

MINUTES
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
COUNCIL MEETING
AUGUST 22, 2017

8840

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, August 22, 2017, in the Council Chambers of the Municipal District Building, Pincher Creek, Alberta.

PRESENT Reeve Brian Hammond, Councillors Garry Marchuk, Quentin Stevick, Fred Schoening, and Terry Yagos

STAFF Chief Administrative Officer Wendy Kay, Director of Operations Leo Reedyk, Director of Development and Community Services Roland Milligan, Director of Finance Janene Felker, and Executive Assistant Tara Cryderman

Reeve Brian Hammond called the Council Meeting to order, the time being 1:00 pm.

A. ADOPTION OF AGENDA

Councillor Fred Schoening 17/352

Moved that the Council Agenda for August 22, 2017, be amended, the amendments as follows:

Addition to Unfinished Business D.6. – Beaver Mines Wastewater Options Study;
Addition to Municipal E.4.c – Huckleberry Festival VIP Invitation;
Addition to Committee Reports – Division 5 – Letter from Crowsnest / Pincher Creek Landfill;

And that the agenda be approved, as amended.

Carried

B. DELEGATIONS

There were no delegation presentations.

C. MINUTES

1. Public Hearing Meeting Minutes - Bylaw No. 1278-17

Councillor Terry Yagos 17/353

Moved that the Public Hearing Minutes of July 11, 2017 for Bylaw No. 1278-17, being the bylaw to amend Land Use Bylaw 1140-08, to redesignate lands from Agricultural to Wind Farm Industrial, be approved as presented.

Carried

2. Council Meeting Minutes

Councillor Fred Schoening 17/354

Moved that the Council Meeting Minutes of July 11, 2017, be amended, the amendment as follows:

F.1.a) Correction to wording of resolution to read “ Moved that the letter from Alberta Culture and Tourism, dated June 28, 2017, regarding the Stars of Alberta Volunteer Awards, be received...”;

And that the minutes be approved as amended.

Carried

D. UNFINISHED BUSINESS

1. Bylaw 1277-17 – Taxation of Mobile Units in Manufactured Home Parks

Councillor Fred Schoening 17/355

Moved that the report from the Director of Finance, dated July 17, 2017, regarding Bylaw 1277-17, be received;

And that Bylaw 1277-17, being the bylaw for taxation of mobile units in Manufactured Home Parks, be given second reading.

Carried

Councillor Quentin Stevick 17/356

Moved that Bylaw 1277-17, being the bylaw for taxation of mobile units in Manufactured Home Parks, be given third and final reading.

Carried

2. Bylaw No. 1278-17 – Land Use Bylaw Amendment – McLaughlin Wind Farm

As Councillor Quentin Stevick was not present at the Public Hearing for Bylaw No. 1278-17, he did not vote on the issue.

Councillor Terry Yagos 17/357

Moved that Bylaw 1278-17, being a bylaw to amend Land Use Bylaw 1140-08, to redesignate lands from Agricultural to Wind Farm Industrial, be given second reading.

Carried

Councillor Garry Marchuk 17/358

Moved that Bylaw 1278-17, being a bylaw to amend Land Use Bylaw 1140-08, to redesignate lands from Agricultural to Wind Farm Industrial, be given third and final reading.

Carried

3. Request for Speed Sign

Councillor Quentin Stevick 17/359

Moved that the email from Evelyn Riviere, dated July 10, 2017, the email from Shell Canada Energy, dated July 11, 2017, the email from Val Carlson, dated July 13, 2017, and the letter from the Hardy and the Kirby Families, dated June 9, 2017, regarding the request for a speed sign, be received;

And that the speed limit remain as is, as a speed limit reduction may not be necessary due to the recent changes along this road;

And that the road be monitored over the next six month period, to confirm a reduction in speed is no longer necessary;

And further that this decision be communicated with the affected residents along the road.

Carried

4. Road Maintenance

Councillor Quentin Stevick 17/360

Moved that the email from Public Works Superintendent, dated August 17, 2017, the email from Helen and Clarence Cyr, dated June 22, 2017, and the email from Geoff Hoover, dated June 27, 2017, regarding a road maintenance concern, be received;

And that a portion of Range Road 30-3, be repaired this fall, at a cost to not exceed \$8000;

And further that the remaining concerns brought to Council's attention be addressed during the upcoming budget discussions.

