

Claresholm, Alberta, December 15, 2010

The regular meeting of the Council of The Municipal District of Willow Creek No. 26 was held in the Administration Building on the above date with Reeve Van Hierden, Councillors Alm, Neufeld, Hemmaway, Wakelin, Wilson and Sundquist, Municipal Administrator Vizzutti and Arlene MacOdrum as recording secretary present.

**Superintendent of Public Works Johnson entered the meeting.**

**Manager of Development and Planning Services Gibeau & Mike Burla – Planner entered the meeting.**

**Keli Sandford Development Secretary entered the meeting.**

**Rob Vogt entered the meeting.**

1. Reeve Van Hierden called the meeting to order at 11:05 a.m.

2. **ASB**

**(a) By-Law No. 1624 – Repeal Restricted or Noxious Weed By-Laws No. 933 & 1159**

Municipal Administrator Vizzutti presented By-Law No. 1624 being a by-law for the purpose of repealing By-Laws No. 933 & 1159 for Council's consideration.

Moved by Councillor Alm that By-Law No. 1624, being a by-law for the purpose of repealing By-Laws No. 933 & 1159 be given first reading.

Carried.

Moved by Councillor Hemmaway that By-Law No. 1624 be given second reading.

Carried.

Moved by Councillor Wakelin that all Councillors present are in agreement to giving By-Law No. 1624 third and final reading.

Carried Unanimously.

Moved by Councillor Hemmaway that By-Law No. 1624 be given third and final reading and that the Reeve and Municipal Administrator be authorized to sign and countersign on behalf of the Municipal District.

Carried.

**(b) Dead Livestock Removal Program**

Municipal Administrator Vizzutti presented a proposed resolution to request the Federal and Provincial Governments to compensate cow calf producers and lamb producers for dead stock pickup fees.

Moved by Councillor Neufeld that the following resolution be forward to the Agricultural Service Board Conference and the Foothills Little Bow Association:

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**RETURN THE USE OF RENDERING INDUSTRY  
FOR DEAD LIVESTOCK REMOVAL**

**The Municipal District of Willow Creek No. 26**

WHEREAS

Prior to the discovery of BSE in Canada, Alberta had a viable rendering industry that removed dead livestock from the farm gate.

WHEREAS

Attempts at on farm disposal attract livestock predators such as coyotes, wolves and grizzly bears.

WHEREAS

Incidents of large carnivore interaction with farm families are increasing, causing real public safety concerns.

WHEREAS

As the primary producer, the cow calf operator or lamb producer once again bears the cost of regulations implemented for the entire production chain.

THEREFORE BE IT RESOLVED

THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST; and further that the AAMDC lobby senior governments

**That the Federal and Provincial government compensate cow calf producers and lamb producers for dead stock pickup fees.**

Carried.

(c) **Dead Livestock Cost Analysis** – presented as information

(d) **Agenda for ASB Conference in Edmonton** – presented.

3. **DEVELOPMENT/UTILITIES:**

(a) **Notice of Decision of the Subdivision & Development Appeal**

**Board**

**Applicant – Ronald and Jane Grisnich**

Mike Burla advised that the Subdivision and Development Appeal Board granted the subdivision for Ronald & Jane Grisnich from the proposed 45.2 acre parcel to no greater than 15.0 acres in size in the NE 26-8-26-4.

(b) **By-Law No 1602 – Gilead Foundation Redesignation**

Manager of Development and Planning Services Gibeau asked Council for consideration of second reading of By-Law No. 1602 (Granum Square/Gilead Foundation) which proposes to redesignate a portion of the subject lands from “Rural General – RG” to “Rural Recreational – RR” and “Rural Commercial – RC”. The lands that are the subject of the proposed land use district redesignation are located within a portion of NE 36-10-27-4.

Mike Burla clarified for Council that this application includes all three in one package and it must be voted on as a total package.

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Councillor Wakelin advised that Council has discussed encouraging development close to towns and feels that this request makes sense at the proposed location.

Councillor Alm asked if the rezoning will revert back to Rural General if the development does not commence.

Mike Burla advised that once By-Law No. 1616, Land Use By-Law is passed this issue regarding redesignation would be handled. He asked Council if they would like to discuss By-Law No. 1616 prior to By-Law No. 1602.

Municipal Administrator Vizzutti advised that the authority of development still lies with the Council.

**Treasurer Hannas and Roly Cochlan entered the meeting at 11:20 a.m.**

Moved by Councillor Alm that By-Law No. 1602 be tabled to 2:00 p.m. December 15, 2010.

