

Claresholm, Alberta, August 16, 2017

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 Hemmaway, Deputy Reeve Alm, Councillors Kroetsch, Sandberg, Sundquist, Van Hierden and Wilson, CAO Vizzutti and Brenda Stockton as recording secretary present.

Lawrence Gleason – Reporter entered the meeting.

1. Reeve Hemmaway called the meeting to order at 11:29 a.m.

Wayne Lamb and Adam Martin of Benchmark Assessments entered the meeting at 11:30 a.m.

Emergency Services Manager Coleman entered the meeting at 11:32 a.m.

Director of Finance Hannas entered the meeting at 11:32 a.m.

Cody Thorlakson entered the meeting at 11:32 a.m.

2. **COUNCIL MANAGEMENT:**

(a) Policies 210-04 to 210-07

CAO Vizzutti advised during the Policy Manual update Sections 210, 230 & 240 will be removed from the existing Policy Manual and will be combined in the 210 series which will deal with Fire, Police and Disaster Services, based on a recommendation from the MD's legal counsel. Fire Ban/Fire Permit will be combined in a bylaw rather than a policy which will be easier to enforce under the Forest and Protection Act and Soil Conservation Act.

Emergency Services Manager Coleman presented Policy 210-04 Fees for Professional Counselling for Council's consideration.

Moved by Councillor Kroetsch Policy 210-04 Fees for Professional Counselling be accepted as presented.

Carried.

Emergency Services Manager Coleman presented Policy 210-05 Fire Watch Safety Policy for Council's consideration.

Moved by Councillor Sundquist Policy 210-05 Fire Watch Safety Policy be accepted as presented.

Carried.

Emergency Services Manager Coleman presented Policy 210-06 Emergency Services Remuneration and Insurance Policy for Council's consideration.

Moved by Councillor Van Hierden Policy 210-06 Emergency Services Remuneration and Insurance Policy be accepted as presented.

Carried.

Emergency Services Manager Coleman presented Policy 210-07 Municipal Emergency Plan Policy for Council's consideration.

Moved by Deputy Reeve Alm Policy 210-07 Municipal Emergency Plan Policy be accepted as presented.

Carried.

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Moved by Deputy Reeve Alm Sections 230 and 240 of the Policy Manual shall be abandoned and included under Section 210 as presented.

Carried.

3. **BYLAWS:**

(a) Bylaw No. 1776 - Fire Permit and Fire Ban Bylaw

Emergency Services Manager Coleman presented Bylaw No.1776 being the Fire Permit and Fire Ban Bylaw. He advised this bylaw will protect the ratepayers and the municipality.

Moved by Councillor Van Hierden Bylaw No. 1776, being a bylaw to provide for the issuance and suspension of a fire permit and the implementation of a fire ban, be given first reading.

Carried.

Moved by Deputy Reeve Alm Bylaw No. 1776 be given second reading.

Carried.

Moved by Councillor Wilson all Councillors present are in agreement to giving Bylaw No. 1776 third and final reading.

Carried Unanimously.

Moved by Councillor Kroetsch Bylaw No. 1776 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.

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

(b) Fire Department Services

Emergency Services Manager Coleman reviewed the various calls the fire departments receive and how they are dealt with. He explained the number of departments and equipment dispatched to the various fires.

Emergency Services Manager Coleman advised he will be educating the public on the protocol for equipment and the billing for services.

CAO Vizzutti discussed the issue of lack of fire insurance and would like to create a brochure to provide the ratepayers more information.

He discussed making a short video of fire scenes, practices and protocols to educate the public.

Councillor Sandberg asked why the ratepayer needs to have fire insurance, why couldn't the tax dollars pay for the service.

CAO Vizzutti advised there is no deterrent for a ratepayer to have several fires if there is no cost to him.

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Councillor Van Hierden stated most people don't want to have a fire and they also don't want their taxes to be high to compensate for the people that have fires.

Moved by Deputy Reeve Alm Emergency Services Manager Coleman be authorized to have discussions of the fire department general operations and protocols with the media to inform the public.

Carried.

Meeting recessed at 12:00 p.m.

Meeting reconvened at 12:45 p.m.

