeting agenda.

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RC19-284 Moved by Councillor Poetker that Council open the Public Hearing related to Bylaw 2019-06, the Birch Hills County Land Use Bylaw.

CARRIED

Reeve Manzulenko outlined the purpose of the Public Hearing, and Alisha Mody MMSA, Lucy Stevenson Development Clerk and CAO Minderlein Development Officer provided a verbal summary with clarification to Council on their questions related to the Bylaw No. 2019-06.

David Tschetter presented to Council a request to add "Community or Cultural Facility as a discretionary use to the "Agricultural Community" district.

Craig Konshak presented to Council a request to change district on PT Lot 8 Block 1 Plan 406ET from Hamlet Commercial district to Hamlet General.

David Tschetter presented to Council that if "Community or Cultural Facility was added to discretionary use of the "Agricultural Community" district then would there be an increase in assessment and clarification on this was provided that there would not be an increase in the assessment.

RC19-285 Moved by Councillor Wendland that Council adjourn the Public Hearing related to Bylaw 2019-06, the Birch Hills County Land Use Bylaw.

CARRIED

RC19-286 Moved by Councillor Reum that Council reconvene the September 26, 2019, Regular Council Meeting.

CARRIED

Meeting was recessed at 10:50 a.m.

The following Public members: Elaine and Alex Kozeluk, Garfield Seward, David Tschetter, Craig Konshak, Paul Walters, Jan Benoit, Gwen Chenard, John Wurz; Alisha Mody – MMSA; and Lucy Stevenson BHC

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CAO: _____



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Development Clerk exited meeting at 10:50 a.m.

Meeting was resumed at 10:55 a.m.

DELEGATIONS
CONTINUED

Errol White – Water Trace Solutions re update

Council was presented with a verbal update to the written report provided to Council about Trace Water Solutions’ status of the potential project.

Reeve Manzulenko thanked Mr. White for his verbal update.

RC19-287 Moved by Councillor Duvall that Council accept Mr. Errol White verbal update on the Trace Water Solutions potential project’s status for information.

CARRIED

Errol White – Water Trace Solutions exited meeting at 11:09 a.m.

CHIEF ADMINISTRATIVE OFFICER’S REPORTS

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

CAO Action Log

Council reviewed the CAO Action Log updated to September 19, 2019 provided in the Agenda Package.

Alisha Mody – MMSA, Lucy Stevenson BHC
Development Clerk entered meeting at 11:25 a.m.

RC19-288 Moved by Councillor Joudrey that Council receive the CAO’s written report and verbal updates for information.

CARRIED

RC19-289 Moved by Councillor Reum that Council receive the CAO Action Log for information.

CARRIED

INITIALS: Reeve: _____

CAO: _____



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BYLAWS

Bylaw 2019-06 BHC Land Use Bylaw

Council was presented with Bylaw No. 2019-06, the "Birch Hills County Land Use Bylaw" (LUB), prepared for Birch Hills County by Mackenzie Municipal Services Agency, for second and third reading.

RC19-290 Moved by Councillor Poetker that Council directs Administration to accept the incorporated corrections to the Bylaw No. 2019-06, the "Birch Hills County Land Use Bylaw" (LUB) as presented.

CARRIED

RC19-291 Moved by Councillor Poetker that Council directs Administration to add the changes as presented and add where the use is listed as a permitted use in the district and conforms to 9.14 to 4.2.j in the Bylaw No. 2019-06, the "Birch Hills County Land Use Bylaw" (LUB).

CARRIED

RC19-292 Moved by Councillor Joudrey that Council directs Administration to add "Community or Cultural Facility as a discretionary use to the "Agricultural Collective" district in the Bylaw No. 2019-06, the "Birch Hills County Land Use Bylaw" (LUB).

CARRIED

RC19-293 Moved by Councillor Wendland that Council directs Administration to reclassify Lot 8 Block 1 Plan 406ET from Hamlet Commercial district to Hamlet General in the Bylaw No. 2019-06, the "Birch Hills County Land Use Bylaw" (LUB).

