

**MINUTES**  
**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9**  
**COUNCIL MEETING**  
**APRIL 12, 2016**

8644

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, April 12, 2016, in the Council Chambers of the Municipal District Building, Pincher Creek, Alberta.

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

**ABSENT** Councillor Quentin Stevick

**STAFF** Chief Administrative Officer Wendy Kay, Director of Finance and Administration Mat Bonertz, Director of Operations Leo Reedyk, 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 Terry Yagos 16/155

Moved that the Council Agenda for April 12, 2016, be amended, the amendment as follows:

Addition to Finance and Administration – E3a – Approval of 2015 Consolidated Financial Statements;

And that the agenda be approved, as amended.

Carried

**B. DELEGATIONS**

(1) Consolidated Financial Statements for Year Ended December 31, 2015

Darren Adamson, with Young Parkyn McNab, attended the meeting to present the Consolidated Financial Statements for the year ended December 31, 2015.

Highlights of the statement were explained.

The indicators were explained.

(2) First Student

Sharon Roberts, Location Manager with First Student/Cardinal, attended the meeting to discuss a safety concern that is occurring within the community.

The incident of passing a school bus while the red lights have been engaged and flashing has become a recurrent problem.

There have been six separate incidents this school year alone, three have occurred within the Town boundaries.

The Livingstone Range School Division and First Student have approached the Town of Pincher Creek to proclaim April as School Bus Safety Month.

The “Reds Flashing – No Passing” campaign has been started.

A letter of support for the School Bus Safety Campaign was requested from the MD.

There is an event planned for April 22, at Tim Hortons, with Council being invited to attend.

Identifying the drivers of the fly-bys, and ticketing those drivers, was discussed.

The problem areas were discussed.

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C. MINUTES

(1) Council Meeting Minutes

Councillor Garry Marchuk 16/156

Moved that the Council Meeting Minutes of March 22, 2016, be approved as presented.

Carried

D. UNFINISHED BUSINESS

(1) Policy 312 – Licence of Occupation

Councillor Terry Yagos 16/157

Moved that the postponed resolution from the March 22, 2016, Council meeting, regarding Policy 312 – Licence of Occupation, be lifted from the table.

Carried

Councillor Fred Schoening 16/158

Moved that the legal opinion and advice from our Insurance Company, both indicating that preferably proof of two (2) Million Dollar Liability Insurance for use of MD Road Allowances be provided to the MD annually, be received;

And that Policy 312 – Licence of Occupation be amended, the amendment as follows:

Appendix B – Section 7 – be amended to read:

*AS  
amended  
April 26, 2016*

“This licence shall continue in effect ~~for a period of five years~~, provided that applicable fees are paid and the Lessee shall provide proof of insurance, with notice when insurance is no longer covered. Notwithstanding the above, either party may terminate the license upon six months’ notice and provided that reasonable opportunity has first been afforded to the other party, to discuss any issues or problems leading to the proposed termination.”

Reeve Hammond Brian requested a recorded vote.

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

Councillor Terry Yagos 16/159

Moved that Council direct Administration to prepare a proposed resolution to amend Policy 312 – License of Occupation, (i.e. that would allow for the LOC to be issued for an unspecified period of time; change of ownership; insurance), to the April 26, 2016, Council meeting.

Councillor Fred Schoening requested a recorded vote.

Councillor Garry Marchuk – In Favour  
Reeve Brian Hammond – In Favour  
Councillor Fred Schoening – Opposed  
Councillor Terry Yagos – In Favour  
Motion Carried

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E. CHIEF ADMINISTRATOR OFFICER'S (CAO) REPORTS

(1) Operations

a) Insurance Payment Roof Repair

Councillor Fred Schoening 16/160

Moved that the report from the Director of Operations, dated April 7, 2016, regarding the Insurance Payment Roof Repair, be received;

And that Council authorize Administration to initiate the project to a maximum of \$18,052.50, and code the project to the Mill Rate Stabilization Reserve (Account No. 6-12-0-735-6735).

Carried

b) Operations Report

Councillor Garry Marchuk 16/161

Moved that the Operations Report for the period of March 16, 2016 to April 5, 2016, be received as information.

Carried

(2) Planning and Development

Nil

(3) Finance

a) Provincial Assessment Services Review on Industrial Property

Councillor Fred Schoening 16/162

Moved that the report from the Director of Finance and Administration, dated April 1, 2016, regarding Provincial Assessment Services Review on Industrial Property, be received;

And that a letter be forwarded to Municipal Affairs Minister Danielle Larivee, supporting the position of the Alberta Assessors' Association, on Centralization of Industrial Property Assessment.

