

**AGENDA  
COUNCIL MEETING  
MUNICIPAL DISTRICT OF PINCHER CREEK  
December 22, 2015  
1:00 pm**

A. ADOPTION OF AGENDA

B. DELEGATIONS

(1) Request to Close Road Allowance

- Email from Rob Krushel, dated December 15, 2015

C. MINUTES

(1) Council Meeting Minutes

- Minutes of December 8, 2015

D. UNFINISHED BUSINESS

(1) Grassy Mountain Coal Project

- Presentation dated December 8, 2015

(2) Policy 5.3.2.1 – Fees and Charges

- Grader Operations Cost Calculation
- Motor Graders
- Report from Director of Operations, dated November 27, 2015

E. CHIEF ADMINISTRATOR OFFICER'S (CAO) REPORTS

(1) **Operations**

a) Operations Report

- Report from Director of Operations, dated December 17, 2015

(2) **Planning and Development**

a) Bylaw 1265-15; Land Use Bylaw Amendment – NE 15-5-1 W5M

- Report from Director of Development and Community Services, dated December 16, 2015

(3) **Finance and Administration**

a) 2016 Family and Community Support Services Funding Agreement with Province

- Report from Director of Finance and Administration, dated December 14, 2015

(4) **Municipal**

a) Chief Administrative Officer's Report

- Report from CAO, dated December 16, 2015

F. CORRESPONDENCE

(1) **Action Required**

a) Funding Request from Livingstone School Sports Booster Club

- Email from Livingstone School Booster Club, dated December 9, 2015

(2) **For Information**

a) Grassy Mountain Coal Project - Notice of Application

- Email from Riversdale Resources, dated December 7, 2015

b) Transportation for Seniors Update

- Email from Transportation Society, dated December 9, 2015

c) Letters from the MD of Willow Creek regarding Bill 6

- Email from MD of Willow Creek, dated December 10, 2015

- d) Letter to Premier Notley regarding Bill 6
  - Email from County of Barrhead, dated December 16, 2015
- e) Letter to Premier Notley regarding Bill 6
  - Email from MD of Willow Creek, dated December 14, 2015
- f) Canada 150 Community Infrastructure Program Application
  - Email from Western Economic Diversification Canada, dated December 15, 2015
- g) Canada 150 Community Infrastructure Program Application
  - Email from Western Economic Diversification Canada, dated December 15, 2015
- h) Ian and John Sandeman – Hearing Notification to MD
  - Email from Environmental Appeals Board, dated December 16, 2015
- i) Seasons Greeting
  - Card from Nancy Barrios
- j) Waterton Advisory Group Meeting Notes
  - Email from Waterton Advisory Group, dated December 17, 2015

G. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Councillor Quentin Stevick – Division 1

- Chinook Arch Library Board
- Board Report, December 3, 2015

Councillor Fred Schoening – Division 2

- Oldman River Regional Services Commission
- Minutes of June 4, 2015

Councillor Garry Marchuk – Division 3

Reeve Brian Hammond - Division 4

Councillor Terry Yagos – Division 5

H. IN-CAMERA

(1) Personnel

I. NEW BUSINESS

J. ADJOURNMENT

**Tara Cryderman**

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**Subject:** FW: Emailing: unused statutory easement looking west, unused statutory roadway looking east, west end roadway looking east, west side of roadway looking east, roadway looking west from #507, roadway on krushel monaghan land including dangerous corner, roa

**Attachments:** unused statutory easement looking west.jpg; unused statutory roadway looking east.jpg; west end roadway looking east.jpg; west side of roadway looking east.jpg; roadway looking west from #507.jpg; roadway on krushel monaghan land including dangerous corner.jpg; roadway on krushel monaghan land looking east.jpg; roadway on krushel monaghan land looking west.jpg; statutory easement to right and existing roadway on krushel monaghan land facing east.jpg; statutory roadway looking west.jpg; unused easement and exisitng road on krushel monaghan land facing east.jpg

-----Original Message-----

From: Rob Krushel [mailto:arked@ssimicro.com]

Sent: Tuesday, December 15, 2015 12:29 AM

To: Roland Milligan <AdminDirDev@mdpincercreek.ab.ca>

Subject: Emailing: unused statutory easement looking west, unused statutory roadway looking east, west end roadway looking east, west side of roadway looking east, roadway looking west from #507, roadway on krushel monaghan land including dangerous corner, roadway

Hello Roland.

As requested we are submitting the attached 11 photographs to aid in our presentation to council on December 22. As previously discussed we would want to include our previous letter and the your Brown Okamura survey that included the transfer of the two unused easements in exchange for an easement to legitimize the existing roadway built upon Krushel/Monaghan land.

May I also ask you to confirm what time you would like us to be present as well as the address.

Thank you,

Robert Krushel  
Allan Krushel  
Michael Monaghan

Your message is ready to be sent with the following file or link attachments:

unused statutory easement looking west  
unused statutory roadway looking east  
west end roadway looking east

west side of roadway looking east

roadway looking west from #507

roadway on krushel monaghan land including dangerous corner roadway on krushel monaghan land looking east roadway on krushel monaghan land looking west statutory easement to right and existing roadway on krushel monaghan land facing east statutory roadway looking west unused easement and existing road on krushel monaghan land facing east

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Alan Krushel & Patrick Monaghan

Municipal District of Pincher Creek #9  
P.O. Box 279  
Pincher Creek, Alberta  
T0K 1W0

**FAXED**

VIA FAX: (403)627-5070

Attention: Wendy Kay, Chief Administrative Office  
Rod Zielinski, Councillor, Division Three

Re: PROPOSED EXCHANGE OF ROAD ALLOWANCE AND ELIMINATION OF SURVEYED ROAD WAY  
SE1/8 4-7-2 West of the 5<sup>th</sup> Meridian

We confirm our meeting of last week where the consensus was that Krushel and Monaghan would transfer the Present Used Roadway (PUR) which currently exists on private land to the North of the Road Allowance on the Westside of the parcel to the M.D. of Pincher Creek based on the following conditions/representations:

- The width taken out will amount to 66' and the exact definition of the roadway is yet to be defined, but should be done expeditiously in order to identify the property/road location.
- The M.D. of Pincher Creek will discharge the original registered Road Way, Plan Number 3385A2 in so far as it affects the parcel.
- The Municipal District of Pincher Creek will transfer to Krushel and Monaghan that portion of the Road Allowance to the south of the PUR subject that the two parcels created by the PUR to the north and south of the PUR will have adequate road access to both parcels.
- Michael Monaghan has spoken to Ron Likuski with regards to the proposal and to the best of our knowledge, Mr. Likuski is not opposed to the arrangement and transfer of property and views the arrangement as mutually beneficial to the Municipal District and Krushel and Monaghan.
- Mr. Zielinski thought that the process, if approved, might take some time to complete and we would like to have some confirmation or representation that the Municipal District of Pincher Creek will be responsible for the management and public liability of the "new" road (PUR) during and after the contemplated formal steps of transfer.

- There may be some urgency in at least staking the likely boundaries of the PUR to allow examination between the landowners and Fortis in the location of the proposed power poles and line.

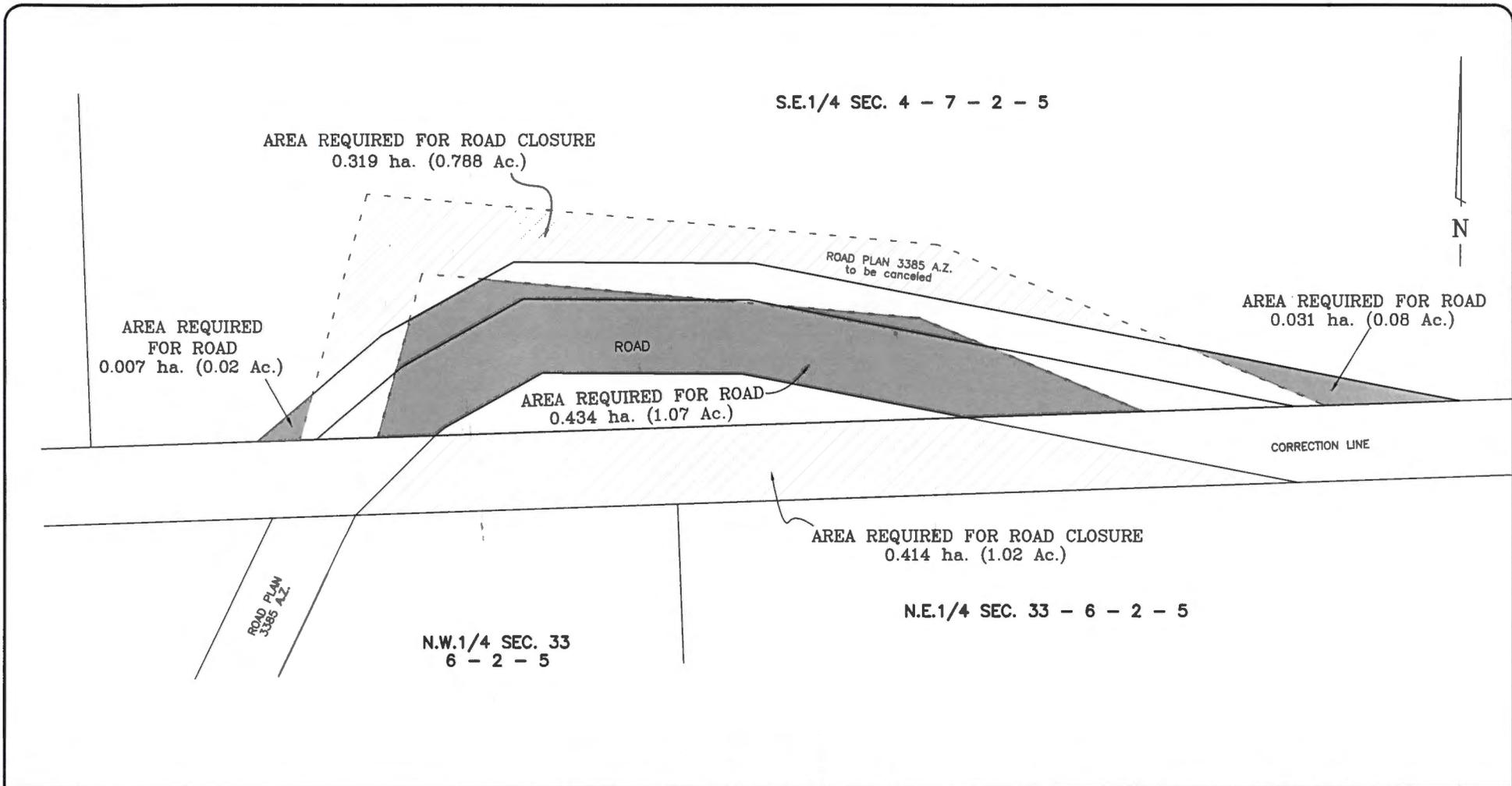
Sincerely,



Allan R. Krushel



Michael Monaghan



MUNICIPAL DISTRICT OF PINCHER CREEK No. 9				<b>brown okamura &amp; associates ltd.</b> <small>Professional Surveyors 514 Stafford Drive, Lethbridge, Alberta</small>		
NO.	REVISION	DATE	BY	SKETCH PLAN SHOWING AREAS REQUIRED within S.E.1/4 SEC. 4; TWP. 7; RGE. 2; W.5 M.  MUNICIPAL DISTRICT OF PINCHER CREEK No. 9		
NOTE : F.d.l. - Statutory Iron Posts found shown thus <span style="display: inline-block; width: 10px; height: 10px; background-color: black; border: 1px solid black;"></span> P.I.I. - Statutory Iron Posts placed shown thus <span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; border-radius: 50%;"></span> O marked 'P004' Distances are shown in metres and decimal parts thereof. Areas are calculated and approximate, subject to final survey.						APPROVED
				T. C. Penner, A.L.S.	CHECKED TCP	JOB 11-11030
					SCALE	DRAWING
					1:1000	11-11030SK

S.E.1/4 SEC. 4 - 7 - 2 - 5

AREA REQUIRED FOR ROAD CLOSURE  
0.537 ha. (1.33 Ac.)

ROAD PLAN 3385 A.Z.  
to be canceled

ROAD

AREA REQUIRED FOR ROAD  
0.375 ha. (0.93 Ac.)

CORRECTION LINE

AREA OF CORRECTION  
LINE  
ROAD ALLOWANCE  
REQUESTED TO  
PURCHASE  
0.414 ha (1.02 Ac.)

N.E.1/4 SEC. 33 - 6 - 2 - 5

N.W.1/4 SEC. 33  
6 - 2 - 5

ROAD PLAN  
3385 A.Z.

N

1	Revised Areas	June 18/14	cjb
NO.	REVISION	DATE	BY

NOTE :  
Distances are shown in metres and decimal parts thereof.  
Areas are calculated and approximate, subject to final survey.

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9

SKETCH PLAN SHOWING AREAS REQUIRED  
within  
S.E.1/4 SEC. 4; TWP. 7; RGE. 2; W.5 M.

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9



**brown okamura & associates ltd.**

Professional Surveyors  
514 Stafford Drive, Lethbridge, Alberta

APPROVED

T. C. Penner, A.L.S.

DRAWN CJB

CHECKED TCP

SCALE

1:1000

DATE FEB. 10/14

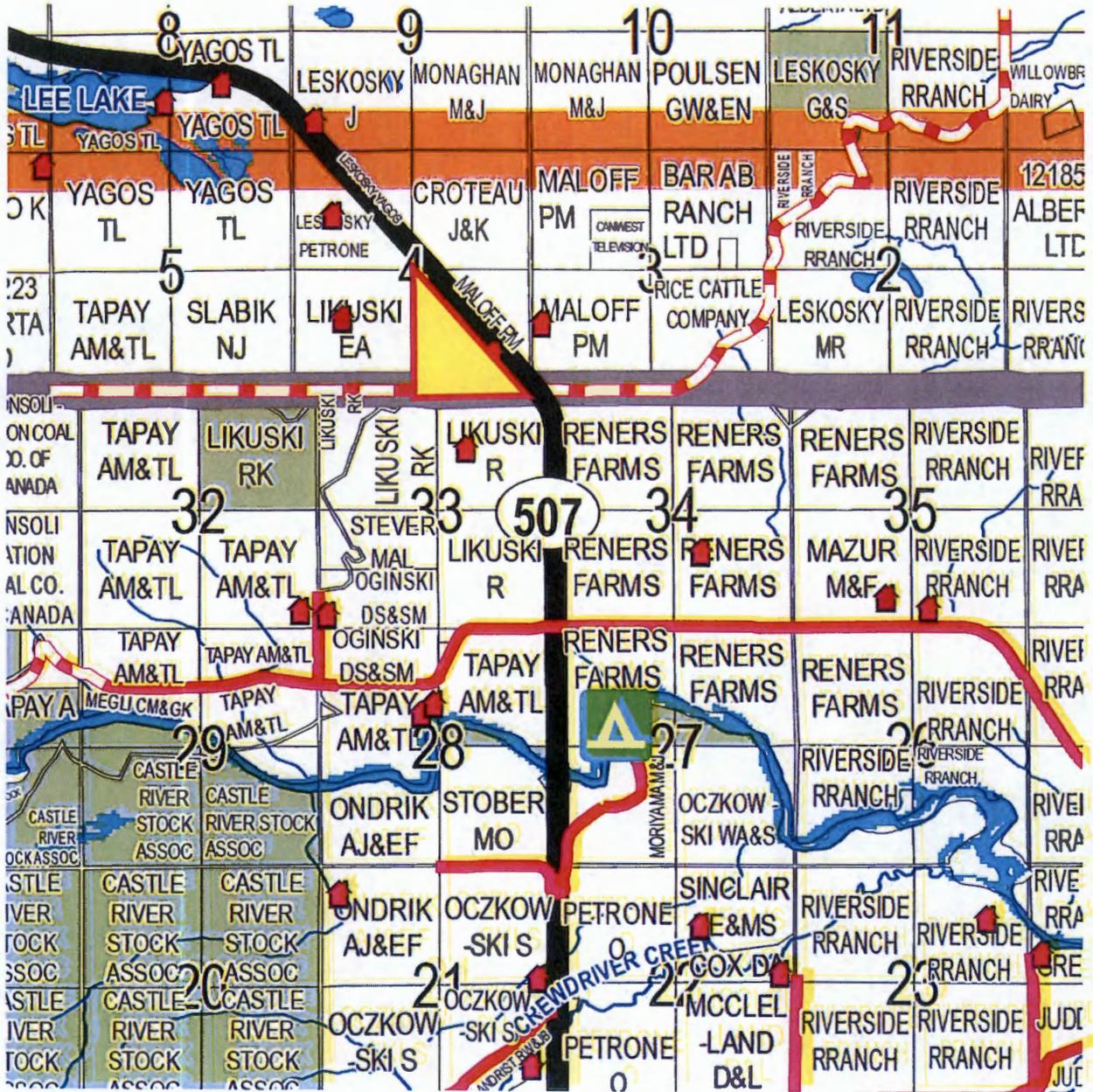
JOB 11-11030

DRAWING

11-11030SK

# Location of Road in Question

## SE 4-7-2 W5M



North

4

HIGHWAY 507

SEA-7-2-5

3385 E2

TWP. RD. 7-0

ROADWAY





SKILL  
ATTENTION  
ALL THE PERSONS  
CONTRACTORS & SUBCONTRACTORS  
RESTRICTED TO 30 KM PER HOUR  
VEHICLES OVER 1 TONNE  
RESTRICTED TO 30 KM PER HOUR

30  
KM/H

UNIMPROVED  
ROAD  
USE AT  
OWN RISK  
NO  
EXIT





















**MINUTES  
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
REGULAR COUNCIL MEETING  
DECEMBER 8, 2015**

8591

The Meeting of the Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, December 8, 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 Terry Yagos 15/530

Moved that the Council Agenda for December 8, 2015, be amended, the amendment as follows:

Addition to Municipal – E4b – Cemetery Agreement

Addition to Municipal – E4c - Alberta Health Services Equipment Loan Agreement Amendment

And that the agenda be approved, as amended.

Carried

**B. DELEGATIONS**

(1) Grassy Mountain Coal Project

Keith Bott and Cal Clark, with Riversdale Resources, appeared as a delegation to update Council on the Grassy Mountain Coal Project.

In addition to the power point presentation, the Notice of Application was provided.

**C. MINUTES**

(1) Council Meeting Minutes

Councillor Fred Schoening 15/531

Moved that the Council Meeting Minutes of November 24, 2015, be approved as presented.

Carried

**D. UNFINISHED BUSINESS**

(1) Library Agreement

Councillor Quentin Stevick 15/532

Moved that the amended Library Agreement, including the provision for a financial review, be approved.

Carried

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E. CHIEF ADMINISTRATOR OFFICER'S (CAO) REPORTS

(1) Operations

a) Agricultural Service Board – Chairperson

Councillor Fred Schoening 15/533

Moved that the report from the Director of Operations, dated December 1, 2015, regarding the Agricultural Service Board – Chairperson, be received;

And that Council formally adopt the Agricultural Service Board recommendation to appoint Susan Vogelaar to the position of Chairperson and John Lawson as Vice-Chairperson for the Agricultural Service Board.

Carried

b) Policy 5.3.2.1 – Fees and Charges – Snow Plowing

Councillor Terry Yagos 15/534

Moved that the report from the Director of Operations, dated November 27, 2015, regarding Policy 5.3.2.1 – Fees and Charges – Snow Plowing, be tabled pending further information.

Carried

c) Operations Report

Councillor Terry Yagos 15/535

Moved that the Operations Report for the period of November 18, 2015 to December 1, 2015, be received as information.

Carried

(2) Planning and Development

Nil

(3) Finance

a) Statement of Cash Position

Councillor Fred Schoening 15/536

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

Carried

b) 2016 Operating Budget Adoption

Councillor Terry Yagos 15/537

Moved that the report from the Finance Manager, dated November 26, 2015, regarding the 2016 Operating Budget be received;

And that the 2016 Operating Budget and 2017 – 2019 Operating Plans (both by object and department) dated November 26, 2015 that is made up of a total revenue of \$15,646,350 and expenses of \$15,646,340 be adopted as the 2016 Operating Budget and 2017 – 2019 Operating Plan for the Municipal District of Pincher Creek No. 9.

Carried

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c) 2016 Capital Budget and 2017 – 2019 Capital Plan Adoption

Councillor Fred Schoening 15/538

Moved that the report from the Finance Manager, dated November 26, 2015, regarding the 2016 Capital Budget, be received;

And that the 2016 Capital Budget and 2017 – 2019 Capital Plan dated November 26, 2015, which is made up of a total expenditure in 2016 of \$3,685,450 that is being financed by \$1,900,450 coming from Municipal capital reserves, \$1,770,000 from provincial grants and \$15,000 from the 2016 operating budget be adopted as the 2016 Capital Budget and 2017 – 2019 Capital Plan for the Municipal District of Pincher Creek No. 9.

Carried

d) Borrowing Bylaw 1266-15 Overdraft Protection

Councillor Terry Yagos 15/539

Moved that the report from the Director of Finance and Administration, dated December 2, 2015, regarding Borrowing Bylaw 1266-15 Overdraft Protection, be received;

And that Bylaw 1266-15, being the Borrowing Bylaw – Overdraft Protection, be given first reading.

Carried

Councillor Fred Schoening 15/540

Moved that Bylaw 1266-15, being the Borrowing Bylaw – Overdraft Protection, be given second reading.

Carried

Councillor Quentin Stevick 15/541

Moved that Bylaw 1266-15, being the Borrowing Bylaw – Overdraft Protection, be presented for third reading.

Carried Unanimously

Councillor Garry Marchuk 15/542

And that Bylaw 1266-15, being the Borrowing Bylaw – Overdraft Protection, be given third and final reading.

Carried

e) Bobby Burns Fish Pond Park Funding Increase Request

Councillor Garry Marchuk 15/543

Moved that the report from the Director of Finance and Administration, dated December 2, 2015, regarding Bobby Burns Fish Pond Funding Increase Request, be received;

And that the MD of Pincher Creek pay the invoice submitted for the total amount of \$3,566.42, with funding coming from Public Reserve Trust Account (Account No. 6-12-0-690-6690);

And further, as the Bobby Burns Fish Pond Park is a jointly utilized facility, the Town of Pincher Creek be requested to consider reimbursing the MD \$1,066.42, the difference between the MD's 2015 budget and the actual invoice total.

Carried

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(4) Municipal

a) CAO Report

Councillor Terry Yagos 15/544

Moved that the CAO Report, for the period of November 20, 2015 to December 3, 2015, be received as information.

Carried

b) Cemetery Agreement

Council discussed the Cemetery Agreement, as well as the proposed costs associated with a columbarium.

c) Alberta Health Services Equipment Loan Agreement Amendment

Councillor Terry Yagos 15/545

Moved that the Reeve and CAO be authorized to sign the Alberta Health Services Equipment Loan Agreement Amendment, as presented.

Carried

F. CORRESPONDENCE

(1) For Action

a) Request for Letter of Support to Highway 3 Economic Development Association

Councillor Terry Yagos 15/546

Moved that the email from the Highway 3 Economic Development Association, dated November 25, 2015, regarding a request for a letter in support to twinning Highway 3, be received;

And that Administration be directed to forward a letter to the Highway 3 Economic Development Association, in support of twinning Highway 3.

Carried

b) 2016-2017 Formal Letter of Request from STARS Air Ambulance

Councillor Garry Marchuk 15/547

Moved that the letter from STARS, dated November 27, 2015, regarding the 2016-2017 formal letter of request from STARS Air Ambulance, be received;

And that a letter be forwarded to STARS, indicating that a per capita donation will be available in 2016;

And further that future donation amounts will be discussed during future budget discussions.