CARRIED

RC19-294 Moved by Councillor Joudrey that Council provide 2nd reading to Bylaw No. 2019-06, the "Birch Hills County Land Use Bylaw" as amended.

CARRIED

RC19-295 Moved by Councillor Wendland that Council provide 3rd reading to Bylaw No. 2019-06, the "Birch Hills County Land Use Bylaw".

CARRIED

RC19-296 Moved by Councillor Reum that Council direct Administration to provide notice of these changes in accordance with the requirements of Bylaw 2014-06, the Procedures Bylaw.

CARRIED

INITIALS: Reeve: _____

CAO: _____



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Meeting was recessed at
11:30 a.m.

Alisha Mody – MMSA and
Lucy Stevenson BHC
Development Clerk exited
meeting at 11:35 a.m.

Meeting was resumed at
11:35 a.m.

RC19-297 Moved by Councillor Duvall that Council
remove from table Item 8.b the Bylaw 2019-08 IDP
Birch Hills County/MD of Smoky River Bylaw.

CARRIED

Bylaw 2019-08 IDP Birch
Hills County/MD of Smoky
River

Council was presented with Birch Hills County Bylaw
No. 2019-08, the “MD of Smoky River IDP Bylaw” for
third reading.

RC19-298 Moved by Councillor Poetker that Council
provide 3rd reading to Birch Hills County Bylaw No.
2019-08, the “MD of Smoky River IDP Bylaw”.

CARRIED

DELEGATIONS

Liz Armitage of Vicinia Planning and Engagement Inc.
joined the meeting by phone.

Bylaw 2019-11 ICF Birch
Hills County/MD of Smoky
River

Council was presented with Birch Hills County Bylaw
No. 2019-11, “the Municipal District of Smoky River
No.130 Intermunicipal Collaboration Framework
Bylaw” for first, second, and third reading.

RC19-299 Moved by Councillor Duvall that Council
provide first reading to Birch Hills County Bylaw
2019-11, the “Municipal District of Smoky River No.
130 Intermunicipal Collaboration Framework Bylaw”.

CARRIED

RC19-300 Moved by Councillor Poetker that Council
provide second reading Birch Hills County Bylaw
2019-11, the “Municipal District of Smoky River No.
130 Intermunicipal Collaboration Framework Bylaw”.

CARRIED

RC19-301 Moved by Councillor Wendland that
Council provide unanimous approval to a resolution to
present Birch Hills County Bylaw 2019-11, the

INITIALS: Reeve: _____

CAO: _____



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“Municipal District of Smoky River No. 130 Intermunicipal Collaboration Framework Bylaw” at this meeting.

CARRIED UNANIMOUSLY

RC19-302 Moved by Councillor Reum that Council provide third and final reading to Birch Hills County Bylaw 2019-11, the “Municipal District of Smoky River No. 130 Intermunicipal Collaboration Framework Bylaw”.

CARRIED

RC19-303 Moved by Councillor Poetker that Council direct Administration to update the County’s website with a copy of Birch Hills County Bylaw 2019-11, the “Municipal District of Smoky River No. 130 Intermunicipal Collaboration Framework Bylaw”.

CARRIED

Bylaw 2019-09, IDP
BHC/County of Grande
Prairie

Council was presented with Birch Hills County Bylaw No. 2019-09, the “County of Grande Prairie IDP Bylaw” for first reading.

RC19-304 Moved by Councillor Poetker that Council provide 1st reading to Birch Hills County Bylaw No. 2019-09, the County of Grande Prairie IDP Bylaw.

CARRIED

RC19-305 Moved by Councillor Reum that Council direct Administration to make the appropriate arrangements for a Public Hearing for Birch Hills County Bylaw No. 2019-09, the “County of Grande Prairie IDP Bylaw”, including the participation by Nick Price and/or Elisa Stamatakis from V3 Companies of Canada Ltd., at the October 24, 2019 Regular Council Meeting, and if appropriate, schedule second and third Reading of the Bylaw for that same meeting.