Carried

b) Statement of Cash Position

Councillor Terry Yagos 16/163

Moved that the Statement of Cash Position, for the month ending March 2016, be received as information.

Carried

c) 2015 Consolidated Financial Statements

Councillor Garry Marchuk 16/164

Moved that the 2015 Consolidated Financial Statements, prepared by Young Parkyn McNab, for the year ended December 31, 2015, be approved.

Carried

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(4) Municipal

a) Wind Energy Development Review

Councillor Garry Marchuk 16/165

Moved that the letter from Oldman River Regional Services Commission (ORRSC), dated March 19, 2014, regarding the Wind Energy Development Review, be received;

And that a letter be forwarded to ORRSC indicating that the study proceed, at a cost of \$5,000.

Carried

b) Fire Guardians – Appointment

Councillor Terry Yagos 16/166

Moved that the report from the Chief Administrative Officer, dated March 21, 2016, regarding appointment of fire guardians, be received;

And that Council appoint the following persons as fire guardians for the Municipal District of Pincher Creek for the period of April 1, 2016 to March 31, 2017:

- Jennifer Fisher-Sundberg
- Anne Molnar
- Steve Oczkowski
- Allen Tapay
- David Cox
- Pat Neumann
- Lynn Brasnett
- Margaret Cox
- Dawn Heerschap
- Lori Schill

Carried

c) CAO Report

Councillor Garry Marchuk 16/167

Moved that Council receive for information, the Chief Administrative Officer's report for the period of March 18, 2016 to April 7, 2016.

Carried

F. CORRESPONDENCE

1. For Action

a) 2016 Letter to Highway 3 Twinning Development Association Members

Councillor Garry Marchuk 16/168

Moved that the email from Town of Coaldale, dated March 21, 2016, regarding Highway 3 Twinning Development Association, be received;

And that Council approve \$0.25 (twenty-five) cents per capita towards the Highway 3 Twinning Project, for 2016, with funding coming from Grants to Groups and Organizations (Account No.2-74-0-770-2765).

Carried

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b) Pincher Creek Community Hall – Joint Funding

Councillor Terry Yagos 16/169

Moved that the letter from Pincher Creek Community Centre Hall Society, dated March 17, 2016, regarding Joint Funding projects, be received;

And that the request to reallocate the funding, provided by Joint Funding specifically for the Range, reallocated to replace the video screen and add a projector, be supported.

Councillor Garry Marchuk requested a recorded vote.

Councillor Terry Yagos – In Favour  
 Councillor Fred Schoening – In Favour  
 Reeve Brian Hammond – In Favour  
 Councillor Garry Marchuk – Opposed  
 Motion Carried

c) Request for MD Pins

Councillor Fred Schoening 16/170

Moved that the email from Rendezvous by the Creek, dated March 21, 2016, regarding the request for pins, be received;

And that 500 pins be donated to the Rendezvous by the Creek, for their event to be held on July 1-2, 2016.

Carried

d) Amendment to Alberta Health Services Contract

Councillor Terry Yagos 16/171

Moved that the letter from Pincher Creek Emergency Services, dated March 29, 2016, regarding the amendment to the Alberta Health Services Contract, be received;

And that Council advise Alberta Health Services of our willingness to agree to transfer the Agreement to Pincher Creek Emergency Services Commission.

Carried

e) Request for Membership and Financial Support

Councillor Fred Schoening 16/172

Moved that the letter from Partners FOR the Saskatchewan River Basin, dated March 29, 2016, regarding the request for membership and financial support, be received as information.

Carried

f) Heritage Awards 2016

Councillor Terry Yagos 16/173

Moved that the letter Alberta Historical Resources Foundation, dated March 15, 2016, regarding the Heritage Awards 2016, be received as information.

Carried

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g) 2016 Municipal Property Taxes

Councillor Terry Yagos 16/174

Moved that the letter from Questfire Energy Corp, dated April 5, 2016, regarding 2016 Municipal Property Taxes, be received as information.