Carried

c) Brazeau County Concerns over Bill 6

Councillor Fred Schoening 15/548

Moved that the email from Brazeau County, dated December 2, 2015, the Issue Briefing from AAMDC on Bill 6: Enhanced Protection for Farm and Ranch Workers Act, dated December 2, 2015, the letter from AAMDC, dated November 27, 2015, and the draft letter dated December 8, 2015, be received;

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And that the draft letter to Minister Sigurdson, Minister of Jobs, Skills, Training and Labour, be approved for forwarding.

Carried

(2) For Information Only

a) Thank You Letter

Councillor Terry Yagos 15/549

Moved that the letter from the Pincher Creek Community Centre Hall Society, dated November 20, 2015, be received as information.

Carried

b) Invitation to Information Session – Crestview Lodge

Councillor Fred Schoening 15/550

Moved that the letter from Pincher Creek Foundation, dated November 27, 2015, be received;

And that anyone wishing to attend the information session, at Crestview Lodge, scheduled for December 9, 2015 at Crestview Lodge at 6:30 pm, be authorized to do so.

Carried

c) Shell Canada – Proposed Waterton 78 at 12-33-3-30 W4M

Councillor Terry Yagos 15/551

Moved that the Information Package, from Shell Canada, dated November 16, 2015, be received;

And that a letter be forwarded to Shell thanking them for their continued efforts in updating the MD of their operations and projects.

Carried

G. COMMITTEE REPORTS

Councillor Quentin Stevick – Division 1

- South Saskatchewan Regional Plan Biodiversity Framework Information Session
- December 3, 2015
- Chinook Arch Regional Library

Councillor Fred Schoening – Division 2

- Family and Community Support Services
- Draft minutes of November 16, 2015
- Oldman River Regional Services Commission
- Annual General Meeting
- Dust Control
- More effective this year – Kudos to Public Works

Councillor Garry Marchuk – Division 3

- Alberta SouthWest
- Bulletin – December 2015
- Minutes of November 4, 2015
- Beaver Mines Community Association
- Solar panel for the speed sign
- Sand under the swings
- Garbage cans in the park entrances
- Pathway
- Thank you for the fence installed around tennis court
- Backboard – still requires painting
- Castle Mountain
- Meeting on December 20, then Castle Mountain will contact the MD

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Councillor Terry Yagos 15/552

Moved that Councillor Garry Marchuk be authorized to attend the Economic Developers Alberta Annual General Meeting to be held in Kananaskis, Alberta on April 6-8, 2016.

Carried

Reeve Brian Hammond - Division 4  
- Mayors and Reeves

Councillor Terry Yagos – Division 5  
- Landfill Meeting  
- Beaver Mines Community Association  
- Lundbreck Citizens Council

Councillor Terry Yagos 15/553

Moved that the committee reports be received as information.

Carried

H. IN-CAMERA

Councillor Fred Schoening 15/554

Moved that Council and Staff move In-Camera, the time being 3:06 pm.

Carried

Councillor Garry Marchuk 15/555

Moved that Council and Staff move out of In-Camera, the time being 4:07 pm.

Carried

I. REQUEST TO CLOSE ROAD ALLOWANCE – WSW 33-3-28 W4M

Councillor Fred Schoening 15/556

Moved that the request to exchange land with the MD – WSW 33-3-28 W4M, be denied at this time.

Carried

J. REQUEST TO PURCHASE LAND

Councillor Garry Marchuk 15/557

Moved that a legal opinion be obtained regarding repealing a bylaw with respect to purchasing land.

Carried

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K. ADJOURNMENT

Councillor Garry Marchuk

15/558

Moved that Council adjourn the meeting, the time being 4:08 pm.

Carried

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REEVE

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CHIEF ADMINISTRATIVE OFFICER

DRAFT



**RIVERSDALE**

RESOURCES

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# GRASSY MOUNTAIN COAL PROJECT

Presentation for MD of Pincher Creek

December 8, 2015

# Our Commitments



## Riversdale Resources is committed to:

- Safety as a priority for our workforce and the surrounding community;
- Responsible development in a manner that respects the people, the community and the environment in which we operate;
- Being a supportive member of the community and establishing strong relationships with our stakeholders based on trust and open communication;
- Minimizing impacts to the environment by implementing appropriate stewardship practices to responsibly develop the resource and manage environmental performance; and
- Managing our business to withstand the cyclical nature of the global coal sector, providing a stable employment and economic base for our workers and the surrounding community, and meets our business goals.

# Agenda



- Update on the Environmental Impact Assessment
- Where are we in the Regulatory Process?
- Feedback from recent CNP Open House October 29, 2015
- Highlights of socio-economic assessment

# EIA Update



- The Grassy Mountain Coal Project Application and EIA was filed on Tuesday, November 10 with the AER and CEAA
- Application and EIA were posted on the CEAA & AER government websites November 19
- Joint federal/provincial panel review and hearing
- (AER application #1844520 and #1844522.)

<http://portal.aer.ca/portal/site/pnoa/menuitem.8f9e6aa9cc7e9c7eee05e463222a10a0/?appNumber=1844520>

- (CEAA File #80101)

<http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80101>

# EIA Update



- Request for a digital copy can be made to Riversdale Resources by contacting:

Keith Bott      [keith.bott@rivresources.com](mailto:keith.bott@rivresources.com)

Cal Clark      [cal.clark@rivresources.com](mailto:cal.clark@rivresources.com)

Riversdale Resources

12331-20 Ave

Blairmore, Alberta

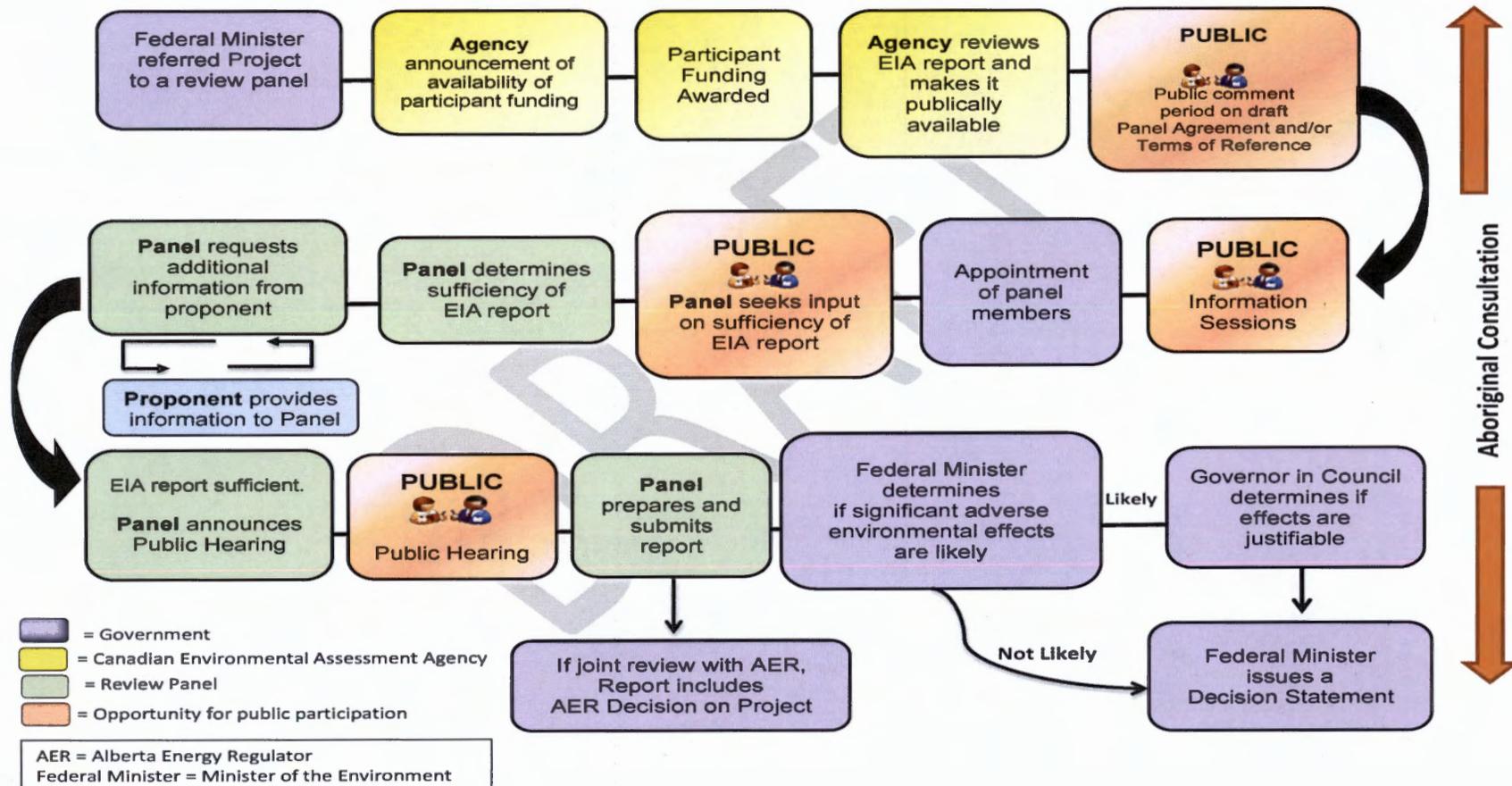
T0K 0M0

403-753-5160

- Statement of Concern must be submitted to AER by January 4, 2016 with copy to Riversdale Resources

# Where is the Grassy Mountain Project in the Review Panel Process?

Grassy Mountain Coal Project Review Panel Process



# Feedback from Open House



146 People signed in (estimated 200 in attendance):

Support for Project	
Yes	30
Yes with concerns	17
No	14
Maybe	1
No response	2
Total number of completed forms	64

# Feedback from Open House

## Feedback on the Open House:

(Percentage is based on the number of people who responded to the specific question and not the number of submitted surveys)

Feedback on the Open House	Yes (%)
• Did you get the information you needed?	64%
• Was the event helpful to learn about the Project?	84%
• Were the materials provided easy to understand and use?	60%
• Were staff helpful in explaining the materials so you could respond?	79%
• Were your questions answered fully?	58%
• Did you comment on those areas of greatest interest/need/concern to you?	74%
• Did staff listen and record your comments?	72%

# Feedback from Open House



## Identified Community Concerns and Interests:

(Based on the number of surveys (57) that had any response in this section)

Identified Community Concerns	
Changes/Impacts to Community Character	68%
Community Health/Well Being	61%
Public Safety and Emergency Response	37%
Industrial and Mine Related Traffic Volumes	56%
Reclamation of Mined Lands to Public Use	60%
Protection of Historical Resources	31%
Recreation Access on Public Lands	51%
Wildlife/Mammals	51%
Fish	56%
Surface Water	67%
Groundwater	75%
Economic Development	67%
Employment	58%

**Thank you**

# Notice of Application

**Applications No. 1844520 and 1844522**

**Benga Mining Limited**

**Grassy Mountain Coal Project**

The Alberta Energy Regulator (AER) has received *Coal Conservation Act (CCA)* Applications No. 1844520 and 1844522 from Benga Mining Limited (Benga) for approval of its Grassy Mountain Coal Project. The AER is reviewing the applications together with the associated environmental impact assessment (EIA) report.

This notice also sets out the deadline for filing statements of concern on both of the applications. See the section below on how to file a statement of concern for filing dates.

## Description of the Applications

Benga has applied under section 10 of the *CCA* for a permit to develop a surface metallurgical coal mine site and under section 23 of the *CCA* for an approval to construct and operate a new coal processing plant. Benga has also submitted an EIA report, which forms part of the applications to the AER.

Benga's proposed project consists of a mine, with a mine life of about 24 years; a coal processing plant with associated infrastructure; an overland conveyor system, which would parallel an existing high-grade access corridor and connect to a rail load-out facility; and a new section of rail track.

The project would produce four million clean tonnes of metallurgical coal per year by 2021. Subject to regulatory approval, site construction is scheduled to begin in mid-2017. The project would be located in southwest Alberta near the Crowsnest Pass, about 7 kilometres north of the community of Blairmore, within Townships 8 and 9, Ranges 3 and 4, West of 5th Meridian.

## For a copy of the applications, contact

Benga Mining Limited  
PO Box 660  
12331 – 20 Avenue  
Blairmore, Alberta T0K 0E0  
Attention: Cal Clark  
Telephone: 403-753-5160  
E-mail: [Cal.Clark@rivresources.com](mailto:Cal.Clark@rivresources.com)

To receive a copy of the applications, EIA, and supporting documents, submit an information request, as outlined at [www1.aer.ca/ProductCatalogue/ordering.html](http://www1.aer.ca/ProductCatalogue/ordering.html), to

inquiries 1-855-297-8311  
24-hour  
emergency 1-800-222-6514

AER Order Fulfillment  
Suite 1000, 250 – 5 Street SW  
Calgary, Alberta T2P 0R4  
Telephone: 1-855-297-8311 (toll free; option 2)  
E-mail: [InformationRequest@aer.ca](mailto:InformationRequest@ aer.ca)

Refer to this notice when requesting information to expedite the response.

Copies of the applications will also be available at

Alberta Government Library  
44 Capital Boulevard  
11th Floor, 10044 – 108 Street  
Edmonton, Alberta T5J 5E6  
Telephone: 780-427-2985  
(toll free: 780-310-0000)

### **Requirement to File a Statement of Concern**

If you have concerns with these applications, you must file a statement of concern as described below. If you do not file a statement of concern, the AER may approve the applications without notifying you.

### **How to File a Statement of Concern**

For your submission to be considered a valid statement of concern, it must be filed before 4:00 p.m. on **January 4, 2016**. Send one copy of your statement of concern to Benga at the name and address above and one copy to

Authorizations Review & Coordination Team  
Alberta Energy Regulator  
Suite 1000, 250 – 5 Street SW  
Calgary, Alberta T2P 0R4  
Fax: 403-297-4117  
E-mail: [ARCTeam@aer.ca](mailto:ARCTeam@aer.ca)

## Contents of a Statement of Concern

inquiries 1-855-297-8311  
24-hour  
emergency 1-800-222-6514

For your submission to be considered a valid statement of concern, it must include

- a) why you believe that you may be directly and adversely affected by a decision of the AER on the applications;
- b) the nature of your objection to the applications;
- c) the outcome of the applications that you advocate;
- d) the location of your land, residence, or activity in relation to the location of the energy resource activity that is the subject of the applications; and
- e) your contact information, including your name, address in Alberta, telephone number, and e-mail address or, if you do not have an e-mail address, your fax number.

## Confidentiality

Section 49 of the *Alberta Energy Regulator Rules of Practice (Rules of Practice)* requires that all documents and information filed in a proceeding be placed on the public record. If you file a submission, you must not include any personal information that you do not want to appear on or are not authorized to put on the public record. Section 49(2) of the *Rules of Practice* states how to apply to the AER for an order to keep information confidential. The *Rules of Practice* is available on the AER website at [www.aer.ca](http://www.aer.ca).

## Jurisdiction

Submissions relating exclusively to compensation for land use are not dealt with by the AER and should be referred to the Alberta Surface Rights Board.

Under section 21 of the *Responsible Energy Development Act*, the AER does not have the jurisdiction to assess the adequacy of Crown consultation associated with the rights of aboriginal peoples as recognized and affirmed under the *Constitution Act, 1982*.

**For information on AER procedures**, contact Rushang Joshi, Authorizations, telephone 403-297-8494, fax: 403-297-5998, e-mail: [rushang.joshi@aer.ca](mailto:rushang.joshi@aer.ca).

Issued at Calgary, Alberta, on November 19, 2015.

ALBERTA ENERGY REGULATOR

Patricia M. Johnston, Q.C., General Counsel

**Grader Operations Cost Calculation**

Based on the average of existing graders cost per hour:

- Maintenance - \$11.70
- Fuel - \$17.60
- Operator - \$39.00
- Capital - \$42.50
- Total - \$110.80

Additional Operational costs include parts warehousing, mechanical shop - capital and operational cost, supervision and administrative costs.

Alberta Road Builders rate for graders is specific to the class of grader and is \$220.00 for a Caterpillar 160M. Then additional rates are added for plows, wings, rippers and GPS for example as indicated on their rate sheet (attached).

Base -	\$220.00
All Wheel Drive	\$ 11.00
Plow -	\$ 15.40
Wing -	\$ 11.72
Ripper -	\$24.72
GPS -	\$25.00
Total -	\$307.89

# MOTOR GRADERS

## CURRENT MODELS

More Motor Graders - Current Models on following page.

RATE PER HOUR	CASE	CAT	DRAGON	JOHN DEERE
GROUP 1 \$152.00	845 845B	120M 120M2	PY120G	
GROUP 2 \$184.00	865 865B 865B AWD	12M 12M3		670D, 670G 672D 672G
GROUP 3 \$202.00	885 885B 885B AWD	140M 140M3 143M	PY160G	770CH Cust 210 S11 770D, 770G 772D 772G
GROUP 4 \$220.00	57 59 061 062	063 064 065	160M 160M3	PY200G 870D 870G 872D 872G, 872GP
GROUP 5 \$245.00		14M	PY220G	
GROUP 6 \$288.00		16M		

53

For all-wheel drive machines - add 5%

### ATTACHMENTS:

- V-plow - add 7% = \$15.40
- Each wing - add 5% per wing = \$11.77
- Rear ripper - add 10% = 24.72
- Scarifier - add 5%
- GPS - add \$25 per hour

## MD OF PINCHER CREEK

NOVEMBER 27, 2015

---

TO: Wendy Kay, CAO

FROM: Leo Reedyk, Director of Operations

SUBJECT: POLICY 5.3.2.1. – FEES AND CHARGES – SNOW PLOWING

---

**1. Origin:**

The Municipal District clears snow on a priority basis including snow plowing on private property. Rates for snow plowing on private property are included in Policy 5.3.2.1.

**2. Background:**

The rates charged to residents who request the Municipal District plow snow on their private property are based on increments of 15 minutes, 30 minutes and additional hours of time. The rate includes the grader and the operator and has not been increased since the mid 1990's. Our current rate structure is:

- Up to 15 minutes                 \$80.00
- Up to ½ hour                     \$100.00
- Each additional Hour           Alberta Road Builders Rate plus 20%

We have typically had a rate that was near or above the Alberta Road Builders Rate to ensure we are not necessarily the lowest rate in the region and therefore in competition with local contractors. In 1998 the rate was \$120.00 per hour and today the Alberta Road Builders Rate is \$275.00. At 15 minutes the rate charges is slightly higher when multiplied but at ½ hour we are considerably lower.

To keep a consistent rate structure it is recommended that the rate for 15 minutes be maintained at \$80.00, the rate for up to ½ hour be increased to \$160.00 and the rate for full hours be maintained at Alberta Road Builders Rate plus 20%.

The number of residents using the service varies by year and the amount of snow fall.

2013	26@ ¼ hr	11@ ½ hr				
2014	36@ ¼ hr	8@ ½ hr	4@3/4 hr	2@ 1hr	1@ 1.5 hr	1@4hr
2015	12@ ¼ hr	3 @ ½ hr				

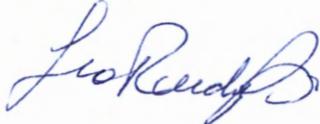
**3. Recommendation:**

THAT the report from the Director of Operations, dated November 27, 2015 regarding Policy 5.3.2.1. – Fees and Charges – Snow Plowing be received;

AND THAT Council authorize the revision to Policy 5.3.2.1. Fees and Charges – Snow Plowing Rates to:

- Up to 15 minutes                      \$80.00
- Up to ½ hour                              \$160.00
- Full Hour                                  Alberta Road Builders Rate plus 20%

Respectfully Submitted,



Leo Reedyk

Reviewed by: Wendy Kay, Chief Administrative Officer *W. Kay* Date: *December 2, 2015*

M.D. OF PINCHER CREEK NO. 9

POLICY 5.3.2.1.

---

FEEES AND CHARGES

SCHEDULE 1

All Items GST Extra Except

\* GST Included

\*\* GST Exempt

Approved by Council

Date: August 25, 2015

Revised by Council

Date:

---

**Administration**

**Assessment**

Appeals	Commercial	\$50.00 Parcel	**
	Farmland	\$20.00 Parcel	**
	Industrial	\$500.00 Parcel	**
	Residential	\$20.00 Parcel	**

Assessment Details	Taxpayer or Agent	No Charge	
	Non Taxpayer	\$10.00 per Parcel	

Assessment Roll Viewing	Taxpayer or Agent	No Charge	
	Non Taxpayer	\$10.00 per Parcel	

G.I.S.	Aerial Photography 8 1/2" X 11"	Taxpayer or Agent	\$2.50 each
		Non Taxpayer	\$5.00 each
	11" X 17"	Taxpayer or Agent	\$5.00 each
		Non Taxpayer	\$10.00 each
	Greater than 11" X 17"	Taxpayer or Agent	\$25.00 each
	Non Taxpayer	\$50.00 each	
	Digital	Taxpayer or Agent	\$5.00 per Section Plus \$30.00 per Hour Admin. Costs plus Media Costs
		Non Taxpayer	\$10.00 per Section plus \$30.00 per Hour Admin. Costs plus Media Costs

**M.D. OF PINCHER CREEK NO. 9**

**POLICY 5.3.2.1.**

**FEES AND CHARGES**

**SCHEDULE 1**

All Items GST Extra Except

\* GST Included

\*\* GST Exempt

**Approved by Council**

**Date: August 25, 2015**

**Revised by Council**

**Date:**

	Custom G.I.S. Work	Taxpayer or Agent	\$50.00 plus \$30.00 per Hour plus Media Costs
		Non Taxpayer	\$100.00 plus \$30.00 per Hour plus Media Costs
<b>Information Requests</b>	Less than 15 Minutes of Staff Time	Taxpayer or Agent Non Taxpayer	No Charge \$25.00
	Greater than 15 Minutes of Staff Time	Taxpayer or Agent  Non Taxpayer	\$25.00 plus \$25.00 per Hour After First Hour  \$50.00 plus \$25.00 per Hour After First Hour
<b>Leases</b>	M.D. Property	By Agreement	Varies
	Road Allowance	for Each ½ Mile or Less	\$20.00 year **
<b>Maps</b>	Paper Map	Museum	\$9.00 each *
		Picked Up	\$10.00 each *
		Folded and Mailed	\$12.50 each *
		Rolled and Mailed	\$25.00 each *
	Laminated Map	Picked Up	\$20.00 each *
		Rolled and Mailed	\$35.00 each *
	Map Books	Picked Up	\$20.00 each *
		Mailed	\$30.00 each *
Digital		\$10.00 plus Media Costs	

M.D. OF PINCHER CREEK NO. 9

POLICY 5.3.2.1.

