

Claresholm, Alberta, July 19, 2017

The regular meeting of the Council of The Municipal District of Willow Creek No. 26 was held in the Administration Building on the above date with Reeve Hemmaway, Deputy Reeve Alm, Councillors Kroetsch, Sandberg, Sundquist, Van Hierden and Wilson, CAO Vizzutti and Executive Assistant MacOdrum as recording secretary present.

Lawrence Gleason – Reporter entered the meeting.

Superintendent of Public Works Johnson entered the meeting

1. Reeve Hemmaway called the meeting to order at 11:45 a.m.

2. **ADDITIONS TO THE AGENDA:**

(p) Emergency Services – Fire & CPO

Macleod Pioneer Lodge Site Construction Meeting Minutes of July 5, 2017 were circulated.

Director of Finance Hannas entered the meeting at 11:48 a.m.

3. **MINUTES:**

(a) **Council Meeting Minutes – June 22, 2017**

Moved by Councillor Sandberg the June 22, 2017 Council meeting minutes be accepted as presented.

Carried.

4. **FINANCIAL MANAGEMENT:**

(a) **Cheque Register**

Director of Finance Hannas presented the cheque register for cheque #'s 22730 – 22789 and EFT #'s 1 – 23 in the amount of \$631,728.98 as information.

(b) **Discretionary Grants Reconciliation**

Moved by Deputy Reeve Alm the Discretionary Grants reconciliation as of July 19, 2017 be accepted as presented.

Carried.

(c) **Operating and Capital Reconciliation**

Director of Finance Hannas presented the Operating and Capital Financial reconciliation as of June 30, 2017.

Meeting recessed for lunch at 12:06 p.m.

Meeting reconvened at 12:49 p.m.

(d) **New MD Website**

Director of Finance Hannas presented the new MD website for Council's comments.

(e) **Uncollectible School Foundation Funding**

CAO Vizzutti presented a news article on the County of Stettler No. 6 regarding uncollected school taxes on linear property due to delinquent taxes owed by oil and gas companies. The County is required to collect and remit School and Seniors Housing Requisition taxes to the provincial government whether payment is received or not.

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Director of Finance Hannas advised of the following uncollectible school taxes:

2015 – 2017 Lexin Resources Ltd. school requisition – \$122,721.00

2013 – 2016 Verity Energy Ltd. school requisition - \$11,756.10

2014 – 2016 Lorad Energy Ltd. school requisition - \$3,595.93

Total amount of uncollectible school requisition owed to the MD by these three companies is \$138,073.14.

CAO Vizzutti advised the provincial assessors have removed Lexin Resources Ltd., Verity Energy Ltd. and Lorad Energy Ltd. from the linear assessment roll because there are no longer leases. The MD still has the site and machinery and equipment assessment on the roll.

Moved by Councillor Sandberg that Council supports the position of administration to remove the assessments from the roll for Lexin Resources Ltd., Lorad Energy Ltd. and Verity Energy Ltd.

Carried Unanimously.

CAO Vizzutti will check with the AAMDC to see if a resolution has been presented dealing with the delinquent taxation for oil and gas companies.

Director of Finance Hannas left the meeting at 1:17 p.m.

5. **PUBLIC WORKS:**

(a) New Grader

Superintendent of Public Works Johnson requested a resolution to allow him to order a new grader for delivery in 2018.

Moved by Deputy Reeve Alm to authorize Superintendent of Public Works Johnson to order a new grader for delivery in 2018.

Carried.

(b) Equipment Ordered

Superintendent of Public Works Johnson updated Council on the new Kenworth truck and John Deere tractor that have been purchased as per 2017 budget.

(c) Mowing of Ditches

Superintendent of Public Works Johnson advised the graders are currently mowing ditches. There are two grass cutters running all year and three additional graders are mowing ditches. He advised the graders are equipped with a pressurized tank of water for emergency situations and they are cutting higher to eliminate the risk of starting fires.

Manager of Planning and Development Chisholm entered the meeting at 1:23 p.m.

Kathie McLean entered the meeting at 1:26 p.m.

