

Claresholm, Alberta, November 10, 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 Kroetsch, Sandberg, Sundquist and Van Hierden, CAO Vizzutti and Executive Assistant Arlene MacOdrum as recording secretary present.

Councillor Alm - absent

Superintendent of Public Works Johnson entered the meeting.

1. Reeve Wilson called the meeting to order at 10:04 a.m.

2. **ADDITIONS TO THE AGENDA:**

No additions to the agenda.

CAO Vizzutti advised that Councillor Alm is absent however he emailed information regarding agenda items.

3. **MINUTES:**

(a) **October 11, 2015 Council Meeting Minutes**

Moved by Councillor Sandberg the October 11, 2015 Council meeting minutes be accepted as presented.

Carried.

4. **FINANCIAL MANAGEMENT:**

(a) **Cheque Register**

Director of Finance Hannas presented the cheque register for cheque #'s 20248 – 20318 in the amount of \$373,175.14 as information.

Rob Vogt – Reporter entered the meeting at 10:09 a.m.

Manager of Planning and Development Services Gibeau entered the meeting at 10:10 a.m.

(b) **Alberta Recycling Grant**

Director of Finance Hannas presented information regarding pour in place rubber for playgrounds and presented pricing for each of the playgrounds in the MD as information.

Moved by Councillor Sandberg the Alberta Recycling Grant for pour in place rubber for playgrounds not be pursued at this time.

Carried.

Emergency Services Manager Coleman entered the meeting at 10:20 a.m.

(c) **Investment Reconciliation**

Director of Finance Hannas presented the Investment Reconciliation as of November 9, 2015.

Moved by Councillor Sundquist to accept the Investment Reconciliation as presented.

Carried.

(d) **Outstanding Taxes**

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Director of Finance Hannas advised the amount of outstanding taxes is \$745,000.00 as of November 9, 2015.

5. **EMERGENCY SERVICES:**

(a) Alberta Health Services – Medical First Response Agreement

Emergency Services Manager Coleman advised of a meeting scheduled with Alberta Health Services on November 20, 2015 in Stavelly. He advised the M.D. has received a letter advising Alberta Health Services does not require ambulance service as proposed by an agreement provided by the M.D.

Emergency Services Manager Coleman reported on need for the transports by the fire departments when ambulances are not immediately available.

CAO Vizzutti advised the M.D.'s legal counsel created the agreement to supplement the AHS ambulance service. She read the letter from Nicholas Thain, Executive Director of Alberta Health Services as information. She presented the Rural Health Services Review Final Report and read on Page 18 the Recommendations – EMS as information.

CAO Vizzutti advised the six month pilot project with AHS will end on November 22, 2015.

Emergency Services Manager Coleman advised the MD of Foothills asked him for the M.D.'s service agreement with AHS.

Mike Burla – Planner and Development Officer Chisholm entered the meeting at 10:37 a.m.

Emergency Services Manager Coleman left the meeting at 10:40 p.m.

6. **PUBLIC WORKS:**

(a) Dust Control

Superintendent of Public Works Johnson presented dust abatement costs regarding calcium chloride is \$3.95/lineal ft. and oil is \$9.45/lineal ft.

Discussion ensued.

Moved by Councillor Sandberg the surface of choice for dust abatement is oil and administration be instructed to draft a policy to reflect a 35% subsidy by the M.D. for dust control based on the price of oil on January 1st, each year.

Carried.

(b) Road Allowance Lease – Robert & Valerie Clemitson

Superintendent of Public Works Johnson presented information concerning access issues by various landowners on the road allowance adjacent to the south boundary of the S ½ 6-9-28-4 which is currently leased by Robert & Valerie Clemitson.

Moved by Councillor Van Hierden to cancel the road allowance lease adjacent to the South boundary of S ½ 6-9-28-4.

Councillor Van Hierden withdrew his motion.

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Moved by Reeve Wilson to table Robert & Valerie Clemitson's road allowance lease issue to the November 25, 2015 meeting.

Carried.

Superintendent of Public Works Johnson left the meeting at 11:05 a.m.