---

**FEEES AND CHARGES**

**SCHEDULE 1**

All Items GST Extra Except

\* GST Included

\*\* GST Exempt

Approved by Council

Date: August 25, 2015

Revised by Council

Date:

---

**Photocopies**

Non-Profit Organizations at CAO's Discretion No Charge

M.D. Bylaw's \$0.25 per Page

Council/Committee Minutes Up to 6 Months Old One Set No Charge  
More than One Set \$0.50 per Page  
Minutes Older than 6 Months \$0.50 per Page

Miscellaneous Information \$0.25 per page

Complete Agenda Packages Current \$10.00 per Package  
Previous \$15.00 per Package

**Promotional Merchandise**

Lapel Pins \$2.00 each  
Caps \$20.00 each

Miscellaneous Merchandise Promotional Material Cost plus 20%

**Taxes**

Tax Certificates \$25.00 Parcel \*\*

Tax Notification Registration \$25.00 Parcel \*\*  
Applied to Tax Account

Tax Receipts Current Year Taxpayer or Agent No Charge  
Non Taxpayer Not for Sale  
Prior Years Taxpayer or Agent \$2.00 each  
Non Taxpayer Not for Sale

Tax Sale Fees and Charges Cost Recovery Plus  
\$25.00 Parcel \*\*  
Applied to Tax Account

---

**M.D. OF PINCHER CREEK NO. 9**

**POLICY 5.3.2.1.**

---

**FEES AND CHARGES**

**SCHEDULE 1**

**All Items GST Extra Except**

**\* GST Included**

**\*\* GST Exempt**

**Approved by Council**

**Date: August 25, 2015**

**Revised by Council**

**Date:**

---

**Agricultural and Environmental Services**

**Products**

Herbicide	Premix 2,4D/Banvel	\$10.00 10L Jug *
	Roundup	\$10.00 10L Jug *

**Rentals**

Live Skunk Traps	Returned Within a Month	No Charge
	Returned After One Month	\$60.00 each

**Livestock Equipment**

**Weekend Considered as One Day**

Electronic Scale	\$30.00 day Plus \$20.00 Damage Deposit **
------------------	---

Hoof Trimming Table	\$30.00 day Plus \$20.00 Damage Deposit **
---------------------	---

Loading Shute	\$30.00 day Plus \$20.00 Damage Deposit **
---------------	---

Panels	\$30.00 day Plus \$20.00 Damage Deposit **
--------	---

Squeeze	\$30.00 day Plus \$20.00 Damage Deposit **
---------	---

Solar Watering System	Demo Unit	\$150.00 Damage Deposit Only **
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**M.D. OF PINCHER CREEK NO. 9**

**POLICY 5.3.2.1.**

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**FEEES AND CHARGES**

**SCHEDULE 1**

**All Items GST Extra Except  
\* GST Included  
\*\* GST Exempt**

**Approved by Council**

**Date: August 25, 2015**

**Revised by Council**

**Date:**

---

<b>Services</b>	<b>Weed Spraying Equipment</b>	<b>Mule (side by side UTV)</b>	<b>\$100.00 per Hour</b>
		<b>Quad (ATV)</b>	<b>\$75.00 per Hour</b>
		<b>Roadside Sprayer</b>	<b>\$150.00 per Hour</b>
		<b>Small Boom Truck</b>	<b>\$125.00 per Hour</b>
		<b>Truck and Spot Sprayer</b>	<b>\$125.00 per Hour</b>

M.D. OF PINCHER CREEK NO. 9

POLICY 5.3.2.1.

---

FEES AND CHARGES

SCHEDULE 1

All Items GST Extra Except  
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Approved by Council

Date: August 25, 2015

Revised by Council

Date:

---

**Planning and Development**

**Publications**

Area Structure Plans	Burmis Lundbreck	\$20.00 each	*
	Castle Mountain Resort	\$20.00 each	*
	Oldman River Reservoir	\$20.00 each	*
Intermunicipal Development Plan		\$15.00 each	*
Land Use Bylaw		\$30.00 each	*
Municipal Development Plan		\$15.00 each	*

**Services**

Amendments	Area Structure Plans	\$600.00 each	**
	Intermunicipal Dev. Plan	\$600.00 each	**
	Land Use Bylaw	\$600.00 each	**
	Municipal Dev. Plan	\$600.00 each	**
Appeal Fees	Development	\$600.00 each	**
	Subdivision	\$600.00 each	**
Cash in Lieu of Land	Subdivision	Market Value of Land	
Compliance Certificates		\$50.00 each	**

**M.D. OF PINCHER CREEK NO. 9**

**POLICY 5.3.2.1.**

---

**FEEES AND CHARGES**

**SCHEDULE 1**

**All Items GST Extra Except**

**\* GST Included**

**\*\* GST Exempt**

**Approved by Council**

**Date: August 25, 2015**

**Revised by Council**

**Date:**

---

Development Permits	Permitted Use	\$100.00 each **
	Discretionary Use	\$150.00 each **
	WECS Category 1	\$100.00 per Titled Parcel **
	WECS Category 2	\$200.00 per Titled Parcel **
	WECS Category 3	\$500.00 per Titled Parcel **
	MET Towers	\$100.00 each **
	After Development Commences	Double Regular Fee **
Rezoning/Redesignation	Fee	\$600.00 each **
Road Closures	Application	\$600.00 each **

M.D. OF PINCHER CREEK NO. 9

POLICY 5.3.2.1.

---

**FEEES AND CHARGES**

**SCHEDULE 1**

All Items GST Extra Except  
\* GST Included  
\*\* GST Exempt

Approved by Council

Date: August 25, 2015

Revised by Council

Date:

---

**Public Works**

<b>Services</b>	Grader Work	Roads and Driveways	Alberta Road Builders Rate plus 20%
	Oil, Gas and Seismic Activities	Approaches Pipeline Crossings Seismic Approvals Rig Moves – Pre Inspec. Rig Moves – Post Inspec.	\$200.00 each \$200.00 each \$200.00 each \$450.00 each \$450.00 each
	Snow Plowing	Up To 15 Minutes Up to ½ Hour Each Additional Hour	\$80.00 \$160.00 (Dec. 2015) Alberta Road Builders Rate plus 20%
<b>Products</b>	Dust Control	Individual Taxpayers Corporations	\$250.00 per 100 Meters \$700.00 per 100 Meters
	¾" Crushed Gravel	Taxpayer or Agent Non Taxpayer	Cost Plus 20% Plus \$0.50 Yard if MD Loaded Council Resolution
	Pit Run Gravel	Taxpayer or Agent Non Taxpayer	Cost Plus 20% Plus \$0.50 Yard if MD Loaded Council Resolution
	Water Standpipe	Cowley Pincher Creek	\$1.00 100 gallons ** \$1.00 100 gallons **

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## Director of Operations Report December 17, 2015

### **Operations Activity Includes:**

- December 2, Team Building Workshop;
- December 4-12, Holiday;

### **Agricultural and Environmental Services Activity Includes:**

- November 30 – December 4, In Service Training;
- Finalize 2015 billing;
- Year-end inventory;
- December 15 - OWC – Watershed Legacy Program meeting in Lethbridge.

### **Public Works Activity Includes:**

- Burmis Lake bridge weight restriction – residents have been notified, emergency services have been notified. Waiting on design.
- Lank Bridge – heavy trucks from Hwy 22 have been using this road as a detour. We have put up signs to direct them down Snake Trail, but maybe we should be turning away the traffic.
- Plowing snow as required;
- Permanent snow fence done at Cambell's, currently working on Gladstone;
- Bridge inspections;
- New plow truck has arrived, getting it set up for work;
- Gravel piles surveyed for audit
- Sign install.

### **Upcoming:**

- December 22, Regular Council Meeting;
- December 24 - January 4 Office closure;
- January 7, Workplace Health and Safety Meeting.

### **Project Update:**

- 2013 Disaster Recovery Projects
  - Satoris Road – Awaiting AEP approval for road realignment.
- 2014 Disaster Recovery Projects
  - Oldman River/Lank Bridge Armour –DRP assessment tour completed.
- Community Resilience Program
  - Regional Water System Intake Relocation – detailed design underway.

- Capital Projects
  - RR 29-5 (Bill Cyr Road) – Construction completed;
  - TR 8-4 (Paradien Hill) –Completed for 2015;
  - North Burmis Road Intersection – Land acquisition complete, environmental permitting received;
  - Maycroft Road Right of Way – Land acquisition complete;
  - Summerview Bridge – Contractor retained, construction to start late November;
  - Beaver Mines Fire Hall, report to be completed week of December 21.

**Call Logs – attached.**

**Recommendation:**

That the Operations report for the period December 1, 2015 to December 17, 2015 be received as information.

---

Prepared by: Leo Reedyk



Date: December 17, 2015

Reviewed by: Wendy Kay



Date: December 17, 2015

Submitted to: Council

Date: December 22, 2015

## PUBLIC WORKS

WORK ORDER	DIVISION	LOCATION	CONCERN/REQUEST	ASSIGNED TO	ACTION TAKEN	REQUEST DATE	COMPLETION DATE
387	Division 3	Airport	Ag Service sign is down & grass to be cut	Stu Weber	Completed	2015-05-06	2015-12-09
423	Airport		Sign at entrance needs repair/replased	Don Jackson	Completed	2015-06-05	2015-12-10
426	Division 3	SE6 T7 R1 W5	Put yield or stop sign on corner	Don Jackson	Locate needs to be installed	2015-06-10	
428	Division 3	RR1-2	Repair permanent snowfence	Arnold Nelson	On list after Gladstone	2015-06-11	
443		RR30-2 TWP 5-2A	Sign installation	Arnold Nelson	Completed	2015-06-30	2015-12-11
457	Division 5	Burmis Lake	Guardrail on Bridge needs repair	Bob Millar	To be done with Bridge repair	2015-07-30	
477	Division 5	NE11 T7 R2 W5	RR2 Twp 70-2 Culvert needs cleaning	Stu Weber	Inspected & Culvert to be replaced in Spring 2016	2015-08-25	
482	Division 5	SE/SW36 t7 R3 W5	Site Sign #3017 down & needs replacing	Don Jackson	Sign on Order	2015-09-02	
485	Division 1	SW20 T3 R29 W4	Needs Culvert extended	Arnold Nelson	additional approach at cost now needed and waiting their decision	2015-09-03	
487	Division 3	TWP7-0 W.Hwy507	Old Fir Grove Road Signage needs upgrading	Stu Weber	Inspected and signage is sufficient / Completed	2015-09-03	2015-12-11
488	Division 1	SE2 T5 R30 W4	Roads & Culvert in question RQ-Stu	Stu Weber	Deferred to summer 2016 Many big rocks/Fish Lake Rd	2015-09-03	
513	Division 1	SW6 T5 R29 W4	Willows along access road need to be cut	Arnold Nelson	Not operational concern Deferred -Jan/Feb when brushing crew is Mobile	2015-11-06	
514	Division 5	NW21 T9 R2 W5	Culvert adjacent to his approach is damaged	Arnold Nelson	Minor damage on end/still functional/to be done next time welder is out	2015-11-06	
515	Division 5	SE16 T8 R1 W5	Would like Texas Gate removed	Arnold Nelson	Defered Til Spring 2016 Action has been taken	2015-11-06	
518	Lundbreck		Sign down just east of Lundbreck on Hwy 3A by Ozar's	Arnold Nelson	Work in Progress	2015-11-16	
519	Lundbreck		Alley behind 119 Wood Avenue needs to be looked at	Arnold Nelson	Work in Progress	2015-11-17	
	Lundbreck		ND snow removal by Hall & assist in unloading SeaCan Also sand Oakly Drive cul de sac		Completed	2015-12-01	2015-12-04
	Twin Butte	TWP 4A	Concerns about road b eing used by Actic Arrow being when it thaws		Checked & Completed	2015-12-04	2015-12-04

## MD OF PINCHER CREEK

December 16, 2015

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TO: Reeve and Council  
FROM: Roland Milligan, Director of Development and Community Services  
SUBJECT: **Proposed Land Use Bylaw Amendment No. 1265-15, NE 15-5-1 W5M**

---

**1. Origin**

- On October 20, 2015, landowner Tom Liscombe (the Applicant) submitted an application (Enclosure No. 1) for an amendment to Land Use Bylaw No. 1180-08 (the LUB).
- The application proposes to redesignate a portion of the NE 15-5-1 W5M from the Agriculture land use district to the Rural Recreation 1 district.
- Bylaw No. 1265-15 is enclosed (Enclosure No. 2).

**2. Background/Comment**

- The reason behind the redesignation is to allow the landowner to apply for a seasonal children's wilderness camp use on a portion of the NE 15-5-1 W5M.
- A similar use, summer children's camp, took place on the parcel to the north of this one two years ago. There were no permits in place for the camp.
- The applicant purchased that parcel last year and subsequently applied for a development permit to hold the same summer camp.
- The application for the camp was approved at the Municipal Planning Commission (MPC) meeting of June 2, 2015.
- An appeal was made on the MPC's decision and on July 23, 2015 the Subdivision and Development Appeal Board issued their decision, thereby overturning the MPC's decision.
- The two reasons that the SDAB stated for their decision are;
  - o That the use that was applied for best meets the definition of Commercial / Private Recreation as defined in the LUB.
  - o Commercial / Private Recreation is not listed as either a permitted or discretionary use with the Agriculture – A land use district.
- In the Agriculture – A land use district, only an existing commercial / private recreation use is listed, not a new one.
- The only land use district that lists Commercial / Private Recreation as a use on private land is Rural Recreation 1 – RR1.
- If the applicant wishes to apply for a development permit for a summer children's wilderness camp, the RR-1 land use district is the only one that the LUB allows or sees as being considered.
- The intent of the Rural Recreation 1 (RR-1) district is to facilitate the development of commercial / private recreation uses at selective locations within the municipal district. Land contained within this district shall be developed in a sensitive fashion to limit or

avoid compromising the municipality's natural attributes, natural aesthetics, and important scenic vistas.

**Recommendation No. 1**

- That Council give first reading to Bylaw No. 1265-15 and set a date for the required public hearing.

Respectfully Submitted,

Roland Milligan

Enclosure(s): 1) Application to Amend the LUB  
2) Bylaw No. 1265-15

Reviewed by: Wendy Kay, CAO



December 16, 2015

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
BYLAW NO. 1265-15**

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9 IN THE PROVINCE OF ALBERTA, TO AMEND BYLAW NO. 1140-08, BEING THE LAND USE BYLAW

---

**WHEREAS** Section 639 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw; and

**WHEREAS** the Municipal District of Pincher Creek No. 9 is in receipt of a request to amend the land use designation of lands legally described as:

A portion of the NE 15-5-1 W5M;

And as shown on Schedule ‘A’ attached hereto, from “Agriculture- A” to “Rural Recreation 1 – RR-1”; and

**WHEREAS** Council recognizes that the “Rural Recreation 1 – RR-1” designation is appropriate for a site developed as a youth camp development; and

**WHEREAS** the purpose of the proposed amendment is to allow for the establishment of a commercial/private recreational use.

**NOW THEREFORE**, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby ENACT THE FOLLOWING:

1. This bylaw shall be cited as “Land Use Bylaw Amendment No. 1265-15”.
2. Amendments to Land Use Bylaw No. 1140-08 as per “Schedule A” attached.
3. This bylaw shall come into force and effect upon third and final passing thereof.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

A PUBLIC HEARING was held this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

READ a third time and finally PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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*Reeve – Brian Hammond*

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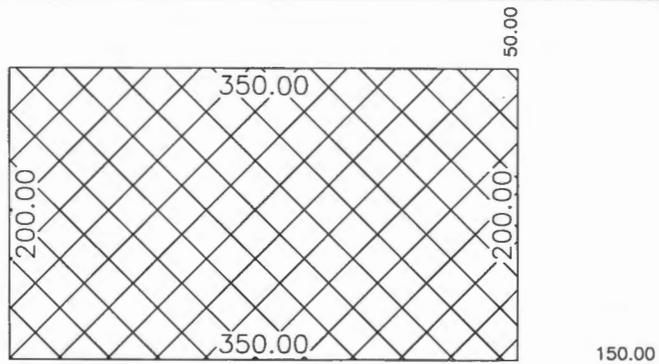
*Chief Administrative Officer - Wendy Kay*

Attachment  
- “Schedule A”

SW22

SE22 5-1-5

SW23



NW15 5-1-5

1<sup>3</sup>  
1512259

NW14 5-1-5

1<sup>2</sup>  
1512257

SW15

SE15 5-1-5

ACCESS R/W (1313400)

SW14

# LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: Agriculture 'A'

TO: Rural Recreation 1 'RR-1'

PORTION OF LOT 3, BLOCK 1, PLAN 1512259 WITHIN

SE 1/4 SEC 15, TWP 5, RGE 1, W 5 M

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9

DATE: DECEMBER 4, 2015

Bylaw #: 1265-15

Date: \_\_\_\_\_



0 100 200 300 400  
Metres

MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344

"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



Municipal District of Pincher Creek  
 P.O. Box 279  
 Pincher Creek, AB T0K 1W0  
 Phone: 403.627.3130 • Fax: 403.627.5070

**APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW**

PERMIT FEE \$600.00

RECEIPT NO. 240A7

I/We hereby make application to amend the Land Use Bylaw.

Applicant: THOMAS J. LISCOMBE

Address: BOX 908 P.C. AB T0K1W0 Telephone: 403-627-4490

Owner of Land (if different from above): SAME

Address: \_\_\_\_\_ Telephone: CELL 403-627-8066

Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan \_\_\_\_\_  
 or Certificate of Title \_\_\_\_\_

Quarter NE Township 15 Range 5 Meridian 1 W 5

**AMENDMENT PROPOSED**

From: 3 to 5 ACRES FROM AG 1 FOR SEASONAL

To: 3 to 5 ACRES FOR SEASONAL CHILDREN'S WILDERNESS RURAL RECREATION 1 - R21 CAMP

**REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT**

- ① - EASY TO ROTATE LIVESTOCK TO OTHER PARTS OF RANCH FOR SHORT TIME PERIOD
- ② - MINIMUM IMPACT
- ③ - HISTORICAL SUPPORT OF THIS CAMP FOR +20 YEARS

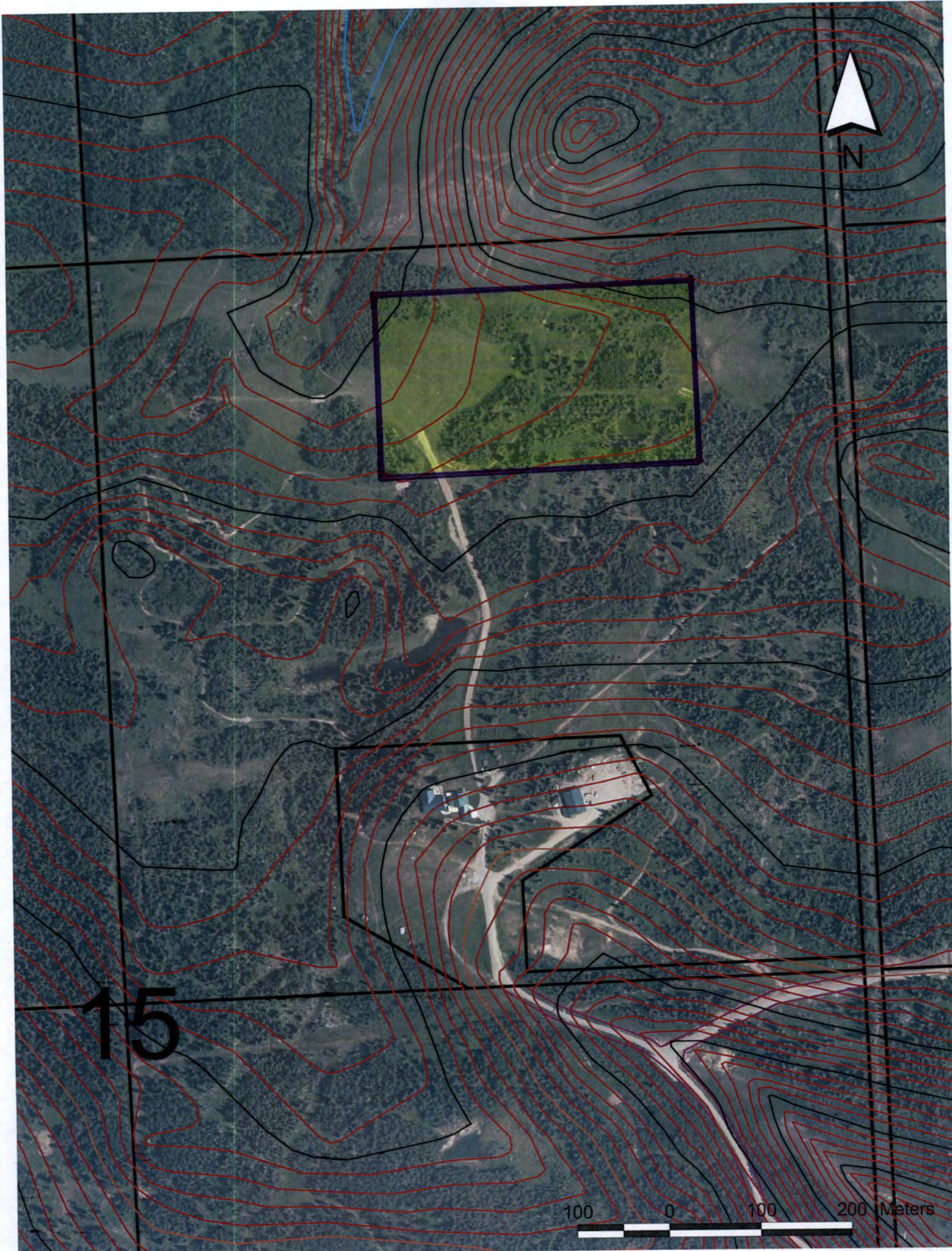
I/We enclose \$ 600.00 being the application fee.

DATE: OCT 20 / 2015

THOMAS J. LISCOMBE  
 Applicant

Registered Owner

Information on this application form will become part of a file which will be considered at a public meeting.



13. The MGA, section 687 (3) stipulates, *In determining an appeal, the subdivision and development appeal board (a) must act in accordance with any applicable ALSA regional plan; (a.1) must comply with the land use policies and statutory plans and, subject to clause (d), the land use bylaw in effect; (b) must have regard to but is not bound by the subdivision and development regulations; (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own; (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion, (i) the proposed development would not (A) unduly interfere with the amenities of the neighbourhood, or (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.*

Having regard to the findings of fact, and having regard for statutory plans, Land Use Policies and Land Use Bylaw No. 1140-08 and the Subdivision and Development Regulation, the Subdivision and Development Appeal Board makes the following decision, that Development Application No. 2015-30 be **REFUSED** for the following reasons:

**REASONS:**

THAT the Subdivision and Development Appeal Board encompasses the findings of fact within these reasons, and as a result:

1. The Board has determined from the information provided in the development application, the exhibits submitted for the hearing and oral presentations at the appeal hearing that the use as applied for **best meets the definition of Commercial/Private Recreation as defined in LUB No. 1140-08, Definitions, Section 6.30.** The Board is of the opinion that the evidence demonstrated that use was to occur on privately owned or leased land where the public was admitted for recreational purposes.
2. **Commercial/Private Recreation is not listed as either a permitted or discretionary use in the Agriculture – A land use district,** and as such, the Board is bound by Section 687 of the Municipal Government Act, which states the proposed development conform with the use prescribed for that land or building in the land use bylaw. On this basis, the Board finds that it has no authority to approve the development permit application as applied for.

**INFORMATIVE:**

1. The Board recommends that the Municipal District of Pincher Creek No. 26 consider a general review of their public consultation process as it pertains to the development application process to address the concerns raised by the adjacent and/or affected landowners in their submissions to the Subdivision and Development Appeal Board.

FROM SDAB DECISION July 23/2015  
ON DP 2015-30 APPEAL

## RURAL RECREATION 1 – RR-1

### 1. INTENT

The intent of the Rural Recreation 1 (RR-1) district is to facilitate the development of commercial / private recreation uses at selective locations within the municipal district. Land contained within this district shall be developed in a sensitive fashion to limit or avoid compromising the municipality's natural attributes, natural aesthetics, and important scenic vistas.

### 2. USES

#### 2.1 Permitted Uses

Accessory buildings and uses (see Section 32)  
Campground (see Sections 44.11 - 44.15)

#### 2.2 Discretionary Uses

Bed and breakfast facility (see Section 43.13 - 43.16)  
Commercial / Private recreation  
Country inn (see Section 44.4 - 44.10)  
Dwelling or sleeping unit as an accessory use  
Modular home as an accessory use  
Recreation facility as an accessory use  
Recreation vehicle park  
Restaurant as an accessory use  
Retail store as an accessory use  
Sign (see Section 51)  
Single-detached residence as an accessory use

### 3. MINIMUM LOT SIZE

Minimum lot dimensions shall be to the satisfaction of the MPC.

### 4. MINIMUM SETBACK REQUIREMENTS – All Buildings

Setbacks from public roadways:	50 m (164 ft.)
All other property lines:	7.5 m (24.6 ft.)
Municipal roads:	50 m (164 ft.) (if applicable)
Provincial highways:	Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted
Railways	
(application: dwelling or sleeping units):	40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location
Multi-lot Heavy Rural Industrial District	
(application: dwelling or sleeping units):	300 m (984 ft.)

