

**MINUTES**  
**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9**  
**COUNCIL MEETING AND PUBLIC HEARING FOR BYLAW 1315-19**  
**JANUARY 28, 2020**

9237

The Regular Meeting, and Public Hearing, of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, January 28, 2020, at 1:00 pm, in the Council Chambers of the Municipal District Administration Building, Pincher Creek, Alberta.

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

**STAFF** CAO Troy MacCulloch, Director of Development and Community Services Roland Milligan, Director of Finance Meghan Dobie, Director of Operations Aaron Benson and Executive Assistant Jessica McClelland.

**A. ADOPTION OF AGENDA**

Councillor Terry Yagos 20/025

Moved that the Council Agenda for January 28, 2020 be amended to include:

Correspondence Action:

C) Social Needs Assessment Workshop Invitation

Administration:

H1a) Land Purchase Sale Agreement

And that the agenda be approved as amended.

Carried

**B. PUBLIC HEARING BYLAW 1315-19**

Planner Gavin Scott and 11 members of the public were in attendance.

1. Call Public Hearing to Order

The Public Hearing was called to order, the time being 1:00 pm.

Councillor Terry Yagos excused himself from the Public Hearing.

2. Advertising Requirement

This Public Hearing has been advertised in accordance with Section 606 of the *Municipal Government Act*. This Public Hearing was advertised in Shootin the Breeze on January 22 and 29, 2020, as well as the MD website and MD Social Media pages.

3. Purpose of Public Hearing

The purpose of this Public Hearing is to receive public input on proposed Bylaw No. 1315-19. The purpose of the proposed amendment is to allow for the development of a 12.1 acre (4.9ha) gravel pit.

4. Overview of Bylaw No. 1315-19

Planner Gavin Scott gave an overview of Bylaw No. 1315-19.

5. Correspondence and Presentations

a. Verbal

1) Craig Anderson (Alberta Rocks)

- Has run a separate gravel pit for 15 years without disturbance to the neighbors;
- Intends to berm the area to reduce dust and noise for the area;
- New pit is a good quality gravel;
- Once the pit is finished it will be brought back to pasture land;
- Willing to do dust control on the roads if required.

2) Randy Baker

- Would be directly effecting his view from his home;

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- Size of gravel pit is in question, it will be 6 times the lot size;
- Encourages Council to drive out and look at what the other gravel pits look like;
- This pit will impact quality of life for residents;
- Concerned there will be land value reductions;
- Concerned for environmental impacts if this gravel pit goes forward;
- Water
- Wildlife
- Land
- This plan does not fit into the Burmis Lundbreck Corridor Area Structure Plan;
- There is no lack of gravel in the MD, a new pit should be opened by residents;
- There is no benefit to the MD to allow this plan to continue.

3) Greg Townsend

- From the Crowsnest Pass;
- Masters Degree from University;
- Is impressed with the Burmis Lundbreck Corridor Area Structure Plan;
- Parents moved to Coleman in 1942;
- Father worked in forestry
- Years ago there were rivers full of trout from Alison Creek
- In 1976 there was very few trout due to sediment from off road vehicles
- Predicts that within 5 years all of the trout will be gone in this area
- Feels the MD should look ahead to the future
- Mr. Townsend read from the “Burmis Lundbreck Area Structure Plan” as to why he feels this gravel pit goes against the plan;
- Animals will be impacted;
- Wells could be contaminated from any spills from machinery at the gravel pit;
- Proposed pit is close to Crowsnest River and run off would end up in the river and downstream;
- Dust from gravel crushing, at all levels, will impact the residents and further down the river;
- Already 9 gravel pits in the area, unreasonable to produce another.

Reeve Hammond asked if anyone else would like to speak, hearing no one, he moved on.

b. Written

Reeve Hammond asked if any written presentations were received at this time. 13 submissions were received and will become part of these minutes.

6. Closing Comments / Further Questions

Craig Anderson was given the opportunity to discuss concerns.

- Water sources have not been impacted in the 15 years he has been running a gravel pit;
- There are ways to alleviate dust issues (water/dust control on roads).

