

**MINUTES**  
**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9**  
**REGULAR COUNCIL MEETING**  
**NOVEMBER 10, 2015**

8575

The Meeting of the Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, November 10, 2015, in the Council Chambers of the Municipal District Building, Pincher Creek, Alberta.

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

**STAFF** Chief Administrative Officer Wendy Kay, Director of Finance and Administration Mat Bonertz, Director of Operations Leo Reedyk, Director of Development and Community Services Roland Milligan, Finance Manager 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 15/469

Moved that the Council Agenda for November 10, 2015, be approved as presented.

Carried

**B. DELEGATIONS**

1) Grazing Leases

Darryl Carlson, with the Twin Butte Grazing Association and Brent Barbero, with the Pincher Creek Stockman's Association, appeared as a delegation to speak to the letter dated November 3, 2015, regarding grazing leases within the proposed Provincial and Wildland Parks.

The grazers in the forestry feel that they have provided stewardship within the area.

They damage the area far less than the recreational users in the area.

They have maintained the grazing in the forestry.

The sustainability of the grazing area was mentioned.

Security to tenure was mentioned. 10 year grazing leases are now available.

The eastern boundary of the forestry was mentioned. This is the "Shell Road". This does not follow the boundary of the park. It is feared that when the general public realizes this, a "free for all" will occur.

Mr. Barbero spoke at this time. The economic value of the grazing leases was mentioned. There are 27 different families that have leases within the forestry.

The grazing lease is a viable option for some families. Without these extra lands provided by grazing leases, some families could not sustain themselves.

With the proposed recreation stated (hotels, campgrounds, etc.), grazing will become very difficult.

Weekends within the Castle Area was discussed.

The Pincher Creek Stockman's Association was formed in 1922.

Twin Butte Stockman's Association has been around for years.

Approximately 1700 pairs of cattle are currently being grazed within this area. At \$3,000 per animal, this is quite valuable.

Minutes  
Council Meeting  
November 10, 2015

AS Amended  
November 24, 2015

The history of grazing was provided.

The cattle <sup>use</sup> ~~uses~~ very little of the primary range; this is used by the random campers now.

The administrators of the grazing leases was explained and discussed.

Fire control was mentioned.

The importance of logging on the landscape was discussed.

Reeve Hammond requested the representatives provide their top four concerns to the MD, in order that these concerns can be discussed at the meeting with the Environment Minister, to be held next week in Edmonton.

2) Request for Funding – Permanent Snow Fence

Dan Kuftinoff, with Old Man River Gun Club, appeared as a delegation to speak to the letters dated September 29, 2015 and October 22, 2014, regarding the request for funding for a permanent snow fence.

Joint Funding provided \$10,000 towards their project.

The temporary snow fence was mentioned.

The necessity of a permanent snow fence was discussed.

The installation of the fence was discussed.

What resources can the Gun Club provide to the project? The club has \$7,000, plus volunteer hours that could be available.

The estimate of \$22,000 was explained. This was provided by a local contractor.

What scope of the project could be completed for the \$17,000?

Membership of the club was discussed. Membership fees were discussed. An option to volunteer 4 hours per season to recover part of the membership fee was explained. This is the first year that it has been implemented.

C. MINUTES

1) Organizational Meeting Minutes

Councillor Terry Yagos

15/470

Moved that the Organizational Meeting Minutes of October 27, 2015, be amended, the amendment as follows:

Page 8658 – D. Statement of Reeve – delete the word “an” so the statement reads “...how the Strategic Plan is important in guiding Council now and in the future,...”;

And that the Organizational Minutes be approved as amended.

Carried

Minutes  
 Council Meeting  
 November 10, 2015

2) Council Meeting Minutes

Councillor Quentin Stevick 15/471

Moved that the Council Meeting Minutes of October 13, 2015, be amended, the amendments as follows:

Page 8562 -2b – change the word “tables” to “tabled”;

And that the Council Minutes be approved, as amended.

Carried

D. UNFINISHED BUSINESS

1) Castle Mountain Area Structure Plan

Councillor Terry Yagos 15/472

Moved that the letter from Castle Mountain, dated September 30, 2015, regarding the Area Structure Plan, be received;

And that Administration and the Planning Advisor be directed to arrange a meeting to discuss the concerns expressed within this letter.

Carried

2) Castle Mountain Request for Funding

Councillor Terry Yagos 15/473

Moved that the letter from Castle Mountain, dated September 30, 2015, regarding the request for funding for the Resort Master Plan, be tabled until after a meeting has been held with Castle Mountain representatives.