**Note:** Setbacks can be waived by the MPC if they meet the generally accepted rules of waivers as outlined in Section 16.19.

**5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES**

See Sections 31, 40 and 41.

**6. MAXIMUM BUILDING HEIGHT**

8.5 m (27.9 ft.)

**7. ARCHITECTURAL CONTROL**

The Development Authority may require that the exterior of any building, development, or structure, including accessory buildings and structures shall be finished in unobtrusive natural earth-tone colours.

**8. REFUSE SCREENING AND STORAGE**

8.1 Refuse and garbage shall be kept in suitably-sized containers and it shall be effectively screened until such time as collection or disposal is possible.

8.2 As a condition of approval, the refuse containers may be required to be bear-proof.

**9. SPECIAL PROVISIONS**

The commercial private recreation use located on Parcel "A", SW¼-36-7-1-W5M commonly known as the Canadian Wilderness Recreation (CWR) Boat Club Society may be allowed to undertake the year-round storage of recreational vehicles (RVs) and related vehicles (i.e. boats) on individual sites.

**10. OFF-STREET PARKING AND LOADING REQUIREMENTS**

See Section 52, Off-Street Parking and Loading Requirements.

- 6.24 Bulk Fuel Station  
Development for storing and distributing petroleum products in bulk quantities. This use includes supplementary tanker vehicle storage and card lock or key lock fuel distribution facilities. "Service station" and "Truck stop" are separate uses.
- 6.25 Campground  
An area of commercial campsites which are used, or are intended to be used, by holiday trailers, motor homes, tents, campers, or similar recreational vehicles for a period of up to 30 days.
- 6.26 Caretaker Suite  
See Secondary Suites.
- 6.27 Cemetery  
Development of land primarily as landscaped open space for the placement of gravesites. Chapels, crematoria, and related facilities may be incorporated as accessory uses.
- 6.28 Child Care Service  
Development providing provincially approved care or education, without overnight accommodation, for seven (7) or more children at one time. Examples include day care centres, nursery schools, kindergartens and play schools but "Group home" is a separate use.
- 6.29 Club or Fraternal Organization or Association  
Development for the assembly of members of non-profit clubs or organizations, including charitable, social service, ethnic, athletic, business or fraternal organizations. This use may include eating, drinking, entertainment, sports, recreation and amusement facilities as accessory uses but "Campground" is a separate use.
- 6.30 Commercial / Private Recreation  
The recreational use of land or a building on privately owned or leased property where the public is admitted or where admission is limited to members of a club, organization, or association.
- 6.31 Conceptual Design or Conceptual Plan  
A design or plan that relates a subdivision or a development to future subdivision and development of adjacent areas.
- 6.32 Construction/Field/Work Camp  
Temporary development consisting of buildings, works, plants or machinery that are needed to construct a development where the camp contains one or more dwellings or sleeping units for the accommodation of the residents of the camp.

December 14<sup>th</sup>, 2015

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TO: Reeve and Council

FROM: Mat Bonertz, Director of Finance and Administration

SUBJECT: 2016 FCSS Funding Agreement with Province

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### 1. Origin

Council has participated in the Family and Community Support Services (FCSS) program with the Town of Pincher Creek and the Village of Cowley since the program was started. A new contract must be signed each year with the Province.

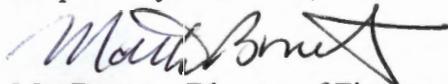
### Background/Comment

The contract for 2016 has a funding commitment increase from 2015. The M.D.'s commitment is \$26,703.00 (\$23,920 in 2016 budget) and the Province agrees to fund \$106,811.00 (\$95,690 in 2016 budget) for a total M.D. allocation into the FCSS program of \$133,514.00 in 2016. The 2016 budget anticipated a funding increase from the Province but is still short \$2,783.00. As the Province puts \$4.00 into the program for each \$1.00 the M.D. contributes it makes sense for the M.D. to fund the program at the maximum level.

### 3. Recommendation

That Council participates in the 2016 FCSS program and approves the C.A.O. electronically signing the 2016 FCSS contract on behalf of the Municipality.

Respectfully Submitted,



Mat Bonertz, Director of Finance and Administration

Reviewed By: Wendy Kay, CAO



Date: December 16<sup>th</sup>, 2015



NEW

## Family and Community Support Services

### Funding Agreement

JANUARY 1 - DECEMBER 31, 2016

**BETWEEN:**

**HER MAJESTY THE QUEEN in RIGHT OF ALBERTA**

as represented by the Minister of Human Services  
("the Minister")

AND

M.D. OF PINCHER CREEK NO. 9, whose address is  
Box 279  
Pincher Creek, Alberta T0K 1W0  
("the Municipality")

The Minister and Municipality agree as follows:

1. Subject to appropriation by the Legislature of Alberta, the Minister shall pay the Municipality the committed provincial contribution of \$106,811 to establish, administer, and operate the program referred to in paragraph 2 of the Agreement.
2. The Municipality shall:
  - (a) provide for the establishment, administration, and operation of a Family and Community Support Services Program ("the Program") in accordance with the Family and Community Support Services Act and Regulation;
  - (b) use the total amount of \$133,514 including a required municipal contribution of at least \$26,703 to deliver the Program;
  - (c) if approved by the Minister, carry-over to the next year any provincial funds unused when this agreement ends. Deferred surplus must be expended and included in the financial report submitted by the municipality for the year following the year in which the agreement ends;
  - (d) prepare and submit Program and financial information required under the Act, within 120 days of the end of the Municipality's fiscal year, or if the agreement with the Minister is terminated, within a period of time determined by the Minister;
  - (e) ensure that required program and financial information is collected, maintained, used, and disclosed in accordance with the provisions of the Freedom of Information and Protection of Privacy Act; and records identified as necessary under the Act must be kept for a period of five years, in accordance with the retention schedule under which the Ministry operates.

3. The Minister shall pay the Municipality an advance of one-fourth of the total payable under this Agreement in January, April, July, and October, 2016.
4. If a disagreement arises between the parties regarding the expenditure of funding under the Act, the decision of the Minister to resolve the disagreement shall be final and conclusive.
5. (a) If in the opinion of the Minister, a Municipality's program fails to meet the requirements of the Family and Community Support Services Regulation  
or  
(b) if the financial report of the Municipality
  - (i) has not been submitted to the Minister within 120 days of the end of the Municipality's fiscal year,
  - (ii) does not meet the requirements of the Family and Community Support Services Regulation, or
  - (iii) shows that the Municipality has wrongfully used funds provided to it under the Act,the Minister may withhold amounts of funding under any new agreement or require the Municipality to repay the amounts of funding that in the opinion of the Minister are equivalent to the value of the program components not met or the funds wrongfully used.
6. Where 2 or more municipalities have entered into an agreement to provide joint family and community support services programs, the Municipality represents that pursuant to the agreement with the other municipalities, it has the authority to agree to the terms of this Agreement on their behalf.
7. This Agreement commences on January 1, 2016 and ends on December 31, 2016.
8. This Agreement may be terminated:
  - (a) at any time by mutual agreement of the parties;
  - (b) by either party for any reason by providing 6 months written notice to the other party.
9. If this Agreement is terminated for any reason, the Municipality's obligations under clauses 2(c), (d), and (e) and clauses 5(a) and (b) continue.

The Municipality has signed this Agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

The Minister has signed this Agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signatures (Affix municipal corporate seal if applicable):



which represents 20% of the Total Sum)

# CHIEF ADMINISTRATIVE OFFICER'S REPORT

E4a

December 4, 2015 to December 17, 2015

## DISCUSSION:

- December 5, 2015 Christmas Social
- December 6, 2015 Emergency Operations Centre
- December 8, 2015 Policies and Plans
- December 8, 2015 Regular Council
- December 9, 2015 Auditors
- December 10, 2015 Emergency Management
- December 10, 2015 AHS Webinar
- December 10, 2015 AHS
- December 17, 2015 Emergency Management Plan

## UPCOMING:

- December 22, 2015 Policies and Plans
- December 22, 2015 AHS Quarterly Meeting
- December 22, 2015 Regular Council
- December 24, 2015 to January 4, 2016 Office and Public Works Closed
- January 5, 2016 Subdivision Authority
- January 5, 2016 Municipal Planning Commission
- January 7, 2016 EMS
- January 12, 2016 Policies and Plans
- January 12, 2016 Regular Council
- January 18, 2016 Strategic Planning
- January 19, 2016 Joint Council – Crowsnest Pass

## OTHER

## RECOMMENDATION:

That Council receive for information, the Chief Administrative Officer's report for the period of December 4, 2015 to December 17, 2015.

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Prepared by: CAO, Wendy Kay Date: December 16, 2015

Presented to: Council Date: December 22, 2015

### Administration Call Log

	Division	Location	Concern / Request	Assigned To	Action Taken	Request Date	Completion Date
19	5	Hwy #3	Old used equipment For Sale on the side of the road.	Roland Milligan	Equipment to be moved within a month. Only one piece of equipment remains.	July 10, 2015	
26	5	#404 Breckenridge Ave Lundbreck	Concern with his neighbours sump pump draining onto his property.	Leo Reedyk & Roland Milligan		August 7, 2015	
27	3	NW 16-7-1 W5	Appears to be several vehicles stored on the parcel.	Roland Milligan	Registered Letter sent November 30, 2015. Renter of parcel contacted Roland on December 7, 2015. All vehicles are registered except 2; these will be moved promptly.	August 30, 2015	
	5	Lundbreck	Dogs at large and threatening residents.	Roland Milligan	Rodney LeGrow and Kerry Smyke have been notified	December 14, 2015	December 14, 2015

**Tara Cryderman**

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**From:** Wendy Kay  
**Sent:** Wednesday, December 9, 2015 2:14 PM  
**To:** Tara Cryderman  
**Subject:** FW: Funding request from Livingstone School Sports Booster Club  
**Attachments:** Livingstone donation letter pg1.docx; Livingstone donation letter page 2.docx

Council Correspondence - Action

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**From:** MDInfo  
**Sent:** Wednesday, December 9, 2015 2:05 PM  
**To:** Wendy Kay <wkay@mdpincercreek.ab.ca>  
**Subject:** FW: Funding request from Livingstone School Sports Booster Club

Council - Action

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**From:** [Karina.Cail@shell.com](mailto:Karina.Cail@shell.com) [<mailto:Karina.Cail@shell.com>]  
**Sent:** Wednesday, December 9, 2015 1:31 PM  
**To:** MDInfo <[MDInfo@mdpincercreek.ab.ca](mailto:MDInfo@mdpincercreek.ab.ca)>  
**Subject:** Funding request from Livingstone School Sports Booster Club

Good Afternoon,

I am sending this email on behalf of the Livingstone School Sports Booster Club 1A Provincials Basketball Fundraising team to be address to Wendy Kay.

Hello Wendy,

Paul Erickson was talking to Terry Yagos and asked me to send this document to you.

Thanks

Karina Cail



Livingstone School,  
Box 98,  
Lundbreck, AB  
TOK IHO  
Phone: 403 628 3897  
Fax: 403 628 2559  
Email: s-livingstone@lrsd.ab.ca

Dear Corporate Sponsors,

Livingstone School (a small K-12 rural School in Lundbreck, Alberta) is pleased to announce that they have been selected to host the Provincial IA Boys Basketball Championship. The tournament will take place from March 17<sup>th</sup>-19<sup>th</sup> 2016 at Matthew Halton High School, Pincher Creek. This three day event will bring approximately 150 athletes as well as their coaches and parents to our community. This in turn will make a positive financial impact on Pincher Creek and area.

Livingstone School is proud of the long tradition of excellence in academics, athletics, and the arts. Our School focuses on creating and nurturing student success through caring and supportive relationships. Strong community support and a wealth of volunteer involvement contribute to our school's safe and welcoming environment.

We are approaching you today to seek your support of the Livingstone School Sports Booster's Provincial IA Boys Basketball Championship campaign with a donation of the following:-

**BRONZE**

**SILVER**

**GOLD**

**\$25-\$100**

**\$100-\$200**

**\$200+**

Thank-you, your donations will be greatly appreciated.

Sincerely,

Livingstone Sports Booster Club

CORPORATE  
SPONSORSHIP  
DRIVE  
2015-2016

Corporation Name \_\_\_\_\_

Donation Level      circle:   GOLD   SILVER   BRONZE

Donation Amount \_\_\_\_\_

Mailing Address \_\_\_\_\_

Contact \_\_\_\_\_

please    return this form and donation to Livingstone Sports Booster Club before October 31, 2015



CORPORATE  
SPONSORSHIP  
DRIVE  
2015-2016

Corporation Name \_\_\_\_\_

Donation Level      circle:   GOLD   SILVER   BRONZE

Donation Amount \_\_\_\_\_

Mailing Address \_\_\_\_\_

Contact \_\_\_\_\_

please    return this form and donation to Livingstone Sports Booster Club before October 31, 2015

## Tara Cryderman

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**From:** Wendy Kay  
**Sent:** Monday, December 7, 2015 2:18 PM  
**To:** Tara Cryderman  
**Cc:** Roland Milligan  
**Subject:** FW: Grassy Mountain Coal Project Application  
**Attachments:** Benga\_Notice of Application\_20151119.pdf

Council Correspondence – For Info

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**From:** Keith Bott [mailto:Keith.Bott@rivresources.com]  
**Sent:** Monday, December 7, 2015 12:49 PM  
**To:** Keith Bott <Keith.Bott@rivresources.com>  
**Subject:** Grassy Mountain Coal Project Application

**RE: Application under the *Canadian Environmental Assessment Act 2012, Alberta Coal Conservation Act and Alberta Environmental Protection & Enhancement Act* for the Benga Mining Ltd. – Grassy Mountain Coal Project**

Benga Mining Limited (Benga), a wholly owned subsidiary of Riversdale Resources Limited, has filed an application to develop a four million clean tonnes per year metallurgical coal mine, referred to as the Grassy Mountain Coal Project (the Project). Benga has filed a joint application to the Canadian Environmental Assessment Agency (CEAA) and Alberta Energy Regulatory (AER) for the Project.

Benga has applied to CEAA for the following:

- an approval under the *Canadian Environmental Assessment Act 2012* (CEAA File #80101)

Benga has applied to the AER for the following:

- a Mine Permit under the Coal Conservation Act (CCA) (Part D Development, Operation and Abandonment of Mines, Section 10(1) (b)) (AER application #1844520) that will allow Benga to prepare applications for approval to mine coal at the Project; and
- approval for a new coal processing plant under the *Coal Conservation Act* (CCA), Section 23(1)(a) (AER application #1844522).

This submission contains the Technical Application and the accompanying Environmental Impact Assessment (EIA), which addresses the technical, environmental and social aspects of the proposed Project. It has been prepared in accordance with Section 19 of the Canadian Environmental Assessment Act 2012 (CEAA 2012) and the Guidelines for the Preparation of an Environmental Impact Statement pursuant to CEAA 2012, issued July 6, 2015. It has also been prepared in accordance with Section 48 of the EPEA and the final terms of reference (FToR) issued by the AER on March 19, 2015

Links:

CEAA  
<http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80101>

AER

<http://portal.aer.ca/portal/site/pnoa/menuitem.8f9e6aa9cc7e9c7eee05e463222a10a0/?appNumber=1844520>

**Statements of Concern (SOC) regarding an AER decision in support of or against the Project may be submitted to the AER by January 4, 2016.** Further details are available on the AER and CEAA websites (see attached Notification).

Keith Bott  
Community Liaison



PO Box 660  
12331 20th Ave  
Blairmore AB T0K 0E0  
Canada  
Cell: (403) 563 7749  
Bus: (403) 753 5160  
[keith.bott@rivresources.com](mailto:keith.bott@rivresources.com)

# Notice of Application

**Applications No. 1844520 and 1844522  
Benga Mining Limited  
Grassy Mountain Coal Project**

The Alberta Energy Regulator (AER) has received *Coal Conservation Act (CCA)* Applications No. 1844520 and 1844522 from Benga Mining Limited (Benga) for approval of its Grassy Mountain Coal Project. The AER is reviewing the applications together with the associated environmental impact assessment (EIA) report.

This notice also sets out the deadline for filing statements of concern on both of the applications. See the section below on how to file a statement of concern for filing dates.

## Description of the Applications

Benga has applied under section 10 of the *CCA* for a permit to develop a surface metallurgical coal mine site and under section 23 of the *CCA* for an approval to construct and operate a new coal processing plant. Benga has also submitted an EIA report, which forms part of the applications to the AER.

Benga's proposed project consists of a mine, with a mine life of about 24 years; a coal processing plant with associated infrastructure; an overland conveyor system, which would parallel an existing high-grade access corridor and connect to a rail load-out facility; and a new section of rail track.

The project would produce four million clean tonnes of metallurgical coal per year by 2021. Subject to regulatory approval, site construction is scheduled to begin in mid-2017. The project would be located in southwest Alberta near the Crowsnest Pass, about 7 kilometres north of the community of Blairmore, within Townships 8 and 9, Ranges 3 and 4, West of 5th Meridian.

## For a copy of the applications, contact

Benga Mining Limited  
PO Box 660  
12331 – 20 Avenue  
Blairmore, Alberta T0K 0E0  
Attention: Cal Clark  
Telephone: 403-753-5160  
E-mail: [Cal.Clark@rivresources.com](mailto:Cal.Clark@rivresources.com)

**To receive a copy of the applications, EIA, and supporting documents**, submit an information request, as outlined at [www1.aer.ca/ProductCatalogue/ordering.html](http://www1.aer.ca/ProductCatalogue/ordering.html), to

inquiries 1-855-297-8311  
24-hour  
emergency 1-800-222-6514

AER Order Fulfillment  
Suite 1000, 250 – 5 Street SW  
Calgary, Alberta T2P 0R4  
Telephone: 1-855-297-8311 (toll free; option 2)  
E-mail: [InformationRequest@aer.ca](mailto:InformationRequest@aer.ca)

Refer to this notice when requesting information to expedite the response.

Copies of the applications will also be available at

Alberta Government Library  
44 Capital Boulevard  
11th Floor, 10044 – 108 Street  
Edmonton, Alberta T5J 5E6  
Telephone: 780-427-2985  
(toll free: 780-310-0000)

### **Requirement to File a Statement of Concern**

If you have concerns with these applications, you must file a statement of concern as described below. If you do not file a statement of concern, the AER may approve the applications without notifying you.

### **How to File a Statement of Concern**

For your submission to be considered a valid statement of concern, it must be filed before 4:00 p.m. on **January 4, 2016**. Send one copy of your statement of concern to Benga at the name and address above and one copy to

Authorizations Review & Coordination Team  
Alberta Energy Regulator  
Suite 1000, 250 – 5 Street SW  
Calgary, Alberta T2P 0R4  
Fax: 403-297-4117  
E-mail: [ARCTeam@aer.ca](mailto:ARCTeam@aer.ca)

## Contents of a Statement of Concern

inquiries 1-855-297-8311  
24-hour  
emergency 1-800-222-6514

For your submission to be considered a valid statement of concern, it must include

- a) why you believe that you may be directly and adversely affected by a decision of the AER on the applications;
- b) the nature of your objection to the applications;
- c) the outcome of the applications that you advocate;
- d) the location of your land, residence, or activity in relation to the location of the energy resource activity that is the subject of the applications; and
- e) your contact information, including your name, address in Alberta, telephone number, and e-mail address or, if you do not have an e-mail address, your fax number.

## Confidentiality

Section 49 of the *Alberta Energy Regulator Rules of Practice (Rules of Practice)* requires that all documents and information filed in a proceeding be placed on the public record. If you file a submission, you must not include any personal information that you do not want to appear on or are not authorized to put on the public record. Section 49(2) of the *Rules of Practice* states how to apply to the AER for an order to keep information confidential. The *Rules of Practice* is available on the AER website at [www.aer.ca](http://www.aer.ca).

## Jurisdiction

Submissions relating exclusively to compensation for land use are not dealt with by the AER and should be referred to the Alberta Surface Rights Board.

Under section 21 of the *Responsible Energy Development Act*, the AER does not have the jurisdiction to assess the adequacy of Crown consultation associated with the rights of aboriginal peoples as recognized and affirmed under the *Constitution Act, 1982*.

**For information on AER procedures**, contact Rushang Joshi, Authorizations, telephone 403-297-8494, fax: 403-297-5998, e-mail: [rushang.joshi@aer.ca](mailto:rushang.joshi@aer.ca).

Issued at Calgary, Alberta, on November 19, 2015.

ALBERTA ENERGY REGULATOR

Patricia M. Johnston, Q.C., General Counsel

**MDInfo**

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**From:** Lyal O'Neill <cltransp@gmail.com>  
**Sent:** Wednesday, December 9, 2015 9:07 AM  
**To:** crowsnestpass; md foothills; MDInfo; town of pincher creek; Suzan Nagel; lyle hannan; Verna Staples  
**Subject:** UPDATE TRANSPORTATION FOR SENIORS  
**Attachments:** Image (12).jpg

In 2014 alone our transportation service helped reduce **non emergency inter facility transfers from our community by 144 trips**, leaving our AHS Ambulance service more available for first responder calls! THIS IS SIGNIFICANT as municipalities continue to struggle with this issue.

Please find attached update of our first year results in Vulcan County.

A 2015 SUCCESS STORY IN VULCAN COUNTY!

If we can be of assistance in your communities please do call me for more information.

Lyal O'Neill

CAO, Manager  
Transportation Society

Phone 625-4455, mobility 625-0749

Email [cltransp@gmail.com](mailto:cltransp@gmail.com)



December 7, 2015

RE: UPDATE 2015-2016 Transportation Initiative

Following 10 months of operations in Vulcan County we can project:  
that we will complete over 60 trips in the first year

collect revenues of \$10,806 from fares

received donations from community service clubs of \$7,600

received grants from CIP \$21,000

received grants from CFL, Lethbridge \$15,000

purchased 1 new van \$42,000

We will finish the year with a surplus of \$5,655

which will be allocated to restricted reserves for van replacements in Vulcan County.

In conclusion, this has been a very successful venture having picked up riders from Vulcan, Champion, Carmangay, Arrowood, Mossleigh, Kirkcaldy so far, delivering people to Lethbridge, Brooks, Medicine Hat, High River, Okotoks, Nanton and Calgary. We anticipate between 25-50% growth in the upcoming year, somewhere around 100 trips complete.

