

MINUTES
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
COUNCIL MEETING
AUGUST 28, 2018

9020

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, August 28, 2018, in the Council Chambers of the Municipal District Administration Building, Pincher Creek, Alberta.

PRESENT Reeve Quentin Stevick, Councillors Brian Hammond, Terry Yagos, Bev Everts, and Rick Lemire

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

Reeve Quentin Stevick called the Council Meeting to order, the time being 1:00 pm.

A. ADOPTION OF AGENDA

Councillor Terry Yagos 18/432

Moved that the Council Agenda for August 28, 2018, be amended, the amendments as follows:

Addition to Operations – F1f – Agricultural Appeal Committee;
Addition to Operations – F1g – Castle River Crossing Approval - Letter to Minister of Environment;
Addition to Operations – F1h – Funding for a Further GeoTech Study;

And that the agenda be approved, as presented.

Carried

B. DELEGATIONS

1. Request for Service on Road Easement NE 18-10-2 W5M

Rob Nichols appeared as a delegation to speak to his letter, dated August 21, 2018, in which Mr. Nichols is requesting that the MD maintain the road leading into his parcel of land.

The construction of the road to MD standards was mentioned. Mr. Nichols indicated that his does not need, or want, the road to be updated to a higher standards. There is no need for the road to be in higher standards.

Mr. Nichols is requesting that the road in question, be graded and gravelled one last time, and then the parties involved agree that the MD will be released from the obligations of the road, and caveats will be removed from the affected titles.

Easements were discussed.

2. Awards of Excellence Sponsorship Request

Sam Schofield and Ola Crook, with the Pincher Creek and District Chamber of Commerce, appeared as a delegation to request that the MD of Pincher Creek No. 9 be a Diamond Sponsor for the 23rd Annual Awards of Excellence.

The cost of the Diamond Sponsorship is \$1,500.

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C. MINUTES

1. Special Council Meeting Minutes

Councillor Bev Everts 18/433

Moved that the Special Council Meeting Minutes of July 9, 2018 be approved as presented.

Carried

2. Council Meeting Minutes

Councillor Rick Lemire 18/434

Moved that the Council Meeting Minutes of July 10, 2018, be approved as presented.

Carried

3. Special Council Meeting Minutes

Councillor Bev Everts 18/435

Moved that the Special Council Meeting Minutes of August 7, 2018, be amended, the amendment being:

Rewording of Resolution 18/430 to read “Geotechnical Studies required for a future wastewater site”;

And that the minutes be approved as amended.

Carried

D. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes to discuss.

E. UNFINISHED BUSINESS

1. Request for Service on Road Easement – NE 18-10-2 W5M

Councillor Terry Yagos 18/436

Moved that the request for the road, provided via easement, to the NE 10-8-2 W5M, be added to the MD’s road inventory, to be classified and maintained in accordance with the current road policies, be denied;

And that the affected landowners provide to the MD of Pincher Creek proof of a registered Easement agreement between the Land owners for the said road right of way before the road in question be graded and gravelled, at a onetime occurrence only, with costs covered by the MD of Pincher Creek No. 9 and not to exceed an amount of \$5,000;

And further that once the road has been graded and gravelled, and that proof of registered easements have been submitted, the MD remove the Caveats from the affected titles, as the MD no longer requires public access on the said road.

Carried

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F. CHIEF ADMINISTRATIVE OFFICER'S (CAO) REPORTS

1. Operations

a) Municipal District of Pincher Creek No. 9 Flag

Councillor Bev Everts 18/437

Moved that Council direct Administration to investigate further possibilities for the flag.

Carried

b) Bylaw No. 1290-18; Regional Airport Advisory Committee – Terms of Reference

Councillor Brian Hammond 18/438

Moved that Council give Bylaw No. 1290-18, including Appendix A, being the bylaw to establish the Regional Airport Advisory Committee, be given first reading.

Carried

c) Snow Removal Invoice for Winter 2017/2018

Councillor Bev Everts 18/439

Moved that the request from Lester Hochstein, dated August 18, 2018, for payment for snowplowing, be denied.

Carried

d) Beaver Mines Community Association – Water Wastewater Project – Community Advisory Group – Terms of Reference

Councillor Rick Lemire 18/440

Moved that Council direct Administration to make the necessary edits to the Terms of Reference, as discussed;

And that the revisions be returned to the Beaver Mines Water and Wastewater Project Community Advisory Group, with their comments prior to being returned to Council for further consideration for approval.

Carried

e) Operations Report

Councillor Brian Hammond 18/441

Moved that the Operations report from the Director of Operations, for the period dated July 5, 2018 to August 23, 2018, as well as the Call Logs, be received as information.

Carried

f) Agricultural Appeal Committee

Councillor Rick Lemire 18/442

Moved that Councillors Rick Lemire, Brian Hammond and Terry Yagos be appointed to the Agricultural Appeal Committee.

