

Claresholm, Alberta, September 22, 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.

Rob Vogt entered the meeting.

Murray Frame and Vaughn Allan entered the meeting.

Brett White entered the meeting.

1. Reeve Van Hierden called the meeting to order at 11:04 a.m.

2. **DELEGATIONS:**

(a) **Murray Frame & Vaughn Allan**

Moved by Councillor Wakelin that the meeting go in camera.

Carried.

Rob Vogt left the meeting at 11:04 a.m.

Brett White left the meeting at 11:04 a.m.

Murray Frame and Vaughn Allan left the meeting at 11:28 a.m.

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

Carried.

Rob Vogt returned to the meeting at 11:31 p.m.

Brett White returned to the meeting at 11:31 p.m.

3. **DEVELOPMENT/UTILITIES**

(a) **10-I04 – Sharples Ranch Ltd. c/o Brett & Jeanne White**

Manager of Development and Planning Services Gibeau presented a request from Brett & Jeanne White to cross the developed municipal road allowance between NE 12-12-28-4 & NW 7-12-27-4 by the open-cut/trenching method for the installation of an irrigation pipeline.

Discussion ensued.

Moved by Councillor Alm to approve the application by Brett and Jeanne White to cross the developed municipal road allowance between NE 12-12-28-4 & NW 7-12-27-4 by the open-cut/trenching method for the installation of a 12” irrigation line 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.

Brett White left the meeting at 11:34 a.m.

(b) 077-10 Daniel Reid – Lot 8-14, Block 130, Plan 5659X

Parkland

Manager of Development and Planning Services Gibeau presented an application from Daniel Reid to construct a 12 ft. x 24 ft. building to be used for personal storage only on Lot 8-14, Block 130, Plan 5659X Parkland.

Moved by Councillor Sundquist to approve application 077-10 for Daniel Reid on Lot 8-14, Block 130, Plan 5659X to construct a 12 ft. x 24 ft. building for storage with a waiver of the requirement for a Phase I Environmental study and subject to the following usual Parkland conditions:

1. In consideration that, despite investigations into contamination of water and soils and Environmental Site Assessment(s) in the Hamlet of Parkland, the potential exists for contaminated water or soils to be present on the property, now or in the future, and therefore development on the property has additional risks, and insofar as those risks must be accepted by the applicant and future property owners, the following conditions shall apply in respect of potential contamination:
 - a. The developer/landowner shall assume all responsibility for development of the property;
 - b. The developer/landowner shall assume responsibility for all conditions existing on the site;
 - c. The developer/landowner shall assume responsibility for any clean-up of the property;
 - d. The developer/landowner shall assume responsibility to ensure no escape occurs onto neighboring lands.
2. The Municipal District shall not be liable, either directly or indirectly, for any damage, injury, or consequential loss, or damages for pure economic loss or other costs or inconvenience however caused from the development of the property.
3. A development agreement shall be entered into between the developers and the Municipal District of Willow Creek No. 26 before issuance of the Development Permit, and it shall be registered on the land title;
4. Prior to construction, a building permit shall be obtained from an agency authorized by Alberta Municipal Affairs, Safety Services, to issue permits, and a copy filed with the Municipal District Office;
5. The existing sewage disposal system shall be inspected by an accredited plumbing inspector and a copy filed with the Municipal District. If the system does not meet current safety codes standards the developer shall upgrade the system and provide an installer's report certifying that this has been done;

6. Except for fences seven (7) feet or less in height, there shall be no development within 6.1 metres (20 feet) of the front and rear yard property boundaries or within 3 metres (10 feet) of the side yards, unless a development permit is obtained that specifically varies the required setback to allow the development.

Carried.

(c) By-Law No. 1618 – Dana & Agnes Fancy

Manager of Development and Planning Services Gibeau presented By-Law No. 1618, being a by-law to amend the Land Use By-Law No. 1250, by redesignating Lot 1, Block 2, Plan 0211731 from Reservoir Vicinity to Grouped Country Residential – GCR to accommodate a proposed subdivision creating 8 lots for country residential use by Dana & Agnes Fancy. She advised that this proposal represents the final stage of the 3 stage development.