Respectfully submitted,  
Lyal O'Neill  
CAO, Manager  
Transportation Society



**Tara Cryderman**

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**From:** Wendy Kay  
**Sent:** Friday, December 11, 2015 10:37 AM  
**To:** Tara Cryderman  
**Subject:** FW: letters from the MD of Willow Creek to various Ministers  
**Attachments:** Letter to Premier Bill 202.docx; Letter to Premier Bill 6.docx; Health Minister Letter.docx

Council Correspondence – For Info

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**From:** Brian Hammond  
**Sent:** Thursday, December 10, 2015 11:38 AM  
**To:** Wendy Kay <[wkay@mdpincercreek.ab.ca](mailto:wkay@mdpincercreek.ab.ca)>; Brian Hammond <[CouncilDiv4@mdpincercreek.ab.ca](mailto:CouncilDiv4@mdpincercreek.ab.ca)>; Fred Schoening <[CouncilDiv2@mdpincercreek.ab.ca](mailto:CouncilDiv2@mdpincercreek.ab.ca)>; Garry Marchuk <[CouncilDiv3@mdpincercreek.ab.ca](mailto:CouncilDiv3@mdpincercreek.ab.ca)>; Quentin Stevick <[CouncilDiv1@mdpincercreek.ab.ca](mailto:CouncilDiv1@mdpincercreek.ab.ca)>; Terry Yagos <[CouncilDiv5@mdpincercreek.ab.ca](mailto:CouncilDiv5@mdpincercreek.ab.ca)>  
**Subject:** FW: letters from the MD of Willow Creek to various Ministers

For your information

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**From:** Neil Wilson [<mailto:newilson@platinum.ca>]  
**Sent:** Wednesday, December 9, 2015 5:30 PM  
**To:** [mayor@lethbridge.ca](mailto:mayor@lethbridge.ca); [karen.carney@lethbridge.ca](mailto:karen.carney@lethbridge.ca); [lhickey@lethcounty.ca](mailto:lhickey@lethcounty.ca); [lmegella@lethcounty.ca](mailto:lmegella@lethcounty.ca); [derrick.annable@vulcan.ca](mailto:derrick.annable@vulcan.ca); [rjkford@mrcable.ca](mailto:rjkford@mrcable.ca); [pjensen@platinum.ca](mailto:pjensen@platinum.ca); [magakron@gmail.com](mailto:magakron@gmail.com); [clares@telusplanet.net](mailto:clares@telusplanet.net); [mayor@coaldale.ca](mailto:mayor@coaldale.ca); [cassiefamily@shaw.ca](mailto:cassiefamily@shaw.ca); [blair.painter@crownsnestpass.com](mailto:blair.painter@crownsnestpass.com); [reception@crownsnestpass.com](mailto:reception@crownsnestpass.com); [rene.gendre@fortmacleod.com](mailto:rene.gendre@fortmacleod.com); [office@granum.ca](mailto:office@granum.ca); [manager@granum.ca](mailto:manager@granum.ca); [russ@magrath.ca](mailto:russ@magrath.ca); [brenda@magrath.ca](mailto:brenda@magrath.ca); [mayor.hawco@milkriver.ca](mailto:mayor.hawco@milkriver.ca); [reverett@nanton.ca](mailto:reverett@nanton.ca); [wjones@picturebutte.ca](mailto:wjones@picturebutte.ca); [danderberg@pinchercreek.ca](mailto:danderberg@pinchercreek.ca); [bohne@raymond.ca](mailto:bohne@raymond.ca); [stavely@platinum.ca](mailto:stavely@platinum.ca); [eweistra321@gmail.com](mailto:eweistra321@gmail.com); [barons@figment.ca](mailto:barons@figment.ca); [chriskym@telus.net](mailto:chriskym@telus.net); [jamie@villageofchampion.ca](mailto:jamie@villageofchampion.ca); [vilcouth@telus.net](mailto:vilcouth@telus.net); [vilocow@shaw.ca](mailto:vilocow@shaw.ca); [jkoch@glenwood.ca](mailto:jkoch@glenwood.ca); [office@hillspring.ca](mailto:office@hillspring.ca); [bkkoch@cciwireless.ca](mailto:bkkoch@cciwireless.ca); [dmcdowell@nobleford.ca](mailto:dmcdowell@nobleford.ca); [bhnilsson@platinum.ca](mailto:bhnilsson@platinum.ca); [tlindsay86@hotmail.com](mailto:tlindsay86@hotmail.com); [vowarner@shockware.com](mailto:vowarner@shockware.com); Brian Hammond <[CouncilDiv4@mdpincercreek.ab.ca](mailto:CouncilDiv4@mdpincercreek.ab.ca)>; [bbrewin@mdtaber.ab.ca](mailto:bbrewin@mdtaber.ab.ca); [CRobison@mdtaber.ab.ca](mailto:CRobison@mdtaber.ab.ca); [cao@ranchland66.com](mailto:cao@ranchland66.com); [newilson@platinum.ca](mailto:newilson@platinum.ca)  
**Cc:** [fred.lacey@cardstoncounty.com](mailto:fred.lacey@cardstoncounty.com)  
**Subject:** letters from the MD of Willow Creek to various Ministers

Hi Folks... for your information.  
 Neil

December 9, 2015

Premier Rachel Notley  
307 Legislative Building  
10800 97 Avenue  
Edmonton, Alberta  
T5K 2B6

Dear Premier Notley:

The Council of the Municipal District of Willow Creek No. 26 has instructed that I write to you expressing our concern over the content of private members Bill 202 – Alberta Local Food Act as proposed by MLA Cortes-Vargas. This bill has created yet another concern in the agricultural industry that is presently reeling from the impact of Bill 6. In fact Madam Premier, agriculture may well be under siege in this province and the economic, social and individual impacts of this legislation may prove to be the undoing of one of a very few industries what has seen growth in the past year.

Bill 202 is a very poorly thought out piece of legislation that the Council fears may not have been properly vetted before its introduction on the floor of the legislature. The impact that this bill will have on trade agreements within and outside of our borders is not known, and the establishment of yet another costly form of government oversight on agriculture will be crippling.

Government controls. supply management, price controls, intrusion into private agricultural operations, limits on the free market, regulations controlling growing techniques, and unfair subsidies are just some of the issues unresolved or unanswered in this hastily thrown together piece of legislation.

The Council asks that this piece of legislation not be passed. The issues surrounding Bill 6 are too complicated and too unsettling to see yet another bill that will curtail the way agriculture does business. If Bill 202 becomes law, it will be another example of the unwillingness of your government to engage the very people they have been entrusted to serve.

Government is for the people and you must take the time to engage us and seek solutions to problems while making good decisions to enhance the lives of Albertans. The reputation of your new government may not be able weather the storm if you do not simply ask the people. Council asks you to withdraw Bill 202 and consult with the local food industry.

Yours truly,

Neil Wilson, Reeve

.....2.

- c.c. Honourable Oneil Carlier – Minister of Agriculture
- Honourable Darren Bilous – Minister of Economic Development and Trade
- Brian Jean – Leader of the Official Opposition
- Rick McIver – Opposition Leader
- Pat Stier MLA – Livingstone Macleod Constituency
- Al Kemmere – President – Alberta Association of Municipal Districts and Counties
- Mayors and Reeves Association of Southwest Alberta

December 9, 2015

Premier Rachel Notley  
307 Legislative Building  
10800 97 Avenue  
Edmonton, Alberta  
T5K 2B6

Dear Premier Notley:

It is with great concern that Council has instructed me to write to you, today. As you are aware, Bill 6 - Enhanced Protection for Farm and Ranch Workers Act, has created extreme angst, concern and out right anger in rural Alberta. The growing wave of opposition and dissent regarding this piece of legislation has reach a level never before seen in Alberta history, and it will not dissipate if you continue on your present course. There is a real fear in the agricultural community and moving forward with Bill 6 in its present form will do irreparable damage to the industry.

The Council of the Municipal District of Willow Creek No. 26 is asking you to delay third reading of Bill 6 and strike a committee composed of representatives from the agricultural community. This committee's mandate would be to facilitate transparent and open discussion with government and industry, as partners, to provide for protection of farms workers and our rural way of life.

There are too many unanswered questions regarding this Bill. There are too many unknowns. You, Madam Premier, have the opportunity to take the high road and provide for open engagement with agriculture to address the many questions this bill has raised. This is your chance to quell the growing anger and to engage farmers and ranchers in meaningful dialogue about their profession.

The Council of the Municipal District of Willow Creek No. 26 does not support Bill 6 in its present form. The rights of farm families are under siege this legislation will fundamentally change their rural way of life by eroding their social licence to farm.

As the Premier, you have the power to slow this process down and truly engage agriculture to create a made in Alberta solution regarding farm safety. Agriculture is not only a rural way of life, it is the very fabric and culture of our communities. Passing this bill as it stands will drive a wedge between your government and the very people you have been entrusted to serve. That is not the Alberta way.

The Council offers its assistance to you to help get this legislation right. Please take us up on that offer.

...Page 2.

Premier Rachel Notley  
December 9, 2015

Page 2.

Yours truly,

Neil Wilson, Reeve

c.c.     ONeil Carlier – Minister of Agriculture  
          Lori Sigurdson – Minister of Jobs  
          Brian Jean – Leader of the Official Opposition  
          Rick McIver – Opposition Leader  
          Pat Stier – MLA – Livingstone Macleod Constituency  
          Al Kemmere – President – Alberta Association of Municipal Districts and Counties  
          Mayors and Reeves Association of Southwest Alberta

November 30, 2015

Minister Sarah Hoffman  
Minister of Health and Wellness  
423 Legislature Building  
10800-97 Avenue  
Edmonton, Alberta  
T5K 2B6

Dear Ms. Hoffman:

The Municipal District of Willow Creek No. 26 has provided Medical First Response services and patient transport according to an AHS protocol, under an exemption from the Minister, for the past 18 months, at zero cost to AHS. The Council purchased state of the art MFR units and equipment and has a staff of trained EMT's and EMR's who provide BLS service when attending MFR calls.

On November 20, 2015 the M.D. was informed by AHS representatives that our Emergency Services will continue to be dispatched to medical calls, the trained First Responders will continue to offer care up to the scope of their training, BUT our emergency response teams are no longer allowed to transport the patient regardless of status (including status red) to the nearest hospital. As of November 20 our staff can do everything except put the unit in drive. We were denied a licence to operate an ambulance, by your department. If the situation proves to be dire regarding the patient's status and we transport instead of waiting for AHS to arrive on scene, we will be charged for violating the legislation. That was made abundantly clear by AHS staff at the November 20 meeting.

AHS rural ambulance service is fraught with service issues. AHS borderless ambulance system is a failure and has created significant gaps in rural emergency response times. AHS ambulances are being dispatched to attend delta calls an hour away, leaving communities without emergency coverage. Local AHS units are constantly doing transfers and being held in the cities to do emergency calls. Our Medical First Response units fill in the gaps.

AHS misrepresents statistics regarding ambulance availability in rural health regions, by leaving one unit staffed on evenings and weekends, and not logging the second unit out as unstaffed. This way AHS can tell you that they are available 96% of the time. While the number is up for debate, what you are not being told is that the availability of an ambulance can be an hour away, while the M.D. has three fully equipped, staffed units, available 24/7, sitting in fire halls in Nanton, Claresholm and Fort Macleod.

It is and always has been the intention, of AHS, to tie the hands of our medical first responders to the point that the program would become redundant. In fact, members of your staff have made it clear to us that AHS wanted this program to fail. This is not about service to patients. It is about a turf war between AHS middle management and the M.D. of Willow Creek. Sadly the one who has been left out of the equation is the patient.

.... Page 2.

Minister Sarah Hoffman  
November 30, 2015

Page 2.

Minister Hoffman, you can alleviate this problem with a stroke of a pen. You are empowered under your legislation to exempt the M.D. service and allow us to continue to transport patients in the event that the situation is dire, or you can issue the M.D. an ambulance license.

AHS is working for Albertans under your direction. We are asking you to reverse the decision of AHS so that our emergency first responders are never faced with the option of leaving a patient at risk or breaking the law.

Yours truly,

Neil E. Wilson  
Reeve

## Tara Cryderman

---

**From:** Wendy Kay  
**Sent:** Wednesday, December 16, 2015 10:52 AM  
**To:** Tara Cryderman  
**Subject:** FW: Letter to Premier Notley  
**Attachments:** County of Barrhead letter to Honourable Premier Notley 2015 12 15.pdf

Council Correspondence – For Info

---

**From:** Mark Oberg [mailto:MOberg@countybarrhead.ab.ca]  
**Sent:** Wednesday, December 16, 2015 10:05 AM  
**To:** Arlene MacOdrum <Arlene@mdwillowcreek.com>; 'sheldon.steinke@crownsnestpass.com' <sheldon.steinke@crownsnestpass.com>; 'mfercho@town.jasper.ab.ca' <mfercho@town.jasper.ab.ca>; 'jwhittleton@mackenziecounty.com' <jwhittleton@mackenziecounty.com>; 'rob.coon@strathcona.ca' <rob.coon@strathcona.ca>; 'marcel.ulliac@woodbuffalo.ab.ca' <marcel.ulliac@woodbuffalo.ab.ca>; 'cao@mdacadia.ab.ca' <cao@mdacadia.ab.ca>; 'cao@athabascacounty.com' <cao@athabascacounty.com>; 'bbeck@beaver.ab.ca' <bbeck@beaver.ab.ca>; 'cao@mdbiglakes.ca' <cao@mdbiglakes.ca>; 'martin.buckley@mdbighorn.ca' <martin.buckley@mdbighorn.ca>; 'shelleyb@birchhillscounty.com' <shelleyb@birchhillscounty.com>; 'ccambridge@md.bonnyville.ab.ca' <ccambridge@md.bonnyville.ab.ca>; 'mschoeninger@brazeau.ab.ca' <mschoeninger@brazeau.ab.ca>; 'pking@county.camrose.ab.ca' <pking@county.camrose.ab.ca>; 'murray@cardstoncounty.com' <murray@cardstoncounty.com>; 'allan@clearhillscounty.ab.ca' <allan@clearhillscounty.ab.ca>; 'rleaf@clearwatercounty.ca' <rleaf@clearwatercounty.ca>; 'doug.henderson@cypress.ab.ca' <doug.henderson@cypress.ab.ca>; 'sandra@mdfairview.ab.ca' <sandra@mdfairview.ab.ca>; 'sarmstrong@flagstaff.ab.ca' <sarmstrong@flagstaff.ab.ca>; 'hrc@mdfoothills.com' <hrc@mdfoothills.com>; 'dale.brown@fortymile.ab.ca' <dale.brown@fortymile.ab.ca>; 'brogan@countypg.ab.ca' <brogan@countypg.ab.ca>; 'mike.haugen@mdgreenview.ab.ca' <mike.haugen@mdgreenview.ab.ca>; 'cao@kneehillcounty.com' <cao@kneehillcounty.com>; 'shadia.amblie@laclabichcounty.com' <shadia.amblie@laclabichcounty.com>; 'mprimeau@lsac.ca' <mprimeau@lsac.ca>; 'thager@lacombecounty.com' <thager@lacombecounty.com>; 'robyn.s@lamontcounty.ca' <robyn.s@lamontcounty.ca>; 'brian@leduc-county.com' <brian@leduc-county.com>; 'allan.winarski@md124.ca' <allan.winarski@md124.ca>; 'rrobinson@lethcounty.ca' <rrobinson@lethcounty.ca>; 'info@minburncounty.ab.ca' <info@minburncounty.ab.ca>; 'tmartens@mvcounty.com' <tmartens@mvcounty.com>; 'stephensonk@newellmail.ca' <stephensonk@newellmail.ca>; 'cao@countyofnorthernlights.com' <cao@countyofnorthernlights.com>; 'pthomas@northernsunrise.net' <pthomas@northernsunrise.net>; 'cao@mdopportunity.ab.ca' <cao@mdopportunity.ab.ca>; 'tpeach@countypaintearth.ca' <tpeach@countypaintearth.ca>; 'bjames@parklandcounty.com' <bjames@parklandcounty.com>; 'lmcken@mdpeace.com' <lmcken@mdpeace.com>; Wendy Kay <wkay@mdpincercreek.ab.ca>; 'charliecutforth@ponokacounty.com' <charliecutforth@ponokacounty.com>; 'tlawrason@mdprovost.ca' <tlawrason@mdprovost.ca>; 'cao@ranchland66.com' <cao@ranchland66.com>; 'cao@rdcounty.ca' <cao@rdcounty.ca>; 'kgreig@rockyview.ca' <kgreig@rockyview.ca>; 'bcardwell@saddlehills.ab.ca' <bcardwell@saddlehills.ab.ca>; 'collikka@smokylakecounty.ab.ca' <collikka@smokylakecounty.ab.ca>; 'rtherriault@midsmokyriver.com' <rtherriault@midsmokyriver.com>; 'khudson@mdspiritriver.ab.ca' <khudson@mdspiritriver.ab.ca>; 'skitz@county.stpaul.ab.ca' <skitz@county.stpaul.ab.ca>; 'ross@starlandcounty.com' <ross@starlandcounty.com>; 'tfox@stettlercounty.ca' <tfox@stettlercounty.ca>; 'ptarnawsky@sturgeoncounty.ca' <ptarnawsky@sturgeoncounty.ca>; 'dkrizsan@mdtaber.ab.ca' <dkrizsan@mdtaber.ab.ca>; 'shirley@thorhildcounty.com' <shirley@thorhildcounty.com>; 'sdary@thcounty.ab.ca' <sdary@thcounty.ab.ca>; 'rking@county24.com' <rking@county24.com>; 'cao@vulcancounty.ab.ca' <cao@vulcancounty.ab.ca>; 'admin@mdwainwright.ca' <admin@mdwainwright.ca>; 'shathaway@warnercounty.ca' <shathaway@warnercounty.ca>; 'cao@westlockcounty.com' <cao@westlockcounty.com>;

'fcoutney@county.wetaskiwin.ab.ca' <fcoutney@county.wetaskiwin.ab.ca>; 'Alan.Parkin@wheatlandcounty.ca' <Alan.Parkin@wheatlandcounty.ca>; Cindy Vizzutti <Cindy@mdwillowcreek.com>; 'luc.mercier@woodlands.ab.ca' <luc.mercier@woodlands.ab.ca>; 'jack.ramme@yellowheadcounty.ab.ca' <jack.ramme@yellowheadcounty.ab.ca>  
**Cc:** Gerald Rhodes <gerald@aamdc.com>; Kim Heyman <Kim@aamdc.com>; Linda West <LWest@countybarrhead.ab.ca>  
**Subject:** RE: Letter to Premier Notley

To the rural municipalities of Alberta

Please find attached a copy of the letter being sent from the County of Barrhead No. 11 to Honourable Premier Notley.

Merry Christmas and a happy and healthy New Year to all of you from the County of Barrhead.

Mark Oberg  
County Manager  
County of Barrhead No. 11  
5306 49 St  
Barrhead AB T7N 1N5  
Phone: 780-674-3331  
Fax: 780-674-2777  
[www.countybarrhead.ab.ca](http://www.countybarrhead.ab.ca)

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County of Barrhead No. 11  
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[www.countybarrhead.ab.ca](http://www.countybarrhead.ab.ca)

December 15, 2015

Honourable Rachel Notley  
Premier of Alberta  
307 Legislature Building  
10800 - 97 Avenue  
Edmonton, AB T5K 2B6

**RE: Enhanced Protection for Farm and Ranch Workers Act – Bill 6**

The Council of the County of Barrhead No. 11 sends this letter in support of the AAMD&C's position on Bill 6, the *Enhanced Protection for Farm and Ranch Workers Act*. A copy of the AAMD&C's position is attached to this letter for your reference.

A number of our Council members attended the recent town hall sessions hosted by the provincial government. In listening to the discussions at those sessions, it continues to remain clear that there are many unknown consequences with the Bill 6 legislation. Our Council re-iterates the words of our AAMD&C Association – the agriculture industry is unique, and one-size fits all regulatory approach has the potential to hinder small and family run agriculture operations.

Our Council firmly believes that the Provincial Government should only proceed with legislation following thoughtful and meaningful consultations.

The Council of the County of Barrhead anticipates having an opportunity to contribute to the consultations with the provincial government in the development of the regulations for the new legislation.

Sincerely,

A handwritten signature in cursive script that reads 'William O. Lee'.

William (Bill) Lee  
REEVE

WL/MO/lw

cc: Mr. Glenn van Dijken, MLA for Barrhead-Morinville-Westlock Constituency  
Honourable Lori Sigurdson, Minister of Jobs, Skills, Training and Labour  
Honourable Danielle Larivee, Minister of Municipal Affairs  
Honourable Oneil Carlier, Minister of Agriculture and Forestry  
Mr. Ric McIver, MLA for Calgary-Hays  
Dr. David Swann, MLA for Calgary-Mountain View  
AAMD&C

December 4, 2015

# AAMDC's Position on Bill 6

**It is the position of the AAMDC that safety must be of paramount importance in all of Alberta's workplaces including farms.** However, the agriculture industry is unique, and one-size fits all regulatory approach has the potential to hinder small and family run agriculture operations.

While farm safety legislation may be required, **the Provincial Government should only proceed following thoughtful and extensive consultation with Alberta's farming and ranching community** to ensure that any proposed changes balance the need to protect farm workers while maintaining the viability of the agriculture industry.

**At this time there are too many unknown consequences to proceed with this legislation.** Bill 6 must be delayed until such time as meaningful and credible consultation has taken place. This consultation should include all stakeholders including AAMDC and should pertain to the draft legislation, regulations and terminology resulting from Bill 6. Only then would AAMDC reconsider it's position.

As a vital contributor to the provincial economy, protecting the agriculture industry and the rural way of life is in the best interest of Albertans.



Partners in Advocacy & Business

## Tara Cryderman

---

**From:** Wendy Kay  
**Sent:** Wednesday, December 16, 2015 10:53 AM  
**To:** Tara Cryderman  
**Subject:** FW: Letter to Premier Notley  
**Attachments:** PremierNotley\_Bill6.pdf; PremierNotley\_Bill202.pdf

Council Correspondence – For Info

**From:** Arlene MacOdrum [mailto:Arlene@mdwillowcreek.com]  
**Sent:** Monday, December 14, 2015 3:47 PM  
**To:** 'sheldon.steinke@crowsnestpass.com' <sheldon.steinke@crowsnestpass.com>; 'mfercho@town.jasper.ab.ca' <mfercho@town.jasper.ab.ca>; 'jwhittleton@mackenziecounty.com' <jwhittleton@mackenziecounty.com>; 'rob.coon@strathcona.ca' <rob.coon@strathcona.ca>; 'marcel.ulliac@woodbuffalo.ab.ca' <marcel.ulliac@woodbuffalo.ab.ca>; 'cao@mdacadia.ab.ca' <cao@mdacadia.ab.ca>; 'cao@athabascacounty.com' <cao@athabascacounty.com>; 'moberg@countybarrhead.ab.ca' <moberg@countybarrhead.ab.ca>; 'bbeck@beaver.ab.ca' <bbeck@beaver.ab.ca>; 'cao@mdbiglakes.ca' <cao@mdbiglakes.ca>; 'martin.buckley@mdbighorn.ca' <martin.buckley@mdbighorn.ca>; 'shelleyb@birchhillscounty.com' <shelleyb@birchhillscounty.com>; 'ccambridge@md.bonnyville.ab.ca' <ccambridge@md.bonnyville.ab.ca>; 'mschoeninger@brazeau.ab.ca' <mschoeninger@brazeau.ab.ca>; 'pking@county.camrose.ab.ca' <pking@county.camrose.ab.ca>; 'murray@cardstoncounty.com' <murray@cardstoncounty.com>; 'allan@clearhillscounty.ab.ca' <allan@clearhillscounty.ab.ca>; 'rleaf@clearwatercounty.ca' <rleaf@clearwatercounty.ca>; 'doug.henderson@cypress.ab.ca' <doug.henderson@cypress.ab.ca>; 'sandra@mdfairview.ab.ca' <sandra@mdfairview.ab.ca>; 'sarmstrong@flagstaff.ab.ca' <sarmstrong@flagstaff.ab.ca>; 'hrc@mdfoothills.com' <hrc@mdfoothills.com>; 'dale.brown@fortymile.ab.ca' <dale.brown@fortymile.ab.ca>; 'brogan@countypg.ab.ca' <brogan@countypg.ab.ca>; 'mike.haugen@mdgreenview.ab.ca' <mike.haugen@mdgreenview.ab.ca>; 'cao@kneehillcounty.com' <cao@kneehillcounty.com>; 'shadia.ambly@laclabichcounty.com' <shadia.ambly@laclabichcounty.com>; 'mprimeau@lsac.ca' <mprimeau@lsac.ca>; 'thager@lacombecounty.com' <thager@lacombecounty.com>; 'robyn.s@lamontcounty.ca' <robyn.s@lamontcounty.ca>; 'brian@leduc-county.com' <brian@leduc-county.com>; 'allan.winarski@md124.ca' <allan.winarski@md124.ca>; 'rrobinson@lethcounty.ca' <rrobinson@lethcounty.ca>; 'info@minburncounty.ab.ca' <info@minburncounty.ab.ca>; 'tmartens@mvcounty.com' <tmartens@mvcounty.com>; 'stephensonk@newellmail.ca' <stephensonk@newellmail.ca>; 'cao@countyofnorthernlights.com' <cao@countyofnorthernlights.com>; 'pthomas@northernsunrise.net' <pthomas@northernsunrise.net>; 'cao@mdopportunity.ab.ca' <cao@mdopportunity.ab.ca>; 'tpeach@countypaintearth.ca' <tpeach@countypaintearth.ca>; 'bjames@parklandcounty.com' <bjames@parklandcounty.com>; 'lmcken@mdpeace.com' <lmcken@mdpeace.com>; Wendy Kay <wkay@mdpincercreek.ab.ca>; 'charliecutforth@ponokacounty.com' <charliecutforth@ponokacounty.com>; 'tlawrason@mdprovost.ca' <tlawrason@mdprovost.ca>; 'cao@ranchland66.com' <cao@ranchland66.com>; 'cao@rdcounty.ca' <cao@rdcounty.ca>; 'kgreig@rockyview.ca' <kgreig@rockyview.ca>; 'bcardwell@saddlehills.ab.ca' <bcardwell@saddlehills.ab.ca>; 'collikka@smokylakecounty.ab.ca' <collikka@smokylakecounty.ab.ca>; 'rtherriault@midsmokyriver.com' <rtherriault@midsmokyriver.com>; 'khudson@mdspiritriver.ab.ca' <khudson@mdspiritriver.ab.ca>; 'skitz@county.stpaul.ab.ca' <skitz@county.stpaul.ab.ca>; 'ross@starlandcounty.com' <ross@starlandcounty.com>; 'tfox@stettlercounty.ca' <tfox@stettlercounty.ca>; 'ptarnawsky@sturgeoncounty.ca' <ptarnawsky@sturgeoncounty.ca>; 'dkrizsan@mdtaber.ab.ca' <dkrizsan@mdtaber.ab.ca>; 'shirley@thorhildcounty.com' <shirley@thorhildcounty.com>; 'sdary@thcounty.ab.ca' <sdary@thcounty.ab.ca>; 'rking@county24.com' <rking@county24.com>; 'cao@vulcancounty.ab.ca' <cao@vulcancounty.ab.ca>; 'admin@mdwainwright.ca' <admin@mdwainwright.ca>; 'shathaway@warnercounty.ca' <shathaway@warnercounty.ca>; 'cao@westlockcounty.com' <cao@westlockcounty.com>;

'fcoutney@county.wetaskiwin.ab.ca' <fcoutney@county.wetaskiwin.ab.ca>; 'Alan.Parkin@wheatlandcounty.ca' <Alan.Parkin@wheatlandcounty.ca>; Cindy Vizzutti <Cindy@mdwillowcreek.com>; 'luc.mercier@woodlands.ab.ca' <luc.mercier@woodlands.ab.ca>; 'jack.ramme@yellowheadcounty.ab.ca' <jack.ramme@yellowheadcounty.ab.ca>  
**Subject:** Letter to Premier Notley

Attached are copies of letters sent from the Council of The Municipal District of Willow Creek No. 26 to Premier Rachel Notley regarding Bill 6 – Enhanced Protection for Farm and Ranch Workers Act and Bill 202 Alberta Local Food Act.

