

# MINUTES

## Council Meeting Municipal District of Lesser Slave River No. 124 October 14, 2020 MD Council Chambers and Zoom Video Meeting

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### MEMBERS PRESENT

Murray Kerik	- Reeve
Sandra Melzer	- Division 1
Becky Peiffer	- Division 1
Darcie Acton	- Division 2
Brad Pearson	- Division 2
Robert Esau	- Division 1
Vacant	- Division 2

### IN ATTENDANCE

Barry Kolenosky	- CAO, MD LSR
Lana Spencer	- Recording Secretary, MD LSR
Russ Jassman	- Director of Rural Services, MD LSR
Ryan Tufts	- Director of Transportation, MD LSR
Ann Holden	- Planning & Development Officer, MD LSR
Paul Mulholland	- Peace Officer, MD LSR
Karen Kolenc	- Tangent Civic
Sean Mellis	- Tangent Civic
Joe McWilliams	- Lakeside Leader

**Note:** *This Council meeting was a regularly scheduled meeting. All attendees participated electronically by way of Zoom or in the Slave Lake Council Chambers. The meeting was advertised on the MD website and Lakeside Leader that the public was invited to attend the meeting by contacting [hq@mldsr.ca](mailto:hq@mldsr.ca) for access via Zoom.*

### CALL TO ORDER

Reeve Kerik called the meeting to order at 10:02 a.m.

### ADOPTION OF AGENDA

#### **MOTION 391-20**

Moved by Councillor Pearson to adopt the Agenda with the following additions:

- Closed Session as per Section 29 of the FOIP Act – Ministry of Environment & Parks

**CARRIED (6-0)**

### DELEGATION

#### **TANGENT CIVIC – COMMUNICATIONS UPDATE**

K. Kolenc and S. Mellis provided Council with an update via Zoom on the launch of the new website MDLSR 4.0 and new strategies to reach ratepayers with news and events.

#### **MOTION 392-20**

Moved by Councillor Melzer to accept the *Tangent Civic- Communications Update* as information.

**CARRIED (6-0)**

### RECESS

10:30 a.m. Organizational Meeting

### RECONVENE

11:20 a.m.

*Motions 393-20 to 424-20 were made in the Organizational Meeting*

### ADOPTION OF MINUTES

#### **MOTION 425-20**

Moved by Councillor Pearson to adopt the *September 23, 2020 Council Meeting Minutes* as presented.

**CARRIED (6-0)**

### ADMINISTRATION

#### **CAO REPORT**

Administration provided a report on the progress of each department, including:

- Tax Levy balance outstanding \$1,123,470 as of October 7<sup>th</sup>
- Financial Report for the period ending October 13, 2020.

- Subdivision Application and Development Permit received for Biomass/Gas Liquefaction Facility Construction
- Second Harvest Food Rescue Program Update
- Land Use Bylaw Review progressing
- Department overviews (HR, Utilities & Transportation, IT, Safety, Rural Services, Facilities & Special Projects)

**MOTION 426-20**

Moved by Councillor Melzer to accept the *CAO Report* as information.

**CARRIED (6-0)**

**FINANCE**

**CHEQUE REGISTERS**

**MOTION 427-20**

Moved by Councillor Esau to accept the *Cheque Registers* as information.

**CARRIED (6-0)**

**RECESS**

11:57 p.m.

**RECONVENE**

12:38 p.m.

**PLANNING &  
DEVELOPMENT**

**LETTER OF SUPPORT FOR INDUSTRIAL DEVELOPMENT**

Administration and Reeve Kerik met on Friday, October 2nd, with Gord Crawford from Expander Energy Inc. regarding their 30 million dollar proposed pilot project for industrial development in Mitsue Lake Industrial Hamlet.

The proposed development is the construction/installation of a Biomass/Gas to Liquids Facility that will produce 120 barrels per day in the pilot project stage and will be capable of producing up to 500 barrels of synthetic diesel per day when built to full capacity. A Development Permit Application and a Subdivision Application have already been received by Administration.

Expander Energy Inc. and its partners are working with the Federal and Provincial governments for funding, grants, permits, authorizations and all of the other Regulatory permits and licenses (red tape) that comes with this type of industrial development. They are requesting a letter of support for their development from the Municipal District to aid them in their effort.

**MOTION 428-20**

Moved by Councillor Melzer that the Municipal District of Lesser Slave River No. 124 provide a letter of support to Expander Energy Inc. for the Biomass/Gas to Liquid Facility that has been applied for in the Mitsue Lake Industrial Hamlet, and further request the other members of Tri-council to be participatory supporters of the project for the area's long-term economic benefit.

