

Claresholm, Alberta, March 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, Kelsey Kilborn – Intern/Acting CAO and Executive Assistant Arlene MacOdrum as recording secretary present.

Superintendent of Public Works Johnson entered the meeting.

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

Director of Finance Hannas and Doug Sedgwick – I.T. entered the meeting

1. Reeve Wilson called the meeting to order at 12:43 p.m.

2. **MINUTES:**

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

Moved by Councillor Sundquist the March 11, 2015 Council meeting minutes be accepted as presented.

Carried.

3. **ADDITIONS TO THE AGENDA**

Councillor Sandberg requested to add Land Use Bylaw amendment to the agenda.

4. **COUNCIL MANAGEMENT:**

(a) **Land Use Bylaw Amendment**

Councillor Sandberg read the informative provided by the Subdivision and Development Appeal Board regarding Hearing No. 004-15 for Dekok Forages Ltd. as follows:

"The Board recognizes that for consideration of a development permit application, the applicants would need to apply for a development that is for a use which is prescribed in the applicable land use district of the bylaw. In the absence of any such use listed, the applicants would need to apply to the Municipal District of Willow Creek No. 26 Council for consideration of an amendment to the land use bylaw to include and define the proposed use into the bylaw, at Council's discretion, in order for a development permit application to be considered for any such use."

Councillor Sandberg asked Council if a Councillor could request an amendment to the Land Use Bylaw which would benefit all M.D. residents.

Mike Burla advised the decision of the SDAB was made because private recreational is not a permitted use in the 'Rural General - RG' district.

Rob Vogt – Reporter entered the meeting at 12:48 p.m.

Councillor Sandberg stated the SDAB said because the use was not listed as a discretionary use under 'Rural General - RG' the SDAB could not approve the application and suggested it be added for future decisions.

Mike Burla stated if Council wishes to consider a Land Use Bylaw amendment an appropriate use would have to be added to the land use district and a list of permitted uses and a definition.

Moved by Councillor Sandberg Land Use Bylaw No. 1616 be amended to include private recreation as a discretionary use under the 'Rural General - RG' land use district.

Mike Burla advised the Municipal Planning Commission administers the Land Use Bylaw and makes their decisions based on whether or not the application is suitable for the land use. He advised the application of Dekok Forages Ltd. is in a flood area and the land must be suitable for the defined use.

Councillor Sandberg asked if that applies to public recreation as well.

Mike Burla stated that structures are not to be on permanent foundations if they are in the flood zone. He advised that the provincial government have not started on the flood mapping project.

Reeve Wilson stated that Council eliminated private recreation from the Land Use Bylaw due to issues in the past.

Councillor Van Hierden advised that Land Use Bylaw amendments are brought forward by administration.

Manager of Development and Planning Services Gibeau advised that there will be an extensive review of the Municipal Development Plan later this year which will trigger changes to the Land Use Bylaw to ensure consistency between the documents. She said she also has a number of changes which she would like to recommend to Council at that time.

Councillor Sandberg stated by taking private recreation out of 'Rural General - RG' the M.D. is limiting people's use of their own land.

Councillor Alm said this is not an emergency item that requires an amendment immediately and said one public hearing can deal with all changes proposed.

Councillor Sandberg stated that rural recreational requires the entire quarter to be rezoned and she would like more information on why private recreation was taken out to ensure that this works for all residents.

Mike Burla said the current process is to hold the public hearing first and then give first reading to a bylaw.

Councillor Sandberg stated the applicants are going to put forth an amendment at a cost of \$2,000.00 and it will be turned down again. She feels that people are being denied the right to use their property for private recreation.

Councillor Alm stated the people are not being denied as there is a process.

Councillor Sandberg said the entire quarter has to be rezoned for a small recreation area.

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Manager of Development and Planning Services Gibeau advised when an application is received administration reviews the application and comments on the proposal.

Reeve Wilson called for a vote on Councillor Sandberg's resolution.

Motion Defeated.

Mike Burla left the meeting

5. **FINANCIAL MANAGEMENT:**

(a) Cheque Register

Director of Finance Hannas presented the cheque register for cheque #'s 19320 – 19374 in the amount of \$83,619.53 as information.