Carried

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g) Letter to Minister of Environment

Councillor Bev Everts 18/443

Moved that Council forward a letter to the Minister of Environment and the Minister of Public Lands, expediting the process previously submitted by MPE Engineering Ltd in September 2017, on behalf of the MD of Pincher Creek, with regards to the Castle River Crossing.

Carried

h) Beaver Mines Water and Wastewater Project

Councillor Terry Yagos declared a potential conflict of interest, and left the meeting, the time being 2:45 pm.

Councillor Rick Lemire 18/444

Moved that Administration, through MPE Engineering Ltd., proceed with the Geotechnical Studies required for a wastewater site, for the Wastewater portion of the Beaver Mines Water and Wastewater project, at a cost of \$20,000, with the funding coming from Wastewater Infrastructure (Account No. 6-12-0-759-6740).

Carried

Councillor Yagos returned to the meeting, the time being 2:47 pm.

2. Planning and Development

a) Letters from Beaver Mines Community Association

Councillor Bev Everts 18/445

Moved that the letters from the Beaver Mines Community Association, dated August 17, 2018 and August 18, 2018, respectively, be forwarded to the MD's Planner for future land use planning consideration for the Hamlet of Beaver Mines.

Carried

b) 2018-07-19 Letter from Hazelton and Simmons

Councillor Brian Hammond 18/446

Moved that Council direct Administration to review Bylaw No. 918A, with revisions being brought back to Council for further consideration.

Carried

3. Finance

a) Fire Billing

Councillor Terry Yagos 18/447

Moved that all invoices, submitted by Pincher Creek Emergency Services Commission, be absorbed by the MD of Pincher Creek No. 9.

Defeated

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Councillor Rick Lemire 18/448

Moved that all invoices, submitted by Pincher Creek Emergency Services Commission, be forwarded to the landowners, where the fires occurred.

Carried

Councillor Terry Yagos 18/449

Moved that Bylaw 1234-13 be amended to invoice all landowners where fires occur.

Carried

b) Statement of Cash Position

Councillor Bev Everts 18/450

Moved that the Statement of Cash Position, for the month ending July 2018, be received as information.

Carried

4. Municipal

a) New Beaver Mines Fire Hall

Councillor Rick Lemire 18/451

Moved that Council requests that Pincher Creek Emergency Services Commission commence with the subdivision application process.

Carried

b) Waiver of Tax Penalty Request – Enel Green Power

Councillor Bev Everts 18/452

Moved that the request, from Enel Green Power, to waive the Tax Penalty, in the amount of \$17,638.32, be denied.

Carried

c) Waiver of Tax Penalty Request – Claude Laplant

Councillor Brian Hammond 18/453

Moved that the request, from Claude Laplant, to waive the Tax Penalty, in the amount of \$18.50, be denied.

Carried

d) Request to Join Highway #3 Twinning Group

Councillor Rick Lemire 18/454

Moved that Council become a member of Highway #3 Twinning Group, at a membership fee of \$0.25 per capita, for a total membership fee of \$741.25, with funding coming from Council Memberships and Subscriptions (Account No. 2-11-0-238-2238).

Carried

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e) Code of Conduct Bylaw No. 1281-17

Councillor Terry Yagos 18/455

Moved that Bylaw No. 1281-17, being the Code of Conduct Bylaw, be amended, the amendments as follows:

Section 15.2 be deleted;

Section 15.3 be revised by deleting “when the Member ceases to hold office”;

And that Bylaw No. 1281-17 be given first reading, as amended.

Carried

Councillor Rick Lemire 18/456

Moved that Bylaw No. 1281-17, being the Code of Conduct Bylaw, be given second reading.

Carried

Councillor Bev Everts 18/457

Moved that Bylaw No. 1281-17, being the Code of Conduct Bylaw, be presented for third reading.

Carried Unanimously

Councillor Brian Hammond 18/458

Moved that Bylaw No. 1281-17, being the Code of Conduct Bylaw, be given third and final reading.

Carried

f) Naming of the Municipal Office

Councillor Brian Hammond 18/459

Moved that Council receive the Municipal District of Pincher Creek Municipal Accountability Review Report, dated May 8, 2018, as information;

And that Council declare the Municipal District of Pincher Creek No. 9 Administration Office and Council Chambers to be located at 1037 Herron Avenue, Pincher Creek, AB T0K 1W0.

Carried

g) Pincher Creek Food Bank Update

Councillor Terry Yagos 18/460

Moved that Council invite representatives from Pincher Creek Food Bank to attend a future Council meeting as a delegation, to provide more accurate financial data, and to present a current operational update of the Food Bank.

Defeated

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Councillor Brian Hammond 18/461

Moved that the Town of Pincher Creek be requested to include the Pincher Creek Food Bank on the October 18, 2018, Joint Budget Meeting Agenda, to allow an opportunity for the Food Bank to present and be considered for funding from both municipalities.