Wayne Lamb and Adam Martin of Benchmark Assessment entered the meeting at 12:45 p.m.

(c) Designated Industrial Property Assessment

Wayne Lamb of Benchmark Assessment Inc. was present to update Council regarding the technical committee meetings he has attended. He stated the province has sent out letters to the municipality asking what type of model they would like for Designated Industrial Property Assessment. He advised there are two options, a hybrid model where the municipality can decide to have their current or contracted assessor to continue doing the industrial assessment. He stated there will be a contract between the province and the municipality, or the municipality can quit doing industrial property assessments completely and the government will take over completing the assessments for industrial property. He advised the government has been attempting to hire people to do the industrial property assessments however only two have been hired. He advised the government has passed the legislation but do not have anyone trained in Municipal Affairs to do the assessments. He said the Designated Industrial Property Assessments have to be submitted by October 31st of each year which is two months earlier than before and the responsibility will be transferred to the Chief Provincial Assessor effective January 1, 2018. He advised oil and gas is an important part of the M.D.'s tax base and he is confident the information is up to date.

CAO Vizzutti advised the software the municipalities use is CAMELOT and the province does not have access to or the right to use the software at this time.

Wayne Lamb advised the municipalities can invoice for the industrial assessment costs incurred and the oil companies will be responsible to pay the bill.

Wayne Lamb advised their function will change from creating to monitoring the industrial assessments.

CAO Vizzutti discussed the issues with orphan wells and the taxation implications regarding the education tax that the MD has to pay and can never collect.

Moved by Councillor Van Hierden to authorize the contracting of the M.D. of Willow Creek's assessment services to the Province for the purpose of a

Designated Industrial Property Assessment.

Carried.

Cody Thorlakson left the meeting at 1:07 p.m.

Wayne Lamb and Adam Martin left the meeting at 1:08 p.m.

4. **FINANCIAL MANAGEMENT:**

(a) Cheque Register

Director of Finance Hannas presented the cheque register for cheque #'s 22849 – 22881 and EFT #'s 49 – 63 in the amount of \$308,717.37 as information.

(b) Financial Report

Director of Finance Hannas presented the financial report as at July 31, 2017 as information.

(c) MD Property in Parkland

Director of Finance Hannas requested a resolution to write off outstanding taxes in the amount of \$2,310.46 on property the MD has obtained in the Hamlet of Parkland.

CAO Vizzutti advised the M.D. obtained title to the property in exchange for an untidy premises order that was issued. The M.D. cleaned up the property and removed the old buildings and equipment off the site. She suggested the M.D. may consider leasing the property for grazing in a year or two.

Moved by Councillor Sundquist to write off \$2,310.46 of uncollectible taxes on the following M.D. property:

Lots 1-9, Block 63, Plan 5659X - \$452.18

Lot 10, Block 63, Plan 5659X - \$85.48

Lots 11 – 20, Block 63, Plan 5659X - \$1,772.80

Carried.

(d) Councillor Expenses

Director of Finance Hannas requested all Council expenses be submitted by August 28, 2017.

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

(d) Southern Alberta Intercollegiate Rodeo – Donation

CAO Vizzutti presented a letter from Joy Hurlburt requesting a donation toward the Southern Alberta Intercollegiate Rodeo Team for the ensuing year.

Moved by Councillor Sandberg to donate \$1,700.00 to the Southern Alberta Intercollegiate Rodeo Team from the following discretionary spending accounts:

Divisions 1 & 3 - \$400.00 each

Division 2, 4, 5 & 6 - \$200.00 each

Division 7 - \$100.00

Carried.

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(e) AAMDC – Agricultural Plastics Recycling

CAO Vizzutti advised of a session being held on Monday August 21, 2017 at the Lacombe Memorial Centre at 1:00 p.m. to discuss the need for a program to support the recycling of agricultural plastics. The session is being jointly hosted by Recycling Council of Alberta, the Alberta Plastics Recycling Association, CleanFARMS, AAMDC and Agricultural Service Boards.

Noted Councillor Sundquist may attend.

(f) AAMDC – Councillor Orientation

CAO Vizzutti advised a Councillor Orientation session has been planned during the Fall AAMDC Convention.

