

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.

Rob Vogt entered the meeting.

1. Reeve Van Hierden called the meeting to order at 10:56 a.m.

2. **MINUTES:**

The Council meeting minutes of October 13, 2010 were presented for adoption.

Moved by Councillor Sundquist that the October 13, 2010 Council meeting minutes be accepted as presented.

Carried.

3. **PUBLIC WORKS:**

(a) **Auction Items**

Superintendent of Public Works Johnson advised that the following vehicles will be sent to the auction sale on December 7, 2010:

- Unit 60 – 1986 Freightliner
- Unit 29 – 1977 GMC
- Unit FT 6 – Moon River Estates Fire Truck

(b) **Park Rates**

Superintendent of Public Works Johnson advised that Parks management has requested an increase in the rates for the Pine Coulee Group A to \$25.00 per unit (\$100.00 basic charge which includes 4 units plus \$25.00 per additional unit) Group B - \$20.00 per unit and Group C - \$20.00 per unit.

Council discussed rates at John Zoeteman Park, Clear Lake Park, Willow Creek Park and Pine Coulee campground (with power).

Moved by Councillor Hemmaway that all camping rates be increased by \$5.00 per night with the exception of Pine Coulee Campground (with power) which will be increased by \$10.00 per night, new rates as follows:

Pine Coulee Group A - \$100.00 (includes 4 units) plus \$25.00 for each additional unit

Pine Coulee Group B - \$20.00/night per unit

Pine Coulee Group C - \$20.00/night per unit

Pine Coulee Campground (with power) - \$30.00/night per unit

Willow Creek Park - \$20.00/night per unit

Clear Lake Park - \$20.00/night per unit

John Zoeteman Park - \$20.00/night per unit

Carried.

Claresholm, Alberta, November 1, 2010

(c) Hunting on M.D. Owned Land

Discussion ensued with regard to requests received to allow hunting on the N½ 12-9-27-4.

Moved by Councillor Hemmaway that “No Trespassing” signs be posted on the N ½ 12-9-27-4.

Carried.

(d) Bridge Request List

Superintendent of Public Works Johnson presented the following bridge request list to be submitted to Alberta Transportation:

2011 – B.F. 9247 – at the end of the Flying E Road

2011 - B.F. 8472 – east of Nanton

2012 – B.F. 548 – Sharples bottom

2013 – B.F. 74177 – Wayne Lewis Road

Moved by Councillor Alm that the bridge request list be approved as presented.

Carried.

(e) Gravel Crushing

Superintendent of Public Works Johnson advised that Alberta Transportation will not allow the M.D. access to their gravel pits in the south portion of the M.D. He advised that Willow Creek Sand & Gravel own a gravel pit and have offered to sell the M.D. gravel and allow stockpiling at that location.

Superintendent of Public Works Johnson advised that the gravel crushing rate was at \$4.50/cu. yd. however Willow Creek Sand & Gravel have reduced their rate to \$3.40/cu. yd. He advised that the rate to crush and stockpile ¾” gravel at Willow Creek Sand & Gravel’s pit is \$6.25/cu. yd.

(f) Letter from Audrey Egger - Re: Municipal Addressing

Superintendent of Public Works Johnson read a letter from Audrey Egger expressing her concerns with regard to the names used for certain roads for municipal addressing purposes.

(g) Alberta Environment - Emergency Removal of Debris from Rivers & Streams

Superintendent of Public Works Johnson presented a Guidance Document – Emergency Situations & Debris Removal, from Alberta Environment dated March 2010, stating that the Water Act has provisions for the Designated Director to waive public notice of application requirements for an emergency. This guidance is an interim measure pending the River Management Policy Option Assessment currently under review by the department.

“An emergency is a sudden imminent risk or impairment, caused by plant and woody debris that presents a high probability of substantial physical harm to the health,

Claresholm, Alberta, November 1, 2010

safety or general welfare of municipal infrastructure or a residence before the danger can be abated.”

The Director may waive the notice requirements under section 108(1) of the Water Act if the Director is of the opinion that there is an emergency (s.108(6)(a)).

Councillor Hemmaway left the meeting at 11:28 a.m.

Moved by Councillor Wakelin that the meeting go in camera.

Carried.

Rob Vogt left the meeting at 11:30 a.m.

Councillor Hemmaway returned to the meeting at 11:30 a.m.

Don Kitchener – I.T. entered the meeting at 12:02 p.m.

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

Carried.

Meeting recessed for lunch at 12:05 p.m.

Don Kitchener left the meeting at 12:05 p.m.

Meeting reconvened at 1:04 p.m.

4. **COUNCIL MANAGEMENT:**

(a) **Regional Emergency Services Manager**

Moved by Councillor Wakelin to create a Regional Emergency Services Manager position and that Travis Coleman fill this position.

Carried.

(b) **Thank You from Premier Stelmach**

Municipal Administrator Vizzutti read a thank you from Premier Stelmach for the invitation to the Stavelly/MD Facility Grand Opening.

(c) **Thank You – Firefighters Burn Treatment Society**

Municipal Administrator Vizzutti presented a thank you from the Firefighters Burn Treatment Society for the donation.

(d) **Pharmacist Group – APS2 – Tabled Item**

Municipal Administrator Vizzutti presented additional information received with regards to the Government of Alberta’s phase 2 of the Alberta Pharmaceutical Strategy (APS2). She explained how generic drugs were originally at a significant discount to the patented version and therefore pharmacies who receive a percentage markup were reluctant to push the lower priced drugs. The generic drug companies and Pharma associations across Canada made a deal where the generic drug would be priced just below the patented version and then the generic company would make up the difference to the pharmacy. The Government of Alberta is saying that the pharmacy should charge the correct price for generic drugs and they are willing to help with the transition (funding) as well as allow pharmacists to be paid when they renew prescriptions eliminating the need for a doctor visit.

9961

Claresholm, Alberta, November 1, 2010

(e) Town of Granum – Water Pipeline Issues

The Town of Granum's concerns with regard to the leaks in the water pipeline were sent in an email. Warranty and pipeline installation were referred to.

(f) Replace Fort Macleod Bunker Gear

Municipal Administrator Vizzutti presented a letter from Perry Fraser advising that the Securetec turnout gear which was purchased three or four years ago is not fit for service. The Fort Macleod Fire Department is requesting to purchase 4 sets of gently used loaner gear at a cost of \$400.00 per set from The Firm to get by to the end of this year and budget for new gear to phase out the Securetec gear. He is requesting the M.D. and Town of Fort Macleod split the cost of the used gear.

Municipal Administrator Vizzutti advised that the M.D.'s portion was \$800.00.

Rob Vogt returned to the meeting at 1:13 p.m.

(g) Professional Services Sharing Agreement – I.T. Services

Municipal Administrator Vizzutti presented a Professional Services Sharing Agreement between the Towns of Claresholm, Fort Macleod, Nanton and the M.D. of Willow Creek to provide information technology services by M.D. employee Don Kitchener.

Moved by Councillor Hemmaway to approve the Professional Services Sharing Agreement to provide information technology services to the Towns of Claresholm, Fort Macleod and Nanton by M.D. employee Don Kitchener and the Reeve and Municipal Administrator be authorized to sign and counter sign on behalf of the Municipal District.

Carried.

(h) SAEWA Update

Councillor Hemmaway advised that the SAEWA convention will be held April 6, 7 & 8, 2011. He advised that each M.D. will be asked to budget additional funds to cover the cost of administration staff, which is currently being supplied by Vulcan County at a total cost of \$20,000.00. The Energy from Waste study is 25% complete.

5. CORRESPONDENCE:

(a) Municipal Affairs – Advisory Land Use Planning Notes on Abandoned Well Sites – presented.

(b) Fort Macleod Citizens on Patrol – Request for Donation

Municipal Administrator Vizzutti presented a letter from the Fort Macleod Citizens on Patrol Society requesting a donation to assist with expenses.

Moved by Councillor Wakelin to donate \$900.00 to the Fort Macleod Citizens on Patrol to assist with expenses from the following discretionary spending accounts:

Claresholm, Alberta, November 1, 2010

Division 1 - \$300.00

Division 2 - \$300.00

Division 3 - \$300.00

Carried.

(c) Alberta SW – Councillor Orientation

Municipal Administrator Vizzutti presented information from Alberta SW that they will be hosting a supper and orientation for Councillors and CAO's on November 3, 2010.

(d) Fort Macleod RCMP Report – presented.

(e) Alberta Environment – Response to Mud Lake Concerns – presented.

(f) Alberta Environment – Refusal of Remediation Certificate Application – 5205 – 5th Street East, Claresholm

Municipal Administrator Vizzutti that the M.D.'s application for a Remediation Certificate on the old shop yard in Claresholm has been refused as the following deficiency was identified:

“Some confirmatory samples from excavation “A” did not meet applicable guidelines for soil EC, and attempts to generate site-specific soil chloride guidelines were unsatisfactory.”

Council requested that a meeting with Hon. Rob Renner, Minister of Environment and Evan Berger – MLA Livingstone Macleod to discuss the M.D.'s Remediation Certificate Application that was refused.

(g) Moon River Residents Assoc. – Trees and Drip System

Municipal Administrator Vizzutti presented a letter from the Moon River Residents Association regarding the drip system and the replacement of trees. The association is requesting that hydrants on private property be moved to provide access to water trees.

Noted that Superintendent of Public Works Johnson is dealing with the hydrant issues at Moon River Estates and if the M.D. locks are cut off, the hydrants will be removed.

(h) Barb Cavers – Concern re: Proposed Oil & Gas Exploration on Blood Reserve Land – presented.

(i) Stewart Weir – Client Appreciation Dinner

Noted that Council and spouses will attend the Stewart Weir Client Appreciation Dinner during AAMDC Convention.

(j) AAMDC Bulletins

– Criteria for Septage Land Spreading – presented.

- New Fees for Tire Recycling in Alberta – presented.

6. PUBLIC HEARING

By-Law No. 1618 – Dana Fancy

Manager of Development and Planning Services Gibeau, Keli Sandford – Development Secretary, Mike Burla – Planner ORRSC entered the meeting at 1:34 p.m.

Mike Burla presented By-Law No. 1618, being a by-law to amend By-Law No. 1250, being the Land Use By-Law, to redesignate Lot 1, Block 2, Plan 0211731 (E 3-14-28-4) from “Reservoir Vicinity- RV” to “Grouped Country Residential – GCR” to accommodate a proposed subdivision creating 8 lots for country residential use by Dana and Agnes Fancy (landowners).

Manager of Development and Planning Services Gibeau advised that notification of Public Hearing of By-Law No. 1618 was sent to adjacent landowners, government agencies and advertised in the October 13th & 20th issues of the Claresholm Local Press.

COMMENTS RECEIVED FROM GOVERNMENT AGENCIES:**(a) Alberta Health Services**

Manager of Development and Planning Services Gibeau presented a response from Richard Steeves of Alberta Health Services stating the following:

1. Alberta Health Services does not support the new construction of unlicensed communal water systems and it is our understanding at this time, that one is not proposed.
2. Installation of private sewage disposal systems should comply with Alberta Municipal Affairs requirements.

COMMENTS FROM THE APPLICANT:**(a) Ian Zadeius – Lawyer with Torry Lewis Abells – representing Dana & Agnes Fancy**

Ian Zadeius introduced himself and advised that he is representing the applicants, Dana & Agnes Fancy. The redesignation to “Grouped Country Residential – GCR” from “Reservoir Vicinity – RV” to facilitate the construction of Phase 3 of the development which consists of eight lots, each just over 3 acres in size. He advised that water will be hauled in and geotech and percolation testing have been completed. Ian Zadeius advised that Phase 3 will be the same type of development as Phases 1 & 2.

Councillor Wilson asked what the setback of the proposed Phase 3 will be from the reservoir.

Ian Zadeius stated that he is not sure of the distance, Phases 1 & 2 are located on the east side of Phase 3.

Mike Burla advised that Phase 3 is further away from the reservoir than Phases 1 & 2, he estimated approximately 500 – 600 ft.

Councillor Alm asked for confirmation that no new access roads will be required.

Claresholm, Alberta, November 1, 2010

Ian Zadius confirmed that no new access roads are required.

Mike Burla advised that Dana Fancy worked diligently with the M.D. to ensure that all conditions have been met on Phases 1 & 2.

Reeve Van Hierden called for any further comments.

There being no additional comments Reeve Van Hierden declared the Public Hearing on By-Law No. 1618 adjourned.

Moved by Councillor Alm that By-Law No. 1618 be given second reading.

Carried.

Moved by Councillor Sundquist that By-Law No. 1618 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.

