

**MINUTES**  
**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9**  
**REGULAR COUNCIL MEETING**  
**MAY 9, 2023**

9691

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, May 9, 2023 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 (via conference call), John MacGarva and Harold Hollingshead.

**STAFF** CAO Roland Milligan, Director of Finance Meghan Dobie, Utilities & Infrastructure Manager David Desabrais, 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 Harold Hollingshead 23/177

Moved that the Council Agenda for May 9, 2023 be amended to include:

- Action
  - Heritage Acres Request
- Operations
  - Additional Letter for Christie Mines Road Discussion
  - Jalayne Noble
- Finance
  - Policy C-FIN 537 Financial Credit Cards
- Municipal
  - 2023 Reuse Fair

AND THAT the agenda be approved as amended.

Carried

**B. DELEGATIONS**

**C. MINUTES**

**1. Council Meeting Minutes – April 25, 2023**

Councillor Harold Hollingshead 23/178

Moved that the Council Meeting Minutes of April 25, 2023 be approved as presented.

Carried

**E. UNFINISHED BUSINESS**

**F. BUSINESS ARISING FROM THE MINUTES**

**G. COMMITTEE REPORTS / DIVISIONAL CONCERNS**

1. Councillor Tony Bruder – Division 1
  - ORRSC Committee Meeting January 12, 2023
  - Waterton Biosphere Newsletter
  - Pincher Creek Crowsnest Landfill
  - Blood Tribe Regional MOU
  - Safety BBQ
2. Reeve Rick Lemire – Division 2
  - Trade Show
  - Alberta SouthWest
  - Coronation of King Charles III - Kootenai Brown Pioneer Village
  - CUPE Negotiations

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3. Councillor Dave Cox– Division 3
4. Councillor Harold Hollingshead - Division 4
  - CUPE Negotiations
  - Pincher Creek Foundation
  - Road concern calls
5. Councillor John MacGarva – Division 5
  - Housing Committee
  - Lundbreck Citizens Council
  - Coronation of King Charles III - Kootenai Brown Pioneer Village
  - Safety BBQ

Councillor John MacGarva 23/179

Moved to accept the Committee Reports as information.

Carried

Planner Gavin Scott arrived at the meeting at this time, the time being 6:25 pm.

#### H. ADMINISTRATION REPORTS

##### 1. Operations

###### a) Operations Report

Councillor Tony Bruder 23/180

Moved that Council receive the Operations report, which includes the call log, for the period April 21, 2023 to May 3, 2023 as information.

Carried

Councillor Dave Cox called into the meeting at this time, the time being 6:44 pm.

###### b) Christie Mines Road Discussion

Council received several letters of concern regarding the state of the Christie Mines road, administration was directed to respond to the residents with the work plan.

##### 2. Finance

###### a) Policy C-FIN-537 Financial Credit Cards

Councillor Tony Bruder 23/181

Moved that Council approve revised policy C-FIN-537 Financial Credit Cards.

Carried

##### 3. Development and Community Services

###### a) Development Permit 2023-02 - Natural Resource Extraction Pit - Alberta Rocks

Councillor Harold Hollingshead 23/182

Moved that Development Permit No. 2023-02, for the development of a Natural Resource Extraction Pit – Alberta Rocks, be approved subject to the following Condition(s), as amended:

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1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That pursuant to Section 650 (1) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with the MD of Pincher Creek No. 9.
3. Reclamation of previous unapproved pit must be completed prior to commencement of work in new pit.
4. That the allotted pit size be reduced to account for the previously unapproved pit, being 0.84 ha (2.1 acres) for a total of 4.06 ha (10 acres).
5. Dust control measures to be placed on the haul route as required, to the satisfaction of the MD of Pincher Creek No. 9, or as directed by the Public Works Manager.
6. Site reclamation of the 100m x 100m blocks (including soils), shall occur incrementally as per the reclamation plan attached to and forming part of this Development Permit. Complete site reclamation shall be completed within one (1) year of the depletion of the pit use. Stripping and reclamation operations shall be conducted in a timely manner, and organized to cause minimal disturbance for neighboring property owners.
7. Potential soil erosion risk shall be minimized by seeding the stockpiled soils and reclaimed pit with a certified weed-free grass mixture to enable rapid growth of vegetative cover, which must be approved by the Agricultural Fieldman.
8. All existing stands of trees and shrubbery outside the development area to be preserved for environmental and sound attenuation purposes.
9. Topsoil, overburden and gravel materials to be stockpiled in accordance with the approved plan.
10. Appropriate trash bins to be located on site or no garbage to be imported to the site.
11. Gravel pit operations shall be limited to the hours of 8:00 am to 4:00 pm, Monday - Friday. The operations shall be closed on statutory holidays.
12. There will be no crushing or screening permitted on site. All materials will be hauled off site to be processed.
13. Posting of appropriate warning signs to inform the public of potential hazards to the satisfaction of the Development Officer.
14. Adequate fencing to be provided if necessary.
15. Developer must comply with the MD of Pincher Creek No. 9 - Weed Free Gravel/Aggregate Policy - C-AES-003
16. Soil reclamation will be required if contamination occurs as a result of equipment, equipment maintenance or repair.
17. Any disturbance of ground water or location of ground water shall halt operations immediately. Any effect on groundwater, if required, shall be dealt with by the Developer in accordance to provincial standard.
18. Developer must obtain Historic Resource Clearance prior to commencement of pit operations.
19. Operations must follow all components of the Water Act, the Environmental Protection Guidelines for Pits and the Conservation and Reclamation Regulation.
20. Equipment used in daily operations shall be fitted with white noise or other low noise, multi-frequency backup alarms in place of tonal beeper alarms. Truck traffic shall be routed in a forward pattern that avoids the use of backup beeper alarms.
21. Equipment required for road building, road maintenance, stripping and reclamation are not required to be modified.
22. Truck traffic shall be directed to under 50km/hr on haul route from highway to pit operations. Use of engine brakes are prohibited on haul route from highway to pit operations.
23. Failure to comply with any of the listed conditions may nullify the Development Permit.
24. Permit will be issued once agreements have been signed to the satisfaction of the Municipal District of Pincher Creek No. 9.