***Arlene MacOdrum***

***Executive Assistant***

[arlene@mdwillowcreek.com](mailto:arlene@mdwillowcreek.com)

403-625-3351 Ext 4

MD of Willow Creek No. 26



# Municipal District of Willow Creek No. 26

## Office of the Reeve

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Box 550, Claresholm Alberta T0L 0T0

Office: (403) 625-3351  
Fax: (403) 625-3886  
Shop: (403) 625-3030  
Toll Free: 888-337-3351

December 9, 2015

Premier Rachel Notley  
307 Legislative Building  
10800 97 Avenue  
Edmonton, Alberta  
T5K 2B6

Dear Premier Notley:

It is with great concern that Council has instructed me to write to you, today. As you are aware, Bill 6 - Enhanced Protection for Farm and Ranch Workers Act, has created extreme angst, concern and outright anger in rural Alberta. The growing wave of opposition and dissent regarding this piece of legislation has reached a level never before seen in Alberta history, and it will not dissipate if you continue on your present course. There is a real fear in the agricultural community and moving forward with Bill 6 in its present form will do irreparable damage to the industry.

The Council of the Municipal District of Willow Creek No. 26 is asking you to delay third reading of Bill 6 and strike a committee composed of representatives from the agricultural community. This committee's mandate would be to facilitate transparent and open discussion with government and industry, as partners, to provide for protection of farm workers and our rural way of life.

There are too many unanswered questions regarding this Bill. There are too many unknowns. You, Madam Premier, have the opportunity to take the high road and provide for open engagement with agriculture to address the many questions this bill has raised. This is your chance to quell the growing anger and to engage farmers and ranchers in meaningful dialogue about their profession.

The Council of the Municipal District of Willow Creek No. 26 does not support Bill 6 in its present form. The rights of farm families are under siege; this legislation will fundamentally change their rural way of life by eroding their social licence to farm.

As the Premier, you have the power to slow this process down and truly engage agriculture to create a made-in-Alberta solution regarding farm safety. Agriculture is not only a rural way of life, it is the very fabric and culture of our communities. Passing this bill as it stands will drive a wedge between your government and the very people you have been entrusted to serve. That is not the Alberta way.

The Council offers its assistance to you to help get this legislation right. Please take us up on that offer.

...Page 2.

Premier Rachel Notley  
December 9, 2015

Page 2.

Yours truly,

A handwritten signature in black ink, appearing to read "Neil Wilson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Neil Wilson, Reeve

c.c.    **ONeil Carlier – Minister of Agriculture**  
         **Lori Sigurdson – Minister of Jobs**  
         **Brian Jean – Leader of the Official Opposition**  
         **Rick McIver – Opposition Leader**  
         **Pat Stier – MLA – Livingstone Macleod Constituency**  
         **Al Kemmere – President – Alberta Association of Municipal Districts and Counties**  
         **Mayors and Reeves Association of Southwest Alberta**



# Municipal District of Willow Creek No. 26

Office of the Reeve

[www.mdwillowcreek.com](http://www.mdwillowcreek.com)  
273129 Secondary Hwy 520  
Claresholm Industrial Airport  
Box 550, Claresholm Alberta T0L 0T0

Office: (403) 625-3351  
Fax: (403) 625-3886  
Shop: (403) 625-3030  
Toll Free: 888-337-3351

December 9, 2015

Premier Rachel Notley  
307 Legislative Building  
10800 97 Avenue  
Edmonton, Alberta  
T5K 2B6

Dear Premier Notley:

The Council of the Municipal District of Willow Creek No. 26 has instructed that I write to you expressing our concern over the content of private members Bill 202 – Alberta Local Food Act as proposed by MLA Cortes-Vargas. This bill has created yet another concern in the agricultural industry that is presently reeling from the impact of Bill 6. In fact Madam Premier, agriculture may well be under siege in this province and the economic, social and individual impacts of this legislation may prove to be the undoing of one of a very few industries what has seen growth in the past year.

Bill 202 is a very poorly thought out piece of legislation that the Council fears may not have been properly vetted before its introduction on the floor of the legislature. The impact that this bill will have on trade agreements within and outside of our borders is not known, and the establishment of yet another costly form of government oversight on agriculture will be crippling.

Government controls, supply management, price controls, intrusion into private agricultural operations, limits on the free market, regulations controlling growing techniques, and unfair subsidies are just some of the issues unresolved or unanswered in this hastily thrown together piece of legislation.

The Council asks that this piece of legislation not be passed. The issues surrounding Bill 6 are too complicated and too unsettling to see yet another bill that will curtail the way agriculture does business. If Bill 202 becomes law, it will be another example of the unwillingness of your government to engage the very people they have been entrusted to serve.

Government is for the people and you must take the time to engage us and seek solutions to problems while making good decisions to enhance the lives of Albertans. The reputation of your new government may not be able weather the storm if you do not simply ask the people. Council asks you to withdraw Bill 202 and consult with the local food industry.

Yours truly,

Neil Wilson, Reeve

.....2.

**Premier Rachel Notley  
December 9, 2015**

**Page 2.**

- c.c. Honourable Onell Carller – Minister of Agriculture  
Honourable Darren Bilous – Minister of Economic Development and Trade  
Brian Jean – Leader of the Official Opposition  
Rick McIver – Opposition Leader  
Pat Stier MLA – Livingstone Macleod Constituency  
Al Kemmere – President – Alberta Association of Municipal Districts and Counties  
Mayors and Reeves Association of Southwest Alberta**

**Tara Cryderman**

---

**From:** Wendy Kay  
**Sent:** Wednesday, December 16, 2015 11:00 AM  
**To:** Tara Cryderman  
**Cc:** Leo Reedyk  
**Subject:** FW: Canada 150 Community Infrastructure Program Application / Appel de propositions du Programme d'infrastructure communautaire de Canada 150

Council Correspondence – For Info

---

**From:** AB Canada150 / Canada150 AB (WD/DEO) [mailto:wd.abcanada150-canada150ab.deo@canada.ca]  
**Sent:** Wednesday, December 16, 2015 10:56 AM  
**To:** Wendy Kay <wkay@mdpincercreek.ab.ca>  
**Subject:** FW: Canada 150 Community Infrastructure Program Application / Appel de propositions du Programme d'infrastructure communautaire de Canada 150

Dear Ms. Kay,

The following email was returned as undeliverable, so I am forwarding it to you since your name is listed as the secondary contact on the MD of Pincher Creek's Canada 150 funding application.

Regards,  
 Lisa Lecky  
 Western Economic Diversification Canada

---

**From:** AB Canada150 / Canada150 AB (WD/DEO)  
**Sent:** Tuesday, December 15, 2015 2:13 PM  
**To:** leor@mdpincercreek.ab.ca  
**Subject:** Canada 150 Community Infrastructure Program Application / Appel de propositions du Programme d'infrastructure communautaire de Canada 150



Western Economic  
Diversification Canada

Diversification de l'économie  
de l'Ouest Canada

(Le français suit)

Hello Mr. Reedyk,

Re: Extend community trail system in Beaver Mines  
 Reference Number: C004863

Thank you for submitting your application to Western Economic Diversification Canada (WD) under the Canada 150 Community Infrastructure Program. WD received many excellent applications; however, the demand for funding greatly exceeded available funds.

WD has assessed applications based on the program criteria outlined in the application guide. Funds have now been fully allocated and we regret to inform you that we are unable to accommodate your request at this time. However, we will keep your application and contact information on file for future opportunities.

Thank you for your interest in the Canada 150 Community Infrastructure Program.

*This communication is intended for the use of the recipient to which it is addressed, and may contain confidential, personal, and or privileged information. Please contact us immediately if you are not the intended recipient of this communication, and do not copy, distribute, or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.*

\*\*\*\*\*

Bonjour,

Objet: Extend community trail system in Beaver Mines  
Numéro de référence : C004863

Nous vous remercions de votre demande en réponse à l'appel de propositions du Programme d'infrastructure communautaire de Canada 150 tenu par Diversification de l'économie de l'Ouest Canada (DEO). DEO a reçu bon nombre d'excellentes demandes, mais le total de l'aide financière demandée était beaucoup plus important que les fonds disponibles.

DEO a évalué les propositions en fonction des critères de programme énumérés dans le Guide du demandeur. Le montant total des fonds disponibles a été alloué pour cette période de réception des demandes, et nous regrettons de vous informer que nous ne pourrions satisfaire à votre demande à ce moment-ci. Toutefois, nous conserverons votre demande et vos coordonnées dans nos dossiers en vue de possibilités ultérieures.

Merci de l'intérêt que vous portez au Programme d'infrastructure communautaire de Canada 150.

*Ce message est destiné à l'usage exclusif de la personne à laquelle il est adressé. Il peut contenir des renseignements confidentiels, personnels ou privilégiés. Veuillez communiquer avec nous immédiatement si ce message vous a été envoyé par erreur. Ne le copiez pas, ne le transmettez à personne et ne faites rien par rapport à ce que vous y avez lu. Tout message reçu par erreur ou tout message de réponse qui en découle doivent être effacés ou détruits.*

Western Economic Diversification Canada  
Diversification de l'économie de l'Ouest Canada  
Government of Canada | Gouvernement du Canada  
[www.wd-deo.gc.ca](http://www.wd-deo.gc.ca)

Canada



## Tara Cryderman

---

**From:** Wendy Kay  
**Sent:** Wednesday, December 16, 2015 11:00 AM  
**To:** Tara Cryderman  
**Cc:** Leo Reedyk  
**Subject:** FW: Canada 150 Community Infrastructure Program Application / Appel de propositions du Programme d'infrastructure communautaire de Canada 150

Council Correspondence – For Info

---

**From:** AB Canada150 / Canada150 AB (WD/DEO) [mailto:wd.abcanada150-canada150ab.deo@canada.ca]  
**Sent:** Wednesday, December 16, 2015 10:57 AM  
**To:** Wendy Kay <wkay@mdpincercreek.ab.ca>  
**Subject:** FW: Canada 150 Community Infrastructure Program Application / Appel de propositions du Programme d'infrastructure communautaire de Canada 150

Dear Ms. Kay,

The following email was returned as undeliverable, so I am forwarding it to you since your name is listed as the secondary contact on the MD of Pincher Creek's second Canada 150 funding application.

Regards,  
 Lisa Lecky  
 Western Economic Diversification Canada

---

**From:** AB Canada150 / Canada150 AB (WD/DEO)  
**Sent:** Tuesday, December 15, 2015 2:12 PM  
**To:** [leor@mdpincercreek.ab.ca](mailto:leor@mdpincercreek.ab.ca)  
**Subject:** Canada 150 Community Infrastructure Program Application / Appel de propositions du Programme d'infrastructure communautaire de Canada 150



Western Economic  
Diversification Canada

Diversification de l'économie  
de l'Ouest Canada

(Le français suit)

Hello Mr. Reedyk,

Re: Upgrade Patton Park in Lundbreck  
 Reference Number: C004886

Thank you for submitting your application to Western Economic Diversification Canada (WD) under the Canada 150 Community Infrastructure Program. WD received many excellent applications; however, the demand for funding greatly exceeded available funds.

WD has assessed applications based on the program criteria outlined in the application guide. Funds have now been fully allocated and we regret to inform you that we are unable to accommodate your request at this time. However, we will keep your application and contact information on file for future opportunities.

Thank you for your interest in the Canada 150 Community Infrastructure Program.

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\*\*\*\*\*

Bonjour,

Objet: Upgrade Patton Park in Lundbreck  
Numéro de référence : C004886

Nous vous remercions de votre demande en réponse à l'appel de propositions du Programme d'infrastructure communautaire de Canada 150 tenu par Diversification de l'économie de l'Ouest Canada (DEO). DEO a reçu bon nombre d'excellentes demandes, mais le total de l'aide financière demandée était beaucoup plus important que les fonds disponibles.

DEO a évalué les propositions en fonction des critères de programme énumérés dans le Guide du demandeur. Le montant total des fonds disponibles a été alloué pour cette période de réception des demandes, et nous regrettons de vous informer que nous ne pourrions satisfaire à votre demande à ce moment-ci. Toutefois, nous conserverons votre demande et vos coordonnées dans nos dossiers en vue de possibilités ultérieures.

Merci de l'intérêt que vous portez au Programme d'infrastructure communautaire de Canada 150.

*Ce message est destiné à l'usage exclusif de la personne à laquelle il est adressé. Il peut contenir des renseignements confidentiels, personnels ou privilégiés. Veuillez communiquer avec nous immédiatement si ce message vous a été envoyé par erreur. Ne le copiez pas, ne le transmettez à personne et ne faites rien par rapport à ce que vous y avez lu. Tout message reçu par erreur ou tout message de réponse qui en découle doivent être effacés ou détruits.*

Western Economic Diversification Canada  
Diversification de l'économie de l'Ouest Canada  
Government of Canada | Gouvernement du Canada  
[www.wd-deo.gc.ca](http://www.wd-deo.gc.ca)

Canada



**Tara Cryderman**

---

**From:** Wendy Kay  
**Sent:** Wednesday, December 16, 2015 11:14 AM  
**To:** Tara Cryderman; Leo Reedyk  
**Subject:** FW: Ian and John Sandeman (EAB 15-031-032) Letter December 15, 2015 - Hearing Notification to MD  
**Attachments:** Letter December 16, 2015 - Hearing Notification.pdf

Tara:

Council Correspondence – For Info

---

**From:** Candice Mah [mailto:candice.mah@gov.ab.ca]  
**Sent:** Wednesday, December 16, 2015 11:10 AM  
**To:** Wendy Kay <wkay@mdpincercreek.ab.ca>  
**Cc:** Denise Black <Denise.Black@gov.ab.ca>; Valerie Myrmo <Valerie.Myrmo@gov.ab.ca>  
**Subject:** Ian and John Sandeman (EAB 15-031-032) Letter December 15, 2015 - Hearing Notification to MD

Please see PDF of Board's December 15, 2015 letter and attachment.

Any questions or responses to this email may be directed to Valerie Myrmo, Registrar of Appeals, at [valerie.myrmo@gov.ab.ca](mailto:valerie.myrmo@gov.ab.ca). **Please do not reply to my email.** If you wish to speak to Valerie, she can be reached at 780-427-6569.

Candice Mah  
Administrative Support | Environmental Appeals Board  
**Phone Direct:** 780.427-8420 | **Phone Office:** 780.427.6207 | **Fax:** 780.427.4693  
306 Peace Hills Trust Tower | 10011-109 Street | Edmonton, AB, T5J 3S8  
[www.eab.gov.ab.ca](http://www.eab.gov.ab.ca)

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This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail.



ALBERTA  
ENVIRONMENTAL APPEALS BOARD

December 15, 2015

**Via E-Mail & Mail**

wkay@mdpincercreek.ab.ca

Ms. Wendy Kay  
Chief Administrative Officer  
Municipal District of Pincher Creek No. 9  
Box 279  
Pincher Creek, AB T0K 1W0

Dear Ms. Kay:

**Re: Ian Sandeman/Water Act Enforcement Order No. WA-EO-2015/06-SSR/Our  
File No.: EAB 15-031**

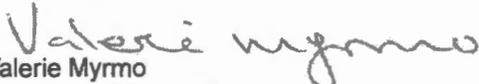
This is to advise that the Environmental Appeals Board has scheduled a hearing for the above-noted appeal for **February 4, 2016**. The hearing will be held at the **Lethbridge Lodge Hotel and Convention Centre, 310 Scenic Drive, Lethbridge**, beginning at **8:30 a.m.**

The Board, as part of its normal practice when a hearing is scheduled, is enclosing a copy of its Notice of Hearing for your information and requests the Notice be placed on the Municipal District public bulletin board or website. The Board's Notice of Hearing contains a deadline of January 7, 2016 for applications from others to make representations before the Board. After January 7, 2016 the Board will, in its discretion, determine if other persons may make representations and the manner in which they can be made. Once all parties have been determined, the hearing will be open to the public for viewing only.

For your information, the Board's purpose is to hear appeals regarding certain decisions made by Alberta Environment under the *Environmental Protection and Enhancement Act*, the *Water Act*, the *Government Organization Act*, and the *Climate Change and Emissions Management Act*.

Please do not hesitate to contact the Board if you have any questions. We can be reached toll-free by first dialing 310-0000 followed by 780-427-6569 for Valerie Myrmo, Registrar of Appeals, and 780-427-7002 for Denise Black, Board Secretary. We can also be contacted via e-mail at valerie.myrmo@gov.ab.ca and denise.black@gov.ab.ca.

Yours truly,

  
Valerie Myrmo  
Registrar of Appeals

Encl.

cc: Mr. R. Frank Llewellyn, Stringam Denecky LLP  
Mr. Ian Sandeman  
Mr. John Sandeman  
Ms. Erika Gerlock, Alberta Justice and Solicitor General

M:\WPDOCS\Appeals 2015\15-031 I. Sandeman\Hearing Notification to MD.doc

# NOTICE OF HEARING ENVIRONMENTAL APPEALS BOARD

Ian Sandeman

**Water Act Enforcement Order No. WA-EO-2015/06-SSR**

Appeal No.: 15-031

**Time:** 8:30 a.m.  
**Date:** February 4, 2016  
**Location:** Lethbridge Lodge Hotel and Conference Centre  
320 Scenic Drive, Lethbridge, Alberta

## Enforcement Order

The Environmental Appeals Board will hold a hearing on February 4, 2016, in Lethbridge, Alberta, to hear submissions with respect to the decision of Alberta Environment and Parks to issue to Ian Sandeman *Water Act* Enforcement Order No. WA-EO-2015/06-SSR for allegedly constructing an unauthorized berm and conducting unauthorized excavations of the bed and shore within a waterbody located at SE-21-008-01-W5M in the Municipal District of Pincher Creek, near Cowley, Alberta.

## Viewing Documents

Effective December 18, 2015, copies of material filed with the Board respecting this appeal will be available for viewing at the Pincher Creek Municipal Library, 895 Main Street, Pincher Creek, Alberta, during its normal operating hours (please note the Library will be closed on December 24-26, 2015 and January 1, 2016), or by appointment at the office of the Environmental Appeals Board in Edmonton.

## Information Requests

Environmental Appeals Board  
Registrar of Appeals  
306, 10011 – 109 Street  
Edmonton, Alberta, T5J 3S8  
Telephone: 780-427-6207  
Toll-free 310-0000, followed by 780-427-6207  
Fax: 780-427-4693  
E-Mail: gilbert.vannes@gov.ab.ca  
Website: www.eab.gov.ab.ca

## About the Board

The Environmental Appeals Board is an independent quasi-judicial body that hears appeals of certain decisions made by Alberta Environment and Parks.

## Interventions

Any person, other than the parties, who wishes to make a representation before the Board on this appeal must submit a request in writing by fax or by e-mail to the Board at the fax number or e-mail address set out below. The request must be received by the Board on or before January 7, 2016. It is your responsibility to ensure that your request is received by the Board by January 7, 2016. Such a request shall (a) contain the name, address, e-mail, and telephone and fax numbers of the person submitting the request, (b) indicate whether the person submitting the request intends to be represented by a lawyer or agent and, if so, the name of the lawyer or agent, (c) contain a summary of the nature of the person's interest in this appeal, and (d) be signed by the person submitting the request. Applications will only be considered if the information will assist the Board in making its decision, and will not duplicate the information provided by the parties. After January 7, 2016, the Board will, in its discretion, determine if other persons may make representations, and the manner in which they can be made. Once the Board makes a decision on any intervenor applications, the hearing will be open to the public for viewing only.

The information requested is necessary to allow the Environmental Appeals Board to perform its function. The information is collected under the authority of the *Freedom of Information and Protection of Privacy Act*, section 33(c). Section 33(c) provides that personal information may only be collected if that information relates directly to and is necessary for the processing of this appeal. The information you provide will be considered a public record.