Carried.

**(c) By-Law No. 1616 – Land Use By-Law**

Mike Burla presented By-Law No. 1616, being the new Land Use By-Law which will replace By-Law No. 1250 and amendments.

Mike Burla reviewed the last changes made to the proposed Land Use By-Law as information.

Discussion ensued with regards to Kennel Regulations, Schedule 15 on Pages 149 & 150. Delete items 9 & 10 with regards to the requirement of a permit being renewed after three years.

Moved by Councillor Wakelin that By-Law No. 1616 be given second reading as amended.

Carried.

Moved by Councillor Sundquist that By-Law No. 1616 be given third and final reading as amended and that the Reeve and Municipal Administrator be authorized to sign and countersign on behalf of the Municipal District.

Carried.

**(d) Approved Utility Applications**

Manager of Development and Planning Services Gibeau presented the Approved Utility Application for the period November 1 to 30, 2010 for approval by Council.

Councillor Hemmaway advised that item 4 – Keith Lamb is in Councillor Hemmaway's division not Councillor Alm's.

Moved by Councillor Hemmaway that the Approved Utility Applications for the period November 1 to 30, 2010 be accepted as amended.

Carried.

**Manager of Development and Planning Services Gibeau, Mike Burla - Planner and Keli Sandford left the meeting at 11:35 a.m.**

4. **MINUTES:**

(a) **December 8, 2010 Council Minutes**

Councillor Sundquist noted that motion regarding Regional Collaboration needs clarification that Town of Nanton is the applicant.

Moved by Councillor Sundquist that the December 8, 2010 Council meeting minutes be accepted as amended.

Carried.

5. **FINANCIAL MANAGEMENT:**

(a) **Cheque Register**

Treasurer Hannas presented the cheque register as of December 15, 2010 as information.

(b) **Request for Proposals for Audit**

Treasurer Hannas reviewed the results of the Request for Proposal for an accounting firm to provide audit services to the M.D. of Willow Creek for a term of five years. She advised that the recommendation is to enter into a contract with Meyers Norris Penny (MNP) for a term of 5 years with an out clause.

Moved by Councillor Alm to appoint the accounting firm of Meyers Norris Penny LLP (MNP) as auditors for the M.D. of Willow Creek for a term of five years as presented.

Carried.

(c) **Vehicle Quotes – Emergency Management/CPO 2**

Treasurer Hannas presented quotes for a new truck to be purchased for the Emergency Management/CPO 2, for Council's consideration.

Treasurer Hannas advised that the Town of Fort Macleod have offered to purchase the M.D.'s current CPO truck for \$16,000.00. She advised that the CPO 2 is not allowed to use some items in the present vehicle.

Treasurer Hannas recommended purchasing the 2011 GMC Sierra 1500 4WD Crew Cab WT at a cost of \$29,885.00 + GST from West Wind Chev.

Councillor Alm expressed concern that the seat in the WT model will not be very comfortable.

Moved by Councillor Neufeld to purchase the 2011 GMC Sierra 1500 4WD Crew Cab WT at a cost of \$29,885.00 + GST from West Wind Chev with an upgrade on the seat.

Carried.

Moved by Councillor Hemmaway that the M.D. sell Unit 99, 2007 Ford F150 to the Town of Fort Macleod for \$16,000.00 as is, no warranty included.

Carried.

**Treasurer Hannas left the meeting at 11:56 a.m.**

6. **PUBLIC WORKS:**

(a) **Introduction of General Foreman**

Superintendent of Public Works Johnson introduced Roly Cochlan who is the acting General Foreman while Gentry Hall is away.

(b) **Canadian Public Auction (CPA)**

Superintendent of Public Works Johnson presented the following information for equipment sold at Canadian Public Auction:

1977 GMC 4X4 - \$1,750.00

1978 Chev Fire Truck (Moon River Estates) - \$3,500.00

1986 Freightliner Gravel Truck - \$10,500.00

(c) **Public Works Agreements**

Superintendent of Public Works Johnson presented the following Public Works Agreements for Council's consideration:

Kevin & Allison Martin – NE 7-14-28-4

Robert & Doris Wallace –SE 36-16-30-4

Elizabeth Tjostheim – NE 25-16-30-4

Moved by Councillor Alm that the following Public Works Agreements be approved as presented:

Kevin & Allison Martin – NE 7-14-28-4

Robert & Doris Wallace –SE 36-16-30-4

Elizabeth Tjostheim – NE 25-16-30-4

Carried.