Marian Carlson – CAO & Mike McAlonan – Deputy Mayor of the Town of Claresholm entered the meeting at 1:15 p.m.

(b) Aerial Ortho Program

Director of Finance Hannas requested a resolution to approve funding for the 2015 Aerial Ortho Program in the amount of \$65,000.00 for .25 cm resolution. She advised the Expression of Interest for the Aerial Ortho Program will be posted on Alberta Purchasing Connection before April 8, 2015. She said there are 12 municipalities and 5 irrigation districts included in the project and needs to go ahead prior to budget approval.

Moved by Councillor Hemmaway funding for the 2015 Aerial Ortho Program in the amount of \$65,000.00 for .25 cm resolution be approved as presented.

Carried.

(c) 2015 Flood Mapping Project

Director of Finance Hannas presented information regarding the 2015 Flood Mapping Project to create a model to determine the high water line along rivers and streams in 3-D. She advised a budget of \$30,000.00 will be required, for software, hardware and wages.

Councillor Sandberg asked if this is different than what the province is proposing.

Doug Sedgwick – I.T. advised the basic model is the first step that the Province will be completing however they will be starting in the urban areas and then the rural areas. He stated there is an issue of liability regarding development.

Manager of Development and Planning Services Gibeau advised the M.D. is trying to get more accurate information to use for development purposes.

Doug Sedgwick advised this project will be using the ortho photography and therefore the model will be updated whenever there is new ortho.

Moved by Councillor Alm the 2015 Flood Mapping Project in the amount of \$30,000.00 be approved.

Carried.

(d) Memorandum of Agreement with Waybest Tower Inc.

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Director of Finance Hannas requested a resolution to approve the Memorandum of Agreement with Waybest Tower Inc. to provide inspections/maintenance on M.D. towers annually if required.

Moved by Councillor Sandberg to approve the Memorandum of Agreement with Waybest Tower Inc. to provide inspections/maintenance on M.D. towers and CAO Vizzutti be authorized to sign on behalf of the Municipal District.

Carried.

(e) Bank Signing Authority

Director of Finance Hannas asked for a resolution to amend the bank signing authority to update Treasurer to Director of Finance.

Moved by Councillor Sundquist the Chief Administrative Officer and one of the following: Reeve, Deputy Reeve or Director of Finance be authorized to have bank signing authority.

Carried.

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

(b) Willow Creek Regional Waste Management Service Commission (WCRWMSC)

Councillor Hemmaway advised the WCRWMSC 2015 requisition will increase by 5% and disposal fees will increase by \$5.00/tonne.

WCRWMSC 2014 Financial Statement and 2015 operating budget were received as information.

6. **DELEGATIONS:**

(a) Town of Claresholm – Storm Water Management Plan

Marian Carlson – CAO and Mike McAlonan – Deputy Mayor were present.

Marian Carlson advised the Town of Claresholm hired Associated Engineering to prepare a 5 year Storm Water Management Plan. She said Project 1 – 2015 Drainage Improvements include Frog Creek Drain Upgrades, Frog Creek Storm Water Management Facility and 8th Street West Ditch Upgrade.

Councillor Alm asked for clarification of the area included in the Frog Creek Drain upgrades.

Marian Carlson advised it will affect the area from the south boundary of the Town of Claresholm throughout the Frog Creek drainage system. She advised the town will share the final report with the M.D. when available.

Moved by Councillor Sandberg a letter of support in principle be provided to the Town of Claresholm, for Phase 1 of the Storm Water Management Project application under the Building Canada Small Communities Fund.

Carried.

Marian Carlson & Mike McAlonan of the Town of Claresholm left the meeting at 1:43 p.m.

7. **PUBLIC WORKS:**

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(a) Cutting of Trees and Brush in Ditches

Superintendent of Public Works Johnson advised of letters received from Janice Johnson and Ardis Stafford stating they do not want the trees and brush in the M.D. ditches cut.

Superintendent of Public Works Johnson advised the M.D. cuts the trees and brush in the ditches due to liability and safety issues.