Council meeting recessed at 11:05 a.m.

Deputy Reeve Hemmaway left the meeting at 11:07 a.m.

7. **PUBLIC HEARINGS:**

(a) **Public Hearing – Cardston/Willow Creek Intermunicipal Development Plan (IDP)**

Reeve Wilson called the Public Hearing to order at 11:08 a.m.

Deputy Reeve Hemmaway returned to the meeting at 11:09

Manager of Planning and Development Services Gibeau presented the Municipal District of Willow Creek / Cardston County Intermunicipal Development Plan (IDP). She advised the plan was prepared by the Oldman River Regional Services Commission in consultation with both municipalities. The joint Open House was held on October 7, 2015 at the Glenwood Community Hall. The Open House was advertised pursuant to the MGA requirements and 6 landowners, of the 24 landowners notified by mail, were in attendance.

Mike Burla advised that Cardston County's IDP Bylaw received third and final reading on November 9, 2015.

Reeve Wilson called for any questions.

Moved by Deputy Reeve Hemmaway the Public Hearing on the Municipal District of Willow Creek / Cardston County Intermunicipal Development Plan (IDP) be adjourned at 11:14 a.m.

The Council meeting reconvened at 11:14 a.m.

8. **BYLAWS:**

(a) **Bylaw No. 1731 – MD Willow Creek / Cardston County IDP**

Moved by Councillor Van Hierden Bylaw No. 1731, being a bylaw to adopt the Municipal District of Willow Creek No. 26 / Cardston County Intermunicipal Development Plan, be given first reading.

Carried.

Moved by Councillor Kroetsch Bylaw No. 1731 be given second reading.

Carried.

Moved by Deputy Reeve Hemmaway all Councillors present are in agreement to giving Bylaw No. 1731 third and final reading.

Carried Unanimously.

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Moved by Councillor Sundquist Bylaw 1731 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.

Council meeting recessed at 11:15 a.m.

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

**(b) Public Hearing – Municipal District of Ranchland No. 66 /
Municipal District of Willow Creek No. 26 Intermunicipal Development Plan**

Reeve Wilson called the Public Hearing to order at 11:16 a.m.

Manager of Planning and Development Services Gibeau presented the Municipal District of Ranchland No. 66 / Municipal District of Willow Creek No. 26 Intermunicipal Development Plan (IDP). She advised the joint Open House was held on October 6, 2015 at the MD of Ranchland's administration building at Chain Lakes. The Public Hearing was advertised pursuant to the MGA and 3 landowners, of the 31 landowners notified by mail, were in attendance.

Manager of Planning and Development Services Gibeau advised no comments have been received regarding the joint IDP.

Moved by Councillor Sandberg the Public Hearing for the Municipal District of Ranchland No. 66 / Municipal District of Willow Creek No. 26 Intermunicipal Development Plan (IDP) be adjourned at 11:17 a.m.

Carried.

Council meeting reconvened at 11:17 a.m.

8. **BYLAWS (CONT:)**

**(b) Bylaw No. 1732 - Municipal District of Ranchland No. 66 /
Municipal District of Willow Creek No. 26 Intermunicipal Development Plan (IDP)**

Moved by Councillor Sundquist that Bylaw No. 1732, being a bylaw to adopt the Municipal District of Ranchland No. 66 / Municipal District of Willow Creek No. 26 Intermunicipal Development Plan (IDP) be given first reading.

Carried.

Moved by Deputy Reeve Hemmaway Bylaw No. 1732 be given second reading.

Carried.

Moved by Councillor Van Hierden all Councillors present are in agreement to giving Bylaw No. 1732 third and final reading.

Carried Unanimously.

Moved by Councillor Sandberg Bylaw No. 1732 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.

CAO Vizzutti expressed a huge thank you to Leo Ludwig, CAO of Vulcan County for initiating the joint Intermunicipal development plan process.

9. **DEVELOPMENT:**

(a) **Development Fees**

Council reviewed the fees in the Area Structure Plan Policy 610-06 and the Land Use Bylaw No. 1616.

