

Claresholm, Alberta, November 25, 2015

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 Wilson, Deputy Reeve Hemmaway, Councillors Alm, Kroetsch, Sandberg, Sundquist and Van Hierden, CAO Vizzutti and Executive Assistant Arlene MacOdrum as recording secretary present.

Rob Vogt – Reporter entered the meeting.

1. Reeve Wilson called the meeting to order at 10:21 a.m.

Emergency Services Manager Coleman, Kelly Starling – CPO and Dave Cox – Pincher Creek Fire/EMS entered the meeting.

2. **EMERGENCY SERVICES:**

(a) Medical First Response Report

Emergency Services Manager Coleman provided a 2015 Incident Summary report, as information. He informed Council that Alberta Health Services will not be continuing the Medical First Response agreement with the M.D. as their records indicate only 2 transfers were required.

CAO Vizzutti read a letter from George Porter expressing his concerns and suggestions with regards to the inadequate ambulance service currently being provided by AHS.

Emergency Services Manager Coleman stated the AHS report showing that an ambulance is available to respond 96% of the time is incorrect. He said the ambulance is available however they are not staffed. He advised AHS pick and choose when they want assistance from the fire departments.

Dave Cox stated he manages the Regional Fire Department, fire and ambulance joint service, in Pincher Creek. He advised they have had an integrated service for 45 years and are under contract with Alberta Health Services. The AHS funding is inadequate. Pincher Creek is on the Legacy dispatch system in Lethbridge, which works well as fire and ambulance can both hear all tones and calls.

Reeve Wilson asked how the staff is paid.

Dave Cox advised they receive funds from AHS and calls are invoiced out, however all transfers are included in the AHS budget amount. He said they have separate budgets for fire and ambulance.

Superintendent of Public Works Johnson entered the meeting at 10:43 a.m.

Dave Cox provided an overview of the area they cover and advised it takes the ambulance 45 minutes with lights and sirens to arrive at Claresholm.

CAO Vizzutti advised the Fort Macleod Fire Department was available when Pincher Creek ambulance was dispatched to Fort Macleod.

Dave Cox explained the Newton's Cradle process as information.

CAO Vizzutti reviewed the issues and concerns regarding the AHS contract and limitations.

Dave Cox advised an ambulance license is required to qualify the units to transfer a patient.

CAO Vizzutti advised the MD was exempt under the AHS pilot project regarding the ambulance license.

CAO Vizzutti read the M.D. legal counsel's response as information.

Emergency Services Manager Coleman explained to Council the three new emergency response units purchased replaced two of the existing old units in Nanton and Fort Macleod and the third unit was placed in Claresholm.

Dave Cox discussed contractual requirements regarding an integrated service versus Alberta Health Services.

Deputy Reeve Hemmaway left the meeting at 11:31 a.m.

Emergency Services Manager Coleman, Kelly Starling and Dave Cox left the meeting at 11:31 a.m.

Deputy Reeve Hemmaway returned to the meeting at 11:34 a.m.

Moved by Councillor Alm to instruct CAO Vizzutti to draft a letter requesting a meeting with the Hon. Sarah Hoffman, Minister of Health to discuss ambulance service and request an agreement to transport medical first response patients with a copy of the letter to be sent to Premier Rachel Notley, MLA Pat Stier and David Carpenter Administrator of Alberta Health Services; and a copy of the March 2015 Rural Health Services Review Final Report be attached to the letters.

Carried.

Moved by Councillor Kroetsch to instruct Emergency Services Manager Coleman to arrange a formal meeting with various MD and County representatives, health employees and doctors, to compile an information report regarding AHS's ambulance service for Council.

Carried.

Meeting recessed for lunch at 12:03 p.m.

Meeting reconvened at 12:39 p.m.

3. **MINUTES:**

(a) **November 10, 2015 Council Minutes**

Moved by Deputy Reeve Hemmaway the November 10, 2015 Council meeting minutes be accepted as presented.

Carried.

4. **FINANCIAL MANAGEMENT:**

(a) **Cheque Register**

CAO Vizzutti presented the cheque register for cheque #'s 20319 – 20386 in the amount of \$423,508.68 as information.

5. **COUNCIL MANAGEMENT:**

(a) **Bylaw No. 1730 Councillor Code of Conduct**

CAO Vizzutti presented Schedule “A” of Bylaw No. 1730 to each Councillor for their signature.