Carried

3) Old Man River Gun Club – Request for Funding

Councillor Garry Marchuk 15/474

Moved that the letters from the Old Man River Gun Club, dated September 29, 2015 and October 22, 2014, and the report from the Director of Operations, dated November 4, 2015, regarding the request for funding for a permanent snow fence, be received;

And that a letter be forwarded to the Gun Club indicating that Joint Funding in the amount of \$10,000, has been provided for this project;

And further that the MD is not prepared to participate in the installation of the fence.

Carried

4) Policy 5.2.2.4 – Financial – Long Term - Reserves

Councillor Fred Schoening 15/475

Moved that Policy 5.2.2.4 – Financial – Long Term – Reserves, be amended, the amendment as follows:

Minutes  
Council Meeting  
November 10, 2015

“Decisions on the use of the reserve should be the result of a specific recreation request from the Town of Pincher Creek.”

And that Policy 5.2.2.4 – Financial – Long Term – Reserves be approved, as amended.

Carried

5) MCC Arena Condenser and Chiller Project

Councillor Terry Yagos 15/476

Moved that the letter from the Town of Pincher Creek, dated September 1, 2015, regarding the MCC Arena Condenser and Chiller Project, be received;

And that the MD of Pincher Creek contribute \$18,000 towards this project, to come from Account No. 6-12-0-770-6760 – Capital Reserve – Recreation Facilities.

Carried

6) Road Closure Bylaw 1262-15 – SE 3-6-1 W5M and SW 2-6-1 W5M

As Councillor Stevick was not elected into office at the date of the Public Hearing, he did not participate in the discussion or vote on this matter.

Councillor Fred Schoening 15/477

Moved that Road Closure Bylaw 1262-15, being the bylaw to close the road allowance between SE 3-6-1 W5M and SW 2-6-1 W5M, be given second reading.

Carried

Councillor Terry Yagos 15/478

Moved that Road Closure Bylaw 1262-15, being the bylaw to close the road allowance between SE 3-6-1 W5M and SW 2-6-1 W5M, be given third and final reading.

Carried

7) Road Closure Bylaw 1263-15 – Beaver Mines Fire Hall – Sixth Street

As Councillor Stevick was not elected into office at the date of the Public Hearing, he did not participate in the discussion or vote on this matter.

Councillor Garry Marchuk declared a potential conflict of interest, and left the meeting, the time being 2:30 pm.

Councillor Terry Yagos 15/479

Moved that Road Closure Bylaw 1263-15, being the bylaw to close Sixth Street within the Hamlet of Beaver Mines, be given second reading.

Carried

Councillor Fred Schoening 15/480

Moved that Road Closure Bylaw 1263-15, being the bylaw to close Sixth Street within the Hamlet of Beaver Mines, be given third and final reading.

Carried

Councillor Garry Marchuk returned to the meeting, the time being 2:31 pm.

Minutes  
Council Meeting  
November 10, 2015

E. CHIEF ADMINISTRATOR OFFICER'S (CAO) REPORTS

1) Operations

a) Waste Removal Services Tender

Councillor Fred Schoening 15/481

Moved that the report from the Director of Operations, dated November 4, 2015, regarding Waste Removal Services Tender, be received;

And that Council authorize the Reeve and Chief Administrative Officer to sign the Waste Removal Services Contract with the Crowsnest / Pincher Creek Landfill Association, with funding coming from Waste Management – Contractor (Account No. 2-43-0-276-2260).

Carried

b) Capital Purchase Grader Mower

Councillor Terry Yagos 15/482

Moved that the report from the Director of Operations, dated November 4, 2015, regarding Capital Purchase Grader Mower, be received;

And that Council authorize the purchase of the new Capital Industries mower for \$66,300 including freight and installation, with funding coming from Public Works Capital Equipment Reserve (Account No. 6-12-0-762-6760).

Carried

c) Operations Report

Councillor Fred Schoening 15/483

Moved that the Operations Report for the period of October 8, 2015 to November 5, 2015, be received as information.

Carried

2) Planning and Development

a) Conservation Easement – Sara Property

Councillor Terry Yagos declared a potential conflict of interest and left the meeting, the time being 2:49 pm.