(g) Highwood Community Futures

The following Highwood Community Futures documents were presented as information:

- 2016 – 2017 Community Futures Highwood Annual Performance Report
- Catalyst Management and Post Audit Letters
- 2016 – 2017 Community Futures Highwood Financial Statements

Noted that a member will be appointed to the Highwood Community Futures board at the Organizational meeting in October. Councillor Wilson's term on the board exceeded the 9 year maximum rule that has recently come into effect.

Manager of Planning and Development Chisholm entered the meeting at 1:30 p.m.

Mike Burla – M.D. Planner entered the meeting at 1:32 p.m.

Melanie Cervo entered the meeting at 1:33 p.m.

Reeve Hemmaway recessed the Council meeting at 1:34 p.m.

5. PUBLIC HEARING

(a) Public Hearing - A-06-17 Land Use Amendment 'Rural General - RG' to 'Vacant Country Residential VCR' in SE 23-9-26-4 – Harvey & Henrietta De Kok

Reeve Hemmaway called the Public Hearing to order at 1:35 p.m.

Manager of Planning and Development Chisholm presented Application A-06-17 being an application submitted by Harvey and Henrietta De Kok for a Land Use Amendment from 'Rural General – RG' to 'Vacant Country Residential – VCR' for 5 acres of land contained within a fragmented 146.90 acre parcel in the SE 23-9-26-4, to accommodate a proposed subdivision for country residential use.

Manager of Planning and Development Chisholm advised the redesignation is required as the Municipal Planning Commission does not allow the subdivision of bare land under the current 'Rural General – RG' district. She said there are farmlands surrounding the subject lands and are all designated 'Rural General – RG'

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and the lands to the south are within the Town of Fort Macleod. Highway 811 is adjacent to the east boundary of the parcel.

Manager of Planning and Development Chisholm presented the following development considerations:

1. Soil suitability for a septic system has been verified by a report prepared by down to Earth Labs.
2. An access from Township Road 93 is proposed.
3. Site Inspection completed July 24, 2017.

Manager of Planning and Development Chisholm stated the Notice of Public Hearing was advertised in the Macleod Gazette for two consecutive weeks, August 2nd and 9th, 2017 pursuant to Sections 230, 606 and 692 of the Municipal Government Act. She advised adjacent landowners were notified of the Public Hearing by mail and the following government agencies were also notified, Alberta Environment & Parks and Alberta Transportation. The notice was posted on the MD's website.

COMMENTS RECEIVED

Alberta Environment and Parks – Susanne Lampier

Manager of Planning and Development Chisholm read comments from Susanne Lampier, Land Management Coordinator of Alberta Environment and Parks, advising she has no concerns with the redesignation of 5 acres in the SE 23-9-26-4 however may have comments when the subdivision application is received.

Alberta Transportation – John Thomas

Manager of Planning and Development Chisholm read a letter from John Thomas, Development/Planning Technologist with Alberta Transportation advising that no direct access to the highway will be allowed as a result of the proposed land use amendment in the SE 23-9-26-4. He said an access road would be indirect via Township Road 93 and does not anticipate the creation of the country residential lot as proposed would have any appreciable impact on the highway. He advised the subsequent subdivision would be contrary to Sections 14 and 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002 and would require waivers and he provided development setback requirements from the highway. He stated a permit is required from his department if any development is applied for. He suggested the noise impact of highway traffic should be taken into consideration for any development or occupants as Transportation takes no responsibility for attenuation.

Reeve Hemmaway called for any other comments.

Moved by Deputy Reeve Alm the Public Hearing on Application A-06-17 adjourned at 1:40 p.m.

Carried.

Reeve Hemmaway reconvened the Council meeting at 1:42 p.m.

3. **BYLAWS (CONT:)**

(b) **Bylaw No. 1777 – Land Use Bylaw Amendment – SE 23-9-26-4 – Harvey & Henrietta De Kok**

Moved by Councillor Sandberg Bylaw No. 1777, being a bylaw to redesignate 5 acres in the SE 23-9-26-45 from ‘Rural General – RG’ to ‘Vacant Country Residential – VCR’, be given first reading.

Carried.

Moved by Deputy Reeve Alm Bylaw No. 1777 be given second reading.