**Keith Lane entered the meeting at 1:18 p.m.**

(d) **Road Construction Update**

Superintendent of Public Works Johnson provided an update on the various road construction projects as information.

(e) **Equipment Purchase for 2011**

Superintendent of Public Works Johnson discussed equipment required for 2011. He suggested purchasing 2 graders and a couple of pickup trucks.

7. **DELEGATION:**

(a) **Keith Lane**

Keith Lane made a presentation to Council expressing his concerns with regards to the following:

- policies re: construction of private roads
- deterioration of roads caused by oil & gas industry
- land use redesignation and subdivision
- private road issue for gun club subdivision
- M.D. issue of liability
- process to revert redesignation to recreational back to original agricultural zoning

In closing Keith Lane requested that Council provide a response in writing to his questions. (hard copy of presentation provided for the record)

8. **COUNCIL MANAGEMENT:**

**(a) ICSP Committee Members Appointed**

Moved by Councillor Hemmaway to appoint Cecilie Fleming and Jack DeKoning as members on the Integrated Community Sustainability Plan committee for the ensuing year.

Carried.

**(b) Portable Warning Signs – Re: Fire Departments**

Municipal Administrator Vizzutti presented information obtained by Travis Coleman with regards to portable warning signs that could be used by fire departments to warn of accidents ahead and slow down the traffic to create a safer work environment for the firemen.

Discussion ensued as to the various issues or inconveniences of attaching a signage trailer behind the fire trucks.

Councillor Alm requested that the idea of warning signs be presented to the fire departments or fire commission for suggestions.

This item received as information.

**(c) Bill C-544**

Councillor Alm advised that he contacted MP Ted Menzies with regards to Bill C-544, An Act to amend the Health of Animals Act and the Meat Inspection Act (slaughter of horses for human consumption).

Councillor Alm noted that MP Ted Menzies provided email addresses to send letters of opposition with regards to Bill C-544.

Moved by Councillor Alm to instruct Municipal Administrator Vizzutti to formulate a letter expressing the Council's opposition to Bill-C544 to be sent to Ted Menzies, MP Livingstone-Macleod and the following members of the opposition: Alex Atamenenko – NDP, Jack Layton – NDP, Gilles Duceppe –Bloc, Michael Ignatieff – Liberal.

Carried.

Moved by Councillor Hemmaway to instruct Municipal Administrator Vizzutti to formulate a resolution re: Bill C-544 for presentation to Foothills Little Bow Association.

Carried.

**(d) M.D. Newsletter**

Municipal Administrator Vizzutti presented copies of the past M.D. newsletters as information for discussion and feedback. She requested input from Council for future newsletters. Council made the following suggestions:

- short description of Bill C-544
- Council highlights in general and by each division

- fire department highlights
- By-Law No. 1616 – Land Use By-Law
- Board submissions and successes
- dead livestock removal
- Cattle Producers – Rebate

Council requested that the M.D. newsletter be sent to them electronically.

**Manager of Development and Planning Services Gibeau, Mike Burla – Planner and Keli Sandford – Development Secretary entered the meeting at 2:07 p.m.**

3. **DEVELOPMENT (CONT:)**

**(b) By-Law No 1602 – Gilead Foundation Redesignation (cont:)**

Discussion of By-Law No. 1602 continued.

Councillor Sundquist stated that the Gilead Foundation could development without a redesignation and advised that he has concerns with the truck stop.

Councillor Hemmaway stated that the Town of Granum does not benefit from the development as it is located on the west side of the highway. He feels that a better location for the truck stop would be on the east side of Granum, not in favor of a truck stop being developed in the rural area.

Councillor Wakelin felt that it is a good location for this type of development, close to a town, next to a highway and also the development of the Canamex Corridor in the future.

Municipal Administrator Vizzutti asked Mike Burla to clarify the type of commercial development proposed.

Mike Burla advised that they are proposing a multi faceted commercial development, not just a truck stop. He advised that if the commercial development does not take place the property can be rezoned back to Rural General.

Councillor Sundquist asked for clarification, if all are rezoned under one by-law and only the Gilead Foundation is constructed, does that constitute construction on all facets.

Mike Burla explained that at the subdivision stage, would create separate subdivisions and individual development applications would be required for each subdivision, which would then have two years to commence construction.

Councillor Alm stated that if the clients of the Gilead Foundation are going to operate the businesses then there would not be much benefit to the Town of Granum.

Mike Burla advised that the municipal government board would probably not allow the Town of Granum to annex the land on the west side of the highway.

Councillor Hemmaway agreed that he understood the jobs created by the commercial entity would benefit the clients, not a huge benefit to the Town of Granum.

