

Claresholm, Alberta, June 14, 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, Van Hierden and Wilson, CAO Vizzutti and Executive Assistant MacOdrum as recording secretary present.

Absent – Councillor Sundquist

Lawrence Gleason – Reporter entered the meeting.

Manager of Planning and Development Chisholm entered the meeting.

Director of Finance Hannas entered the meeting.

1. Reeve Hemmaway called the meeting to order at 10:35 a.m.

2. **ADDITIONS TO THE AGENDA**

3. (n) – 4-H Funding

3. (o) – Report by Councillor Sandberg on EOEP - Emergency Preparedness Planning Course

3. (p) – Nanton Area Physician Recruitment

3. **MINUTES:**

(a) **Council Meeting Minutes May 24, 2017**

Moved by Councillor Sandberg the May 24, 2017 Council meeting minutes be accepted as presented.

Carried.

Nick Ryan – McNally Contractors entered the meeting at 10:38 a.m.

4. **DEVELOPMENT:**

(a) **Letters from Cliff and Audrey Egger**

Councillor Sandberg stated she received a phone call from Audrey Egger after the Public Hearing and told her a letter to Council would be appropriate.

Manager of Planning and Development Chisholm read a letter from Cliff and Audrey Egger dated May 29, 2017. They stated the refusal of their rezoning application was unexpected and they objected to the ‘in camera’ discussions and Council not allowing for questions or clarification by the gallery. They listed a number of points for Council’s consideration.

Councillor Van Hierden and Deputy Reeve Alm questioned whether or not Councillor Van Hierden should declare a possible conflict and leave the meeting.

CAO Vizzutti advised Councillor Van Hierden should declare and leave the meeting if Council is going to make a decision with regards to the waiver request.

Councillor Van Hierden declared a possible conflict of interest and left the meeting at 10:41 a.m.

Manager of Planning and Development Chisholm continued reading the letter from the Egger’s. They stated their contract with Aecon was terminated

December 31, 2016 and Aecon has two years to complete the reclamation. Cliff and Audrey Egger said they have sent a registered letter to Aecon requesting the following:

- Their Letter of Credit be revised to reflect the current size and status of the pit;
- Their Code of Practice be updated;
- All stockpiled materials be removed; and
- Reclamation begin immediately, be completed within six months and a copy of their Schedule of Reclamation be provided.

Cliff and Audrey Egger advised their intention is to comply with all Municipal and Provincial regulations and hope information they have provided will clarify any misunderstandings.

CAO Vizzutti stated there was no 'in camera' discussion with regards to the bylaw as perceived by Mr. & Mrs. Egger. She reaffirmed bylaws are debated in public.

Manager of Planning and Development Chisholm read a letter from Cliff and Audrey Egger dated June 8, 2017 requesting a waiver of the six month waiting period to allow them to reapply for a Land Use Bylaw Amendment in the NW 10-15-26-4.

CAO Vizzutti noted both letters were attached to the Council agenda for review prior to the meeting.

Reeve Hemmaway acknowledged Nick Ryan of McNally Contractors who was present.

Nick Ryan of McNally Contractors advised he is present to support the letter from Mr. & Mrs. Egger and to answer any questions.

Moved by Councillor Sandberg the six month waiting period for Cliff and Audrey Egger to reapply for a Land Use Bylaw amendment in the NW 10-15-26-4 be waived.

Carried.

Nick Ryan left the meeting at 10:47 a.m.

Councillor Van Hierden returned to the meeting at 10:48 a.m.

(b) Shady Grove Blue Grass Festival

Manager of Planning and Development Chisholm presented a letter from Eric Hold, Co-Chair, Shady Grove Bluegrass Festival Committee making application for a business license to host annual Bluegrass Festival on August 18 – 20, 2017 at Bill Gelden's Broadway Farm and requesting relief from Section 8(2) (b) which requires a cash bond to be posted and Section 9(h) which prohibits the use of sound amplification equipment pursuant to Section 12 of Bylaw 1420. She advised a proof of insurance and a letter of permission from the landowner Bill Gelden were attached to the letter. She also presented her recommended conditions if approved.

