

MINUTES
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
REGULAR COUNCIL MEETING
DECEMBER 13, 2022

9636

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, December 13, 2022, at 6:00 pm, in the Council Chambers of the Municipal District Administration Building, Pincher Creek, Alberta.

PRESENT Reeve Rick Lemire, Deputy Reeve Tony Bruder, Councillors Dave Cox, Harold Hollingshead and John MacGarva.

STAFF CAO Roland Milligan, Director of Finance Meghan Dobie, Public Works Superintendent Eric Blanchard, Utilities & Infrastructure Supervisor David Desabrais, Municipal Energy Project Lead Tristan Walker, Assistant Planning and Development Officer Laura McKinnon, and Executive Assistant Jessica McClelland.

Reeve Rick Lemire called the meeting to order at 6:00 pm.

A. ADOPTION OF AGENDA

Councillor Dave Cox 22/485

Moved that the Council Agenda for December 13, 2022 be amended to include:

- Municipal c) PCEC 2023 Budget
- For Action c) Curling Rink Letter from Town of Pincher Creek

AND THAT the agenda be approved as amended.

Carried

B. DELEGATIONS

C. MINUTES

1. Committee Meeting Minutes – November 22, 2022

Councillor Tony Bruder 22/486

Moved that the Committee Meeting Minutes of November 22, 2022 be approved as presented.

Carried

2. Council Meeting Minutes – November 22, 2022

Councillor Harold Hollingshead 22/487

Moved that the Council Meeting Minutes of November 22, 2022 be approved as presented.

Carried

E. UNFINISHED BUSINESS

F. BUSINESS ARISING FROM THE MINUTES

a) Letter of Support Pincher Creek Emergency Services

Councillor Dave Cox 22/488

Moved that a letter of support be granted to the Pincher Creek Emergency Services for their application to the Forest Resource Improvement Association of Alberta (FRIAA) grant.

Carried

G. COMMITTEE REPORTS / DIVISIONAL CONCERNS

1. Councillor Tony Bruder – Division 1

a) Twin Butte Coffee with Council

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2. Reeve Rick Lemire – Division 2
 - a) Mayors and Reeves
 - b) Heritage Acres Santa Breakfast
 - c) Alberta Southwest
 - d) PCEMSC
3. Councillor Dave Cox– Division 3
 - a) Economic Corridors Task Force Findings
 - b) Economic Growth Forum Roundtable Discussion Summary
 - c) Alberta SouthWest Regional Alliance – November 2, 2022
 - d) Alberta SouthWest Bulletin December 2022
 - e) Beaver Mines Christmas Dinner
4. Councillor Harold Hollingshead - Division 4
 - a) Heritage Acres Santa Breakfast
5. Councillor John MacGarva – Division 5
 - a) Crowsnest/Pincher Creek Landfill Meeting
 - b) Lundbreck Citizens Council Christmas Party

Councillor John MacGarva 22/489

Moved that Reeve Rick Lemire, and Councillor Harold Hollingshead be authorized a per diem for attending the Heritage Acres Santa Breakfast.

Carried

Councillor Harold Hollingshead 22/490

Moved to accept the Committee Reports as information.

Carried

H. ADMINISTRATION REPORTS

1. Operations

- a) Operations Report

Councillor John MacGarva 22/491

Moved that Council receive the Operations report, which includes the call log, and the MD vehicle fuel usage report, for the period November 16th, 2022 to December 7th, 2022 as information.

Carried

2. Finance

3. Development and Community Services

- a) Land Use Bylaw Amendment 1337-22 (Blak Star Globes)

Councillor Harold Hollingshead 22/492

Moved that Land Use Bylaw Amendment 1337-22 (Blak Star Globes), being the bylaw to amend Bylaw 1289-18 (being the Land Use Bylaw) to change the land use designation of lands legally described as Portion of SE 15-4-30 W4M “Agriculture - A” to “Rural Recreation 2 – RR-2” the purpose of the proposed amendment is to allow for the development of a recreational accommodation, be given second reading.

Motion Lost

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b) Land Use Bylaw Amendment 1342-22 (Alberta Rocks)

Councillor Harold Hollinghead 22/493

Moved that Land Use Bylaw Amendment 1342-22 (Alberta Rocks) being the bylaw to amend Bylaw 1289-18 (being the Land Use Bylaw) to change the land use designation of lands legally described A portion of Lot 14, Plan 971 0740 within SE 18-7-2 W5M from "Agriculture - A" to "Direct Control - DC" with the purpose of the proposed amendment is to allow for the development of a 12.1 acre (4.9ha) gravel pit, be given third reading.