Manager of Development and Planning Services Gibeau presented Schedule “A” of By-law 1618 which indicates the location of the proposed redesignation.

Manager of Development and Planning Services Gibeau requested Council’s consideration for first reading of By-Law No. 1618 and if first reading is given a date and time for a public hearing will be required.

Moved by Councillor Alm that By-Law No. 1618, being a by-law to amend the Land Use By-Law No. 1250, by redesignating Lot 1, Block 2, Plan 0211731 from Reservoir Vicinity to Grouped Country Residential – GCR to accommodate a proposed subdivision creating 8 lots for country residential use by Dana & Agnes Fancy be given first reading.

Carried.

Moved by Councillor Hemmaway that a Public Hearing on By-Law No. 1618 be held on November 1, 2010 at 1:30 p.m.

Carried.

4. **COUNCIL MANAGEMENT:**

(a) November Meeting Date Changed

Municipal Administrator Vizzutti advised that the Organizational meeting must be held by November 1, 2010, being within 2 weeks of Election Day, October 18, 2010. She asked Council if they wish to change the MPC and Council meetings previously rescheduled for November 3 to that day also.

Moved by Councillor Wakelin that the Council meeting and Municipal Planning Commission meeting scheduled for November 3, 2010 be held on November 1, 2010.

Carried.

3. **DEVELOPMENT/UTILITIES:**

(d) **Inter-Municipal Development Plan – Nanton**

Manager of Development and Planning Services Gibeau presented By-Law No. 1613, being the M.D. of Willow Creek and the Town of Nanton Inter-municipal Development Plan, for Councils consideration for second and third readings.

Councillor Alm abstained from voting as he was not present at the Public Hearing for By-Law No. 1613 which was held in Nanton on September 20, 2010 in a joint Council meeting.

Moved by Councillor Wilson that By-Law No. 1613 be given second reading.

Carried.

Moved by Councillor Sundquist that By-Law No 1613 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.

Manager of Development and Planning Services Gibeau and Mike Burla left the meeting at 11:52 a.m.

5. **MINUTES:**

(a) **September 8, 2010 Council Meeting Minutes**

Moved by Councillor Hemmaway that the September 8, 2010 Council meeting minutes be accepted as presented.

Carried.

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

(b) **Assessment Review Board Members – Request from Town of Claresholm**

Municipal Administrator Vizzutti advised that the Town of Claresholm is requesting 2 of the M.D. of Willow Creek Assessment Review Board Members to attend the Town of Claresholm Assessment Review Board meeting.

Moved by Councillor Wilson that two M.D. of Willow Creek Assessment Review Board members be approved to attend the Town of Claresholm Assessment Review Board meeting if available.

Carried.

Moved by Councillor Wakelin that the meeting recess for lunch.

Carried.

Rob Vogt left the meeting.

Reeve Van Hierden reconvened the meeting at 12:55.

Treasurer Hannas entered the meeting at 12:55 a.m.

6. **PUBLIC WORKS:**

(a) **Award Construction Tender on Welsh Road (Rge Road 291)**

Moved by Councillor Wilson that construction tender for the Welsh Road (Range Road 291) be awarded to Cee Gee Construction in the amount of \$388,992.00.

Carried.

(b) **U Blade for Grader**

Superintendent of Public Works Johnson advised that the cost of purchasing a U blade for the grader is an additional \$13,000.00.

Rob Vogt returned to the meeting.

(c) **Finning – Compensation for Grader Down Time**

Superintendent of Public Works Johnson advised that the M.D. of Willow Creek will receive a credit of \$5,365.00 for machine down time. He also reported that the price of the 2 new CAT 140M graders c/w snow equipment which have been ordered from Finning will be reduced to \$373,950/machine from the original \$380,892 as previously quoted.

Council instructed Superintendent of Public Works Johnson to order a U blade from Finning to use the credit.

(d) **Public Works Agreement**

Superintendent of Public Works Johnson presented a Public Works Agreement with Rod & Norma Blake in the NW 1-16-29-4 for Council's consideration.