(b) **Flood Mapping**

CAO Vizzutti presented updated Flood Mapping information from Shirley Pickering as information.

(c) **AAMDC – Alberta First Responders Radio System**

CAO Vizzutti presented a letter from AAMDC in response to the MD’s letter requesting clarification on cost recovery regarding the Alberta First Responders Radio System. Kim Heyman advised Curtis Brochu, Director, Transformation, Alberta First Responders Radio System stated “cost recovery will apply to the incremental operating cost of radios used for municipal purposes”. He also advised her that the cost recovery will not apply to capital costs.

(d) **M.D. of Foothills No. 31 – Intermunicipal Development Plan**

CAO Vizzutti presented a letter from the MD of Foothills advising their Bylaw 82/2015 being the M.D. of Willow Creek No. 26 and M.D. of Foothills No. 31 Intermunicipal Development Plan received third and final reading on November 4, 2015.

(e) **Robert & Valerie Clemitson – Road Allowance – (tabled from November 10, 2015)**

Moved by Councillor Kroetsch to table Robert & Valerie Clemitson’s road allowance discussions to December 9, 2015.

Carried.

(f) **Claresholm Society for the Arts – Request for Support**

Moved by Councillor Sandberg to donate \$700.00 to the Claresholm Society for the Arts from the following discretionary spending accounts:

Divisions 2, 3 & 7 - \$100.00 each

Divisions 4 & 5 - \$200.00 each

Carried.

(g) **SSRP Implementation – Porcupine Hills Tour and Update**

A summary of the SSRP Implementation – Porcupine Hills Tour was provided as information. The next meeting is scheduled for December 10th at the MD of Ranchland office.

(h) **Foothills Little Bow Association**

CAO Vizzutti advised the Foothills Little Bow Association meeting is on January 15, 2016.

Councillor Alm requested a resolution be formulated for submission to Foothills Little Bow regarding Bill 6.

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Moved by Councillor Sandberg to table Bill 6 discussions to December 9, 2015.

Carried.

Bruce McIntosh of Re/max entered the meeting at 1:20 p.m.

(i) **Nanton FCSS – 2016 Budget** – presented.

(j) **Emergency Services First Response Report**

CAO Vizzutti presented the Emergency Services First Response Report as information.

Moved by Councillor Alm effective November 15, 2015 all fire department medical first response calls be billed to Alberta Health Services.

Carried.

Sharon Duncan – Town of Claresholm MPC Member entered the meeting at 1:26 p.m.

Mike Burla – MD Planner and Development Officer Chisholm entered the meeting at 1:26 p.m.

(k) **M.D. Policy Manual – Re: Legal Review**

Moved by Councillor Sandberg to approve a budget of \$10,000.00 to hire a law firm to review the M.D. Policy Manual.

Carried.

Jamie Cutler – Town of Claresholm entered the meeting at 1:28 p.m.

Andrew Gaffney, Harvie Nielsen and Judy Nielsen representing Custom Cannabis entered the meeting at 1:28 p.m.

Manager of Planning and Development Services Gibeau entered the meeting at 1:29 p.m.

Reeve Wilson recessed the Council meeting at 1:30 p.m.

6. **PUBLIC HEARINGS:**

(a) **Public Hearing - Land Use Bylaw 1616 Amendment – Application A-14-15 Custom Cannabis**

Bruce McIntosh – Remax Realty, Sharon Duncan – Town of Claresholm MPC Member and Jamie Cutler – Councillor Town of Claresholm were present. Andrew Gaffney, Harvie Nielsen and Judy Nielsen were present representing Custom Cannabis Inc.

Reeve Wilson called the Public Hearing on Application A-14-15 to order at 1:30 p.m.

Manager of Planning and Development Services Gibeau advised a bylaw was created in response to an application for a Land Use Bylaw amendment put forward by Custom Cannabis Inc., landowners of SE 23-12-27-4. The bylaw seeks to redesignate the subject lands, consisting of 4.36 acres, from 'Rural General – RG' to 'Rural Commercial – RC'. She advised there is an existing development permit for the

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operation of a Marijuana Production Facility on the site. Changes to the Land Use Bylaw since the development permit was approved has resulted in the approved use and associated development on the site becoming legal non-conforming. The proposed land use bylaw amendment will seek to align the land use designation with the approved use for the site.