Carried

c) Land Use Bylaw Amendment 1345-22 (Riverbend Ranch Houses)

Councillor Dave Cox 22/494

Moved that Land Use Bylaw Amendment 1345-22 (Riverbend Ranch Houses) being the bylaw to amend Bylaw 1289-18 (being the Land Use Bylaw) to change the land use designation of lands legally described as Portion of Lot 1 Block 1 Plan 1911330 within the NE 20-6-1 W5M from "Agriculture - A" to "Rural Recreation 2 – RR-2" the purpose of the proposed amendment is to allow for the development of a recreational accommodation, be given second reading.

Carried

Councillor Harold Hollingshead 22/495

Moved that Land Use Bylaw Amendment 1345-22 (Riverbend Ranch Houses), be given third reading.

Carried

4. Municipal

a) Chief Administrative Officer Report

Councillor Tony Bruder 22/496

Moved that Council receive for information, the Chief Administrative Officer's report for the period of December 1, 2022 to December 9, 2022.

Carried

b) Ford Lightning - Timing of Purchase

Councillor Tony Bruder 22/497

Moved that in the event the MD receives confirmation of a successful grant application under the MCCAC Electric Vehicle Grant Program, that Council approve \$85,000 for the Ford Lightning Truck in 2022.

Carried

Municipal Energy Project Lead Tristan Walker, left the meeting at this time, the time being 6:45 pm.

c) Pincher Creek Emergency Services Commission (PCESC) 2023 Budget

Councillor Harold Hollingshead 22/498

Moved that Council approve the Pincher Creek Emergency Services Commission (PCESC) 2023 Budget as presented.

Carried

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I. POLICY REVIEW

J. CORRESPONDENCE

1. For Action

- a) Brownlee LLP's 2023 Emerging Trends in Municipal Law

Councillor Dave Cox 22/499

Moved that administration register Council for Brownlee LLP's 2023 Emerging Trends in Municipal Law virtual event for February 9, 2023.

Carried

- b) Foothills Little Bow Meeting – January 13, 2022

Council is aware of the meeting date, and has no resolutions at this time.

- c) Curling Rink Ad Hoc Committee

Councillor Tony Bruder 22/500

Moved that a letter be sent back to the Town of Pincher Creek requesting the invitation to sit on the Ad Hoc Curling Rink Committee be added to the next Joint Council Meeting Agenda.

Carried

2. For Information

Councillor John MacGarva 22/501

Moved that the following be received as information:

- a) Grant Specialist Report
 - October 2022
- b) Ambulance Concerns – Rural Area
 - Letter from Mayor of Ponoka
- c) Victim Services Clarification
 - Letter from Alberta Public Safety and Emergency Services
- d) Group Group Youth Thank you
 - Letter of Thanks
- e) Christmas Mix and Mingle Invitation
 - Pincher Creek and District Chamber
- f) ORRSC Christmas Letter
- g) Waste Management and Recycling Fees
 - Letter from Town of Pincher Creek
- h) Highway 3 Twinning Development Association
 - Letter for Financial Support (Council approved for term)
- i) NGTL West Path Delivery 2023: CER Certificate Notification
 - NGTL 2023 CER Approval Notification
 - Commission Order
 - Commission Certificate

Carried

K. NEW BUSINESS

L. CLOSED SESSION

Councillor Dave Cox 22/502

Moved that Council move into closed session to discuss the following, the time being 7:21 pm:

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- a) PCESC - Legal Opinion - Article 10 – Disestablishment of the Commission – FOIP Sec 24
- b) Beaver Mines Distribution & Collection Liquidated Damages Follow-up – FOIP Sec 24
- c) Road Closure and Purchase Request – FOIP Sec 24
- d) Municipal Owned Leased Land – FOIP Sec 24

Councillor Tony Bruder 22/503

Moved that Council move out of closed session, the time being 8:48 pm.

Carried

- a) PCESC - Legal Opinion - Article 10 – Disestablishment of the Commission

Councillor John MacGarva 22/504

Moved that a letter be sent to the Town of Pincher Creek regarding the Pincher Creek Emergency Services Commission, as discussed.

Carried

- b) Beaver Mines Distribution & Collection Liquidated Damages Follow-up

Councillor Harold Hollingshead 22/505

*rescinded
by
23/019*

Moved that Council enforce the "Damages for Delay" clause on BYZ's contract for the Water Distribution & Collection Project to recoup incurred costs as a result of the delay under Section 6.13.1 of the contract by charging \$1,000/day flat rate in liquidated damages during site occupancy and a discounted \$500/day flat rate in liquidated damages over the Winter 2023 shutdown season.

Carried

- c) Road Closure and Purchase Request

Councillor Dave Cox 22/506

Moved that as per policy 123, stating that a statutory road allowance shall not be sold unless there is a clear benefit to the Municipality at large and does not adversely affect the legal or physical access, Council deny the road closure and purchase request.

Carried

M. ADJOURNMENT

Councillor Tony Bruder 22/507

Moved that Council adjourn the meeting, the time being 8:50 pm.

Carried



REEVE



CHIEF ADMINISTRATIVE OFFICER