Carried

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b) Road Closure Bylaw 1332-21 – Dejax Road Closure

Councillor Harold Hollingshead 23/183

Moved that Bylaw 1332-21 (Dejax Road Closure), being the Bylaw for purpose of closing for lease purposes, that portion of undeveloped Road Plan No. 3299BZ within the East ½ 25-9-1 W5M, be given second reading.

Carried

Councillor John MacGarva 23/184

Moved that Bylaw 1332-21 be given third reading.

Carried

c) AES Report

Councillor John MacGarva 23/185

Moved that the AES Report for May 2023 be received as information.

Carried

Gavin Scott left the meeting at this time, the time being 7:16 pm.

4. Municipal

a) Chief Administrative Officer Report

Councillor Harold Hollingshead 23/186

Moved that Council receive for information, the Chief Administrative Officer's report for the period of April 20, 2023 to May 4, 2023.

Carried

b) Lundbreck Gardeners Request to Pave Trail

Councillor John MacGarva 23/187

Moved that, as the group have raised necessary funds for the project, Council approve the Lundbreck Gardener's request to pave a small walking trail from Breckenridge Avenue to Park Street within the Hamlet of Lundbreck;

AND THAT the location and design of the path be approved by the Utilities and Infrastructure Manager prior to construction.

Carried

c) 2023 Reuse Fair

Councillor Tony Bruder 23/188

Moved that Council authorize a 50/50 split, up to a maximum of \$10,000, to be taken from the tax rate stabilization fund, to jointly host the 2023 Reuse Fair with the Town of Pincher Creek on June 3, 2023.

Carried

I. POLICY REVIEW

J. CORRESPONDENCE

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1. For Action

a) Seniors Week

Reeve Rick Lemire stated that in honour of the past, present and future contributions of the seniors of this community and throughout Alberta, I hereby declare June 5 through 11, 2023 Seniors' Week in the Municipal District of Pincher Creek.

b) 2023 Minister's Awards for Municipal and Public Library Excellence

The MD's Pincher Creek and Regional Library Representative will research what categories our library may qualify for, to nominate for the 2023 Minister's Awards for Municipal and Public Library Excellence.

c) Letter of Support – Cowley Lions Club

Councillor Tony Bruder 23/189

Moved that Council grant a letter of support towards the Cowley Lions Club Community Facility Enhancement Program Grant Application.

Carried

d) Heritage Acres Request

Councillor Harold Hollingshead 23/190

Moved that the email dated May 5, 2023 from Heritage Acres Farm Museum be received,  
 AND THAT 2023 dust control list include the access road off of Highway 785 to Heritage Acres,  
 AND FINALLY THAT Council approve the use of the MD water truck prior to the July 21, 2023 Annual Show.

Carried

2. For Information

Councillor Harold Hollingshead 23/191

Moved that the following be received as information:

- a) Provincial Education Requisition Credit (PERC) program
  - Letter from Municipal Affairs, dated April 25, 2023
- b) Oldman Watershed Council Newsletter
  - May 2023

Carried

K. NEW BUSINESS

L. CLOSED SESSION

Councillor Harold Hollingshead 23/192

Moved that Council move into closed session to discuss the following, the time being 7:53 pm:

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a) Road Allowance Purchase Request – FOIP Sec 16.1.ii

Councillor Harold Hollingshead 23/193

Moved that Council move out of closed session, the time being 8:07 pm.

Carried

Councillor Tony Bruder 23/194

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 Harold Hollingshead 23/195

Moved that Council adjourn the meeting, the time being 8:09 pm.

Carried

  
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REEVE

  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER