

Claresholm, Alberta, July 21, 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.

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

Rob Vogt entered the meeting.

Doug Leeds entered the meeting.

John Drake – Twin Valley Resort, Mike Furuya – Traffic Engineer, Bunt & Associates and Hugh Ham of Municipal Councillors entered the meeting.

1. Reeve Van Hierden called the meeting to order at 11:30 a.m.

2. **MINUTES:**

The Council meeting minutes of July 14, 2010 were presented for adoption.

Councillor Sundquist noted on Page 9889 4(a) “ditch on the *east* side” should be “ditch on the *west* side”.

Moved by Councillor Alm that the July 14, 2010 Council meeting minutes be accepted as amended.

Carried.

3. **DEVELOPMENT/UTILITIES:**

(a) **Twin Valley Resort – Standard Development Agreement**

Manager of Development and Planning Services Gibeau advised that Twin Valley Resort is requesting that the M.D. strike from the approved Development Agreement that Council may require the developer (Twin Valley Resort) to have a municipal road(s) to the site upgraded. She advised that representatives of Twin Valley are present today and have hired a traffic engineer who will present a traffic assessment.

John Drake introduced Mike Furuya, Traffic Engineer from Bunt & Associates. Mr. Drake advised that Mr. Furuya will be asking the Council to remove the request to pave during Phase 1 of the development. He advised that they are not against the requirement to pave the access road however feel that it would be in their best interest to complete the paving at a later date for the following reasons:

1. More practical to get heavy equipment to the site for development prior to paving.
2. The Traffic Impact Assessment indicates that there will be insufficient traffic until Phase 1 is completed and then pavement could be required at that Stage 2.
3. There is an excessive financial burden to the developer due to the high cost of infrastructure such as water and sewer treatment facilities, boat dock and launch which are required in Phase 1.

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John Drake requested that the M.D. apply for Provincial funding for road upgrades as a gesture of good will for the development.

John Drake advised that lots purchased in Phase 1 may not see any construction for four to five years. 60% of the lots in Phase 1 must be sold before Phase 2 would commence. They are predicting to sell 36 lots per year which equals 3 lots per month. Mr. Drake outlined the development program with estimated time lines for each phase. He requested that Council amend the Development Agreement to allow the developer to complete the requirement for pavement in Phase 2 or 3.

Mike Furuya of Bunt & Associates presented data collected and provided an assessment of the existing infrastructure. He discussed the existing transportation network under the current conditions prior to the proposed development and addressed changes after the development is completed. He advised that 500 vehicles per day would be required on Rge. Rd. 263 to warrant paving. He stated that Twp Rd. 152 is not a desirable route for this development therefore no improvements are required.

Mike Furuya stated that in Phase I at full build there will be 1100 to 1900 vehicles per day however 30% of the people will be permanent residents and 70% will be seasonal.

Mike Furuya advised that no infrastructure improvements are required to accommodate vehicles per day until after 51 lots are occupied, be it Phase 1, 2 or 3.

Manager of Development and Planning Services Gibeau asked the basis on which the 30/70 % split for full time and seasonal residents was calculated.

John Drake advised that they based their figures on occupancy numbers from other similar developments such as Pine Lake, Ghost Lake, & Little Bow.

Hugh Ham stated that they are only asking for a change to the development agreement and there is no change to the intent. They are only asking Council for consideration on road upgrade requirement. He advised that the developer will come back to the M.D. Council for Phase 2. He asked what the Council expects in the Phase 1 agreement for development and roadways. He asked the Council to instruct Administration to sign the amended Development Agreement requiring paved road upgrades only upon the 52nd building permit being issued. Hugh Ham advised that the developer needs to know what the M.D. will do with regards to exercising its discretion.

Mike Burla pointed out that the contents of the Development Agreement are at the sole satisfaction of the M.D. He explained that the information provided by Twin Valley Resort representatives is that Phase 2 will be applied for once 60% of Phase 1 is sold, therefore Phase 2 could take place after 31 development permits are issued not 52.

Hugh Ham stated that Phase 2 Development Agreement would require the road upgrades after 51 development permits are applied for.

Reeve Van Hierden asked if 36 lots have been sold.

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John Drake clarified that is a proposal based on an overview of assumptions on market and sales.

Reeve Van Hierden said that there may be more sales if the road is upgraded.

John Drake advised that people will be prepared to wait for upgrades until the development is further along. The road upgrade works better financially for the developer in Phase 2.

Councillor Sundquist advised that they would need to get the traffic to go south to Hwy 529 if there are no road upgrades. He stated that the traffic needs to follow the proposed route and not go to Hwy 529. He discussed oiling the road instead of pavement and stated that he is not in favor of waiting for 51 building permits to be issued prior to the road upgrade.