Manager of Planning and Development Services Gibeau provided the following background information. Development permit 072-14 was approved July 16, 2014 and a 12-month extension was granted earlier this year. The proponents were approved for an addition to the existing building to house the operations (DP 064-15). As a result of the building sustaining some water damage from rain earlier this year, the proponents would like to demolish the building and start with a new construction. Given that the previous permit (064-15) was for an addition to the existing building this change to the scope of the development permit was deemed to be significant enough to warrant a new development permit. As a result Administration has requested that the proponents bring the property into compliance before submitting a development permit application for the new construction. Demolishing the building will afford the proponents a better opportunity to address the storm water drainage issues that were identified during the application process for the addition.

Written Responses from Government Agencies

(a) Alberta Transportation – Leah Olsen, Development/Planning Technologist

Manager of Planning and Development Services Gibeau read a letter dated November 16, 2015 from Leah Olsen, Development/Planning Technologist, Alberta Transportation advising the proposed Application No. A-14-15 for Land Use Bylaw Amendment could be accommodated. She advised a permit from Alberta Transportation is required for any development within 300 metres of Highway 2 or within 800 metres from the center point of an intersection of Highway 2 and a public road. However the subject property is within the noted control lines, and given that development setbacks will be maintained by default and access to the highway is indirect by way of the local road system, a permit from the department will not be required and development of the medical marijuana facility could proceed under M.D. direction, control and management. Any peripheral lighting (yard lights/area lighting) that may be distracting to motorists or deemed a traffic hazard will not be permitted.

(b) Alberta Health Services – Richard Steeves

Manager of Planning and Development Services Gibeau read comments from Richard Steeves of Alberta Health Services advising Environmental Public Health of Alberta health Services (Calgary Zone) reviewed the proposed application for land use bylaw amendment A-14-15. He advised Alberta Health Services has no objection provided the facility is developed and operated in accordance with Health Canada requirements and does not create a public health nuisance.

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(c) **Town of Claresholm – Marian Carlson**

Manager of Planning and Development Services Gibeau read a letter from Marian Carlson, CAO of the Town of Claresholm advising the proposed red-designation is consistent with the adjacent land uses however the Town of Claresholm wishes to be notified of any development changes or applications that may follow.

Comments from the Applicant

Andrew Gaffney of Custom Cannabis advised that a new building may be considered due to the drainage issues on the site which will be dealt with during the development process.

Manager of Planning and Development Services Gibeau confirmed that the removal of the residence will assist with the storm water management previously discussed on this site.

Comments from Town of Claresholm

Jamie Cutler, Councillor for the Town of Claresholm, stated the Town's comments have been addressed in the letter which was read into the record.

Councillor Alm asked which building is considered the principle building, the office or the greenhouses.

Andrew Gaffney stated they are two separate structures. If the current structure is redeveloped it will be brought up to code and drainage issues will be addressed.

Councillor Alm asked if the rezoning to 'Rural Commercial – RC' is successful and a development application comes forward, there will be no public hearing process because it is a permitted use.

Mike Burla advised there will be either a permitted or discretionary use, depending on the permit applied for, which will dictate the process that is followed.

CAO Vizzutti advised the Town of Claresholm will be notified whether the application is for a permitted or discretionary use.

Moved by Councillor Wilson to close the Public Hearing at 1:43 p.m.

Carried.

Reeve Wilson reconvened the Council meeting at 1:43 p.m.

7.

BYLAWS:

(a) **Bylaw No. 1733**

Moved by Councillor Alm Bylaw No. 1733, being a bylaw to amend Land Use Bylaw No. 1616, to redesignate that portion of the SE 23-12-27-4 which lies northeast of Road Plan 0313338 (4.36 acres) from 'Rural General – RG' to 'Rural Commercial – RC' be given first reading.

Carried.

Moved by Deputy Reeve Hemmaway Bylaw No. 1733 be given second reading.

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Carried.

Moved by Councillor Van Hierden that all Councillors present are in agreement to giving Bylaw No. 1733 third and final reading.

Carried Unanimously.

Moved by Councillor Sandberg Bylaw No. 1733 be given third and final reading and the Reeve and Chief Administrative Officer be authorized to sign and counter sign on behalf of the Municipal District.