Councillor Everts discussed business plans and amount of gravel pits Alberta Rocks currently owns.

Councillor Stevick discussed history of land, the land is 3<sup>rd</sup> generation to the Andersons.

Planner Gavin Scott discussed the process in moving forward with a change to the land use bylaw.

7. Adjournment

Reeve Brian Hammond moved to adjourn the Public Hearing, the time being 1:42 pm.

Councillor Terry Yagos returned for the Council meeting. Gavin Scott and members of the public left at this time, the time being 1:45 pm.

C. DELEGATIONS

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D. MINUTES

1. Public Hearing Minutes Bylaw 1316-19

Councillor Rick Lemire 20/026

Moved that the Public Hearing Minutes for Bylaw 1316-19 be approved as presented.

Carried

2. Public Hearing Minutes Bylaw 1317-19

Councillor Quentin Stevick 20/027

Moved that the Public Hearing Minutes for Bylaw 1316-19 be amended to change 1316-17 to 1316-19;

AND THAT the minutes be approved as amended.

Carried

3. Council Committee Meeting Minutes

Councillor Bev Everts 20/028

Moved that the Council Committee Meeting Minutes for January 14, 2020, be amended to add the time of coming out of "closed session" to 12:01 pm;

AND THAT the minutes be approved as amended.

Carried

4. Council Meeting Minutes

Councillor Quentin Stevick 20/029

Moved that the Council Minutes of January 14, 2020 be approved as presented.

Carried

D. BUSINESS ARISING FROM THE MINUTES

E. UNFINISHED BUSINESS

F. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Councillor Bev Everts 20/030

Moved that Council for the MD of Pincher Creek write a letter of support, in principal, towards the Apple Tree Project.

Carried

1. Councillor Quentin Stevick – Division 1
  - a) Agricultural Services Conference
  - b) Chinook Arch Regional Board Meeting
2. Councillor Rick Lemire – Division 2

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- a) Pincher Creek Regional Library Meeting
- b) Airport Committee Meeting
- c) Pincher Creek Foundation
- d) ICF
3. Councillor Bev Everts– Division 3
  - a) FCSS
  - b) Apple Tree Project Meeting
4. Reeve Brian Hammond - Division 4
  - a) Pincher Creek Early Learning Center
  - b) Crowsnest Pincher Creek Landfill
  - c) Foothills Little Bow Meeting
  - d) Livingstone Porcupine Advisory Meeting – February 13, 2020. Council unable to attend and would like a member of staff to be there.
5. Councillor Terry Yagos – Division 5
  - a) Alberta Southwest
  - b) EMS
  - c) Crowsnest Pincher Creek Landfill

Councillor Quentin Stevick 20/031

Moved to accept the Committee Reports and information.

Carried

Public Works Superintendent Eric Blanchard attended the meeting at this time to discuss the call log, the time being 2:50 pm, and left at 3:10 pm.

G. ADMINISTRATION REPORTS

1. Operations

a) Operations Report

Councillor Quentin Stevick 20/032

Moved that Council receive for information the following Operations documents.

- Capital Budget Summary, dated January 23, 2020
- Public Works Call Log, dated January 23, 2020

Carried

b) Land Purchase Sale Agreement

Troy MacCulloch, CAO, updated Council on the progress of the proposed location for the wastewater treatment facility for Beaver Mines. The land is located at SE 16-06-02 W5M. The site is almost fully treed currently, and additional trees will be planted once the project is operational. So far, all test holes look favorable and geo technical will be commencing next week. Council will be updated as new information becomes available.