CARRIED

RC19-306 Moved by Councillor Joudrey that Council direct Administration to make the appropriate arrangements for Larry Kirkpatrick and/or Dave Dmytryshyn from Transitional Solutions to appear as a delegation to the October 24, 2019 Regular Council Meeting to brief Council on the County of Grande Prairie/Birch Hills County ICF Bylaw, and to schedule 1st, 2nd, and 3rd Reading of that Bylaw at that meeting.

CARRIED

INITIALS: Reeve: _____

CAO: _____



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Bylaw 2019-10, IDP
BHC/Saddle Hills County

Council was presented with Birch Hills County Bylaw No. 2019-10, the "Saddle Hills County IDP Bylaw" for first reading.

RC19-307 Moved by Councillor Wendland that Council provide 1st reading to Birch Hills County Bylaw No. 2019-10, the Saddle Hills County IDP Bylaw.

CARRIED

RC19-308 Moved by Councillor Duvall that Council direct Administration to make the appropriate arrangements for a Public Hearing for Birch Hills County Bylaw No. 2019-10, the Saddle Hills County IDP Bylaw, and if appropriate, second and third Reading of the "Saddle Hills County IDP Bylaw" at the October 24, 2019 Regular Council Meeting.

CARRIED

RC19-309 Moved by Councillor Poetker that Council direct Administration to schedule the Saddle Hills County/Birch Hills County ICF Bylaw for 1st, 2nd, and 3rd Reading at the October 24, 2019 Regular Council Meeting, provided that Saddle Hills County has adopted their Birch Hills County IDP Bylaw prior to that date.

CARRIED

Bylaw 2019-12 Unsightly
Properties Bylaw

Council was presented with Birch Hills County Bylaw No. 2019-12, the "Unsightly Properties Bylaw".

RC19-310 Moved by Councillor Wendland that Council provide first reading to Birch Hills County Bylaw 2019-12, the Birch Hills County "Unsightly Properties Bylaw".

CARRIED

RC19-311 Moved by Councillor Joudrey that Council provide second reading to Birch Hills County Bylaw 2019-12, the Birch Hills County "Unsightly Properties Bylaw".

CARRIED

RC19-312 Moved by Councillor Reum that Council provide unanimous approval to a resolution to present Birch Hills County Bylaw 2019-12, the Birch Hills County "Unsightly Properties Bylaw" at this meeting.

CARRIED UNANIMOUSLY

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RC19-313 Moved by Councillor Duvall that Council provide third and final reading to Birch Hills County Bylaw 2019-12, the Birch Hills County “Unightly Properties Bylaw”.

CARRIED

RC19-314 Moved by Councillor Poetker that Council direct Administration to update the County’s website with a copy of Birch Hills County Bylaw 2019-12, the Birch Hills County “Unightly Properties Bylaw”.

CARRIED

Meeting was recessed for lunch at 12:00 p.m.

Meeting was resumed at 1:00 p.m.

Shallow Gas Tax Relief

Council was requested to provide an updated resolution related to the Shallow Gas Tax Relief to Resolution 19-229 passed on July 11, 2019.

RC19-315 Moved by Councillor Poetker that Council pass the following Resolution as requested by the Province of Alberta:

that pursuant to section 347 of the Municipal Government Act, for all properties identified in the Appendix A – Summary of Shallow Gas Tax Relief by Company, attached to and forming part of the council minutes, Council authorizes:

1. The cancellation of the 2019 property taxes owing so as to reduce by thirty-five percent (35%) property taxes levied as per section 353(2) of the Municipal Government Act, which includes municipal property taxes, requisitions detailed in section 326(1)(a) and 359(1)(2), as well as special taxes levied under section 382(1) where the tax rate is based on the assessment; and
2. the cancellation of the tax penalties associated with the 2019 property taxes levied as per section 353(2) of the Municipal Government Act.

CARRIED

NEW BUSINESS

Leave of Absence

Council was provided with information related to the absences from this Meeting, and are requested to authorize the absence of Deputy Reeve Carbone.

INITIALS: Reeve: _____

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RC19-316 Moved by Councillor Duvall that Council approve the absence of Deputy Reeve Carbone from the September 26, 2019 Regular Council Meeting due to farming/personal reasons.

CARRIED

Request for Gravel

Council was presented with a request from the Eaglesham Golf Club for the County to provide five hundred (500) yards of reject gravel/sand and provision of a load to load the trucks supplied by the golf course.

RC19-317 Moved by Councillor Poetker that Council:

- 1. Decline the request by the Eaglesham Golf and Country Club for a donation of five hundred (500) yards of reject gravel/sand; and
2. Authorize Administration to enter into an agreement with the Eaglesham Golf and Country Club for Birch Hills County and to sell and load up to five hundred yards (calculated to be the equivalent of six hundred and fifty-eight metric tonne) of reject gravel/sand for \$1.25 per tonne, provided that the golf course is able to pick up and transport the material on a predetermined date that will be based on the availability of a qualified Birch Hills County Employee and the equipment required to load the trucks that will be coordinated by the Golf Course.

CARRIED

BHC Sale of Lots

Council was provided with a request to establish the reserve selling prices for properties where the titles are in the name of the County, and that staff has determined may be suitable for sale by auction on the GovDeals Auction Server.

RC19-318 Moved by Councillor Wendland that Council authorize Administration to offer the some or all of following properties for sale on the GovDeals Auction Server, with any final sale to be approved by Council, and establishes the reserve bids for those properties as follows;

- 1. Roll number 315222 with a reserve bid to be set at \$3,000;
2. Roll number 315264 with a reserve bid to be set at \$5,290; and
3. Roll number 315265 with a reserve bid to be set at \$3,000.

CARRIED

INITIALS: Reeve: _____

CAO: _____



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Meeting was recessed at
1:30 p.m.

Shawna Schwerdt
L.O./E.A. exited meeting
at 1:30 p.m.

Shelley Braun Director of
Corporate Services entered
meeting at 1:30 p.m.

Meeting was resumed at
1:33 p.m.

RC19-319 Moved by Councillor Joudrey that
Council move into closed session at 1:33 p.m.

CARRIED

DELEGATIONS
CONTINUED

Karl Chia of Morneau Shepel attended by phone for
Investment Management.

RC19-320 Moved by Councillor Wendland that
Council move out of closed session at 2:20 p.m.

CARRIED

Shelley Braun DCS exited
meeting at 2:20 p.m.

Shawna Schwerdt L.O./E.A.
entered meeting 2:20 p.m.

Request For Proposal re
Investment Management

Council was provided with the analysis completed by
Morneau Shepell Ltd. of the submissions received in
response to the Request for Proposals (RFP) number
2019-12 that was issued for Investment Management
Services.

RC19-321 Moved by Councillor Duvall that Council
direct Administration to advise the firms that had
responded to Birch Hills County's Request for
Proposals (RFP) number 2019-12 that the County will
retain their incumbent managers and directs
Administration to work with them to maximize the net
financial benefits to the County.

CARRIED

INITIALS: Reeve: _____

CAO: _____



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Growing the North

Council discussed the Growing the North Conference that is being held February 19 to 20, 2020 in Grande Prairie, the RMA Zone 4 meeting scheduled for February 21, 2020, and a request from the County of Grande Prairie to host hospitality rooms in conjunction with these events.

RC19-322 Moved by Councillor Wendland that Council approve a maximum of \$3,000.00 in funding from account 2-11-10-00-219 – Council – Hospitality towards an anticipated partnership with the County of Grande Prairie, the Municipal District of Greenview, and Saddle Hills County for hospitality suites from 5 p.m. to 8 p.m. on February 18, 2020 and on February 20, 2020 at the TARA Centre in conjunction with the Growing the North Conference on February 19-20, 2020 in Grande Prairie.

CARRIED

Receivership Canadian Oil & Gas International Inc.

Council was provided with a request from MNP Ltd. to review correspondence requesting the reverse of all tax invoices for Canadian Oil & Gas International Inc. roll 316452.

RC19-323 Moved by Councillor Poetker that Council write-off the sum of \$150.92 owed to Birch Hills County by Canadian Oil & Gas International Inc. related to roll number 316452, and to direct Administration to code this charge against the Allowance for Doubtful Accounts.

CARRIED

ASB Regional Conference

Council was provided with information about the 2019 Peace Region Agriculture Service Board Conference and confirmation on attendance and travel arrangements.

RC19-324 Moved by Councillor Duvall that Council authorize the following ASB members Terry Carbone, Gerald Manzulenko, Albert Poetker, Deanne Wendland, Mel Duvall and Denise Joudrey to attend the one-day Peace Region ASB Conference on October 29, 2019 in St. Isadore with 1-day honorarium payable to each member attending and travel arrangements to be in a Birch Hills County vehicle(s) (option to ride with Ag. Fieldman and Assistant Ag. Fieldman and/or in a separate County vehicle).

CARRIED

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CAO: _____



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ASB Provincial Conference Council was provided with information regarding the 2020 Provincial Agriculture Service Board Conference and requesting confirmation on attendance and travel.

RC19-325 Moved by Councillor Poetker that Council authorize the following ASB members Terry Carbone, Mel Duvall, and Paul Reum, to attend the four (4) day Provincial ASB Conference on January 21-24, 2020 in Banff with a 5-day honorarium payable to each member attending and travel arrangements to be announced.

CARRIED

FOR INFORMATION

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

- 1. Bank Reconciliation – August 31, 2019; and
- 2. Financial Report re 2019 O&M Budget Variance.

RC19-326 Moved by Councillor Joudrey that Council accept the items presented for information.

CARRIED

CORRESPONDENCE

Council was provided with copies of the following documents:

- a. Letter from Minister of Municipal Affairs re Municipal Sustainability Initiative (MSI), Basic Municipal Transportation Grant Funding (BMTG) and Gas Tax Fund (GTF) dated August 15, 2019;
- b. Letter from Minister of Municipal Affairs re Shallow Gas Tax Relief Initiative (SGTRI).

RC19-327 Moved by Councillor Reum that Council direct Administration to prepare a letter, for the Reeve's signature, to the Minister of Municipal Affairs to thank the Province for provision of the County's 2019 Municipal Sustainability Initiative (MSI), Basic Municipal Transportation Grant (BMTG) and Gas Tax Fund (GTF) allocations.

CARRIED

RC19-328 Moved by Councillor Poetker that Council accept the correspondence provided for information.

CARRIED

Shawna Schwerdt exited meeting at 2:43 p.m.

INITIALS: Reeve: _____

CAO: _____



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CLOSED SESSION

RC19-329 Moved by Councillor Poetker that Council move into closed session at 2:43 p.m. to discuss one item related to Personnel per Freedom of Information and Protection of Privacy Act (FOIP) Division 2, section 16 and one item related to Legal per FOIP section 27.

CARRIED

RC19-330 Moved by Councillor Wendland that Council move out of closed session at 3:10 p.m.

CARRIED

RC19-331 Moved by Councillor Reum that Council direct Administration to transfer \$409.95, the unpaid balance of utility account #800780, to property tax roll #315675 and to advise Mrs. Gritchen of Council's decision.

CARRIED

ADJOURNMENT

Being that there was no further business, Reeve Manzulenکو adjourned the meeting at 3:15 p.m.

Original to be signed _____

**GERALD MANZULENKO
REEVE**

Original to be signed _____

**HERMANN MINDERLEIN
CAO**

INITIALS: Reeve: _____

 CAO: _____