Councillor Wakelin stated that the staff of the Gilead Foundation would live in the Town of Granum.

Councillor Alm stated that it is not a good location for a commercial business even though the Gilead Foundation would be an asset.

Mike Burla instructed Council that they must vote on the entire application for redesignation. If the redesignation is not successful at this time the Gilead Foundation could still build on the land zoned as Rural General and make application at a later date to allow for commercial development. He advised that an application for redesignation must wait six months if the by-law is defeated.

Councillor Neufeld stated that only approximately 18 people are helped at the Gilead Foundation at a time.

Moved by Councillor Alm that By-Law No. 1602 be given second reading.

Defeated.

**Manager of Development and Planning Services Gibeau, Mike Burla - Planner and Keli Sandford left the meeting at 2:26 p.m.**

8. **COUNCIL MANAGEMENT (CONT:)**

(e) **AltaLink – Scheduled Open Houses**

Municipal Administrator Vizzutti presented the schedule of open houses and information centres provided by AltaLink for the South Foothills Transmission Project within the Municipal District as follows:

March 1, 2010 - 4 to 8 p.m. – Nanton Community Memorial Centre

March 2, 2010 – 4 to 8 p.m. – Claresholm Community Centre

March 3, 2010 – 4 to 8 p.m. – Fort Macleod & District Community Hall

9. **BY-LAWS:**

(a) **By-Law No. 1625 – Municipal Emergency Management By-Law**

Municipal Administrator Vizzutti presented By-Law No. 1625, being the Municipal Emergency Management By-Law for Council's consideration.

Municipal Administrator Vizzutti advised that Travis Coleman has reviewed the proposed by-law with Mark Murphy – Alberta Emergency Management Officer in Lethbridge.

Moved by Councillor Hemmaway that By-Law No. 1625 be given first reading.

Carried.

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Moved by Councillor Alm that By-Law No. 1625 be given second reading.

Carried.

Moved by Councillor Wakelin that all Councillors present are in agreement to giving By-Law No. 1625 third and final reading.

Carried Unanimously.

Moved by Councillor Wilson that By-Law No. 1625 be given third and final reading and that the Reeve and Municipal Administrator be authorized to sign and countersign on behalf of the Municipal District.

Carried.

10.

**CORRESPONDENCE:**

**(a) ERCB – Proposes Changes to Well Spacing**

Municipal Administrator Vizzutti advised that the ERCB are seeking input on its framework for well spacing for conventional and unconventional oil and gas reservoirs. Input must be received by the ERCB by January 21, 2011. She advised that they are requesting to double the number of wells allowed.

Councillor Wilson presented information on proposed well density and stated that it needs to be specific that it only applies to coal bed methane and not for conventional drilling.

Moved by Councillor Wilson to table the response to the ERCB, with regards to the proposed changes to well spacing, to the January 12<sup>th</sup> Council meeting.

Carried.

**Councillor Hemmaway left the meeting at 2:58 p.m.**

**(b) New West Partnership Trade Agreement (NWPTA) -**  
presented.

**Councillor Hemmaway returned to the meeting at 3:00 p.m.**

**(c) Tom Hornecker Recreation Centre Closure- Media Release**

Councillor Wilson provided an update on the Tom Hornecker Recreation Centre's structural issues.

**(d) Chinook Arch Regional Library (CARL) – Board Report**

Councillor Hemmaway advised that the Chinook Arch Regional Library Board has requested that he be appointed by the M.D. to the CARL Finance Committee.

Moved by Councillor Alm to appoint Councillor Hemmaway to the Chinook Arch Regional Library Finance Committee.

Carried.

**(e) Nathan Hornburg Memorial Skatepark**

Moved by Councillor Wilson to donate \$1200.00 to the Nathan Hornburg Skatepark in Nanton from the following discretionary spending accounts:

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Division 1 - \$100.00

Division 3 - \$100.00

Division 4 - \$250.00

Division 5 - \$250.00

Division 6 - \$250.00

Division 7 - \$250.00

Carried.

Moved by Councillor Wakelin that the meeting go in camera.

Carried.

**Rob Vogt left the meeting at 3:08 p.m.**

**Councillor Sundquist left the meeting at 3:26 p.m.**

Moved by Councillor Wakelin that the meeting go out of in camera.

Carried.

11. **ADJOURNMENT:**

Moved by Councillor Hemmaway that the meeting adjourn.

Carried.

Meeting adjourned at 3:31 p.m.

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Reeve

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Municipal Administrator