Moved by Deputy Reeve Alm the mowing of ditches be halted when a fire ban is in effect.

Defeated.

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Mike Burla entered the meeting at 1:28 p.m.

Moved by Councillor Sandberg to recess the Council meeting at 1:31 p.m.

Carried.

6. **PUBLIC HEARING:**

(a) **Land Use Bylaw – Application A-05-17 – Kathie McLean**

Reeve Hemmaway called the Public Hearing to order at 1:32 p.m.

Manager of Planning and Development Chisholm advised of an application by Kathie McLean for a Land Use Bylaw Amendment to redesignate 5.0 acres within the SE 3-11-28-4, from ‘Rural General – RG’ to ‘Vacant Country Residential – VCR’ to accommodate a proposed bare land subdivision for country residential use.

Manager of Planning and Development Chisholm advised on May 24, 2017 Council defeated a Land Use Bylaw Amendment application A-03-17 to redesignate 12 acres from a titled area of 172.0 acres in the SE 3-11-28-4, to ‘Vacant Country Residential – VCR’. She advised on June 14, 2017 Council granted a waiver of the six month waiting period so the applicant may re-apply for a Land Use Bylaw Amendment on the same lands.

Manager of Planning and Development Chisholm advised the residual parcel being created would be 167.0 acres in size, therefore, meeting the minimum requirement of 140 acres. The reason for the oversized existing parcel is due to the correction line. She stated the Municipal Development Plan does not allow for the subdivision of bare land under the current ‘Rural General – RG’ district. Consequently rezoning to ‘Vacant Country Residential – VCR’ is required before an application for a bare land subdivision may be considered by the Municipal Planning Commission.

Manager of Planning and Development Chisholm presented the following development considerations:

1. Soil suitability for a septic system has been verified by a report prepared by Down to Earth Labs.
2. A new access from Range Road 282 will be proposed through the development process. The developer/landowner would be required to enter into a development agreement with the MD for the undeveloped road allowance to be constructed to municipal standards (Policy 320-07 – Minimum Local Road Standards), and an approach shall be constructed to municipal standards (Policy 320-07b).
3. Site inspection was completed on May 16, 2017.

Manager of Planning and Development Chisholm advised the notice of Public Hearing was advertised for two consecutive weeks, July 5th and 12th, 2017 in the Claresholm Local Press, pursuant to Sections 230, 606 and 692 of the MGA. She stated adjacent landowners were notified of the Public Hearing by mail and it was posted on the MD’s website.

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Manager of Planning and Development Chisholm advised no comments have been received.

Mike Burla – MD Planner advised he supports the application as presented.

Comments from the Applicant

Kathie McLean advised she has no comments.

Moved by Councillor Wilson to adjourn the Public Hearing at 1:36 p.m.

Carried.

Reeve Hemmaway reconvened the Council meeting at 1:36 p.m.

7. **BYLAWS:**

(a) Bylaw No. 1772 – Land Use Bylaw Amendment (SE 3-11-28-4)

Moved by Councillor Kroetsch Bylaw No. 1772, being a bylaw to amend Land Use Bylaw No. 1616, to redesignate 5.0 acres of land within the SE 3-11-28-4 from ‘Rural General – RG’ to ‘Vacant Country Residential – VCR’, be given first reading.

Carried.

Moved by Councillor Sandberg Bylaw No. 1772 be given second reading.

Carried.

Moved by Deputy Reeve Alm all Councillors present are in agreement to giving Bylaw No. 1772 third and final reading.

Carried Unanimously.

Moved by Councillor Wilson Bylaw No. 1772 be given third and final reading and the Reeve and Chief Administrative Officer be authorized to sign and counter sign on behalf of the Municipal District.

Carried.

Kathie McLean left the meeting at 1:39 p.m.

Superintendent of Public Works Johnson left the meeting at 1:39 p.m.

Manager of Planning and Development Chisholm and Mike Burla left the meeting at 1:39 p.m.