Carried

5. Stars of Alberta Volunteer Awards

Councillor Fred Schoening 17/361

Moved that the letter from Alberta Culture and Tourism, dated June 28, 2017, regarding the Stars of Alberta Volunteer Awards, be received;

And that Bob Westrop be nominated for this award.

Carried

6. Beaver Mines Wastewater Options Study

Councillor Terry Yagos 17/362

Moved that the letter from MPE, dated August 17, 2017, regarding the Beaver Mines Wastewater Options Study, be received as information.

Carried

E. CHIEF ADMINISTRATOR OFFICER'S (CAO) REPORTS

1. Operations

a) Castle Area Servicing Study

Councillor Garry Marchuk 17/363

Moved that the report from the Director of Operations, dated August 16, 2017, regarding the Castle Area Servicing Study, be received for information;

And that Council forward a copy of the Castle Area Servicing Study to the Minister of Environment and Parks, and the Minister of Transportation, for consideration in their budget deliberations, and for formal approval to the Municipal District.

Carried

b) Beaver Mines Water and Wastewater Project Briefing

Councillor Fred Schoening 17/364

Moved that the briefing report for the Beaver Mines Water and Wastewater Project Briefing, dated August 16, 2017, be received as information.

Carried

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c) Operations Report

Councillor Garry Marchuk 17/365

Moved that the Operations report from the Director of Operations, dated July 6, 2017 to August 16, 2017, be received as information.

Carried

Councillor Fred Schoening 17/366

Moved that the Public Works Call Log and the Agricultural Service Call Log be received as information.

Carried

2. Planning and Development

a) Road Closure Bylaw 1280-17 – SE 26-10-3 W5M - Swinton

Councillor Terry Yagos 17/367

Moved that the report from the Director of Development and Community Services, dated August 4, 2017, be received;

And that Bylaw 1280-17, being a bylaw to close a portion of road allowance, be given first reading;

And further that the required Public Hearing be scheduled for September 26, 2017 at 1:00 pm.

Carried

b) Road Closure Resolutions – Shell Road Realignment

Councillor Quentin Stevick 17/368

Moved that the report from the Director of Development and Community Services, dated August 16, 2017, regarding the Shell Road Realignment Road Closure Resolutions, be received;

And that the following seven (7) Road Closure resolutions be passed:

Road Closure No. 1

A Resolution of the MD of Pincher Creek No. 9, for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the *Municipal Government Act*, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel;

NOW THEREFORE be it resolved that the Council of the MD of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

NW ¼ SEC 10-4-30-4
 ROAD PLAN 1311HT
 CONTAINING 1.71 HECTARES (4.23 ACRES) MORE OR LESS
 EXCEPTING THEREOUT ALL MINES AND MINERALS

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To be placed back in Certificate of Title No: 001 263 141 +1

Road Closure No. 2

A Resolution of the MD of Pincher Creek No. 9, for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the *Municipal Government Act*, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel,

NOW THEREFORE be it resolved that the Council of the MD of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

SW ¼ SEC 10-4-30-4
 ROAD PLAN 1311HT
 CONTAINING 0.372 HECTARES (0.92 ACRES) MORE OR LESS
 EXCEPTING THEREOUT ALL MINES AND MINERALS

To be placed back in Certificate of Title No: 001 263 141

Road Closure No. 3

A Resolution of the MD of Pincher Creek No. 9, for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the *Municipal Government Act*, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel;

NOW THEREFORE be it resolved that the Council of the MD of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

NW ¼ SEC 15-4-30-4
 ROAD PLAN 4135HU
 CONTAINING 0.58 ACRES MORE OR LESS
 EXCEPTING THEREOUT ALL MINES AND MINERALS

To be placed back in Certificate of Title No: 151 060 648

Road Closure No. 4

A Resolution of the MD of Pincher Creek No. 9 for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the *Municipal Government Act*, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel,

NOW THEREFORE be it resolved that the Council of the MD of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

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SE ¼ SEC 15-4-30-4
 ROAD PLAN 928BM
 CONTAINING 1.63 ACRES MORE OR LESS
 EXCEPTING THEREOUT ALL MINES AND MINERALS