Councillor Garry Marchuk 15/484

Moved that the report from the Director of Development and Community Services, dated November 2, 2015, regarding the Conservation Easement – Sara Property, be received;

And that Council acknowledge the receipt of the Notice Prior to Registration, from the Southern Alberta Land Trust Society, for SW 20-7-2 W5M;

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

Carried

b) Conservation Easement – Yagos Property

Councillor Garry Marchuk 15/485

Moved that the report from the Director of Development and Community Services, dated November 2, 2015, regarding the Conservation Easement – Yagos Property, be received;

Minutes  
Council Meeting  
November 10, 2015

And that Council acknowledge the receipt of the Notice Prior to Registration, from the Southern Alberta Land Trust Society, for NE 5-7-2 W5M;

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

Carried

c) Conservation Easement – Kripl Property

Councillor Garry Marchuk 15/486

Moved that the report from the Director of Development and Community Services, dated November 2, 2015, regarding the Conservation Easement – Kripl Property, be received;

And that Council acknowledge the receipt of the Notice Prior to Registration, from the Southern Alberta Land Trust Society, for the following lands:

- W ½ 5-8-2 W5M
- Pt. SE & NE 6-8-2 W5M
- Sec 7-8-2 W5M
- Pt. SW 8-8-2 W5M
- S ½ & NW 18-8-2 W5M
- SE 19-8-2 W5M
- E ½ 13-8-3 W5M

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

Carried

Councillor Terry Yagos returned to the meeting, the time 2:54 pm.

3) Finance

a) Emergency Services 2015 Budget Adoption

Councillor Terry Yagos 15/487

Moved that the report from the Director of Finance and Administration, dated October 30, 2015, regarding the Emergency Services 2015 Budget Adoption, be received;

And that the \$13,364.00 shortfall for the 2015 Emergency Services Levy, be taken from the Mill Rate Stabilization Reserve (Account No. 6-12-0-723-6710).

Carried

b) Tax Penalty Bylaw 1264-15

Council generally agreed to a two (2) percent tax penalty effective July 2, and a further four (4) percent tax penalty effective November 1.

Councillor Fred Schoening 15/488

Moved that Bylaw 1264-15, being the Tax Penalty Bylaw, be given first reading.

Carried

Councillor Garry Marchuk 15/489

Moved that Bylaw 1264-15, being the Tax Penalty Bylaw, be given second reading.

Carried

Minutes  
Council Meeting  
November 10, 2015

Councillor Garry Marchuk 15/490

Moved that Bylaw 1264-15, being the Tax Penalty Bylaw, be presented for third reading.

Councillor Garry Marchuk requested a recorded vote.

Motion Defeated  
Councillor Terry Yagos – Opposed  
Councillor Fred Schoening – In Favour  
Reeve Brian Hammond – In Favour  
Councillor Garry Marchuk – In Favour  
Councillor Quentin Stevick - Opposed

c) Statement of Cash Position

Councillor Garry Marchuk 15/491

Moved that the Statement of Cash Position for the month of October 2015, be received as presented.

Carried

IN CAMERA

Councillor Fred Schoening 15/492

Moved that Council and Staff move In-Camera, the time being 3:30 pm.

Carried

Councillor Terry Yagos 15/493

Moved that Council and Staff move out of In-Camera, the time being 4:12 pm.

Carried

4) Municipal

a) Appointment to Economic Development Committee

Councillor Fred Schoening 15/494

Moved that Councillor Garry Marchuk be appointed to the Town of Pincher Creek Economic Development Committee.

Carried

b) AAMDC Fall 2015 Resolutions

Councillor Garry Marchuk 15/495

Moved that the AAMDC Fall 2015 Resolutions be received as information.

Carried

c) Library Financial Review

Councillor Terry Yagos 15/496

Moved that the email from the Town of Pincher Creek, dated October 30, 2015, and the proposed amended Library Agreement, be tabled pending further information.

Carried

Minutes  
Council Meeting  
November 10, 2015

d) Regional Collaboration – Request for Funds

Councillor Quentin Stevick 15/497

Moved that the report from the CAO, dated November 4, 2015, regarding Regional Collaboration – Request for Funds, be received;

And that the remaining \$27,000 from the Regional Collaboration Grant be returned to the Minister, with a thank you note;

And that if the Town of Pincher Creek wishes to proceed with their proposed Transportation Study, they consider reapplying for grant funding.

Carried

e) Regional Collaboration – Waste Management Services

Councillor Terry Yagos 15/498

Moved that the report from the CAO, dated November 4, 2015, regarding Regional Collaboration – Waste Management Services, be received;

And that the MD's Regional Partners be advised the MD supports entering into a Regional Waste Agreement with the Crowsnest Pass Pincher Creek Landfill Association, for residential waste pick up, at selected locations within the MD.

Carried

f) Chamber of Commerce

Councillor Fred Schoening 15/499

Moved that the invitation to the Parade of Lights, scheduled for November 20, 2015, and the invitation to the Chamber Luncheon, scheduled for November 18, 2015, be received;

And that the Reeve and the Deputy Reeve participate in the Parade of Lights, being held on November 20, 2015.