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Moved by Councillor Wilson the request from Foothills Bluegrass Music Society to host the 2017 Shady Grove Bluegrass Festival be approved as presented with the following conditions:

- A waiver for Section 8, 2(b) cash bond and Section 9(h) which prohibits the use of sound amplification equipment pursuant to Section 12 of Bylaw No. 1420,
- A municipal business license shall be obtained for a fee in the amount of \$25.00 prior to any advertising of the event;
- All recommendations and requirements of Alberta Health Services shall be adhered to;
- First Aid facilities adhering to St. Johns Ambulance standards be provided;
- A copy of proof of insurance as required be submitted to the MD office;

Carried.

(c) Letter from Kathie McLean

Manager of Planning and Development Chisholm presented a request from Kathie McLean for a waiver of the six month waiting period to reapply for a Land Use Bylaw Amendment.

Moved by Councillor Kroetsch the six month waiting period for Kathy McLean to reapply for a Land Use Bylaw amendment be waived.

Carried.

Manager of Planning and Development Chisholm advised Kathie McLean submitted a second letter requesting a waiver of the \$2,000.00 fee for the application to be submitted. She advised the Land Use Bylaw states the fee is non-refundable.

5. **FINANCIAL MANAGEMENT:**

(a) Cheque Register

Director of Finance Hannas presented the cheque register for cheque #'s 22613 – 22691 in the amount of \$379,870.58 as information.

(b) Operating and Capital Expenditure Report

Director of Finance Hannas review the Operating and Capital Expenditure report as information.

(c) Grant Funding Application Revisions

Director of Finance Hannas advised the grant application for BF 70537 in the NW 25-16-30-4, (\$338,000.00) was not approved. She advised the grant funding for BF 9247 in the SW 11-14-30-4 (786,200.00) was approved therefore resolutions are required to amend the 2017 budget amount.

Moved by Councillor Wilson to cancel the budget amount for Bridge File 70537 (NW 25-16-30-4) of \$84,500.00 as the grant application was not successful.

Carried.

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Moved by Councillor Kroetsch to proceed with construction of BF 9247 (SW 11-14-30-4) in the 2017 budget year as the grant application was approved under the Strategic Transportation Infrastructure Program (STIP) and an application be submitted under the Federal Gas Tax Fund (FGTF) for the municipal portion of \$196,550.00.

Carried.

Director of Finance Hannas left the meeting at 11:08 a.m.

6. **COUNCIL MANAGEMENT:**

(a) Council Photo

CAO Vizzutti reminded Council of the group photo on June 22, 2017 at 8:30 a.m.

(b) Town of Granum – Recycling Trailer Repairs

CAO Vizzutti presented a request from the Town of Granum to cost share the repairs to the recycling trailer and also asked if the MD has a one ton flatbed truck no longer being used.

CAO Vizzutti advised the Town of Granum the MD does not have a one ton truck as described and also requested they provide an estimate of the repairs required to the recycling trailer. She advised the M.D. has provided funding to the Town of Stavely to assist with the repairs to their recycling trailer.

Moved by Councillor Kroetsch the request from the Town of Granum regarding repairs to the recycling trailer be tabled to for additional information.

Carried.

(c) Town of Granum – Canada Day Events Schedule – presented.

(d) Fire Safety Codes Officer Agreement – Town of Claresholm

Moved by Deputy Reeve Alm the Fire Safety Codes Officer Agreement between the Town of Claresholm and The Municipal District of Willow Creek No. 26 be accepted as presented and the Reeve and CAO be authorized to sign on behalf of the municipality.

Carried.

(e) Claresholm Arena Upgrade Funding Agreement

Moved by Councillor Sandberg the Memorandum of Agreement between the Town of Claresholm and The Municipal District of Willow Creek No. 26 for the purpose of the provision of grant funding for the capital upgrade at the Claresholm Arena be accepted as presented and the Reeve and CAO be authorized to sign on behalf of the municipality.

Carried.

(f) Employment Standards & Labour Code

CAO Vizzutti presented a report from AUMA advising of the potential impact the proposed changes to employment standards and labour code could

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have on municipalities. She also reviewed Highlights of Bill 17: Alberta's Fair and Family Friendly Workplaces Act as provided by Field Law. She reviewed the amendments which could come into effect upon the passing of Bill 17 which will amend the Employment Standards Code and the Labour Relations Code.

Development Officer Stockton entered the meeting at 11:26 a.m.

(g) Alberta Water Council - Review of Water for Life

Implementation Progress: 2012 – 2015

CAO Vizzutti reviewed sections of concern of the Review of Water for Life Implementation Progress document as information.