Alberta

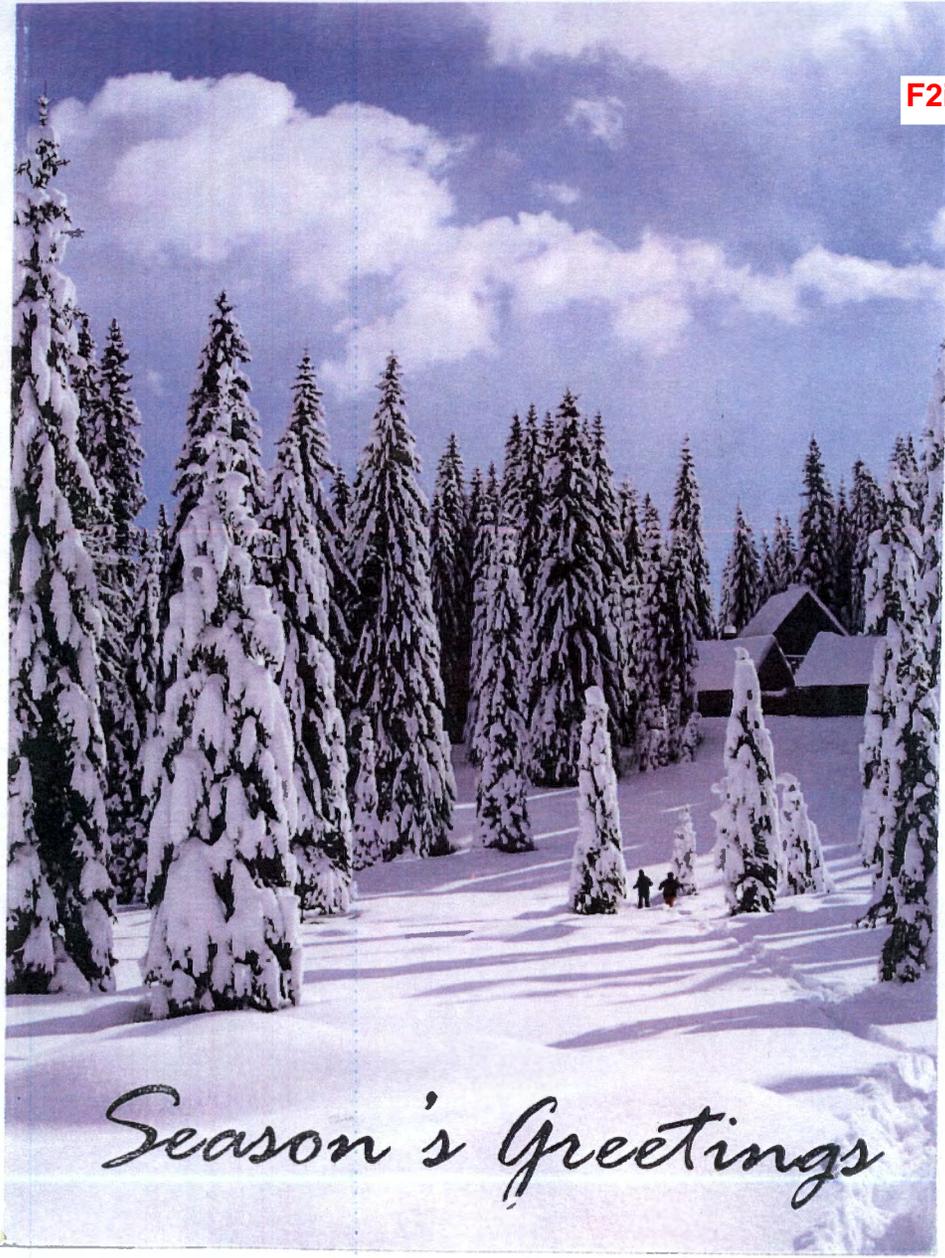


Environmental Appeals Board



*Season's Greetings*

F2i



*Season's Greetings*

Merry Christmas MD SHFF,

A big THANK YOU for your amazing good service. Our gravel road is always in great condition - the snow is plowed in a very short time - any question to the road maintenance staff is answered very knowlegeably and agreeably and lastly

*Warmest Greetings*

*for the season and*

*every good wish*

*for the coming year.*

the gals at the front desk are such a JOY to visit. They are so helpfull.

Again Thank you

Nancy Barrios

**Tara Cryderman**

---

**From:** Karla Reesor <karlareesor@shaw.ca>  
**Sent:** Thursday, December 17, 2015 12:52 PM  
**To:** Jen Platman; Rod Sinclair  
**Subject:** Waterton Advisory Group Meeting Notes 28 October 2015  
**Attachments:** WAG 28October2015 Meeting Notes FINAL.pdf; ATT00001.htm

Hello Waterton Advisory Group,  
Attached are notes from the last meeting on October 28, 2015. If you have any questions or comments on them, please let me know.

I hope everyone has a safe and happy holiday season!

Kind regards,  
—Karla

## Waterton Advisory Group

### Meeting Notes – October 28, 2015

#### Attendees

Name	Organization
Darryl Carlson	Resident
Fraser Stewart	Resident
Ron Schmidt	Resident
Brent Barbero	Castle Stock Association
James Tweedie	Castle Crown Wilderness Coalition
Nora Manners	Waterton Biosphere Reserve Association
Quentin Stevick	Councillor, MD of Pincher Creek No. 9
Behn Morris	Alberta Energy Regulator (AER)
Steve Polvi	Shell (Development Manager - Greater Foothills)
Elizabeth Jack	Shell Process Improvement Lead, Waterton Plant/Field
Stephen DeCock	Shell (Waterton Complex Environmental Coordinator)
Rodney Wickenheiser	Shell (Waterton Complex Operations Superintendent)
Rod Sinclair	Shell (Waterton Community Affairs)
Jen Platman	Shell (External Relations)
Allison Fisher	Shell (Environment Engineer and Reporting Team Lead)
Christian Reuten	RWDI, Technical Director/Associate Leader – Air Quality
Karla Reesor	Moving Forward Ltd.
Jessica Dyck	Moving Forward Ltd.

*What follows is an informal summary of the topics and perspectives shared at a Waterton Advisory Group (WAG) meeting. WAG meetings are intended to supplement and not replace Shell's obligation to consult directly with affected stakeholders under the Alberta Energy Regulator's Directive 56. These Meeting Notes are a public document and the views shared within are the views of individuals and are not necessarily the consensus views of participants.*

#### **1. Introductions and Welcome**

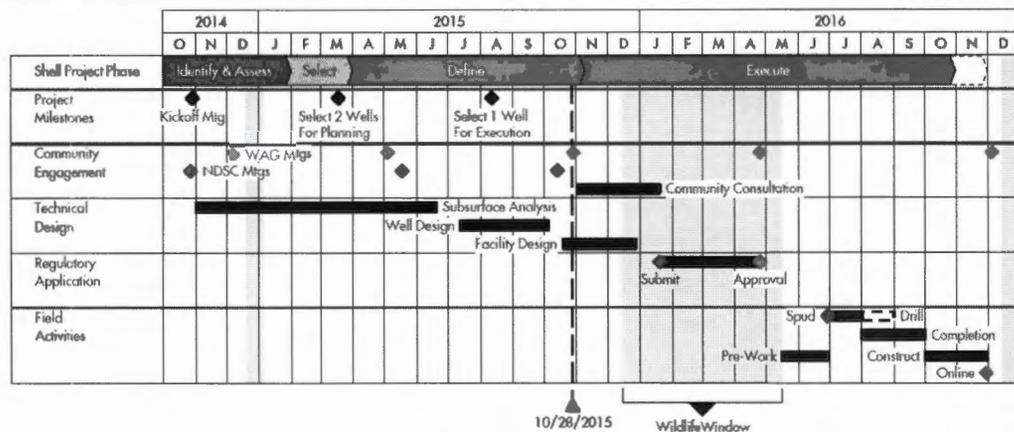
- All participants introduced themselves.

#### **2. Shell Waterton Development Plans for 2015-2016**

- Steve Polvi provided an update on Shell's plans for the Waterton area.
- Shell is currently working on two options for a well location and is incorporating input received from the New Development Sub-Committee (NDSC).

- Two possible locations for an additional well are being considered. The WT-78 lease area is currently the preferred well site and WT-68 is the alternative site.
- Considerations for siting the well include:
  - Stakeholder input (residents, regulator, partners).
  - Minimizing the footprint and impact.
  - Focusing on the most profitable wells (liquids).

## Waterton Drill 2016 – Notional Planning Overview



### Planning considerations

- Target spud summer / fall 2016
- Wildlife zone restrictions, land use
- Technical work – Subsurface, well & facility design
- H2S Release rate pre-approval by AER
- Regulatory application review timeline
- Early engagement of multiple groups – Landowners, public, grazing assoc., Shell (Wells, Projects, Operations), etc.
- Use of New Development Sub-Committee for feedback

### New Development Sub-Committee Update

- A meeting was held on October 14, 2015. Participants included AER, MD of Pincher Creek, landowners and Shell.
- Shell presented the plan to drill WT-78 on Freehold land and described why the location was acquired.
- Discussions with the NDSC included:
  - Size of the well site – will accommodate two wells, approximately 100 metres by 130 metres.
  - Downhole for the well would be under the park, and there would be no downhole impact for this well.
  - Traffic management plan for WT-78 would be identical to the plan for WT-77.

- Other than DAR activities, it is anticipated to be business as usual at the plant.
- WT-78 adds an economic consideration to FID and has a significant impact on extending the life of the field. Prices have an impact, but not a significant impact, on the end of field life.

#### Emergency Response Planning (ERP)

- It was noted that the Castle Special Management Area will now be in the ERP zone.
- A resident noted that the new designated area is called the Castle Special Management Area and not Castle Mountain. Shell will look into updating the map.

#### Update on Burmis 2-24

- Poor cementing with initial drilling of the well has resulted in Surface Casing Vent Flow (SCVF).
- Shell is continuing to make progress to reduce the SCVF.
- Squeezes are happening at the 1000 metre range at this point; well is approximately 4000 metres.
- Shell believes that the sources are close to the surface of the well.

#### Enhanced Protection of the Castle Area

- Shell is supportive of the creation of the Castle Special Management Area; Shell is currently seeking to understand what it will mean for the existing leases.
- A community member noted that they understand that Shell will operate with best practices so why would practices change? Shell confirmed that they do not anticipate a change in practices and they will be meeting with government representatives to gain a better understanding of expectations for the area.
- Any additional future footprint may be impacted.

### **3. Operations Report**

- Rod Wickenheiser reviewed operations for the field and the Waterton Complex for 2015 to date.

#### Integrity and Odour Events

- Integrity events – 0 to October 20 in 2015.
- Odour Notifications – 23 in 2015, with 16 confirmed as a Shell source. Shell is working on changes with condensate truck loading processes to reduce the likelihood of odours.

#### Traffic

- Traffic Notifications – 4 complaints to date in 2015, with 3 related to Shell traffic.

#### 4. Air Monitoring Update – Summary of One-Year Data Technical Review

- Christian Reuten from RWDI provided an overview of the ambient air monitoring data collected over a one-year period in the Screwdriver Creek Valley (SCV).
- In addition to the data collected from continuous and passive monitors, the emissions information reviewed included:
  - Seven flaring events of vent/vapour tank gas at Waterton 68.
  - Pigging (2 times per week at Waterton Junction and 1 time per week at Junction 6-12).
  - Six short-term upsets events at Waterton Complex.
  - Historical monthly and annual emissions at Waterton Complex.
- A question was raised about the volume/pressure of the flaring events. The events are included in a monthly report and most of the volumes are below the reportable limits. A community member noted that significant improvements have been made over the past 20 years.
- At the SCV Continuous Station, the maximum values and averages for SO<sub>2</sub> and H<sub>2</sub>S were very low in comparison with Alberta Ambient Air Quality Objectives (AAAQO) and odour detection thresholds.
- A community member noted that even with the low levels of emissions, there are still approximately 6000 tonnes/year of chemicals being released per year that would not otherwise be released without the oil and gas activity.
- For the continuous and intermittent mobile monitors, the maximum and average results for SO<sub>2</sub> and H<sub>2</sub>S were well below the AAAQO and odour detection thresholds.
- Shell is hoping to have the mobile air monitoring unit at the Shell open house in November in order to provide a demonstration.
- Conclusions and Recommendations from RWDI:
  - Continuous station is downwind of flaring activities and capable of picking up potentially elevated concentrations due to flaring activities in the SCV.
  - Emissions over the study year were representative of recent historical emissions.
  - Full year of data provided a broad spectrum of meteorological conditions.
  - During the study year, observed concentrations were typical of background levels and well below their respective AAAQO and odour detection thresholds.
  - Based on the data review study, the SCV continuous monitoring station has not measured any exceedances of the AAAQO or any concentrations over odour detection thresholds due to flaring activities in the SCV. All values are well below objectives.

- This suggests that continuation of the SCV continuous station is unnecessary, and that this station can be removed from operation.
- A question was raised about whether it makes sense to discontinue the air monitoring if Shell will be doing additional work in the area. Shell is considering that scenario and future development plans will play a factor into Shell's decision on whether or not the trailer will be kept in operation..

#### **5. Shell Environmental Protection and Enhancement Act (EPEA) Approval Renewal**

- Stephen DeCock provided background on the EPEA approval process and an update on the renewal.
- Shell's approval expires in September 2016.
- Shell is intending to file a renewal application with the Alberta Energy Regulator (AER) in November 2015 so that there is plenty of time prior to the expiry of the current approval.
- The current EPEA approval is available for public review on the AER website. The application will cover all environmental related conditions and requirements for the Waterton sour gas processing plant for the next 10 years.

#### **4. WAG Participant Updates**

##### **Synergy Alberta**

- Fraser Stewart is a Board Member for Synergy Alberta and informed the group that his term as a representative of the community sector on the Board expires in the fall of 2015. He indicated that the Synergy Alberta conference provides valuable information on a range of topics and is a good opportunity to learn about other Synergy Groups.
- The next Synergy Conference will be held in Calgary on November 2-4, 2015. The conference will include sessions on a broad range of topics that may be of interest to WAG participants.
- WAG participants who may be interested in attending the conference are invited to talk further with Rod Sinclair or Jen Platman.
- Further information about Synergy Alberta and materials from past conferences are available at <http://www.synergyalberta.ca>

##### **Alberta Energy Regulator (AER)**

- More than a year ago, the AER launched a project to understand and define the traits of a "best in class" regulator.
- The University of Pennsylvania was the successful bidder for the project and has recently completed its work with the release of a report titled *Listening, Learning and Leading: A Framework for Regulatory Excellence*. The full report and an executive summary are available on the AER website at <http://www.aer.ca/about-aer/spotlight-on/regulatory-excellence-initiative>.

- All interested stakeholders are invited to provide feedback to the AER on the implementation of the recommendations by going to [www.talk.aer.ca](http://www.talk.aer.ca).

#### Green Schools Initiative

- A community member noted with appreciation that Shell Canada has sponsored a Green Schools initiative for the Pincher Creek community. If anyone is interested in being involved on a personal level with the program, they are invited to be in touch with Nora Manners. The objective of the program is to have youth form a relationship with the land.

#### Shell Open House

- Shell will be holding an open house in the community on November 26, 2015. A notice of the open house will be forthcoming.

#### **Next WAG Meeting: Spring 2016**



# BOARD REPORT

VOL. 14 NO. 3 DECEMBER 2015

**Chinook Arch**  
Regional Library  
System

## CHINOOK ARCH LIBRARY BOARD MEETING, DECEMBER 3, 2015

### Chinook Arch Library Board Approves 2016 Revised Budget

The Board reviewed and passed the 2016 Revised Budget. 2016 is the second year of the 4-year budget that was approved by member councils in the fall of 2014. Revising the budget annually provides an opportunity to respond to changing priorities and revise projections accordingly. The 2016 Revised Budget includes provisions for:

- Implementation of updated and redesigned websites for member libraries
- Funding of TAL Online, which is a website that allows patrons to search for items in all Alberta libraries, and to place requests online
- The continued renewal of Large Print and Audiobook Block Collections. These collections supplement local holdings by supplying a fresh batch of materials to the local library every few months.

Chinook Arch remains in sound financial shape moving into 2016 and beyond.

### Chinook Arch Quick Facts 2015:

Population served:	196,122
Library Service Points:	35
Municipalities:	39
School Authority:	1
Board Chair:	Howard Paulsen, Stavelly
CEO:	Robin Hepher (rhepher@chinookarch.ca)



*On behalf of the Board  
and staff of  
Chinook Arch Regional Library System,  
we wish you and yours  
a merry Christmas and a  
happy, healthy New Year!*

### Meet the New Senior Management Team at Chinook Arch!

#### **Robin Hepher, CEO**

Robin started as the System's CEO on October 1, 2015. Robin has worked in libraries for many years. He received his Master of Library and Information Science (MLIS) at Western University in 2004, returning to Lethbridge Public Library as a reference librarian and then Electronic Services Librarian. Robin joined Chinook Arch in 2007 as Assistant Director.



#### **Lauren Jessop, Associate Director**

Lauren assumed the role of Associate Director on Oct. 1, 2015. Lauren received her MLIS from Western University in 2008, and joined Chinook Arch in 2009. In addition to her Associate Director duties, Lauren manages Public Services at Chinook Arch.

#### **Beth Norris, Senior Manager Technical Services**

Beth started this position on September 1, 2015. She is responsible for IT and Bibliographic Services. Beth received her MLIS from Western University in 2008, and joined Chinook Arch in 2010.



#### **Mission:**

*Chinook Arch Regional Library System creates and supports the structure for a network of cooperating libraries in Southwest Alberta to share resources in a cost-effective manner.*

#### **Vision:**

*Residents of southwest Alberta, through their local library, have access to shared print and digital resources which support literacy, lifelong learning and an excellent quality of life.*

## CHINOOK ARCH BOARD MEETING, DECEMBER 3, 2015

### Board Members Present:

Arrowwood	Janet Cockwill
Barons	Ron Gorzitza
Town of Cardston	David Edmonds
Cardston County	Lloyd Kearl
Carmangay	Sheila Smidt
Coaldale	Roger Hohm
Coalhurst	Heather Caldwell
Crowsnest Pass	Doreen Glavin
Fort Macleod	Michael Dyck
Glenwood	Barb Michel
City of Lethbridge	Gail Berkner
Lethbridge County	John Willms
Magrath	DeVar Dahl
Milk River	Donald Cody
Milo	Christopher Northcott
Nanton	Gordon Given
Picture Butte	Teresa Feist
Pincher Creek MD	Quentin Stevick
Raymond	Dustin Ralph
Stavely	Howard Paulsen (Chair)
Town of Taber	Laura Ross-Giroux
MD of Taber	Ben Elfring
Vulcan County	Marie Logan
Village of Warner	Colette Glynn
County of Warner	Philip Jensen
Willow Creek MD	Earl Hemmaway
Kainai Board of Education	Linda Weasel Head
Ministerial Appointment	Vic Mensch
<b>Regrets:</b>	
Claresholm	Kathy Davies
Lomond	Doug Logan
Stirling	Jonathan Bikman
LPL Resource Centre	Bob Cooney
<b>Absent:</b>	
Barnwell	Marg McCulloch
Champion	Trevor Wagenvoort
Coutts	Shelley Fleming
Granum	Ken Mason
Hill Spring	Jim Rowley
Pincher Creek	Lorne Jackson
Vauxhall	Christie Sorensen
Vulcan	Viki Hutton

### MEETING HIGHLIGHTS

#### 2016 Executive Committee Elections

Chinook Arch Executive Committee membership remains unchanged after the annual organizational meeting on December 3, 2015. Members of the Executive Committee for the next year are:

- Howard Paulsen (Stavely—Chair)
- Marie Logan (Vulcan County—Vice Chair)
- Lloyd Kearl (Cardston County—Secretary-Treasurer)
- Laura Ross-Giroux (Taber—Officer at Large/Past Chair)
- DeVar Dahl (Magrath—Officer at Large)
- Ben Elfring (MD Taber—Officer at Large)
- Doug Logan (Lomond—Officer at Large)
- Gordon Given (Nanton—Officer at Large)
- Barb Michel (Glenwood—Officer at Large)
- Vic Mensch (Ministerial Appointment—Officer at Large)

Congratulations to all, and thank you for your continued efforts on behalf of Chinook Arch!

#### Ad Hoc Building Committee

The Board approved the creation of an ad hoc committee to review proposals for a concept and drawings for needed improvements to the Chinook Arch HQ facility, and to advise on a course of action. Thank you to those who signed up for the committee. The first meeting of the committee will occur in early 2016.

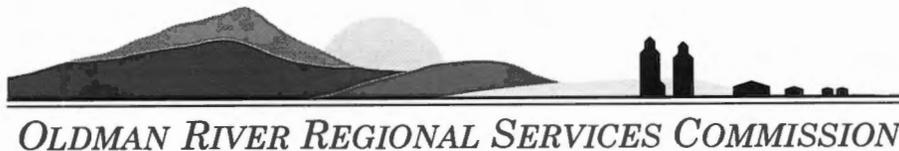
#### Policy Reviews

The Board reviewed two policies: *Personnel Policy* and *Resource Sharing Policy*. The former saw only minor changes, but the latter was heavily revised to bring it into conformance with Provincial policies and current practices. The Alberta Libraries Regulation requires that the Chinook Arch Library Board maintain a policy on resource sharing.

All Chinook Arch Board policies can be viewed on the website at <http://www.chinookarch.ca/content/library-board-policies>

#### Contact Us:

Chinook Arch Regional Library System  
2902 7th Ave. N  
Lethbridge, AB T1H 5C6 | 403-380-1500  
[www.chinookarch.ca](http://www.chinookarch.ca) | [arch@chinookarch.ca](mailto:arch@chinookarch.ca)



**MINUTES – 2 (2015)**  
**ANNUAL GENERAL BOARD OF DIRECTORS' MEETING**  
**Thursday, June 4, 2015 – 7:00 p.m.**  
**ORRSC Conference Room (3105 - 16 Avenue North, Lethbridge)**

**BOARD OF DIRECTORS:**

Bill Graff (absent) .....	Village of Arrowwood	Brad Koch (absent) .....	Village of Lomond
Jane Jensen .....	Village of Barnwell	Richard Van Ee .....	Town of Magrath
Ed Weistra .....	Village of Barons	David Hawco .....	Town of Milk River
Tom Rose .....	Town of Bassano	Rafael Zea .....	Village of Milo
Fred Rattai .....	City of Brooks	Christophe Labrune .....	Town of Nanton
Jim Bester .....	Cardston County	Gordon Simpson .....	County of Newell
Dave Edmonds .....	Town of Cardston	Don Vincent - alternate .....	Village of Nobleford
Cecil Sabourin .....	Village of Carmangay	Teresa Feist .....	Town of Picture Butte
Jamie Smith (absent) .....	Village of Champion	Grant McNab - alternate .....	M.D. of Pincher Creek
Betty Fieguth (absent) .....	Town of Claresholm	Don Anderberg .....	Town Pincher Creek
Bill Chapman .....	Town of Coaldale	Ronald Davis (absent) .....	M.D. of Ranchland
Sheldon Watson .....	Town of Coalhurst	Greg Robinson (absent) .....	Town of Raymond
Ken Galts .....	Village of Coutts	Barry Johnson .....	Town of Stavely
Garry Hackler (absent) .....	Village of Cowley	Ben Nilsson .....	Village of Stirling
Bill Kovach .....	Mun. Crowsnest Pass	Ben Elfring (absent) .....	M.D. of Taber
Dave Filipuzzi .....	Mun. Crowsnest Pass	Margaret Plumtree (absent) .....	Town of Vauxhall
Gordon Wolstenholme .....	Town of Fort Macleod	Rod Ruark .....	Vulcan County
Ben Goetz - alternate .....	Village of Glenwood	Rick Howard .....	Town of Vulcan
John Connor .....	Town of Granum	Don Heggie - alternate .....	County of Warner
Monte Christensen (absent) .....	Village of Hill Spring	Ian Glendinning .....	Village of Warner
Henry Doeve (absent) .....	County of Lethbridge	Henry Van Hierden .....	M.D. Willow Creek

**STAFF:**

Lenze Kuiper .....	Director	Gavin Scott .....	Planner
Mike Burla .....	Senior Planner	Cam Klassen .....	Assistant Planner
Steve Harty .....	Senior Planner	Leda Kozak Tittsworth .....	Assistant Planner
Bonnie Brunner .....	Planner	Kaylee Kinniburgh .....	CAD/GIS Technologist
Spencer Croil .....	Planner	Jordan Thomas .....	GIS Analyst
Ryan Dyck .....	Planner	Gail Kirkman .....	Subdivision Technician
Diane Horvath .....	Planner	Barb Johnson .....	Executive Secretary

**AGENDA:**

1. Approval of Agenda – June 4, 2015 .....

2. **Approval of Minutes – March 5, 2015**..... (attachment)
3. **Business Arising from the Minutes** .....
4. **Reports**
  - (a) Executive Committee Report..... (handout)
  - (b) GIS Update .....
5. **Business**
  - (a) ORRSC Annual Report and Financial Statements 2014..... (attachment)
  - (b) Finance Committee Presentation .....
  - (b) Fee For Service 2015 .....
6. **Accounts**
  - (a) Summary of Balance Sheet and Statement of Income for the 4-month period:  
January 1 - April 30, 2015 ..... (attachment)
8. **Adjournment – September 3, 2015** .....