Carried

h) Ratification of Mutual Aid Fire Control Agreement and Mutual Aid Fire Control Plan-2018

Councillor Bev Everts 18/462

Moved that Council ratify the Mutual Aid Fire Control Agreement, and the Mutual Aid Fire Control Plan – 2018.

Carried

i) Artwork for the Administration Building

Councillor Brian Hammond 18/463

Moved that Council direct Administration to send a letter to Pincher Creek Allied Arts Council, requesting assistance with placing artwork within the Administration Building.

Carried

Councillor Bev Everts 18/464

Moved that Council direct Administration to investigate the costs of an Annora Brown print.

Carried

j) Inspiration Awards

Councillor Bev Everts 18/465

Moved that the information regarding the Inspiration Awards be received as information.

Carried

k) Interim Chief Administrative Officer Report

Councillor Terry Yagos 18/466

Moved that Council receive for information, the Interim Chief Administrative Officer's report for the period of July 11, 2018 to August 27, 2018, as well as the Administration Call Log.

Carried

G. CORRESPONDENCE

1. For Information

a) Informational Correspondence

Councillor Brian Hammond 18/467

Moved that Council receive the following documents as information:

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- Letter from Indigenous Relations, dated July 31, 2018
- Letter from Town of Pincher Creek, dated July 9, 2018
- Letter from STARS, dated July 5, 2018
- Letter from Alberta Recreation and Parks Association, dated June 22, 2018
- Letter from Yagos Family, received August 2, 2018
- Letter from Kootenai Brown Pioneer Village, received August 9, 2018

Carried

H. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Reeve Quentin Stevick – Division 1
 Cardston Parade

Councillor Rick Lemire – Division 2
 Nothing to report at this time

Councillor Bev Everts– Division 3
 Agricultural Service Board

- Minutes of June 7, 2018

 Heritage Acres
 Transboundary Tour
 Pincher Creek Pancake Breakfast and Parade
 Beaver Mines Community Association

- Minutes of April 21, 2018
- Minutes of July 14, 2018

Councillor Brian Hammond - Division 4
 Nothing to report at this time

Councillor Terry Yagos – Division 5
 Crowsnest / Pincher Creek Landfill Association

- Minutes of June 20, 2018
- Minutes of July 18, 2018
- Incinerator
- Recycling trailers

 Lundbreck Cornfest Breakfast and Parade
 Lundbreck Citizens Council

Councillor Terry Yagos 18/468

Moved that the committee reports be received as information.

Carried

I. CLOSED MEETING

Councillor Brian Hammond 18/469

Moved that Council close the meeting to the public for discussions regarding the following, the time being 5:33 pm:

1. Intermunicipal Collaboration Framework / Intermunicipal Development Plan– FOIP Section 21
2. Day Care – FOIP Section 21
3. Regional Emergency Management Organization – FOIP Section 21
4. Joint Meetings – FOIP Section 21
5. Personnel – FOIP Section 19

Carried

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Councillor Brian Hammond 18/470

Moved that Council open the meeting to the public, the time being 7:17 pm.

Carried

J. NEW BUSINESS

1. Intermunicipal Collaboration Framework / Intermunicipal Development Plan

Councillor Terry Yagos 18/471

Moved that Council direct Administration to commence the process for the implementation of the Intermunicipal Collaboration Framework, including securing the assistance of a facilitator, and the creation of a committee.

Carried

2. Day Care

Councillor Brian Hammond 18/472

Moved that La Vonne Rideout be invited to meet with Council, during a Council Committee meeting, to provide further information regarding the need of child care in the area.

Carried

3. Regional Emergency Management Organization

Councillor Rick Lemire 18/473

Moved that Council direct Administration to proceed with the initiative regarding Regional Emergency Management, as discussed during the Closed Meeting Session.

Carried

4. Joint Meetings with the Town of Pincher Creek

Councillor Bev Everts 18/474

Moved that Council for the MD of Pincher Creek agrees that Joint Council Meetings, with the Town of Pincher Creek, be scheduled for the third Thursday in March, August and November;

And that, should additional meetings be required, to resolve issues of emergent nature, a Special Meeting of each municipality be scheduled at that time.

Carried

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5. Staff Vacancies

Councillor Terry Yagos 18/475

Moved that Council authorize the CAO to enter into an agreement with Fast4ward Learning to provide professional services to recruit and hire for the vacant positions of Director of Finance and Operation.

Reeve Quentin Stevick requested a recorded vote.

Councillor Terry Yagos – In Favour
 Councillor Bev Everts – In Favour
 Councillor Brian Hammond – In Favour
 Councillor Rick Lemire – In Favour
 Reeve Quentin Stevick – Opposed
 Motion Carried

Councillor Bev Everts 18/476

Moved that Council authorize the CAO to enter into a Letter of Understanding with Harold Johnsrude, for budget preparation.


Carried

K. ADJOURNMENT

Councillor Terry Yagos 18/477

Moved that Council adjourn the meeting, the time being 7:23 pm.

Carried


 REEVE


 CHIEF ADMINISTRATIVE OFFICER