8. **COUNCIL MANAGEMENT:**

(a) Agricultural Service Board Grant Application

Moved by Councillor Sundquist to authorize the Reeve and Chief Administrative Officer to sign the 3 year Agricultural Service Board Grant Agreement on behalf of the Municipal District.

Carried.

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(b) Granum Recycling Trailer Repairs

CAO Vizzutti presented a quote of \$3,386.11 for repairs to the Granum recycling trailer. She advised the MD paid 50% of the repairs on the Stavely recycling trailer in 2014.

Moved by Councillor Sandberg to pay \$1,693.06 being 50% of the Granum recycling trailer repairs to the Town of Granum.

Carried.

Town of Granum Bulk Water Station – Back Flow Valve

CAO Vizzutti presented a request from the Town of Granum for financial assistance to install a back flow valve on the bulk water station.

Moved by Councillor Kroetsch the request from the Town of Granum for financial assistance to install a back flow preventer on the bulk water station be tabled until an estimate is provided.

Carried.

(c) Bridge File 9247 Bridge Replacement - Grant Funding

CAO Vizzutti advised BF9247 Bridge Replacement project has been approved under the Strategic Transportation Infrastructure Program – Local Road Bridge program and presented the agreement for signing by the M.D.

Moved by Councillor Wilson the Reeve and Chief Administrative Officer be authorized to sign the Memorandum of Agreement between Alberta Transportation and the Municipal District of Willow Creek for the Strategic Transportation Infrastructure Program Local Road Bridge for BF9247 Bridge Replacement.

Carried.

(d) Bridge File 75307 – Bridge Rehabilitation Funding

CAO Vizzutti presented a letter from Deputy Minister Barry Day advising BF 75307 Bridge Rehabilitation (RR 30-0A Mosquito Creek) under the Local Road Bridge Program of Strategic Transportation Infrastructure Program was not recommended for funding approval.

(e) Town of Fort Macleod – George Cuff Council Orientation

CAO Vizzutti advised the Town of Fort Macleod will be hosting a George Cuff Council Orientation course on November 2, 2017.

Moved by Deputy Reeve Alm eight seats be reserved at the George Cuff Council Orientation course on November 2, 2017 at the Town of Fort Macleod.

Carried.

(f) Munis 101 Course

CAO Vizzutti advised registration has been completed for all Councillors to attend the Munis 101 Course on January 8th and 9th, 2017 in Lethbridge.

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(g) Letter from Hon. Sarah Hoffman – Minister of Health re: Medevac Services

CAO Vizzutti presented a letter from Hon. Sarah Hoffman, Minister of Health advising that Alberta Health Services have been granted operational governance over ambulance services, including air ambulance. She advised there will be no changes to base locations and Medicine Hat remains a hub airport for fixed-wing portion of the air ambulance program and there will be no increase in response times or flight times for the area.

(h) Letter from Hon. Christina Gray – Minister of Labour

CAO Vizzutti presented a letter from Hon. Christina Gray, Minister of Labour, thanking the Council for their letter regarding Bill 17 and she advised the Alberta Employment Standards Code and Labour Relations Code had not been significantly updated since 1988 and updating ensures Alberta's workplace laws align with other Canadian jurisdictions.

(i) Letter from Ronda Golden – Assistant Deputy Minister, Alberta Environment and Parks

CAO Vizzutti presented a letter from Ronda Holden, Assistant Deputy Minister of Alberta Environment and Parks thanking the Council for their letter expressing concerns with the Biodiversity Management Framework (BMF) and the impact on agriculture. She advised the input and advice from local governments will be considered as the development of the BMF continues.

(j) Town of Claresholm – Notice of Public Hearing

CAO Vizzutti presented a Notice of Public Hearing from the Town of Claresholm for a redesignation of Lot 16, Blk 63, Plan - 110064 from 'Multiple Residential – R4' to 'Apartment – R5'. The Public Hearing was held on July 17, 2017 at 7:00 p.m.

(k) Foothills Ford Charity Golf Tournament – Donation

Moved by Deputy Reeve Alm to donate \$1,200.00, a coat and a history book to the Foothills Ford Charity Golf Tournament on September 9, 2017 from the following discretionary spending accounts:

Divisions 1, 2, 4, 5 & 7 - \$200.00 each

Divisions 3 & 6 - \$100.00 each

Carried.