Carried.

Moved by Councillor Wilson all Councillors present are in agreement to giving Bylaw No. 1777 third and final reading.

Carried Unanimously.

Moved by Councillor Kroetsch Bylaw No. 1777 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.

Reeve Hemmaway recessed the Council meeting at 1:44 p.m.

5. **PUBLIC HEARING (CONT:)**

(b) **Public Hearing Application A-08-17 Land Use Amendment ‘Rural General – RG to ‘Vacant Country Residential – VCR’ in the NW 32-8-26-4 –Dennis & David Cervo**

Reeve Hemmaway called the Public Hearing to order at 1:45 p.m.

Manager of Planning and Development Chisholm presented Application A-08-17 being an application submitted by Dennis & David Cervo for a Land Use Amendment from ‘Rural General – RG’ to ‘ Vacant Country Residential – VCR’ for 5 acres of land contained within a fragmented 138.46 acre parcel in the NW 32-8-26-4, to accommodate a proposed subdivision for country residential use.

Manager of Planning and Development Chisholm advised the redesignation is required as the Municipal Planning Commission does not allow the subdivision of bare land under the current ‘Rural General – RG’ district. She said there are farmlands surrounding the subject lands and are all designated ‘Rural General – RG’ and Highway 3 and CPR are adjacent to the south boundary of the property line.

Manager of Planning and Development Chisholm presented the following development considerations:

1. Soil suitability for a septic system has been verified by a report prepared by down to Earth Labs.
2. At subdivision/development stage an access from Township Road 90 is proposed.

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Manager of Planning and Development Chisholm stated the Notice of Public Hearing was advertised in the Macleod Gazette for two consecutive weeks, August 2nd and 9th, 2017 pursuant to Sections 230, 606 and 692 of the Municipal Government Act. She advised adjacent landowners were notified of the Public Hearing by mail and the notice was posted on the MD's website.

COMMENTS RECEIVED

Alberta Environment and Parks – Susanne Lampier

Manager of Planning and Development Chisholm read a letter from Susanne Lampier, Land Management Coordinator, Alberta Environment and Parks, advising she has no concerns with the redesignation of 5 acres in the NW 32-8-26-4 however Operations Infrastructure Branch may have comments when the subdivision application is received.

Reeve Hemmaway called for any other comments.

Moved by Councillor Van Hierden to adjourn the Public Hearing on Application A-08-17 at 1:51 p.m.

Carried.

Reeve Hemmaway reconvened the Council meeting at 1:51 p.m.

3. **BYLAWS (CONT:)**

(c) Bylaw No. 1778 – Land Use Bylaw Amendment – NW 32-8-26-4 – Dennis & David Cervo

Moved by Councillor Van Hierden Bylaw No. 1778, being a bylaw to redesignate 5 acres in the NW 32-8-26-4 from 'Rural General – RG' to 'Vacant Country Residential – VCR', be given first reading.

Carried.

Moved by Councillor Kroetsch Bylaw No. 1778 be given second reading.

Carried.

Moved by Councillor Wilson all Councillors present are in agreement to giving Bylaw No. 1778 third and final reading.

Carried Unanimously.

Moved by Councillor Sundquist Bylaw No. 1778 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.

Melanie Cervo left the meeting at 1:52 p.m.

Council meeting recessed at 1:52 p.m. to reconvene the Municipal Planning Commission meeting.

Manager of Planning and Development Chisholm and Mike Burla left the meeting at 1:52 p.m.

Council meeting reconvened at 2:01 p.m.

Moved by Councillor Van Hierden the meeting goes in camera under Section 27 of FOIP - Privileged Information at 2:02 p.m.

Carried.

Moved by Councillor Van Hierden the meeting comes out of in camera at 2:20 p.m.

Carried.

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

(h) **Municipal Election**

Moved by Councillor Van Hierden the Returning Officer be paid \$7,500.00 and the Deputy Returning Officer be paid \$1,500.00 for the 2017 Municipal Election.

Carried.

6. **ADJOURNMENT:**

Moved by Councillor Wilson to adjourn the meeting.

Carried.

Meeting adjourned at 2:23 p.m.

Reeve

Chief Administrative Officer