**CARRIED (6-0)**

**VARIANCE REQUEST**

An application for the development of a biomass plant is in the planning stages in the Mitsue Lake Industrial Hamlet. The height of the plant is 25 m, 15 m higher than the current land use bylaw allows.

Administration explained that most variances are approved/denied by the Development Authority though are seeking Council's approval due to the magnitude of the variance being requested.

**MOTION 429-20**

Moved by Councillor Pearson to grant a variance over 10 meters to the plant height to enable Expander Energy to go forward with the planned biomass plant, as per the anticipated direction as set by the Land Use Bylaw Recommendations.

**CARRIED (6-0)**

### **NOTICE OF PUBLIC HEARING OF ROAD CLOSURE**

An application for the closure of the Road Allowance between SE-34-65-2-W5 (Linc 0014 433 593) and SW-35-65-2-W5 (Linc 0022 502 722) between the two intersections with 339LZ was submitted to the Municipal District of Lesser Slave River #124. On July 8, 2020, Council gave the first reading to Bylaw #2020-13.

Following the first reading of Bylaw #2020-13, letters informing of the road closure must be sent to adjacent landowners and referral agencies. It is the responsibility of the municipality to ensure all third-party interests are protected by an easement or (utility) right of way agreement.

After a public hearing, a package with the information collected from the process (referral letters, objections presented at the public hearing, etc.) is forwarded to the Minister of Transportation for approval. If approved by the minister, council can proceed with second and third readings of the bylaw. If the road closure is approved and completed, the road allowance will be sold to the applicant at market value and consolidated into SE-34-65-2-W5.

#### **MOTION 430-20**

Moved by Councillor Acton that a Public Hearing be scheduled on November 25, 2020, at 1:00 p.m. for Bylaw 2020-13 Road Closure.

**CARRIED (5-1)**

### **TRANSPORTATION**

#### **EXTRA CRUSHING AT FLATBUSH PIT**

As part of the 2020 budget, council approved \$400,000 for crushing at two of the MD's gravel pits. Carwald Redi-Mix was hired to crush 40,000 Tons in Mitsue and 35,000 Tons in Flatbush

The Flatbush pit is almost depleted, and it is unlikely that a gravel crushing operation will return to the pit because there is not very much viable material left to be excavated, and the cost to mobilize the equipment likely make it uneconomic.

Carwald has proposed to excavate areas that other contractors have left as "unviable." Carwald will do this for the same price (\$6.00/Tonne) and hold payment till 2021 with no interest.

#### **MOTION 431-20**

Moved by Councillor Pearson to approve Carwald Redi-Mix's offer to crush the remaining gravel in the Flatbush Pit at a rate of \$6.00/Tonne of spec product up to \$50,000.

**CARRIED (6-0)**

#### **SMITH BRIDGE RESURFACING TENDER RESULTS**

The Smith Bridge (BF71600) crossing the Lesser Slave River north of Smith, AB, is the oldest bridge in the Municipal District at 75 years old this year. Constructed in 1945, it has concrete pillars that hold up steel spans. The decking consists of wearable wooden planks that are designed to be regularly replaced as needed for maintenance. Recent bridge inspections under the Alberta Bridge Inspection and Maintenance system identified this bridge deck as in need of repairs

In the 2020 budget, Council approved \$55,000 for ongoing bridge maintenance, which was intended to be allocated for decking repairs on the Smith Bridge. A tender was advertised locally and on Alberta Purchasing Connection's (APC) website on September 21, 2020, with a closing date of October 8, 2020. Upon closing, 5 tenders were received, and Council was provided with the results.

#### **MOTION 432-20**

Moved by Councillor Pearson to approve the Smith Bridge Resurfacing project and award the work to Pavet Construction in the amount of \$21,025.

**CARRIED (6-0)**

**WEST MITSUE CULVERT REPLACEMENT TENDER RESULTS**

There is a minor culvert known as a "centerline" culvert on West Mitsue Road, approximately 4km from Highway 2, that has collapsed internally, permitting water to flood the ground beneath the road, resulting in a sinkhole. This sinkhole has been filled and patched numerous times. The culvert is now considered failed, meaning it will not pass the intended amount of water through it.

Administration posted the opportunity on the Alberta Purchasing Connection, as well as advertise it in the Lakeside Leader and on our website on September 25, 2020. Three tenders were received, and Council was provided with the results.