Councillor Sandberg requested that “Non Refundable” be clarified in the fee schedule and the penalty for proceeding without a permit be increased as a deterrent.

Mike Burla advised the fees were set to encourage people to get a permit however the penalty amount may not be enough.

Discussion ensued.

Moved by Councillor Van Hierden to amend the fees in the Land Use Bylaw as follows:

1. (p) - remove 20¢/animal unit
3. Fees are nonrefundable except by request of a registered charity or society.
5. remove “may”, fees will double

Carried.

Moved by Councillor Sundquist the meeting goes in camera to discuss a potential legal matter at 11:48 a.m.

Carried.

Rob left the meeting at 11:48 a.m.

Moved by Councillor Sundquist to come out of in camera at 12:11 p.m.

Carried.

Meeting recessed for lunch at 12:11 p.m.

Manager of Planning and Development Services Gibeau, Mike Burla & Development Officer Chisholm left the meeting at 12:11 p.m.

Meeting reconvened at 12:44 p.m.

Rob Vogt returned to the meeting at 12:44 p.m.

10. **COUNCIL MANAGEMENT:**

(a) **Fort Macleod FCSS**

CAO Vizzutti asked for direction regarding gifts for retiring board members.

Council advised it is up to the individual boards to thank the members.

(b) **Meeting Date Changes for 2016**

Moved by Councillor Sandberg the March 16, 2016 Municipal Planning Commission and Council meetings, and the Open House be rescheduled to

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March 23, 2016. The November 16, 2016 Municipal Planning Commission and Council meetings be rescheduled to November 23, 2016.

Carried.

(c) MLT – Employment & Labour Law

CAO Vizzutti updated Council regarding the MLT Employment & Labour Law course she attended on October 28, 2015.

(d) MS Society – Support

Moved by Deputy Reeve Hemmaway the request from the MS Society for support be denied.

Carried.

(e) Subdivision Development Appeal Board Decision – DeKok

Forages

CAO Vizzutti advised the appeal by Dekok Forages was denied by the Subdivision and Development Appeal Board (Hearing No. 057-15).

(f) Fort Macleod and District Allied Arts

Moved by Councillor Sandberg to donate \$700.00 to the Fort Macleod and District Allied Arts, “The Art of Food and Wine” event, from the following discretionary spending accounts:
\$100.00 from each Division

Carried.

(g) AAMDC Fall 2015 Resolutions

The AAMDC Fall 2015 resolutions were provided as information.

(h) Municipal Affairs Grant Program

CAO Vizzutti advised Municipal Affairs grant program staff will be available to meet during AAMDC Conference.

(i) Building Rural Dialogue: AAMDC Member Reception with MLAs at Convention

CAO Vizzutti advised the MLAs will meet with elected officials on Monday November 16, 2015 from 6:00 p.m. – 8:00 p.m.

(j) Meeting with Hon. Danielle Larivee – Minister of Municipal Affairs and Service Alberta

CAO Vizzutti advised a meeting has been scheduled to meet with Hon. Danielle Larivee, Minister of Municipal Affairs and Service Alberta on November 18, 2015 at 5:00. She advised the two topics for discussion with the Minister will be the MGA Review and Linear Assessment.

(k) M.D. of Willow Creek Vision and Mission Statements

Moved by Councillor Sundquist to adopt the following as The Municipal District of Willow Creek’s Vision and Mission Statements :

Vision Statement

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A community that preserves, enhances and enriches our evolving rural way of life for all generations to live, work and prosper as members of this farming and ranching community.

Mission Statement

The municipality strives to put in place policies that will ensure that all generations can continue to enjoy a safe and sustainable rural community that recognizes agriculture as a cornerstone.

Carried.

(l) Brownlee LLP – Emerging Trends 2016

CAO Vizzutti advised all Councillors are registered to attend the Brownlee LLP Emerging Trends 2016 Seminar in Calgary on February 11, 2016 at the Coast Plaza Hotel and Conference Centre.

(m) Flood Mapping - Shirley Pickering

CAO Vizzutti read the response received from Shirley Pickering regarding flood mapping to Travers reservoir as information.

8. **BYLAWS (CONT:)**

(c) Bylaw No. 1730 – Councillor Code of Conduct

Moved by Councillor Sandberg Bylaw No. 1730, being a bylaw to establish Councillor Code of Conduct be given first reading.

Carried.

Moved by Councillor Kroetsch Bylaw No. 1730 be given second reading.

Carried.

Moved by Deputy Reeve Hemmaway all Councillors present are in agreement to giving Bylaw No. 1730 third and final reading.

Carried Unanimously.

Moved by Councillor Sandberg Bylaw No. 1730 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.

11. **CORRESPONDENCE:**

(a) Workshop “How Then Shall I Live” November 13, 2015 9:30 a.m. – 4:30 p.m. – presented.

(b) Town of Stavely SDAB Appointment

CAO Vizzutti advised the Town of Stavely have reappointed Barry Johnson – Delegate and Dennis Gillespie – Alternate as their representatives on the M.D. Subdivision and Development Appeal Board.

(c) Alberta Southwest – 2014 Collision Facts – presented.

(d) RCMP – New District Officer

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CAO Vizzutti read a letter of introduction from Frank Smart, Chief Superintendent, District Officer for Southern Alberta RCMP.

(e) **MAE Belle Club – Thank you** – presented.

(f) **Community Foundation – Random Act of Kindness Day** – presented.

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

9. **DEVELOPMENT (CONT:)**

(b) **Parkland Direct Control – Dale Vickers, Development Permit Application**

Manager of Planning and Development Services Gibeau presented Development Application No. 125-15 from Dale Curtis Vickers requesting to allow a deck, 10 feet 6 inches X 36 feet, that was constructed without the benefit of a development permit to remain. The property location is Lot 1 -20, Block 82, Plan 5659X Parkland.

Manager of Planning and Development Services Gibeau said as a Direct Control land use district all applications for development must be referred to Council for a decision.

Development Officer Chisholm entered the meeting at 1:32 p.m.

Manager of Planning and Development Services Gibeau advised a development permit for the construction of the residence was issued in May of 2008 the deck was built sometime between 2009 – 2012. She stated the ESA 1, which is normally required for development in Parkland, was completed when the house was approved and registered on the land title at that time.

Moved by Councillor Van Hierden to approve Application No. 125-15 for Dale Curtis Vickers to allow a 10 feet 6 inches X 36 feet deck to remain, on Lot 1 -20, Block 82, Plan 5659X Parkland, with the following 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;

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

Carried.

Manager of Planning and Development Services Gibeau and Development Officer Chisholm left the meeting at 1:36 p.m.

12. **DELEGATIONS:**

(a) Willow Creek Community Well (Whipple Well)

Gerald Williamson, Allyn Vandervalk and Ed Groeneweg entered the meeting.

Allyn Vandervalk advised they are requesting the MD to assist with expenses to operate and maintain the Whipple Well as they had to contribute personal funds totaling \$2,830.16, to pay the power bill and make the necessary repairs.

Ed Groeneweg said the well is used by a large number of ratepayers east and south of the well location.

Allyn Vandervalk advised a few ratepayers continue to maintain the well on a volunteer basis, however can't afford to pay the operations.

CAO Vizzutti advised the MD leased the well to the Willow Creek Community Well Cooperative in 1976 and asked if the cooperative still exists.

Ed Groeneweg said the cooperative does not exist.

CAO Vizzutti recommended that all wells licensed to the MD be maintained in a similar manner.

Moved by Councillor Sandberg to reimburse the board members \$2,830.16 for personal expenses incurred in the operation of the Whipple well and the MD of Willow Creek manage the operation and maintenance of the Whipple well located on a Ptn. of LSD 13 in NW 24-9-26-4, effective January 1, 2016.

13. **ADJOURNMENT:**

Moved by Councillor Sundquist to adjourn the meeting.

Carried.

Meeting adjourned at 2:47 p.m.

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Reeve

Chief Administrative Officer