

MUNICIPALITY OF CROWNEST PASS

TUESDAY, DECEMBER 2, 2008

A regular meeting of the Council of the Municipality of Crownsnest Pass was held in the Council Chambers on Tuesday, December 2, 2008.

PRESENT: **MAYOR:** Dr. J. Irwin

COUNCILLORS: D. Cole, I. MacLeod, L. Mitchell, J. Salus, G. Taje, D. Ward

Also present:

Chief Administrative Officer:	Gordon O. Lundy
Director of Finance and Systems:	Marion Vanoni
Public Works Superintendent:	Ray Mahieux
Community Services Director:	Cam Mertz
Confidential Secretary:	Leslie Orlen

CALL TO ORDER

Mayor J. Irwin called the meeting to order at 7:07 pm.

PUBLIC HEARING

No Public Hearings were scheduled.

ADOPTION OF AGENDA

ADDITIONS:

BYLAWS:

3. Bylaw No. 771, 2008 – Repeal Bylaw No. 265-90

OTHER BUSINESS

4. Adanac Road
5. M.D. of Pincher Creek-Water Allocation Meeting Dates

M#3748-08: Councillor Ian MacLeod moved that the agenda be adopted as amended.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

M#3749-08: Councillor D. Ward moved that the minutes of the Regular Council meeting of Tuesday, November 18th, 2008 be adopted as written.

CARRIED UNANIMOUSLY

DELEGATIONS

Atlas Area Proposed Logging – Alberta SRD/Spray Lakes Sawmills

Mr. Rick Blackwood, Mr. John Sullivan and Mr. Roy Campbell from Alberta Sustainable Resource Development and Mr. Gordon Lehn, Woodlands Manager, Spray Lakes Sawmill were in attendance to provide information of the proposed logging in the Allison Creek Valley.

Alberta Sustainable Resource Development

Mr. Rick Blackwood Alberta Sustainable Resource Development, with the aid of a PowerPoint presentation provided the following information:

- ▶ history of the life cycle of the forests
- ▶ noted that a major agent of change is the Mountain Pine Beetle indicating it was a real threat to the forests
- ▶ displayed charts of trees infested in 2007 as well as the estimate for 2008
- ▶ provided an overview of the Pine Beetle situation in the Province
- ▶ when the trees are red, that means the beetle has already left that tree and may infect adjacent trees
- ▶ another chart indicated 12,996 red trees identified in 2008 with an estimated 50,000 for active control
- ▶ the number of attacked trees in Southern Alberta in 2008 was 45,000 and historically the trend sees a 2.8 fold increase each year of infected trees with an estimated 126,000 expected in 2009 and as many as 354,800 in 2010
- ▶ updated forecast from British Columbia suggests that the Pine Beetle attack will continue to increase
- ▶ expected peak of the B.C. Pine Beetle population will be in 2011 resulting in continual flyover to Alberta
- ▶ in the C5 Forest Management Plan included an exercise in Mountain Pine Beetle susceptibility mapping; said plan however has not been released by the Province
- ▶ information on Spatial Harvest Sequence proposed by Spray Lakes Sawmills and a map was displayed identifying blocks to be cut this year as well as for in the future; the map also identified different degrees of Pine Beetle infestations
- ▶ 2008 aerial survey results north of Highway 3 confirmed 7,645 Pine Beetle trees
- ▶ Addressed FireSmart principles

DELEGATIONS – cont'd

Allison Area Proposed Logging – Alberta SRD/Spray Lakes Sawmills– cont'd

- ▶ Addressed water shed concerns noting there would be a 60 meter buffer from the creek
- ▶ Noted that the Atlas Road was a resource extraction road and has high blow-down potential
- ▶ There is constant consultation with the First Nations
- ▶ A visual concept of the proposed harvest area indicated it was well screened from the Crowsnest valley
- ▶ SRD works with Parks Canada on the Rocky Mountain Repeat Photography Project to compare areas in intervals; displayed was an area north of Highway 3 in 1912 with a comparison to 2007/08
- ▶ The Healthy Forest Objective includes
 - A wide range of classes for bio-diversity and greater resilience against pests
 - Healthy watershed
 - Good recreational opportunity

During discussions, Mr. Blackwood provided the following additional information:

- ▶ the Mountain Pine Beetles attacks trees wherever they are be it flat lands or slopes and must be treated aggressively
- ▶ they follow standard timber harvesting
- ▶ have a much older forest than ever which is susceptible to a host of issues; very little young forests which are far more resilient
- ▶ while addressing some of the Pine Beetle area there is no guarantee that they would not return in the future for more aggressive treatments
- ▶ will provide buffer of 60 meters along Allison Creek
- ▶ adjacent blocks to a logged area are not generally logged until the regeneration has reached a certain age which on average is 20-30 years but his could be accelerated if a major infestation occurs
- ▶ Spray Lakes Sawmills is not mandated by SRD but are following the spatial harvesting sequence
- ▶ at this time there are no plans to log the sides of Crowsnest Mountain

Comments expressed by Council to Mr. Blackwood included:

- ▶ suggestion of a buffer along Atlas Road was essential
- ▶ potential impact the logging could have on Elk herds
- ▶ replanting of logged area

DELEGATIONS – cont'd

Allison Area Proposed Logging – Alberta SRD/Spray Lakes Sawmills– cont'd

Spray Lakes Sawmills

Mr. Gordon Lehn, Spray Lakes Sawmills, with the aid of a PowerPoint presentation provided the following information:

- ▶ provided a history of Spray Lakes Sawmills noting they have operated in the S.E. slopes of Alberta since 1943
- ▶ Operating Authority Tenure include:
 - Forest Management Agreement
 - Coniferous Timber Quota
- ▶ Quota Division of Duties between Sustainable Resource Development (SRD) and Spray Lake Sawmills (SLS):
 - SRD has a greater management role; forest management planning; spatial harvest sequencing; operating boundaries, licensing
 - SLS develops the operation plan to go along with the forest management planning and the spatial harvest sequencing; are obligated to follow the ground rules of their license and follow-up for reforestation and reclamation.
- ▶ Community Concerns:
 - Aesthetics and recreation values
 - What gets harvested gets reforested
 - Effects of the Pine Beetle will not be much different from logging but would take longer
 - Have proposed some buffers along key riding trails
 - Managing the spread of the Mountain Pine Beetle
 - Displayed overlay on aerial photo identifying the logging blocks which range from 3 hectares to 41 hectares in size
 - Provincial capacity for the Level I treatment of the Pine Beetle is at their maximum
 - SLS harvesting of the infected blocks will ease the pressure on the Provincial Government Level I capacity problems
 - Environmental, social and community implications will occur if Beetle gets away
 - No guarantee that what they are proposing will work but it must be tried
 - FireSmarting the community
 - Must recognize the fire hazard that exists in the north area of the Municipality
 - Blocks contain heavy fuel loading
 - Economic Contribution to the Community
 - The economic well being of the community will be affected by a runaway Pine Beetle infestation
 - SLS operations will have an economic spinoff value for the community through use of restaurants, hotels, purchase of gas and food, etc.

DELEGATIONS – cont'd

Allison Area Proposed Logging – Alberta SRD/Spray Lakes Sawmills – cont'd

- Environmental Impact
 - Operating by ground rules
 - Believes in reforestation and reclamation
 - Stream buffers
 - Managing a healthy forest

In closing, Mr. Lehn stated that as land use pressures increase, there will need to be a greater reliance on strategies for achieving resource integration. They are trying to accommodate the various concerns by modifying the harvest plans accordingly, are trying to work in a cooperative manner and to add value to the community

During discussions, Mr. Lehn provided the following additional information:

- ▶ cut trees could be left there however even though it is expensive, they are taken to Cochrane because it is the right thing to do
- ▶ will focus on stands that have greater susceptibility to the Pine Beetle

Comments from Council included:

- ▶ can not abandon the area and leave to the Pine Beetle as it could result in an extreme fire potential
- ▶ concern was expressed that the proposed logging area may end up looking similar to the logging on the Kananaskis and they would not want to see this happen. Mr. Blackwood advised that there is an enforcement process to be followed to prevent this.

Mayor J. Irwin thanked Mr. Blackwood and Mr. Lehn for their presentations.

RECESS/RECONVENE

Mayor J. Irwin recessed the meeting at 8:20 pm and reconvened at 8:40.