Councillor Wilson stated that if 31 or 32 units are sold in Phase 1 and 15 units in Phase 2 it could be a long time until the benchmark of 51 building permits are applied for. Putting off paving the road until 51 building permits is reached could be an issue.

Hugh Ham said that it doesn't matter which phase the 51 building permit benchmark is obtained, the road doesn't need to be upgraded until then.

Councillor Alm stated that the road should be upgraded prior to 51 development permits. He said that there is no guarantee that Phase 2 will ever happen and the developer may be gone if Phase 1 doesn't prove out.

John Drake stated that they have proven that they are not a fly by night developer as they have been at this process for seven years.

Councillor Neufeld stated that their sales pitch could be to have a paved road.

John Drake advised that "they are selling dreams; pavement will be done in Phase 2." He said that there won't be a golf course or trees in Phase 1 either. It will take 15 years to see the development completed.

Reeve Van Hierden stated that the M.D. does not want a burden put on the ratepayers and the Provincial government will not provide funding for road upgrades until the traffic counts are high enough to qualify.

Discussion ensued with regards to the cost of oil versus pavement.

Councillor Wilson left the meeting at 12:16 p.m.

Councillor Alm advised that an oiled road would be banned.

Councillor Wilson returned to the meeting at 12:17 p.m.

Reeve Van Hierden advised the delegation that their request to amend the Development Agreement will be discussed by Council later in the day and they will be notified of the decision.

Meeting recessed for lunch at 12:18 p.m. for lunch.

Delegation left the meeting at 12:18 p.m.

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Meeting reconvened at 1:19 p.m.

Discussion ensued regarding the request from Twin Valley Resort to amend the Development Agreement to allow road upgrades to be completed once 51 development permits are received.

Doug Leeds entered the meeting at 1:28 p.m.

Manager of Development and Planning Services Gibeau advised that the developer has two years from the date the Development Agreement is signed to complete municipal services.

Moved by Councillor Hemmaway that Range Road 263 from Secondary Highway 529 to Township Road 152 and Township Road 152 from Range Road 263 to the proposed subdivision shall be constructed to a non banned paved road as per municipal standards as determined by the Superintendent of Public Works, by the developer, Twin Valley Resorts, as per the Development Agreement.

Carried Unanimously.

(b) Date to Reconvene Public Hearings on By-Law No. 1607 & 1608

Manager of Development and Planning Services Gibeau asked Council to set a date to reconvene the Public Hearings on By-Laws 1607 & 1608.

Moved by Councillor Sundquist that the Public Hearings be reconvened as follows:

By-Law No. 1607 – August 18, 2010 at 1:00 p.m.

By-Law No. 1608 – August 18, 2010 at 1:30 p.m.

Carried.

Councillor Sundquist left the meeting at 1:40 p.m.

(c) Doug Leeds – Request to Open Cut Road (cont:)

Doug Leeds advised that an irrevocable letter of credit for \$10,000.00 will cost \$100.00 from the Macleod Savings and Credit Union.

Doug Leeds discussed the information received from an engineer advising that he would get the following for \$2,500.00

- survey of site
- drawing
- and an engineer on site

He then explained that he was told that the ratepayer is liable if there is any slumping of the road.

Doug Leeds asked Council to lease him a portion of the road or the M.D. charge him for any repairs required.

Councillor Sundquist returned to the meeting at 1:45 p.m.

Moved by Councillor Alm to approve Doug Leed's application to open cut the municipal road allowance between SW 6-13-27-4 and NW 31-12-27-4 for

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the installation of a 10" irrigation line (w/15" sleeve) using the open cut/trenching method subject to the following conditions:

- \$10,000.00 irrevocable letter of credit for three years
- Save Harmless Agreement be signed
- Memorandum of Agreement for the Installation of an Irrigation Pipeline be signed

Carried.

(d) Town of Nanton – Intermunicipal Development Plan

Mike Burla presented the revised Intermunicipal Development Plan with the Town of Nanton. He outlined the areas involved and advised that public hearings must be held. He also advised that there is a 6 month clause to opt out of the agreement.

Manager of Development and Planning Services Gibeau advised that the Town of Nanton is notified of any applications within 2 miles of their boundary at the present time.

Mike Burla suggested that a committee be established to review applications within the fringe area.

Councillor Wilson asked why the properties to the south are not included as they are on Town of Nanton utilities.

Mike Burla stated the Town of Nanton is not interested in the properties next to 533.

Municipal Administrator Vizzutti asked Council to review the Intermunicipal Development Plan with the Town of Nanton for discussion at the August 18, 2010 Council meeting.

(e) Approved Utility Applications

Manager of Development and Planning Services Gibeau presented the Approved Utility Applications for the period June 1 – 30, 2010 for adoption by Council.

Moved by Councillor Hemmaway that the Approved Utility Applications for the period June 1 – 30, 2010 be accepted as presented.