Moved by Councillor Kroetsch letters be sent to Janice Johnson and Ardis Stafford advising the M.D.'s tree and brush trimming in ditches is standard practice due to safety and liability issues.

Carried.

Manager of Development and Planning Services Gibeau left the meeting.

(b) Municipal Address Signs – Fading

Superintendent of Public Works Johnson advised the issue of faded municipal address signs has been resolved. He advised the signs will be replaced at no cost to the M.D.

Councillor Van Hierden left the meeting at 1:48 p.m.

(c) Snow Plow Accident

Superintendent of Public Works Johnson advised of an accident with the snow plow on an oiled road. He advised in the future, plowing of oiled roads will not be done when the frost is coming out due to heaving issues.

Councillor Van Hierden returned to the meeting at 1:51 p.m.

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

(c) Fire Truck Agreements with the Towns of Nanton, Claresholm & Fort Macleod

Agreements with three of the Towns to provide storage facility for MD fire trucks in the fire hall in exchange for the use of the trucks were presented.

Moved by Councillor Hemmaway the Fire Truck Agreement with the Town of Nanton be approved as presented and the Reeve and CAO be authorized to sign the agreement on behalf of the Municipal District.

Carried.

Moved by Councillor Sandberg the Fire Truck Agreement with the Town of Fort Macleod be approved as presented and the Reeve and CAO be authorized to sign the agreement on behalf of the Municipal District.

Carried.

Moved by Councillor Alm the Fire Truck Agreement with the Town of Claresholm be approved as presented and the Reeve and CAO be authorized to sign the agreement on behalf of the Municipal District.

Carried.

(d) Fire Truck Agreement with the Town of Stavelly

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Moved by Councillor Van Hierden the Fire Truck Agreement with the Town of Stavely be approved as presented and the Reeve and CAO be authorized to sign the agreement on behalf of the Municipal District.

Carried.

(e) Uncollectible Linear Taxes

The uncollectible linear tax information for Cougar Oil and Gas and Milestone Exploration was provided as information.

Noted there is no machinery and equipment on these sites that the M.D. can obtain a distress order against.

Moved by Councillor Sundquist the linear taxes for Cougar Oil and Gas in the amount of \$1,248.91 be written off as uncollectible taxes.

Carried.

Moved by Councillor Kroetsch the linear taxes for Milestone Exploration in the amount of \$793.20 be written off as uncollectible taxes.

Carried.

(g) Emergency Services – Uncollectible Medical First Response/Stood Down Costs Report

The Emergency Services uncollectible Medical First Response/Stood Down report from November 1, 2014 – February 28, 2015 totaling \$10,600.00 was presented as information.

(h) Blessing the Children Canada Inc.

Moved by Deputy Reeve Hemmaway the Blessing the Children Canada request to waive the development permit fee and business license fee be tabled for additional information.

Carried.

(i) Fort Macleod Elks – Donation

Moved by Councillor Van Hierden to donate an M.D. vest, a set of glasses and a sports bag to the Fort Macleod Elks Fun Casino night fund raiser for the School Enhancement Project, on May 2, 2015.

Carried.

8. CORRESPONDENCE:

(a) Alberta Health Services South Zone Forum - discussion notes – presented.

(b) Claresholm Fair Days Parade – August 8, 2015

Reeve Wilson and Councillor Alm will attend the Claresholm Fair Days Parade on August 8, 2015.

Moved by Councillor Hemmaway the meeting goes in camera to discuss a contractual issue.

Carried.

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Rob Vogt left the meeting at 2:04 p.m.

Superintendent of Public Works Johnson left the meeting at 2:04 p.m.

Moved by Councillor Kroetsch the meeting comes out of in camera at
2:36 p.m.

Carried.

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

(j) **SAEWA**

Moved by Councillor Alm resolution no. 87/15 on March 11, 2015
approving payment of the 2015 SAEWA membership be rescinded.

Carried.

9. **ADJOURNMENT:**

Moved by Councillor Kroetsch to adjourn the meeting.

Carried.

Meeting adjourned at 2:38 p.m.

Reeve

Chief Administrative Officer