(l) 2017 Nanton Women's Conference – Donation

Moved by Councillor Wilson to donate a set of wine glasses and \$400.00 to the Nanton Women's Conference from the following discretionary spending accounts:

Divisions 1, 2, 3 & 4 - \$50.00 each

Divisions 5 & 6 - \$100.00 each

Carried.

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(m) **Livingstone Range School Division – Election Services**

Agreement

CAO Vizzutti presented the 2017 Election Services Agreement between the M.D. of Willow Creek and the Livingstone Range School Division for Council's consideration. She advised the agreement is the same as the agreement used in 2013 and if the M.D. has an election we will use our workers and share the cost and if the M.D. doesn't have an election the School Division will do it themselves.

Moved by Deputy Reeve Alm the Election Services Agreement between Livingstone Range School Division No. 68 and the Municipal District of Willow Creek No. 26 be approved as presented.

Carried.

(n) **Council Photo**

Council discussed the Council photo proofs and requested to have the photo redone.

(o) **Overview of the Ombudsmans Office**

CAO Vizzutti presented the Overview of the Ombudsmans Office as information. She explained the impact on the municipality with the additional level of bureaucracy.

(p) **AAMDC Resolution Process**

CAO Vizzutti presented the AAMDC resolution process as information.

(q) **AUMA Proposal to Merge with AAMDC**

CAO Vizzutti advised the AUMA is putting forward a resolution to merge AUMA and AAMDC into a new municipal association that would represent all of Alberta's municipalities.

CAO Vizzutti presented a proposed resolution for submission to Foothills Little Bow Association on September 15, 2017.

Moved by Deputy Reeve Alm to submit the following resolution to the Foothills Little Bow Association:

AAMDC refusal to engage in exploratory discussion to merge with AUMA

WHEREAS The Alberta Association of Municipal Districts and Counties (AAMDC) has provided a clear and constant voice for rural Alberta for over 90 years; and

WHEREAS The AAMDC exists to provide a slate of member services for rural Alberta, including but not limited to advocacy, elected officials education, insurance management, networking, research, risk management, and a trade division; and

WHEREAS The Board of the AAMDC is comprised of democratically elected rural representatives who have been given a clear mandate, from its membership, to provide a strong voice to advance the ideals, values and concerns of rural municipalities that would otherwise be lost; and

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WHEREAS a merger with the AUMA would result in lost representation, lost autonomy, lost influence with senior levels of government and the eventual amalgamation of rural municipalities with 266 urban municipalities, looking to obtain the lucrative trade division of AAMDC.

NOW THEREFORE BE IT RESOLVED THAT the AAMDC refuse to enter into any discussions with AUMA that would result in any attempt to merge the AAMDC with AUMA.

BACKGROUND:

AUMA and AAMDC have been operating as separate municipal organizations for decades and the separation of the Insurance Reciprocal at that time resulted in a painful and prolonged “divorce”. There are 266 towns and villages and 75 rural municipalities. The voice of rural Alberta will be lost in a ratio of more than 3 to 1. The needs and wants of urban municipalities are completely different than those of rural municipalities. While the majority of rural infrastructure is designed around transportation corridors and emergency and enforcement services, urban municipalities require millions of dollars to subsidize recreational services. There has always been a disconnect between the two entities regarding municipal servicing priorities. The continuous ongoing attempt, by AUMA, to absorb and cherry pick what is successful about AAMDC will leave rural Alberta without its last great voice.

Carried.

(r) Designated Industrial Property Assessment

CAO Vizzutti presented a letter from Steve White, Provincial Assessor advising effective January 1, 2018 the responsibility for the assessment of Designated Industrial Properties will be transferred from municipalities to the provincial assessor. Municipal Affairs is currently working on a transition to provide a hybrid delivery model that involves some municipalities maintaining the assessment function for Designated Industrial properties under the guidance of the Provincial Assessor.

CAO Vizzutti advised this would be workable however there is an issue with the CAMA lot program having proprietary licensing issues.