Discussion ensued.

Development Officer Stockton and Manager of Planning and Development Chisholm left the meeting at 11:39 a.m.

(h) Wait Time for Medical Procedures

Reeve Hemmaway expressed concern with the wait time for procedures such as cataract surgery. He said the wait time is 6 months for a 20 minute surgery. He stated Alberta Health Services will not provide the time or money to improve the service delivery.

Councillor Sandberg stated it is the staffing issues at any hospital, especially rural ones and also that cataract surgery is not considered life threatening.

Reeve Hemmaway advised that doctor's are limited on the amount of time they can schedule at the hospital. He would like the government to improve service delivery by using rural hospitals.

(i) Tax Abatement on MD Lease Land

CAO Vizzutti presented various properties which the M.D. leases for Council's consideration for 2017 tax abatement.

Moved by Deputy Reeve Alm the tax abatement be approved for 2017 on M.D. lease properties as follows:

Lazy T Farms (Jason Toone) – Blk C (\$188.29) & D (\$160.57), Plan 4117JK – \$348.86

Willabar Ranch Ltd. – Lot 1, Blk 1, Plan 8610037 - \$31.88

Dunlop Ranch Ltd. – SW 5-11-27-4 - \$106.72

Carried.

(j) Ballots for 2017 Election

CAO Vizzutti advised Council can pass a resolution to require ballots be printed in lots.

Noted Council was in agreement the ballots for the 2017 municipal election be printed alphabetically.

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(k) Advance Polls – 2017 Election

Moved by Councillor Sandberg Advance Polls be held on October 2, 2017 at the Towns of Nanton, Claresholm and Fort Macleod from 2:00 p.m. – 8:00 p.m., if required for the 2017 Municipal Election.

Carried.

(l) Polling Stations – 2017 Election

Moved by Councillor Van Hierden to delegate authority to the Returning Officer, on behalf of The Municipal District of Willow Creek No. 26, to establish polling stations required for the Municipal Election on October 16, 2017.

Carried.

(m) Community Futures Highwood

CAO Vizzutti advised Community Futures Highwood has requested a Council member be appointed to vote at their Annual General Meeting.

Moved by Councillor Sandberg to appoint Councillor Wilson as the M.D.'s voting member at the Community Futures AGM on July 8, 2017.

Carried.

(n) 4-H Funding

Councillor Sandberg advised she attended the 4-H District calf sale on June 6th and heard the M.D. of Willow Creek mentioned as part of a pool that bought a 4-H calf. She clarified that \$100.00 was given to each 4-H club (in the Willow Creek 4-H District) in recognition of 4-H Alberta's 100th Anniversary. She asked the reporter present to do an article to set the record straight on the M.D. donation.

Meeting recessed for lunch at 12:02 p.m.

Meeting reconvened at 12:55 p.m.

Manager of Planning and Development Chisholm entered the meeting at 12:55 p.m.

(o) EOEP – Emergency Preparedness Planning

Councillor Sandberg reported on the EOEP – Emergency Preparedness Planning course she attended in Okotoks on June 12, 2017.

(p) Nanton Area Physician Recruitment

Councillor Wilson advised the Nanton Area Physician Recruitment committee asked him for clarification regarding the article regarding EMS dispatch. He reviewed the M.D.'s items of concern of which he will inform the Nanton Area Physician Recruitment committee.

CAO Vizzutti advised Brenda Fenwick of FRESC has met with the M.D.'s Emergency Services department.

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(q) Policy 120-38 - Public Participation and Communication

Policy

CAO Vizzutti presented Policy 120-38 Public Participation and Communication Policy for Council's consideration.

Moved by Councillor Alm Policy 120-38 Public Participation and Community Policy be accepted as presented.

Carried.

7. **BYLAWS:**

(a) Bylaw No. 1765 – Municipal Development Plan

Moved by Councillor Wilson Bylaw No. 1765, being a bylaw to provide for a Municipal Development Plan be given first reading.

Carried.

Moved by Councillor Kroetsch Bylaw No. 1765 be given second reading.

Carried.

Moved by Councillor Van Hierden all Councillors present are in agreement to giving Bylaw No. 1765 third and final reading.

Carried Unanimously.

Moved by Deputy Reeve Alm Bylaw No. 1765 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.

Manager of Planning and Development Chisholm left the meeting at 1:15 p.m.