7. **DEVELOPMENT/UTILITIES:**

(a) J. & L. MacDonald – Ptn. SW 24-14-27-4 – Encroachment Agreement

Manager of Development and Planning Services Gibeau presented a request from J. & L. MacDonald to enter into an encroachment agreement with the M.D. to allow an existing fence to remain in its current location where it encroaches on municipal road allowance, Range Road 271 by 2.5 m (8.2 feet).

Moved by Councillor Sundquist to approve the encroachment agreement with J. & L. MacDonald to allow an existing fence to remain in its current location (Ptn. SW 24-14-27-4) where it encroaches on municipal road allowance, Range Road 271 by 2.5 m (8.2 feet).

Carried.

(b) Hutt. Brethren of Willow Creek – Lot 1, Blk 1, Plan 0914375 (Ptn. NE 19-12-27-4) – Encroachment Agreement

Manager of Development and Planning Services Gibeau presented a request from the Hutt. Brethren of Willow Creek to enter into an encroachment agreement with the M.D. to allow an existing fence to remain in its current location (Lot 1, Blk 1, Plan 0914375 (Ptn. NE 19-12-27-4)) where it encroaches on municipal road allowance, Twp Rd. 224, by 2.8 m (9.1 feet).

Moved by Councillor Alm to approve the encroachment agreement with Hutterian Brethren of Willow Creek to allow an existing fence to remain in its current location (Lot 1, Blk 1, Plan 0914375 (Ptn. NE 19-12-27-4)) where it encroaches on municipal road allowance, Twp Rd. 224, by 2.8 m (9.1 feet).

Carried.

Claresholm, Alberta, November 1, 2010

(c) Buffalo Plains RV Park & Campground – Ptn. NE 4-9-27-4 – Encroachment Agreement

Manager of Development and Planning Services Gibeau presented a request from Buffalo Plains RV & Campground to enter into an encroachment agreement with the M.D. to allow an existing fence to remain in its current location (Ptn. NE 4-9-27-4) where it encroaches on municipal road allowance, Rge Rd 273, by 3 m (10 feet).

Moved by Councillor Alm to approve the encroachment agreement with Buffalo Plains RV & Campground to allow an existing fence to remain in its current location (Ptn. NE 4-9-27-4) where it encroaches on municipal road allowance, Rge Rd 273, by 3 m (10 feet).

Carried.

(d) Review of Proposed Land Use By-Law

Noted that a date to review the proposed Land Use By-Law will be set at the November 24, 2010 Council meeting.

(e) M.D. of Foothills – Request for Comments

Manager of Development and Planning Services Gibeau advised that the M.D. of Foothills is requesting comments on a proposed redesignation of 2.5 acres of an existing 160 acre parcel from “Agriculture – A” to “Country Residential – CR”.

Moved by Councillor Wilson that the M.D. of Willow Creek does not have a concern with the proposed redesignation of 2.5 acres from “Agriculture – A” to “Country Residential – CR” within the M.D. of Foothills boundary.

Carried.

(f) 10-W01 - Lilybrook Herefords Inc.

Manager of Development and Planning Services Gibeau presented a request from Lilybrook Herefords Inc. to cross municipal road allowances between NE 21 & NW 22-13-25-4 and NE 21 & SE 28-13-25-4 with a 2” waterline. Applicant is requesting a waiver of clause 3.11 of the Memorandum of Agreement requiring that the crossing be sleeved.

Moved by Councillor Hemmaway that the request from Lilybrook Herefords Inc. to waive the requirement of a sleeve for a 2” waterline crossing municipal road allowances between NE 21 & NW 22-13-25-4 and NE 21 & SE 28-13-25-4 be denied.

Carried.

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

(i) Day Off – November 12th

Moved by Councillor Hemmaway that all M.D. employees be given Friday November 12, 2010 as a holiday.

Carried.

9966

Claresholm, Alberta, November 1, 2010

(j) **2011 Claresholm Physician Recruitment Funds**

Moved by Councillor Alm to setup \$20,000.00 for the Claresholm Physician Recruitment as a preauthorized unbudgeted item to be paid by January 15, 2010.

Carried.

8. **ADJOURNMENT:**

Moved by Councillor Hemmaway that the meeting adjourn.

Carried.

Meeting adjourned at 2:05 p.m.

Reeve

Municipal Administrator