2. Development and Community Services

a) Agricultural and Environmental Services Activity Report

Councillor Quentin Stevick 20/033

Moved that Council receive for information the following AES documents:



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NOW THEREFORE be it resolved that the Council of the M.D. of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

NW 11-10-2-5  
 ROAD PLAN 2183 HX  
 CONTAINING 0.03 OF AN ACRE MORE OR LESS  
 EXCEPTING THEREOUT ALL MINES AND MINERALS

To be placed back in Certificate of Title No: 131D137

Carried

Councillor Quentin Stevick 20/037

Moved that Council pass a resolution of the M.D. of Pincher Creek No. 9 for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the Municipal Government Act, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel, NOW THEREFORE be it resolved that the Council of the M.D. of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

SW 30-10-2-5  
 ROAD PLAN 1151 LK  
 CONTAINING 5.73 ACRES MORE OR LESS  
 EXCEPTING THEREOUT ALL MINES AND MINERALS

To be placed back in Certificate of Title No: 171 255 944

Carried

Councillor Rick Lemire returned to the meeting, the time being 3:55 pm.

3. Finance

a) Grant In Place of Taxes (GIPOT) Write Off

Councillor Bev Everts 20/038

Moved that Council write off the identified GIPOT Tax rolls in 2019 for the amount of \$3,485.80.

Carried

4. Municipal

a) Chief Administrative Officer Report

Councillor Rick Lemire 20/039

Moved that Council receive for information, the Chief Administrative Officer's report dated January 23, 2020.

Carried

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- b. Letters of Support for Pincher Creek and Area Early Childhood Coalition, Pincher Creek Family Center and the Healthy Families Home Visit

Councillor Terry Yagos 20/040

Moved that Council approve the letters of support recommending approval for Core Funding from the Family Resource Network for Pincher Creek and Area Early Childhood Coalition, Pincher Creek (Parent Link) Family Centre and the Healthy Families Home Visitation Program.

Carried

#### H. CORRESPONDENCE

1. For Action

- a) The Alberta Order of Excellence

Councillor Terry Yagos 20/041

Moved that the Alberta Order of Excellence be received as information.

Carried

- b) RMA Meeting with K Division

Councillor Quentin Stevick 20/042

Moved that due to changes in the financial model, administration be directed to rescind the letter to K Division regarding the Enhanced Policing contract.

Carried

- b) Councillor Bev Everts 20/043

Moved that administration be directed to respond to the invitation to meet with K Division at the RMA Convention, thanking them for the opportunity but declining the invitation at this time.

Carried

- c) Social Needs Assessment Workshop Invitation

Councillor Rick Lemire 20/044

Moved that any Councillor interesting in attending the Social Needs Assessment Councils Focus Group, be authorized to do so.

Carried

2. For Information

Councillor Rick Lemire 20/045

Moved to receive the following as information:

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Recommendation to Council, dated January 23, 2020

a) Town of Pincher Creek Departmental Report - Recreation

Carried

I. CLOSED SESSION

Councillor Quentin Stevick 20/046

Moved that Council move into closed session, the time being 4:23 pm, for the purpose of discussing:

a) Land Purchase and Exchange Request – FOIP Section 16

Carried

Councillor 20/047

Moved that Council move out of closed session, the time being 4:27 pm.

Carried

J. NEW BUSINESS

a) Land Purchase and Exchange Request

Councillor Rick Lemire 20/048

Moved that Council deny the applicants request as there is no benefit to the municipality at this time.

Carried

b) Grader Shed for Beaver Mines Fire Hall

Councillor Bev Everts 20/049

Moved that the proposal for the Beaver Mines Fire Hall remove the option for a grader shed.

Councillor Quentin Stevick requested a recorded vote:

For:  
Councillor Terry Yagos  
Councillor Bev Everts  
Reeve Brian Hammond

Against:  
Councillor Rick Lemire  
Councillor Quentin Stevick

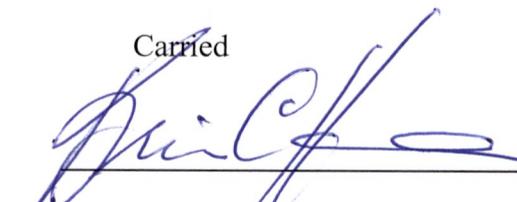
Carried

I. ADJOURNMENT

Councillor Quentin Stevick 20/049

Moved that Council adjourn the meeting, the time being 4:31 pm.

Carried

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