(b) Bylaw No. 1763 – Close and Lease Road Allowance Sb SW-29-9-29-4 M&H Ranch

Moved by Councillor Wilson Bylaw No. 1763 be given second reading.

Carried.

Moved by Deputy Reeve Alm Bylaw No. 1763 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.

8. **CORRESPONDENCE:**

(a) Fort Macleod Handibus – Thank you _ presented.

(b) Claresholm Community Singers – Thank you – presented.

(c) Empress Theatre Summer Program – Thank you – presented.

(d) Nanton Handibus – Thank you – presented.

(e) FCSS – Data Collection Thank you – presented.

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(f) **Town of Nanton – Dedication Ceremony for new Wastewater Treatment Plant – Picture as a Thank you** – presented.

(g) **Fort Macleod Canada 150 Celebration Invitation**

Noted Reeve Hemmaway and Councillors Van Hierden and Sandberg will attend the Canada 150 Celebration at the Fort Museum.

(h) **Chief Mountain Grand Opening** – presented.

(i) **OWC Annual General Meeting** – presented at ASB meeting.

(j) **Alberta Municipal Affairs – Hon. Shaye Anderson**

CAO Vizzutti presented a letter from the Hon. Shaye Anderson, Minister of Municipal Affairs advising of the M.D. of Willow Creek's 2017 allocations under the Municipal Sustainability Initiative of \$2,376,763.00 and Gas Tax Fund \$276,233.00.

(k) **Alberta Agriculture and Forestry – Hon. Oneil Carlier**

CAO Vizzutti presented a letter from Hon. Oneil Carlier, Minister of Agriculture and Forestry advising the M.D.'s comments on Farm and Ranch Workplace Legislation Recommendation Reports for Labour Relations Code and Employment Standards Code have been presented. He has invited the Reeve to a meeting with him to discuss this item further.

Moved by Councillor Van Hierden a meeting be arranged for Reeve Hemmaway and Councillor Wilson to meet with Hon. O'Neil Carlier to discuss concerns regarding the Farm and Ranch Workplace Legislation and Biodiversity Framework.

Carried.

(l) **AUMA Letter to Minister of Labour Re: Workplace Legislation** – presented.

(m) **Claresholm Transportation Society Letter to Hon. Sarah Hoffman – Re: Inter Facility Transfers** – presented.

(n) **New Horizons for Seniors Program** – presented.

(o) **West Meadow Elementary School – Playground Equipment**

CAO Vizzutti presented a letter from the West Meadow Elementary School fundraising committee. The committee requires \$80,000.00 to make the playground wheelchair accessible.

This item was deferred to later in the meeting for additional information.

(p) **ORRSC Reports** - presented.

(q) **Willow Creek Foundation – 2016 Financial Statement** – presented.

(o) **West Meadow Elementary School – Playground Equipment**

(cont:)

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Moved by Councillor Wilson the request for funding for the West Meadow Elementary School playground be denied with regrets

Carried.

(r) Alberta Recreation & Parks Association – Conference and Energize Workshop – presented.

(s) Fort Macleod Fire Department – Fund Raiser Donation Request

Moved by Councillor Van Hierden to donate \$1,600.00 to the Fort Macleod Fire Department golf tournament fund raiser from the following discretionary spending accounts:

Division 1 - \$300.00

Divisions 2, 5 & 7 - \$200.00 each

Division 3 - \$500.00

Divisions 4 & 6 - \$100.00 each

Carried.

Moved by Deputy Reeve Alm the meeting goes in camera at 2:00 p.m. to discuss the following under:

- Section 24 of FOIP – Advice from Officials
- Section 16 of FOIP – Disclosure harmful to business interest of a third party
- Section 27 of FOIP – Privileged

Carried.

Lawrence Gleason left the meeting at 2:00 p.m.

Executive Assistant MacOdrum left the meeting at 2:00 p.m.

Moved by Councillor Kroetsch to come out of in camera at 3:00 p.m.

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

(r) CAO Contract Extended

Moved by Councillor Van Hierden to extend CAO Vizzutti's contract to August 31, 2019 and the Reeve and CAO sign a new contract.

Carried.

9. **ADJOURNMENT:**

Moved by Councillor Kroetsch to adjourn the meeting.

Carried.

Meeting adjourned at 3:01 p.m.

Reeve

Chief Administrative Officer