Carried.

Councillor Hemmaway left at 1:45 p.m.

Councillor Kroetsch left the meeting at 1:45 p.m.

Manager of Planning and Development Services Gibeau and Mike Burla left the meeting at 1:45 p.m.

Bruce McIntosh, Sharon Duncan, Jamie Cutler, Andrew Gaffney, Harvie Nielsen and Judy Nielsen left the meeting at 1:45 p.m.

Councillor Kroetsch returned to the meeting at 1:47 p.m.

Councillor Hemmaway returned to the meeting at 1:49 p.m.

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

(l) Land Use Bylaw Fees

Moved by Councillor Sundquist the fees in the Land Use Bylaw be accepted as presented.

Carried.

(m) Dust Control Policy 320-06

CAO Vizzutti presented Dust Control Policy 320-06 for Council's consideration.

Moved by Councillor Sundquist the Dust Control Policy 320-06 be accepted as presented.

Carried.

(n) Parks Policies

Clear Lake Hall Policy 700-01

Moved by Deputy Reeve Hemmaway the Clear Lake Hall Policy 700-01 be accepted as presented.

Carried.

Clear Lake, Willow Creek and Pine Coulee Park Policy 700-02

Moved by Councillor Sandberg the Clear Lake, Willow Creek and Pine Coulee Park Policy 700-02 be accepted as presented.

Carried.

Council recessed at 2:01 p.m.

Manager of Planning and Development Services Gibeau and Mike Burla – Planner returned to the meeting at 2:01 p.m.

6. **PUBLIC HEARINGS (CONT:)**

(b) Public Hearing – Land Use Bylaw Amendment – Application No. A-13-15 Ryan & Jenna Flitton

Reeve Wilson called the Public Hearing to order at 2:02 p.m.

Manager of Planning and Development Services Gibeau advised the Public Hearing for a Land Use Bylaw amendment on Application No. A-13-15 is reconvened and Vulcan County has sent a letter advising that they have no comments or concerns regarding the application.

Manager of Planning and Development Services Gibeau advised no objections were received regarding Application A-13-15.

Moved by Deputy Reeve Hemmaway to adjourn the Public Hearing on Application A13-15 at 2:03 p.m.

Carried.

Council meeting reconvened at 2:03 p.m.

7. **BYLAWS (CONT:)**

(b) Bylaw No. 1734

Moved by Councillor Van Hierden Bylaw No. 1734, being a bylaw to amend Land Use Bylaw No. 1616 to redesignate 5 acres of land within the SE 23-15-26-4 from 'Reservoir Vicinity – RC' to 'Vacant Country Residential – VCR' be given first reading.

Carried.

Moved by Deputy Reeve Hemmaway Bylaw No. 1734 be given second reading.

Carried.

Moved by Councillor Kroetsch all Councillors present are in agreement to giving Bylaw No. 1734 third and final reading.

Carried Unanimously.

Moved by Councillor Sandberg Bylaw No. 1734 be given third and final reading and the Reeve and Chief Administrative Officer be authorized to sign and counter sign on behalf of the Municipal District.

Carried.

Gerald Lyon entered the meeting at 2:04 p.m.

Manager of Planning and Development Services Gibeau and Mike Burla left the meeting at 2:04 p.m.

Art Scott, Ryan Scott and Cheryl Brown entered the meeting at 2:09 p.m.

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

(o) Fort Macleod Santa Claus Parade

Moved by Councillor Van Hierden to donate \$1,300.00 to the Fort Macleod Santa Claus Parade from the following discretionary spending accounts:

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Divisions 1, 4 & 6 - \$200.00 each

Division 2 - \$100.00

Divisions 3 & 5 - \$300.00 each

Carried.

(p) Claresholm WCCHS Cobra Football – Provincials

Moved by Deputy Reeve Hemmaway to donate \$1,500.00 to the WCCHS Sports Society, to aid with expenses for the Cobra Football team to attend Provincial Finals, from the following discretionary spending accounts:

Divisions 2, & 3 - \$150.00 each

Division 4 - \$400.00

Division 5 - \$600.00

Division 6 - \$200.00

Carried.

Council meeting recessed at 2:17 p.m.