To be placed back in Certificate of Title No: 151 060 649

Road Closure No. 5

A Resolution of the MD of Pincher Creek No. 9, for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the *Municipal Government Act*, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel,

NOW THEREFORE be it resolved that the Council of the MD of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

SW ¼ SEC 15-4-30-4
 ROAD PLAN 4135HU
 CONTAINING 0.34 ACRES MORE OR LESS
 AND
 ROAD PLAN 1279HT
 CONTAINING 2.06 ACRES MORE OR LESS
 EXCEPTING THEREOUT ALL MINES AND MINERALS

To be placed back in Certificate of Title No: 071 064 179

Road Closure No. 6

A Resolution of the MD of Pincher Creek No. 9, for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the *Municipal Government Act*, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel;

NOW THEREFORE be it resolved that the Council of the MD of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

NE ¼ SEC 16-4-30-4
 ROAD PLAN 4135HU
 CONTAINING 0.275 HECTARES (0.68 ACRES) MORE OR LESS
 EXCEPTING THEREOUT ALL MINES AND MINERALS

To be placed back in Certificate of Title No: 021 011 551

Road Closure No. 7

A Resolution of the MD of Pincher Creek No. 9, for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the *Municipal Government Act*, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel;

NOW THEREFORE be it resolved that the Council of the MD of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

SE ¼ SEC 16-4-30-4
 ROAD PLAN 4135HU
 CONTAINING 0.680 HECTARES (1.68 ACRES) MORE OR LESS
 EXCEPTING THEREOUT ALL MINES AND MINERALS

To be placed back in Certificate of Title No: 031 227 429 +2

Carried

c) Road Closure Resolution – Portion of Road Plan 3385AZ – SE 4-7-2 W5M

Councillor Terry Yagos declared a potential conflict of interest and left the meeting, the time being 2:15 pm.

Councillor Fred Schoening 17/369

Moved that the report from the Director of Development and Community Services, dated August 2, 2017, be received;

And that the following resolution be passed:

A Resolution of the Municipal District of Pincher Creek No. 9 for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the *Municipal Government Act*, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel,

NOW THEREFORE be it resolved that the Council of the MD of Pincher Creek does hereby close the following described road, subject to rights of access granted by other legislation.

ROAD PLAN 3385AZ, affecting the following quarter sections:
 SE ¼ Sec. 4, Twp. 7, Rge. 2, W5M
 Containing 0.591 hectares (1.46 Acres) more or less, excepting thereout all mines and minerals

To be placed back in Certificate of Title No: 871 146 029.

Carried

Councillor Terry Yagos returned to the meeting, the time being 2:17 pm.

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d) Notice Prior to Registration of a Conservation Easement - Riverside Ranch

Councillor Terry Yagos 17/370

Moved that the report from the Director of Development and Community Services, dated August 17, 2017, regarding the notice prior to registration of a conservation easement – Riverside Ranch, be received;

And that Council acknowledge the receipt of the notice of the Conservation Easement for NW ¼ 18 and W ½ 19, within 6-1 W5M; NE ¼ 13, all of 23, N ½ and SE ¼ 24, all of 25, S ½ and NE 26, NE 35 and all of 36, within 6-2 W5M; and the S ½ 1, N ½ and SE 2, SE 11 within 7-2 W5M;

And further, that Council waive the 60-day notice period prior to registration for the Conservation Easement.

Carried

3. Finance

a) Statement of Cash Position

Councillor Terry Yagos 17/371

Moved that the Statement of Cash Position for the months of June 2017 and July 2017, be received for information.

Carried

4. Municipal

a) Foothills Little Bow Municipal Association – Regular Meeting of the Association

Councillor Quentin Stevick 17/372

Moved that the letter from Foothills Little Bow Municipal Association, dated July 7, 2017, regarding the regular meeting of the Association, be received as information.

Carried

b) CAO Report

Councillor Garry Marchuk 17/373

Moved that Council receive for information, the Chief Administrative Officer's report for July 7, 2017 to August 17, 2017, as well as the Administration Call Log.

Carried

c) Huckleberry Festival VIP Invitation

Councillor Garry Marchuk will be attending this event.

F. CORRESPONDENCE

1. Action

a) Project Funding Requests

Councillor Garry Marchuk 17/374

Moved that the letter from the Town of Pincher Creek, dated July 13, 2017, regarding project funding requests, be received;

And that these items be discussed during upcoming budget deliberations.

Carried

b) Request for Support

Councillor Fred Schoening 17/375

Moved that the letter from County of Stettler No. 6, dated July 25, 2017, requesting support, be received;

And that support be provided to the County of Stettler No. 6, in the lobbying to the Minister of Municipal Affairs, regarding the issue of uncollectable School Tax and Seniors Housing requisitions.

Carried

c) Request for Used Vehicles

Councillor Quentin Stevick 17/376

Moved that the email from Pincher Creek Foundation, dated July 18, 2017, regarding the request for used vehicles, be received;

And that Vehicle No. 483, be donated to the Pincher Creek Foundation.

Carried

d) Request for Sponsorship

Councillor Fred Schoening 17/377

Moved that the letter from Pincher Creek Golf Club, dated April 4, 2017, requesting sponsorship for their golf tournament, be received;

And that \$200 be donated to the Pincher Creek Golf Club, as a Hole Sponsor, with funding coming from Grants to Groups and Organizations (Account No. 2-74-0-770-2765).

Carried

e) Request for Tax Penalty Forgiveness

Councillor Fred Schoening 17/378

Moved that the letter from Marvin Oudshoorn, dated August 8, 2017, requesting forgiveness for tax penalties, be received;

And that the request for tax penalty forgiveness be denied.

Carried

f) Request for Tax Penalty Forgiveness

Councillor Quentin Stevick 17/379

Moved that the letter from Don Prior, dated August 16, 2017, requesting forgiveness for tax penalties, be received;

And that the request for tax penalty forgiveness be denied.

Carried

2. **For Information**

Councillor Terry Yagos 17/380

Moved that the following be received as information:

- a) Public Works Building Upgrade
 - Letter from Alberta Municipal Affairs, dated July 28, 2017
- b) Letter of Thanks – Shock Trauma and Rescue Service (STARS) Foundation
 - Letter from STARS, dated July 10, 2017
 - Email from STARS, dated July 13, 2017
- c) Letter of Thanks – Kootenai Brown Pioneer Village
 - Letter from Kootenai Brown Pioneer Village, dated June 23, 2017
- d) Notification – Proposed Waterton CR-74 at 6-17-6-2 W5M
 - Email from Shell Canada Energy, dated July 17, 2017
- e) Thank You Card – Heritage Acres Farm Museum
 - Thank you card from Heritage Acres Farm Museum

Carried

G. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Councillor Quentin Stevick – Division 1

- Pincher Creek Municipal Library
 - 2016 Annual Report
 - 2016 Statement of Receipts and Disbursements
 - 2017 Operating Budget
- Twin Butte Community Trade Fair / Artisan Fair – September 2, 2017
- Southern Tour – Olds College

Councillor Quentin Stevick 17/381

Moved that all expenditures, for each individual Councillor, for 2016, be made available.

Councillor Stevick requested a recorded vote.

Councillor Terry Yagos 17/382

Moved that that item be postponed until the next Council Meeting.

Carried

Councillor Fred Schoening – Division 2

- Dust Control
- Facilities Committee

Councillor Garry Marchuk – Division 3

- Alberta SouthWest
 - Bulletin August 2017
 - Minutes of May 3, 2017
- Cold Mix Surfaces – Positive Comments
- Pincher Creek Foundation
- Castle Management Plan
 - New Draft – Fall 2017

Reeve Brian Hammond - Division 4

- Emergency Services Commission
- Heritage Acres Annual Event
- Pincher Creek Parade

Councillor Terry Yagos – Division 5

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Councillor Terry Yagos – Division 5

- Crowsnest / Pincher Creek Landfill Association
- Minutes of June 28, 2017
- Letter, dated July 27, 2017
- Cold Mix Surfaces

Councillor Quentin Stevick 17/383

Moved that the committee reports be received as information.

Carried

H. IN CAMERA

There were no In-Camera deliberations.

I. NEW BUSINESS

There was no new business added to the agenda.

J. ADJOURNMENT

Councillor Garry Marchuk 17/384

Moved that Council adjourn the meeting, the time being 3:33 pm.

Carried



REEVE



CHIEF ADMINISTRATIVE OFFICER