Moved by Councillor Wilson that the Public Works Agreement with Rod & Norma Blake in the NW 1-16-29-4 be accepted as presented.

Carried.

7. **FINANCIAL MANAGEMENT:**

(a) **By-Law No. 1619 – Granum Drop In Centre**

Treasurer Hannas presented By-Law No. 1619, being a by-law to authorize a lending in the amount of \$6,000.00 for a term of 2 years, to the Granum Drop In Centre to finance the roof construction of the Granum Drop In Centre, for Council's consideration.

Moved by Councillor Hemmaway that By-Law No. 1619, being a by-law to authorize a lending in the amount of \$6,000.00 for a term of 2 years, to the Granum Drop In Centre to finance the roof construction of the Granum Drop In Centre be given first reading.

Carried.

Moved by Councillor Sundquist that By-Law No. 1619 be given second reading.

Carried.

Moved by Councillor Alm that all Councillors present are in agreement to giving By-Law No. 1619 third and final reading.

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Carried Unanimously.

Moved by Councillor Wakelin that By-Law No. 1619 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) Discretionary Grants Reconciliation

Treasurer Hannas presented the discretionary grant reconciliation as information.

Treasurer Hannas left the meeting.

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

(c) Advance Poll

Moved by Councillor Wakelin that an advance poll be held for the 2010 election.

Carried.

Municipal Administrator Vizzutti advised that the advance poll for the 2010 election will be held in the Fort Macleod Public Library on October 14, 2010 from 1:00 p.m. – 7:00 p.m.

Municipal Administrator Vizzutti advised of the locations for the polls on election day as follows:

Division 1

Fort Macleod Community Hall
South Macleod Community Hall
Ardenville Social Centre

Division 3

Fort Macleod Community Hall
Moon River Estates Fire Hall

(d) White Lake Colony Fined for Illegal Construction

Municipal Administrator Vizzutti presented an information bulletin from NRCB advising that White Lake Colony has been fined \$71,500 for constructing and operating an earthen lagoon for storing liquid manure without a permit.

(e) Letter of Gratitude to Premier

Municipal Administrator Vizzutti read a letter that will be sent to Premier Ed Stelmach expressing the M.D.'s gratitude for his attendance at the Grand Opening of the Stavely/MD Municipal Complex on July 10, 2010. The letter also expressed the M.D.'s appreciation for the funding support from the Province of Alberta for the intermunicipal complex and the Code of the West DVD that was funded by Alberta Agriculture.

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(f) Ag Service Board Program Grant Application

Moved by Councillor Hemmaway to authorize the Reeve and Municipal Administrator to sign and counter sign the Agricultural Service Board Program Grant Application on behalf of The Municipal District of Willow Creek No. 26.

Carried.

Jason Edworthy & Ameepa Shivji of TransAlta entered the meeting.

(g) Financial Indicator Graphs

Municipal Administrator Vizzutti presented information provided in the Financial Indicator Graphs prepared by Alberta Municipal Affairs using municipal financial and statistical data.

Noted that the Financial Indicator Graphs will be posted on the M.D. website.

8. **DELEGATIONS:**

(a) TransAlta

Jason Edworthy and Ameepa Shivji were present to give Council an update of the Ardenville Wind Farm and TransAlta's acquired wind assets and operations.

Jason Edworthy advised that the M.D. will receive a formal invitation to a barbecue sponsored by TransAlta on October 23, 2010 in Fort Macleod.

Ben Hann entered the meeting at 1:37 p.m.

Manager of Development and Planning Services Gibeau entered the meeting at 1:37 p.m.

Jason Edworthy asked Council to support the infrastructure upgrades for transmission lines.

Jason Edworthy and Ameera Shivji left the meeting at 1:54 p.m.

Manager of Development and Planning Services Gibeau left the meeting at 1:54 p.m.

(b) Blunden Hall Committee Update

Ben Hann was present to provide an update of the funds raised during the 100th Anniversary in the amount of \$3400.00 for Blunden Hall restoration. He advised that the committee is planning a supper next March to raise additional funds.

Ben Hann asked if Council is firm on the deadline of December 31, 2010. He discussed getting a quote on repairing the foundation and soil testing and advised that the eaves trough on the east side of the building is missing.