CHAIR GORDON WOLSTENHOLME CALLED THE MEETING TO ORDER AT 6:50 P.M.

**1. APPROVAL OF AGENDA**

**Moved by: John Connor**

THAT the Board of Directors approve the agenda of June 4, 2015, as presented. **CARRIED**

**2. APPROVAL OF MINUTES**

**Moved by: Tom Rose**

THAT the Board of Directors approves the minutes of March 5, 2015, as presented. **CARRIED**

**3. BUSINESS ARISING FROM THE MINUTES**

None.

**4. REPORTS**

(a) Executive Committee Report ..... (attachment)

**Moved by: David Hawco**

THAT the Board of Directors receive the Executive Committee Report for the meetings of April 9 and May 14, 2015, as information. **CARRIED**

(b) GIS Update

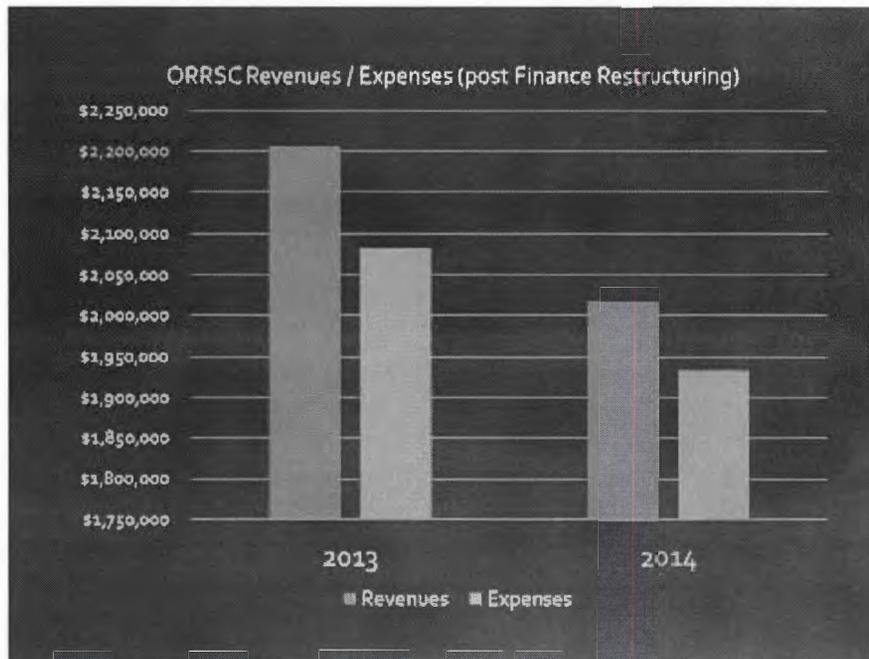
- None.

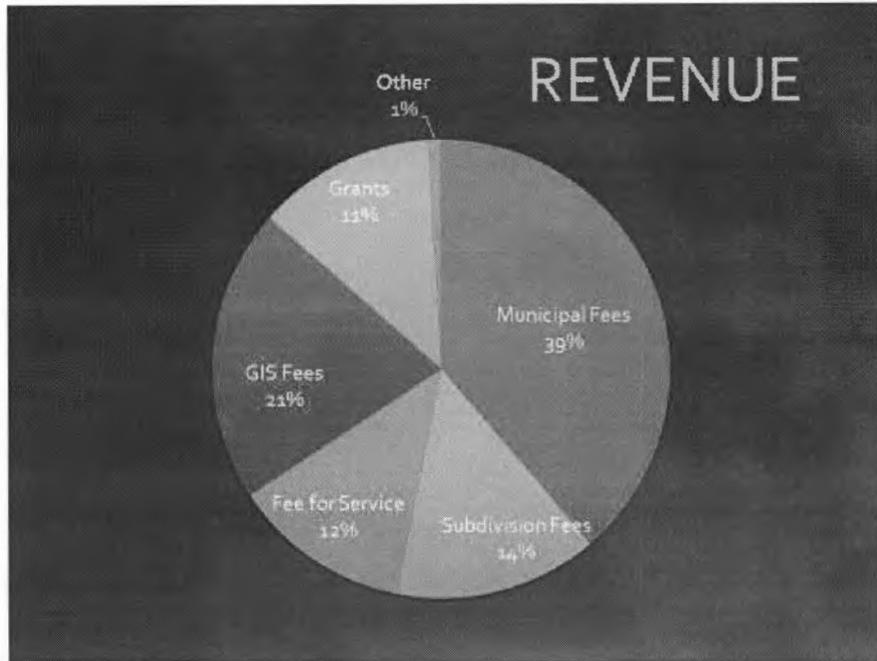
5. BUSINESS

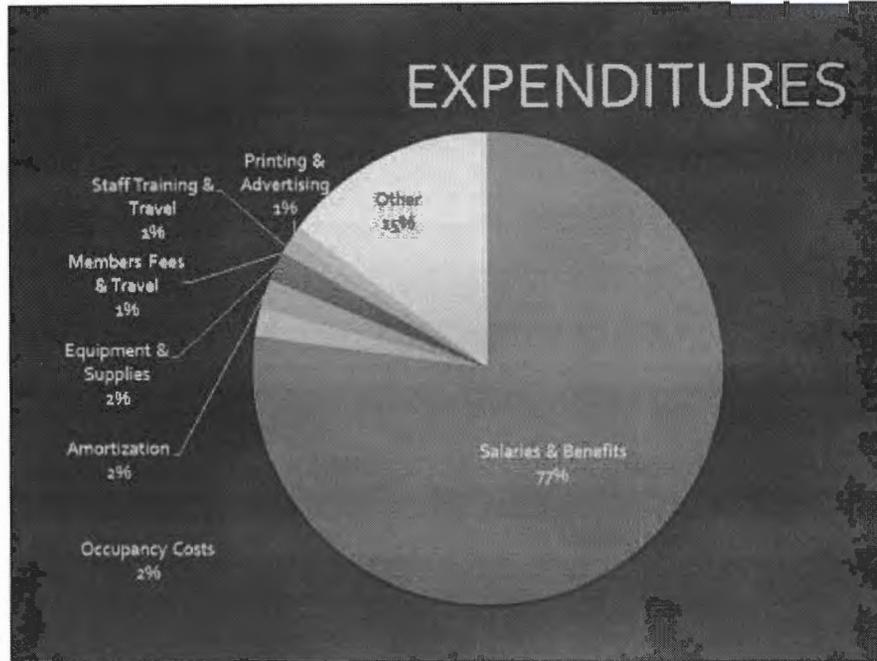
(a) Draft ORRSC Annual Report and Financial Statements 2014

### HIGHLIGHTS

	2013	2014
<b>Net Revenues</b>	<b>2,205,607</b>	<b>2,018,450</b>
Membership (Planning & GIS)	1,259,061	1,324,311
Subdivision	353,630	325,955
<b>Net Expenses</b>	<b>2,082,334</b>	<b>1,933,111</b>
Salaries & Benefits	1,581,539	1,561,230
Excess of Revenues over Expenditures	123,458	92,928
Total Operating Fund	798,845	687,711
Capital assets	677,619	651,049
Internally Restricted Net Assets (Reserves)	0	0
Total Equity	798,845	514,044







## Cash Flow

	2013	2014
Operations	221,617	(56,809)
Capital Activities	(30,099)	(2,519)
Financing Activities	(159,300)	-
Decrease (Increase) in cash & short term investments	32,218	(59,328)
Cash & short term investments, beginning of year	(7,151)	25,067
Cash & short term investments, end of year	25,067	(34,261)

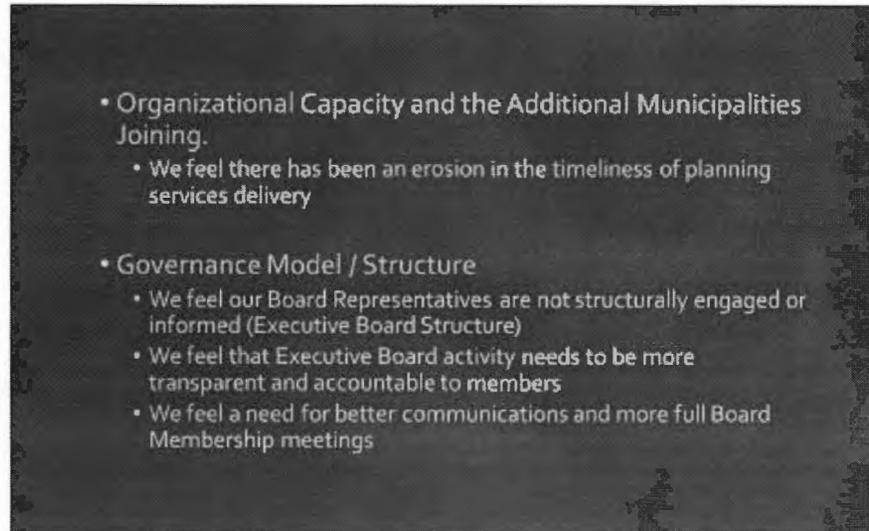
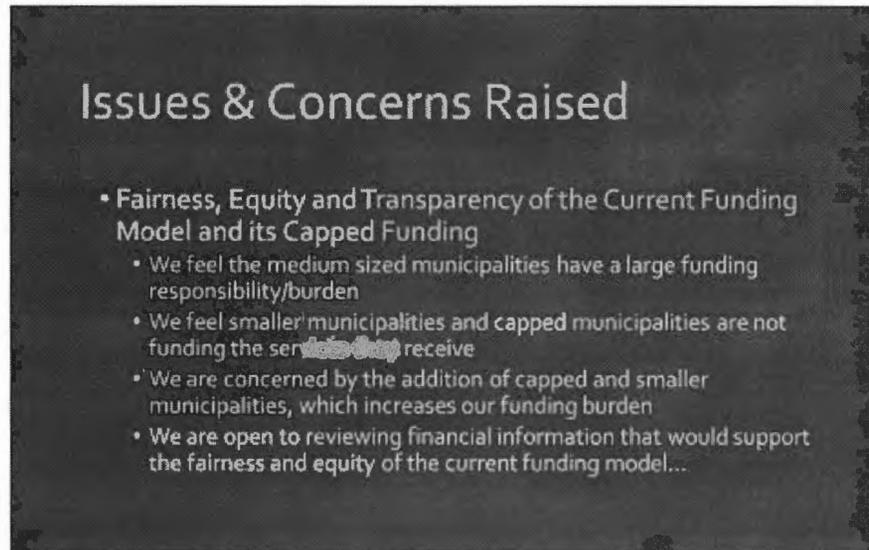
Moved by: Jane Jensen

THAT the Board of Directors approve the ORRSC Annual Report and the Auditors' Financial Statements for the year ending December 31, 2014, as presented. **CARRIED**

**(b) Finance Committee Presentation**

- Don Anderberg – Mayor of Pincher Creek, ORRSC Executive Committee Member and ORRSC Finance Committee Member in 2012 presented the following:

*“At our April Executive meeting a delegation of four member communities approached us with a number of questions and concerns about management and financial concerns. We have supplied you with a copy of their presentation and concerns.*



*The delegation and the Executive Committee had an informative and open conversation responding to most of the points that were raised. One concern was the feeling that proper and timely information was not getting from the Executive Committee to the Board members. The other major area of concern is the funding formula.*

*The Executive Committee is elected by and works for the membership. As was pointed out by the delegation, if we have not or are not properly providing you with the information that you require or desire, then we have to make adjustments to the process. The Executive has made*

*a commitment to take a more active role in Board meeting reports and provide information in a form that works in everyone's interests. This will take input from you and will be addressed as we move forward.*

*The previous Board was involved in the financial issues that ORRSC faced and were informed by the Executive and the Finance Committee throughout the process of getting our financial house in order. We had a large turnover of Board and Executive members in the election cycle and I believe we lost a large part of the knowledge surrounding our financial situation.*

*The questions raised by the delegation are valid. When put into context with the proper background information, most of these issues can be explained and justified.*

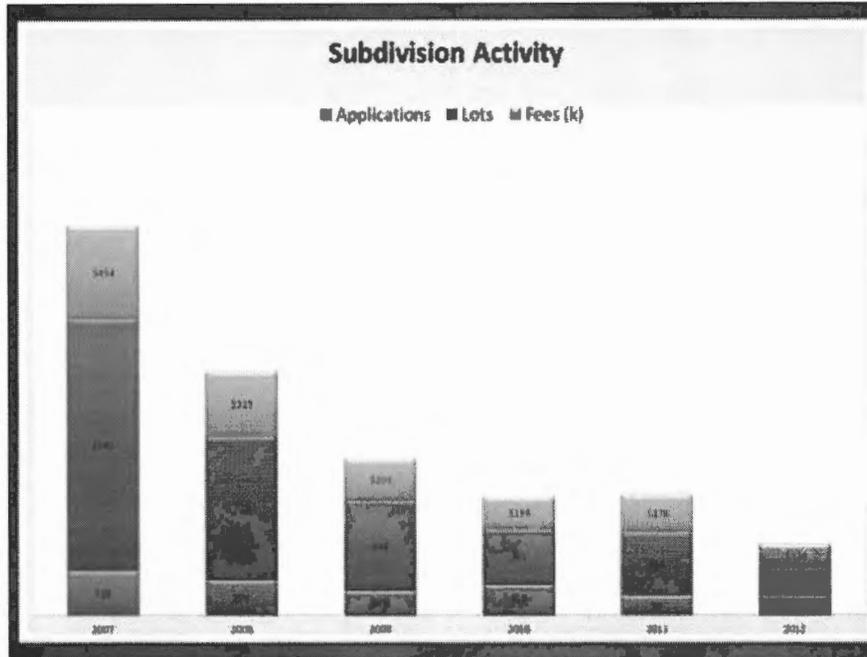
*I am the only member of the 2012 Finance Committee remaining in the organization and will give you an overview of the historical background of ORRSC's finances and reasons why the decisions were made in 2012 to make ORRSC finances more stable.*

*When ORRSC became a Commission in 1995, it was decided that the membership fee would be based on equalized assessment. This is a common practice at the provincial level for sharing costs. The province had provided through cost sharing all communities (large and small) with planning services up to this point and ORRSC made the decision to offer service to as many communities as possible, large or small, regardless of their ability to pay.*

## Membership Fees

- 1994 – Provincial participation and partial funding ended
- 1995 – ORISA emerges and maintains member fees based on TEA using 1993 data
- 2003 – ORISA changes to ORRSC and maintains member fee structure still based on 1993 TEA (with provisions to increase fees by 5% a year only)
- 2011/2012 ORRSC relying on reserves accumulated through subdivision fees (which subsidize member fees)

*Subsequent to the first year where the fees were based on the equalized formula, at various points in time a fee increase would come in the form of a percentage increase. The need never arose for many years to review this practice as fees and subdivision revenue paid the bills. When the subdivision revenue collapsed, ORRSC had built up a large reserve and the decision was to use the cash on hand to pay the bills, even when the organization was running a large deficit budget.*



*The lines finally crossed in 2011/2012 and there was a major cash flow problem, so serious that a Finance Committee was put in place by the Board to make recommendations to address the funding issues.*

## Finance Committee

- Chair Terry Michaelis – Mayor Town of Milk River
- Don Anderberg – Councillor Town of Pincher Creek
- Dick Fenton – Councillor Town of Nanton
- Henry Pauls – Councillor Town of Coaldale
- Larry Mitchell – Councillor Crowsnest Pass
- Walter Gripping – Councillor Town of Granum

Advisors

- Scott Barton – CAO Town of Raymond/Stirling
- Cynthia Vizzutti – CAO M.D. of Willow Creek
- Kevin Stephenson – CAO County of Newell

ORRSC Staff

- Lenze Kuiper – Director
- Mike Burfa – Senior Planner
- Steve Ellert – GIS Analyst

*The Finance Committee looked at a number of different ways to address membership fees. Hourly fee for service and weighted formulas that included equalized assessment, population, parcel count and calls for service. All options were discussed and the Committee recommended to the Executive and the Board to stay with the equalized assessment model, but to use current Equalized Assessment instead of 1993 EA.*

## Finance Options

- Full Fee for Service - equitable but fees would have to be comparable to private practice to make the venture sustainable.
- Weighted – Equalized Assessment + Population + Parcel Count + Level of Service – complicated & difficult to manage
- Total Equalized Assessment – common method of appropriation used by municipalities in funding services (but base it on current data each year)
- So the funding model remained the same – but utilized current TEA

***A number of recommendations came forward to the Executive and the Board.***

*Each municipality would cover the mileage and per diems for their Board members. The cost was about \$25,000/year. Up to this point it was possible to pay more to a member in mileage and per diems than they were paying in membership fees. The Executive Committee would still be paid per diems and mileage from ORRSC as they represent the organization as a whole.*

*Fee For Service such as statutory plans, etc. would be payable 1/3 on signature of contract, 1/3 payable at 50% complete and 1.3 on substantive completion. We had over \$700,000 in projects on the books, some carried for up to three years. This decision made the cash flow predictable for more accurate income budgeting.*

*Fee For Service and subdivision rates were adjusted to a percentage of commercial service providers.*

*Base rate increased to \$2,000/year. Cap rate set at \$65,000/year. Any percentage increase in budget, e.g. 5% is added to the base and the cap.*

*The decision to continue with the equalized assessment model was the Finance Committee's best solution to a complex issue. We felt that it was important to follow the original intent of ORRSC to make planning services available to as any communities as possible. We did not want to put anyone out on the street (for lack of a better term). We were keenly aware that some communities under this formula would derive a benefit and others would pay a premium. On the base end with the smaller communities we ran the numbers with equalized assessment and the total overall amount gained was minimal. To reflect the actual value of service from ORRSC and put a number on that would make this service unaffordable for most with the fixed base price.*

## Floors & Ceilings

- Floor = \$2000
  - Valuation based on minimum level of service (planning advice, development advice, phone, travel, overhead, etc...). Approx. 15 hours
- Ceiling = \$65,000
  - Valuation based on overstatement of fees that would be paid by those municipalities with high TEA's. Beyond this price point the benefits of being in a shared service begin to diminish. Approx. 489 hours

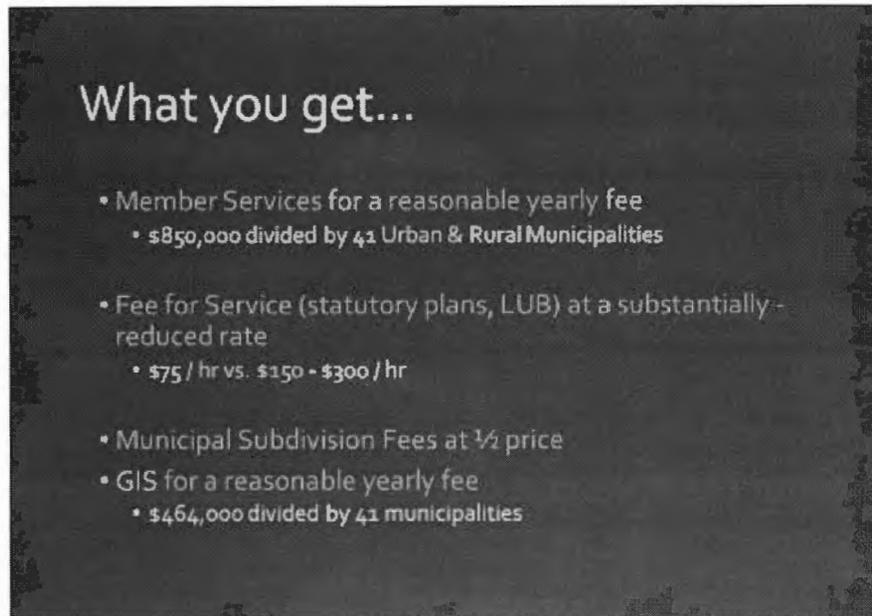
*The cap was set at \$65,000. Although to many this seems on the low side, several of the cap communities expressed concern at higher fees because they had other options. These included Regional Partnerships or running their own planning departments. The value to ORRSC is realized in the statutory plans and subdivision revenue and even at the cap rate of \$65,000 that is still cash flow we would probably have to look elsewhere for. One other benefit with a larger membership is that we have more capacity in the organization. It gives us more depth of knowledge and the ability to take on larger outside contracts which also supplements our income. A calculation for the County of Newell based on the present equalized assessment formula would be \$727,000/year. Without a cap they would most likely run their own planning department and ORRSC would not get the \$65,000 membership fee but would also lose the revenue of Fee For Service plans and subdivisions.*

## Reserve Policy

- Goal
  - \$250,000 Operating
  - \$250,000 Capital
- 2015 will see \$50,000 allocated towards this goal.

*The recommendation was to take the current equalized assessment of each member community and use that amount to calculate their Fee For Service for the 2013 budget. The budget process reflected the need for stable and predictable funding. This included conservative Fee For Service and subdivision revenue estimates reflecting recent history. Also included in the revised budget direction was the necessity for reserves. The recommendation was \$250,000 in Operating and \$250,000 for Capital. Funding is derived from a dedicated contribution of \$50,000 per year plus budget surpluses until the reserve fund is fully funded. If there is a deficit, that deficit will be added to the following year's budget and collected in that year's membership fee.*

*Membership fees based on the updated equalized assessment information caused some communities to have a significant increase in fees while many others remained close to the same level and some communities had a reduction. If the equalized assessment formula had been followed, the increases would have been in line with assessment growth and not have increased in one lump sum. We now have a consistent formula for assigning membership fees to each municipality.*



**What you get...**

- Member Services for a reasonable yearly fee
  - \$850,000 divided by 41 Urban & Rural Municipalities
- Fee for Service (statutory plans, LUB) at a substantially-reduced rate
  - \$75 / hr vs. \$150 - \$300 / hr
- Municipal Subdivision Fees at 1/2 price
- GIS for a reasonable yearly fee
  - \$464,000 divided by 41 municipalities

*It can be argued that this formula benefits some while costing others more. It can also be argued and backed up with fact that it would be very difficult, if not impossible, for any one of our members to run their own planning department for what we pay ORRSC. Every municipality by being a member of ORRSC, has a full complement of planning professionals and support staff. We are a phone call away from professional planning advice and we do not get a bill every time we call. We also get discounted Fee For Service and subdivision rates. This added value has to be recognized when assessing fees.*

*Do the inequities of the funding formula even come close to adding up to all the positive benefits derived from membership in ORRSC? That's for you to decide. As a member of the Finance Committee, we tried to make it as fair and equitable as possible for everyone.*

*Speaking as a member of the Executive, we are more than willing to take your suggestions and advice around this or any other subject. Every member has a say in the direction of this organization and can be as involved as they wish to be."*

- Following the presentation, Mr. Anderberg answered Board members' questions.

**(c) Fee For Service 2015**

- An updated Fee For Service chart was included in the agenda for members' information.

**6. ACCOUNTS**

**(a) Summary of Balance Sheet and Statement of Income for the 4-month period:  
January 1 - April 30, 2015**

**Moved by: Fred Rattai**

THAT the Board of Directors receive the Summary of Balance Sheet and Statement of Income for the 4-month period: January 1 - April 30, 2015, as information. **CARRIED**

**7. ADJOURNMENT**

**Moved by: Rick Howard**

THAT we adjourn the Annual General Board of Directors' Meeting of the Oldman River Regional Services Commission at 7:30 p.m. until **Thursday, September 3, 2015 at 7:00 p.m.** **CARRIED**

/bj

CHAIR: \_\_\_\_\_