Carried.

Moved by Councillor Wakelin that the meeting go in camera.

Carried.

Rob Vogt left the meeting at 2:12 p.m.

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

Carried.

Manager of Development and Planning Services Gibeau and Mike Burla left the meeting at 2:22 p.m.

Rob Vogt returned to the meeting at 2:22 p.m.

3. **COUNCIL MANAGEMENT:**

(a) **Beef Congress 2010**

Municipal Administrator Vizzutti reminded Council that they will be attending the Beef Congress 2010 on August 11, 2010 in Calgary.

(b) **Granum Drop-In – Funding for roof repairs**

Municipal Administrator Vizzutti clarified the funding required by the Granum Drop-In Centre to repair the roof prior to grant funding being received. She advised that they require \$12,000.00 from the M.D. of which \$6,000.00 will be repaid once the funding is received.

Moved by Councillor Hemmaway that resolution no. 269/10 be amended as follows:

“That the Municipal District of Willow Creek No. 26 loan the Granum Drop-In Centre \$12,000.00 to assist with roof repairs and \$6,000.00 of the loan be repaid upon receipt of the grant funding applied for.

Carried.

Moved by Councillor Alm that resolution no. 268/10 be amended as follows:

“To donate \$6,000.00 to the Granum Drop-In Centre from the following discretionary spending accounts to assist with roof repairs:

Div. 2 - \$1800.00

Div. 3 - \$1800.00

Div. 4 - \$800.00

Div. 5 - \$1300.00

Div/ 6 - \$300.00

Carried.

(c) **Town of Granum – Request for Gravel & Grading**

Municipal Administrator Vizzutti presented a request from the Town of Granum asking the M.D. to supply 2 - 4 loads of gravel and spreading for a street in Granum that requires repair.

Council requested that Superintendent of Public Works Johnson work out the gravel requirement and spreading of the same with the Foreman of the Town of Granum.

(d) **Jurisdiction Issues with Town of Claresholm Community**

Peace Officer

Moved by Councillor Alm that a letter be sent to the Town of Claresholm regarding the performance of their Community Peace Officer being out of his jurisdiction.

Carried.

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(e) Town of Granum – Leak in Regional Water Line

Municipal Administrator Vizzutti read a letter from the Town of Granum advising of an issue of water loss on the regional waterline.

Discussion ensued.

(f) Alberta Health & Safety – Conference & Trade Fair – Nov 8-10, 2010

Moved by Councillor Alm to approve Municipal Administrator Vizzutti, Shop Foreman Burnham and Community Peace Officer Travis Coleman to attend the Alberta Health & Safety Conference and Trade Fair, November 8 – 10, 2010 in Edmonton.

Carried.

5. **CORRESPONDENCE:**

(a) **Thank You** – Alberta SW Group – presented.

(b) **Thank You – Granum Newsletter** – presented.

(c) **Fort Macleod & District Ag Society**

Municipal Administrator Vizzutti read letter from the Fort Macleod & District Ag Society requesting sponsorship for the High School rodeo.

Moved by Councillor Wakelin to approve the use of the M.D. barbeque and donate \$1400.00 to the Fort Macleod High School Rodeo from the following discretionary accounts:

Div. 1 - \$400.00

Div. 2 - \$400.00

Div. 3 - \$400.00

Div. 6 - \$200.00

Carried.

Treasurer Hannas entered the meeting at 2:50 p.m.

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

(g) **Municipal Administrator's Holidays**

Municipal Administrator Vizzutti advised that she wishes to amend her holidays from July 26 - August 5 to July 29 – Aug 9.

Moved by Councillor Wakelin to approve the change to Municipal Administrator Vizzutti's holidays as presented.

Carried.

5. **FINANCIAL MANAGEMENT:**

(a) **Cheque Register**

Treasurer Hannas presented the cheque register as of July 21, 2010 as information.

Treasurer Hannas left the meeting at 3:00 p.m.

4. **CORRESPONDENCE (CONT:)**

(d) **Alberta Health Services – Action on Health Care & Action on Improving Access to Emergency Dept.** – presented.

(d) **Fort Macleod RCMP Policing Objective & Quarterly Report**
Municipal Administrator Vizzutti presented the Fort Macleod Policing Objectives for 2010 – 2011.

Moved by Councillor Hemmaway to accept the Fort Macleod Policing Objectives for 2010 – 2011 as presented.

Carried.

Moved by Councillor Wakelin that the meeting go in camera.

Carried.

Rob Vogt left the meeting at 3:13 p.m.

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

Carried.

6. **ADJOURNMENT:**

Moved by Councillor Sundquist that the meeting adjourn.

Carried.

Meeting adjourned at 4:16 p.m.

Reeve

Municipal Administrator