Councillor Hemmaway asked if the committee is set on restoring the existing building or have they discussed building a new facility in conjunction with the Homesteader.

Ben Hann advised that the committee is not set on restoring and are willing to look at constructing a new facility.

Discussion ensued regarding the construction of a joint facility – hall, town office, library, firehall, etc.

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Moved by Councillor Neufeld that a sunset clause for Blunden Hall restoration and fund raising not be established at this time.

Carried.

Ben Hann left the meeting at 2:08 p.m.

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

(h) Foundation of Administrative Justice

Municipal Administrator Vizzutti requested permission to complete the Administrative Justice program.

Moved by Councillor Hemmaway to approve Municipal Administrator Vizzutti to complete the Administrative Justice program as requested.

Carried.

(i) Election Wages

Moved by Councillor Hemmaway that Deputy Returning Officers and Poll Clerks election wages be set at \$350.00/day, mileage at \$.55/km plus \$25.00/day for meals.

Carried.

(j) Recognition for Long Term Fire Fighters

Discussion ensued regarding recognition for long term fire fighters.

Moved by Councillor Hemmaway that the M.D. of Willow Creek present Bryce Meldrum of the Fort Macleod Fire Department with set of fire plates and a cheque in the amount of \$500.00 in recognition of 35 years service.

Carried.

9. **CORRESPONDENCE:**

(a) Children and Youth Services Advisory – presented.

(b) Lower Athabasca Regional Advisory Council presents Vision Document – presented

(c) Correctional Service Canada – Restorative Justice Week _
November 14 – 21, 2010. – presented.

(d) I Care – Alberta Pharmaceutical Strategy 2

Municipal Administrator Vizzutti read the letter from “I Care about my Pharmacist”.

Moved by Councillor Hemmaway that a letter be sent to the Hon. Gene Zwozdesky, Minister of Health & Wellness requesting clarification with regards to Phase 2 of the Alberta Pharmaceutical Strategy and how it will affect services.

Carried.

(e) Empress Theatre – Sponsors for Diamond Dinner – October 16, 2010.

Moved by Councillor Wakelin to donate \$750.00 as a sponsor for the Empress Theatre Diamond Dinner from the following discretionary spending accounts:

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Division 2 - \$250.00

Division 3 - \$500.00

Carried.

(f) Town of Claresholm re: CPO Jurisdiction

Municipal Administrator Vizzutti read a letter from the Town of Claresholm advising that the CPO will operate within the jurisdiction set forth in Article 2 of his Peace Officer Appointment by the Government of Alberta, Solicitor General and Public Security Department.

(g) Thank You from the Fort Macleod & District Ag Society – re: High School Rodeo donation – presented.

(h) Claresholm & District Museum – Donation of History Book

Municipal Administrator Vizzutti presented a letter from the Claresholm & District Museum thanking the M.D. for donating the leather bound Claresholm history book and enclosed a gift receipt.

Claresholm History Book Sales

Municipal Administrator Vizzutti advised that she told the history book committee that they could put a book on display and a poster indicating where to purchase the books as well as posting the History Book sales info on the M.D. website.

(i) 2-1-1

Moved by Councillor Hemmaway that a letter be sent supporting the concept of 2-1-1.

Carried.

(j) Claresholm Youth Curling

Moved by Councillor Hemmaway to donate \$500.00 to Claresholm Youth Curling from the following discretionary spending accounts:

Division 4 - \$250.00

Division 5 - \$250.00

Carried.

(k) Road to Willow Creek Regional Waste

Councillor Hemmaway reported that there are a huge number of flat tire complaints with regards to the road leading to the Willow Creek Regional Waste site.

Superintendent of Public Works Johnson advised that he will investigate a stronger magnet that could be used on the road.

Moved by Councillor Wakelin that the meeting go in camera.

Carried.

Rob Vogt left the meeting.

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

Carried.

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10. **CORRESPONDENCE:**

Moved by Councillor Wakelin that the meeting adjourn.

Carried.

Meeting adjourned at 2:55 p.m..

Reeve

Municipal Administrator