Carried

h) Farm Credit Canada AgriSpirit Fund

Councillor Fred Schoening 16/175

Moved that the email from Pincher Creek and District Ag Society, dated April 6, 2016, regarding the Farm Credit Canada AgriSpirit Fund, be received:

*As amended  
 April 20, 2016*

And that Council supports the Pincher Creek and District Ag Society in their grant application, and agrees to being a partner in this ~~initiative~~. *Grant*

Carried

2. For Information Only

Councillor Terry Yagos 16/176

Moved that the following be received as information:

- a) Alberta Community Partnership Program
  - Letter from Alberta Municipal Affairs, dated March 17, 2016
- b) Planning to Age in Place
  - Letter from Alberta Seniors and Housing, dated March 7, 2016
- c) Regional Emergency Management Organization Agreement
  - Letter from Town of Pincher Creek, dated March 17, 2016
  - Letter from Village of Cowley, dated March 23, 2016
- d) Alberta Utilities Commission (AUC) Notice
  - Letter from AUC, received March 21, 2016
- e) Decommissioning of Cowley Ridge Wind Farm
  - Letter from TransAlta Corporation, dated March 24, 2016
- f) National Day of Mourning
  - Letter from Workers' Compensation Board, dated March 21, 2016
- g) Shell Canada – Notification of Update
  - Letter from Shell Canada Limited, dated March 16, 2016
- h) Proposed Sour Gas Pipeline Resumption
  - Letter from Shell Canada Limited, dated March 22, 2016
- i) Thank You Poster
  - Thank You Poster from Livingstone School Kindergarten Class, received April 8, 2016

Carried

G. COMMITTEE REPORTS

Councillor Quentin Stevick – Division 1  
 - Not present

Councillor Fred Schoening – Division 2  
 - Nothing to report at this time

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Councillor Garry Marchuk – Division 3

- Beaver Mines Community Association
  - Water and Sewer
  - Pathway
  - Public Hearing
  - Beaver Mines Park Clean Up
  - Unsightly Premises
- Economic Development Conference
- Crestview

Reeve Brian Hammond - Division 4

- Mayors and Reeves

Councillor Terry Yagos – Division 5

- Landfill Association
- Lundbreck Citizens
  - Garbage bins
  - Cornfest
- Emergency Services

Councillor Fred Schoening 16/177

Moved that the committee reports be received as information.

Carried

H. IN-CAMERA

Councillor Terry Yagos 16/178

Moved that Council and Staff move In-Camera, the time being 3:03 pm.

Carried

Councillor Terry Yagos 16/179

Moved that Council and Staff move out of In-Camera, the time being 3:39 pm.

Carried

I. NEW BUSINESS

(1) First Student

Councillor Fred Schoening 16/180

Moved that the email from First Student / Cardinal, dated March 31, 2016, regarding School Bus Safety, be received;

And that a letter supporting the School Bus Safety Campaign, be forwarded to First Student.

Carried

(2) Request to Close and Purchase Road – E/NE 6-6-2 W5M

Councillor Fred Schoening 16/181

Moved that the report from the Director of Development and Community Services, dated April 7, 2016, regarding the request to close and purchase the road – E/NE 6-6-2 W5M, be received;

And that the request be denied.

Carried

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(3) Request to Purchase Abandoned Railway Road Way – E ½ 33-5-28 W4M

Councillor Terry Yagos 16/182

Moved that the report from the Director of Development and Community Services, dated April 7, 2016, regarding the request to purchase the abandoned railway road way – E ½ 33-5-28 W4M, be received;

And that Council approve the request to purchase and consolidate a portion of MD property with the landowner's parcel, provided that the applicant purchase the land at market value;

And further that the applicant be responsible for all costs associated with the transfer and consolidation of said parcel;

And further that Administration be directed to consult with the adjacent landowner to determine if there is interest in disposing of MD property adjacent to his parcel.

Carried

(4) Request to Close Road Allowance – W/SW 33-3-28 W4M

Councillor Terry Yagos 16/183

Moved that Council postpone the decision regarding the request to close the road allowance – W/SW 33-3-28, to the April 26, 2016, Council meeting, for further information.

Councillor Fred Schoening requested a recorded vote.

Councillor Fred Schoening – Opposed  
 Councillor Terry Yagos – In Favour  
 Councillor Garry Marchuk – In Favour  
 Reeve Brian Hammond – In Favour  
 Motion Carried

(5) Management Letter – 2015 Consolidated Financial Statements

Councillor Fred Schoening 16/184

Moved that the Management Letter from Young Parkyn McNab, dated April 12, 2016, regarding the audit of the financial statements of the MD of Pincher Creek, for the year ended December 31, 2015, be received as information;

And that Council congratulate Administration for their efforts in preparation of the 2015 audit.

Carried

(6) Q3 Pincher Creek EMS Quarterly Performance Meeting Minutes

Councillor Terry Yagos 16/185

Moved that the Q3 Pincher Creek EMS Quarterly Performance Meeting Minutes, of March 10, 2016, be received as information.

Carried

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(7) ADJOURNMENT

Councillor Garry Marchuk

16/186

Moved that Council adjourn the meeting, the time being 3:46 pm.

Carried



REEVE



CHIEF ADMINISTRATIVE OFFICER