6. PUBLIC HEARINGS (CONT:)

(c) Public Hearing – Land Use Bylaw Amendment – Application A-12-14 – Hutterian Brethren of Parkland

Gerald Lyon, Art Scott, Ryan Scott and Cheryl Brown were present for the Public Hearing.

Reeve Wilson called the Public Hearing on Application No. A-12-14 to order at 2:17 p.m.

Mike Burla advised the Public Hearing is being held to consider an application for a land use bylaw amendment to redesignate lands around Pine Coulee from 'Reservoir Vicinity – RV' to 'Grouped Country Residential – GCR' to accommodate a small 5 lot subdivision in the SE 33-14-28-4 if successful.

Mike Burla advised adjacent landowners were notified by mail and a notice of the Public Hearing was advertised in the local paper as required in the MGA.

Reeve Wilson advised of a reservoir land information session being held at the Claresholm Community Center on November 26 by Alberta Environment and the MD with regards to Pine Coulee Reservoir. Reeve Wilson recommended the Public Hearing be recessed to receive the information available at the session prior to the Public Hearing information.

Moved by Councillor Sundquist that the Public Hearing for Application No. A-12-15 be tabled to a future date which will accommodate the proper notification as required under the Municipal Government Act.

Carried.

Manager of Planning and Development Services Gibeau advised all people present at the meeting today who signed the delegation sheet will be notified of the Public Hearing date by mail.

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Moved by Councillor Sandberg to recess the Public Hearing at 2:30 p.m.

Carried.

Gerald Lyon, Art Scott, Ryan Scott and Cheryl Brown left the meeting at 2:30 p.m.

Council meeting reconvened at 2:33 p.m.

Superintendent of Public Works Johnson left the meeting 2:33 p.m.

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

(q) Porcupine Hills Lodge – Donation

Moved by Councillor Hemmaway to donate \$500.00 to the Porcupine Hills Lodge for Christmas decorations from the following discretionary spending accounts:

Division 2, 4 & 7 - \$100.00 each

Division 5 - \$200.00

Carried.

(r) Willow Creek Foundation – Christmas Fundraiser

CAO Vizzutti asked Council if they would authorize Administration to provide donations to community organizations who contribute locally in the MD, without presenting requests to Council.

Moved by Reeve Wilson donations to local community organizations be at the discretion of Administration.

Carried.

(s) Organizational Meeting Appointments – Re: Director

Insurance

CAO Vizzutti discussed Director's insurance and reviewed various boards and possible exposure. She advised that any non-municipally owned entities should be required to have director insurance if Councillors have voting privileges.

(t) South Saskatchewan Region Biodiversity Management

Framework

CAO Vizzutti advised she reserved two seats at the December 3, 2015 draft biodiversity management framework session in Lethbridge from 10:00 a.m. – 3:00 p.m.

Noted Councillors Kroetsch and Alm will attend the biodiversity management framework session on December 3, 2015.

8. **CORRESPONDENCE:**

(a) Claresholm & District Transportation Society – September 18, 2015 Minutes – presented.

(b) High River District Health Care Foundation – Thank you – presented.

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(c) **Granum Golf Board – Thank you** – presented.

Moved by Councillor Sandberg the meeting goes in camera to discuss legal matters.

Carried.

Rob Vogt left the meeting at 2:59 p.m.

Moved by Councillor Alm the meeting comes out of in camera.

Carried.

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

(u) **Organizational Meeting Board Appointments**

Moved by Councillor Van Hierden to cancel the appointment of Council representatives on the following boards:

- Granum Seed Cleaning Plant
- Fort Macleod, Claresholm and Stavely Ag Societies
- Claresholm Chamber of Commerce

Carried.

(v) **M.D. Closed on December 24th**

Moved by Councillor Hemmaway the M.D. of Willow Creek be closed on December 24, 2015 and all staff be given the day off.

Carried.

Moved by Councillor Sundquist the meeting goes in camera with Council only at 4:03 p.m. to discuss protocol.

Carried.

CAO Vizzutti and Executive Assistant MacOdrum left the meeting at 4:03 p.m.

Moved by Councillor Kroetsch the meeting comes out of in camera with Council only at 4:15 p.m.

Carried.

9. **ADJOURNMENT:**

Moved by Councillor Sandberg to adjourn the meeting.

Carried.

Meeting adjourned at 4:15 p.m.

Reeve

Chief Administrative Officer