Moved by Councillor Wilson the letter from Steve White, Provincial Assessor regarding the M.D. managing the Designated Industrial property assessment be tabled to the August 9, 2017 Council meeting; and Morgan Strate and Wayne Lamb of Benchmark Assessment be invited to attend the August 9, 2017 Council meeting to discuss the provision of designated industrial property assessment services to the province.

Carried.

(s) Community Peace Officer

CAO Vizzutti advised the M.D. currently has two Community Peace Officers and discussed the Community Peace Officer Agreement with the Towns of

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Nanton and Stavely. The M.D. provides 30 hours/week to the Town of Nanton and 2 hours/week to the Town of Stavely for CPO enforcement.

She presented an outline of services provided by the Willow Creek Emergency Services for Safety, Emergency Management, Fire/Rescue and Peace Officer.

CAO Vizzutti asked Council for direction regarding increasing the number of Community Peace Officers in the municipality.

Deputy Reeve Alm stated increasing the number of Community Peace Officers could be considered during 2018 budget discussions.

Councillor Sandberg suggested the public should be educated on the roles and responsibilities of the Community Peace Officer.

CAO Vizzutti advised the discussions will be deferred to 2018 budget.

7. **BYLAWS (CONT:)**

(b) **Bylaw No. 1771 – S. Vandervalk Road Allowance Lease**

CAO Vizzutti presented Bylaw No. 1771, being a bylaw for the closure and lease of the statutory road allowance adjacent to the North Boundary of Block B, Plan 7810776 (Ptn. NW 23-9-26-4) and that portion of the East Boundary of the NE 22-9-26-4 continuing 219 feet north of the northerly limit of Willow Creek, for Stephen Vandervalk, has received Alberta Transportation approval and is in order for Council to give the bylaw second and third readings.

Moved by Deputy Reeve Alm Bylaw No. 1771 be given second reading.

Carried.

Moved by Councillor Wilson Bylaw No. 1771 be third and final reading and the Reeve and Chief Administrative Officer be authorized to sign and counter sign on behalf of the Municipal District.

Carried.

9. **CORRESPONDENCE:**

(a) **Thank you – Chinook Jr. Stock Show** - presented.

(b) **Thank you – Kids First Family** – presented.

(c) **Thank you – High River District Health Care Foundation** – presented.

(d) **Coutts Centre Arts Festival – July 23, 2017** – presented.

(e) **Rowan House Emergency Shelter – 5th Anniversary – July 24th, 2017**

Councillor Wilson will try to attend the celebration.

(f) **Foothills Little Bow Association**

CAO Vizzutti advised the Foothills Little Bow Association meeting is on September 15, 2017 at 9:30 a.m. in Lethbridge.

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(g) Jubilee Insurance Risk Pro

CAO Vizzutti advised she will be attending the Jubilee Insurance Risk Pro workshop in Calgary on September 21 & 22, 2017 and invited Council members to attend.

(h) Alberta Culture and Tourism – 2017 Stars of Alberta Volunteer Awards – presented.

(i) Family & Community Service Branch – Inspiration Awards – presented.

(j) Legion Alberta-NWT Military Service Recognition Book

Noted the M.D. received a copy.

(j) Oldman Watershed Council – Thank you – presented.

Moved by Deputy Reeve Alm the meeting goes in camera under Section 27 of FOIP – Privileged information at 2:54 p.m.

Carried.

Lawrence Gleason – Reporter left the meeting at 2:54 p.m.

Moved by Deputy Reeve Alm to come out of in camera at 3:38 p.m.

Carried.

8. **COUNCIL MANAGEMENT (CONT:)**

(t) ASB Tour Report – Councillor Kroetsch

Councillor Kroetsch reported on the various tours he attended during the ASB Conference in Red Deer. He requested a thank you be sent to Mountainview County and Red Deer County.

10. **ADJOURNMENT:**

Moved by Councillor Wilson to adjourn the meeting.

Carried.

Meeting adjourned at 3:44 p.m.

Reeve

Chief Administrative Officer