Carried

g) South Saskatchewan Region Reviewing the Draft Biodiversity Management Framework

Councillor Terry Yagos 15/500

Moved that the email from Alberta Environment and Park Planning Branch, dated November 4, 2015, be received;

And that Councillor Quentin Stevick be authorized to attend the meeting in Lethbridge on December 3, 2015, and if Councillor Stevick is unable to attend, Councillor Marchuk be authorized to attend.

Carried

h) CAO Report

Councillor Terry Yagos 15/501

Moved that the CAO Report, for the period of October 9, 2015 to November 5, 2015, be received as information.

Carried

Councillor Fred Schoening 15/502

Moved that the Enhanced Policing Reports from December 2014 through September 2015, be received as information.

Carried

Councillor Terry Yagos 15/503

Moved that the Administration Call Log, be received as information.

Carried

F. CORRESPONDENCE

(1) For Action

a) Provincial Park within Castle Region

Councillor Fred Schoening 15/504

Moved that the letter from Craig and Carol Gross, dated for reference, November 4, 2015, regarding the Provincial Park within the Castle Region, be received;

And that the ability to cut wood, including Christmas Trees, within the proposed Park, be addressed during the meeting with Minister Phillips during the AAMDC convention.

Carried

b) Joint Strategic Planning Session

Councillor Terry Yagos 15/505

Moved that the letter from the Town of Pincher Creek, dated November 2, 2015, regarding Joint Strategic Planning Session, be received as information.

Carried

(2) For Information Only

Councillor Quentin Stevick 15/506

Moved that the following be received as information:

- a) District Officer of Southern Alberta RCMP  
 - Letter from Royal Canadian Mounted Police, dated October 13, 2015
- b) Thank You Letter  
 - Letter from Oldman Watershed Council, dated October 13, 2015
- c) In The Community – Building Supportive Environments that Create Health  
 - Email from Alberta Health Services, dated October 28, 2015
- d) Regional Emergency Services Management  
 - Letter from Municipal Affairs, dated September 28, 2015
- e) Oldman Watershed Council Castle Letter to Parks Division  
 - Email from Oldman Watershed Council, dated October 9, 2015
- f) The Junction  
 - Email from McMan, dated October 21, 2015
- g) Castle Rock Ridge to Chapel Rock Transmission Project  
 - AltaLink November 2015 Update
- h) Invitation to Celebrate  
 - Invitation from the Town of Pincher Creek, received November 4, 2015

Carried

Minutes  
Council Meeting  
November 10, 2015

G. COMMITTEE REPORTS

Councillor Quentin Stevick – Division 1

- Chinook Arch Library Board
  - November 2015 Newsletter Submission
- Coffee with Council
  - November 2, 2015

Councillor Fred Schoening – Division 2

- Family and Community Support Services
  - Minutes of September 21, 2015
- Oldman River Regional Services Commission
  - Minutes of September 10, 2015
- Facilities Steering Planning Committee
  - Minutes of Past Meetings
- Police Advisory Committee
- Potholes and hazards on Crook and Kerr Roads
- Agricultural Society – Roof requiring repairs

Councillor Garry Marchuk – Division 3

- Alberta Southwest Regional Alliance
  - Minutes of September 2, 2015
  - October 2015 Bulletin
- Beaver Mines Fire Hall
  - Community Input

Reeve Brian Hammond - Division 4

- Mayors and Reeves

Councillor Terry Yagos – Division 5

- Lundbreck Citizens Council
- Landfill Newsletter
- Concern expressed with washboard on roads

Councillor Fred Schoening 15/507

Moved that the committee reports be received as information.

Carried

H. REQUEST TO PURCHASE LSD 10; SEC 31; TWP 6; RGE 2; W5M

Councillor Fred Schoening 15/508

Moved that a letter be forwarded reinforcing Council's original decision with regards to the request to purchase a portion of NE 31-6-2 W5M.

Carried

I. PORTION OF SHORT STREET ON PRIVATE PROPERTY – PINCHER STATION

Councillor Fred Schoening 15/509

Moved that the MD enter into an agreement with the applicant to place a portion of Short Street within the Hamlet of Pincher Station, currently within the applicant's property, onto a separate road plan;

And that the Consolidation Plan be prepared in a manner so that the lot lines remain straight.

Carried

Minutes  
Council Meeting  
November 10, 2015

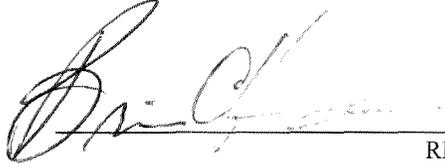
J. ADJOURNMENT

Councillor Terry Yagos

15/510

Moved that Council adjourn the meeting, the time being 5:16 pm.

Carried

  
REEVE

  
CHIEF ADMINISTRATIVE OFFICER