**MOTION 433-20**

Moved by Councillor Pearson to approve the Centerline Culvert Replacement (West Mitsue Industrial Road) and award the work to Avid Energy for \$34,840.

**CARRIED (6-0)**

**MOTION 434-20**

Moved by Councillor Esau to accept the *Transportation Update* as information.

**CARRIED (6-0)**

**BYLAW  
ENFORCEMENT**

**KNOWN-RISK POLICY AND PROTOCOL D.14**

On February 1, 2019, the Alberta Justice and Solicitor General provided a bulletin (02-2019) for new policy requirements for authorized employers of Peace Officers. The first policy, Communication System Policy Protocol D.11, requirement was adopted by Council on March 6, 2019. The second was the Known-Risk Policy and Protocol.

On May 13, 2020, The Known-Risk Policy and Protocol D.14 was drafted and presented to Council on a sample provided by the Alberta Justice. At that time, Council discussed their concerns on if they adopt this policy what implications it may have regarding human rights implications/violations and the Freedom of Information and Protection of Privacy. The Policy was tabled (Motion 192-20).

Peace Officer Paul Mulholland was in attendance to address these concerns at this meeting.

**MOTION 435-20**

Moved by Councillor Melzer to adopt the *Known-Risk Policy and Protocol D.14* as amended by removing the 2<sup>nd</sup> 3<sup>rd</sup> bullet under Section 4 and the 4<sup>th</sup> and 5<sup>th</sup> bullets under Section 5.

**CARRIED (6-0)**

**BOARD REPORTS**

**Athabasca Regional Waste Management Services Commission**

- 11% higher residential waste with commercial waste volumes down due to COVID-19 closures
- Changes in census count may lower requisitions

**Community Futures Slave Lake Region**

- 14 loans provided

**Community Education Committee**

- The committee is seeking new members – meetings are scheduled for the 4<sup>th</sup> Thursday of every month
- Enrollment down at NLC
- 160 laptops on loan

**Chamber of Commerce**

- Online Projects/Programs
- Moonlight Madness – COVID-19 compliance
- Presentation by Leah Jones, Town of Slave Lake's Economic Development Officer

**Lesser Slave Lake Regional Waste Management Services Commission**

- Chipping completed on the stockpile of OSB
- Budget review
- Associated Engineering completing a study on slope and cover

**Regional Library Board**

- Scholarship Awarded
- Approved Budget
- MD Snowplow flags will be available at the Smith Library

**Pembina Zone**

- MD's submitted resolution on Policing Model passed
- EOEP Courses available

**Athabasca Watershed**

- Received some resignations

**Save Alberta Parks Action Group**

- Petitioning (1700 signatures) the closure of Fawcett Lake, Lawrence Lake and Chain Lakes Provincial Parks
- Lobbying meetings set at the Legislature, MLA Glenn Van Dijken, and MLA Pat Rehn.

**MOTION 436-20**

Moved by Councillor Pearson to accept the *Board Reports* as information.

**CARRIED (6-0)**

**CLOSED SESSION**

**MOTION 437-20**

Moved by Councillor Esau to go into Closed Session at 2:51 p.m. as per:

- Section 19 of the FOIP Act – Confidential Evaluations with Barry Kolenosky in attendance.
- Section 29 of the FOIP Act – Alberta Environment and Parks with Barry Kolenosky in attendance.

**CARRIED (6-0)**

**OPEN SESSION**

**MOTION 438-20**

Moved by Councillor Esau to return to Open Session at 4:05 p.m.

**CARRIED (6-0)**

**MOTION 439-20**

Moved by Councillor Pearson that Reeve Kerik and Councillor Acton attend the meeting with the Save Parks Action Group scheduled on October 23, 2020, with MLA Pat Rehn at the Visitor Information Centre with the topic of discussion being keeping Chain Lakes, Lawrence Lake, and Fawcett Lake Provincial Recreation Areas fully open within the parks system.

**CARRIED (6-0)**

**MOTION 440-20**

Moved by Councillor Acton for the Municipal District of Lesser Slave River No. 124 requests an emergent meeting with the Deputy Minister of Environment and Parks, Bev Yee to discuss the status of the Boreal Centre for Bird Conservation

**CARRIED (6-0)**

**MOTION 441-20**

Moved by Councillor Melzer to accept the *Closed Session Staff Update* as information.

**CARRIED (6-0)**

ADJOURNMENT

MOTION 442-20

Moved by Councillor Melzer to adjourn the meeting at 4:18 p.m.

CARRIED (6-0)



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Chief Administrative Officer



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Reeve