ADMINISTRATIVE AND AGENCY REPORTS

Chief Administrative Officer

Mr. Gordon O. Lundy, Chief Administrative Officer, provided a written report and reviewed same with Council. Said report contained information on the following

- ▶ Maplevue Hall Environmental Assessment
- ▶ Mountain Pine Beetle Coordinator Position
- ▶ Report on the AAMDC Convention
- ▶ Meetings with Crowsnest Centre Tenants
- ▶ Commended staff for work in preparation of the 2009-2011 Budget Process

Director of Finance and Systems

Mrs. Marion Vanoni, Director of Finance and Systems, provided a written report and reviewed same with Council. Said report contained information on the following:

- ▶ 2009 Insurance Values and Premiums

M#3750-08: Councillor D. Ward moved that the matter of the 2009 Insurance Values and Premiums be brought back to Council in late January or early February 2009 for review.

Mayor J. Irwin noted that Councillor Ward's motion was reasonable but suggested it be considered later.

Public Works Superintendent

Mr. Ray Mahieux Public Works Superintendent, provided a verbal report to Council. His report contained information on the following:

- ▶ Frank Sewage Treatment Plant
- ▶ Hillcrest Water Treatment Plant
- ▶ Bellevue Water and Sewer Replacement
- ▶ 2008 Paving
- ▶ Public Works Crew

EXCUSED Mr. R. Mahieux, Public Works Superintendent, was excused from the meeting at 9:03 pm.

Community Services Director

Mr. Cam Mertz, Community Services Director, provided a written report and reviewed same with Council. Said report contained information on the following

- ▶ Culture and Recreation Board Application
- ▶ Weed Control Proposal-Power Point Presentation
- ▶ Invasive Alien Species Partnership Program (IASPP)

Culture and Recreation Board Member Appointment

M#3751-08: Councillor D. Ward moved that Randall Whiteside be appointed to the Culture and Recreation Board for a 3 year term.

CARRIED UNANIMOUSLY

Weed Control Proposal

M#3752-08: Councillor G. Taje moved that the Municipality explore opportunities to partner with the M.D. of Ranchlands for Weed Control and that 2 Council members attend the scheduled meeting with Mr. Cam Mertz, Community Services Director.

CARRIED UNANIMOUSLY

Invasive Alien Species Partnership Program (IASPP)

M#3753-08: Councillor D. Ward moved that Council support the initiative from the Crowsnest Intermountain Invasive Cooperative to apply for a federal grant (IASPP) to provide funding for a central database to be created supported by technology which would contain all mapping of invasive species.

CARRIED UNANIMOUSLY

EXCUSED Mr. Cam Mertz, Community Services Director, was excused from the meeting at 9:11 pm.

ACCEPT ADMINISTRATIVE AND AGENCY REPORTS

M#3754-08: Councillor D. Cole moved to accept the Administrative and Agency Reports as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

Budget Meeting Dates

Council concurred to hold budget meetings on December 9, 2008 at 7:00 pm and on December 10, 2008 at 7:30 pm.

CORRESPONDENCE

Dave McIntyre – Logging within the Allison Creek Valley

Mr. Dave McIntyre submitted correspondence expressing his opposition to the proposed logging within the Allison Creek Valley along the flanks of Crowsnest Mountain. He indicated that this precise landscape constitutes Alberta's rarest, most diverse and most threatened forest community including the limber pine, the much rarer western red cedar and the incredibly rare western white pine. He also felt that the forests of the greater Crowsnest Pass are more diverse and of greater provincial significance than those found in Waterton Lakes National Park, Banff National Park, or Jasper National Park. The Crowsnest Pass forest constitutes a one-of-a-kind provincial resource and is not being managed accordingly.

It was his suggestion that the planned logging is a knee-jerk reaction to the twin threats imposed by insects and fire, and that we don't need to—overnight—blindly log our way out of a problem that we've spent hundreds of millions and decades to create.

Received as information.

COMMITTEE REPORTS

Crowsnest Centre Committee - Minutes

The minutes from the November 5th, 2008 meeting of the Crowsnest Centre Committee were provided for Council's review. The minutes were received as information and will be maintained on file.

Crowsnest Centre Committee – Meeting with the Crowsnest Centre Board - Minutes

The minutes from the November 17th, 2008 meeting of the Crowsnest Centre Committee were provided for Council's review. The minutes were received as information and will be maintained on file.

Crowsnest Centre Committee – Meeting with the Chinook Educational Consortium & Partners- Minutes

The minutes from the November 19th, 2008 meeting of the Crowsnest Centre Committee were provided for Council's review. The minutes were received as information and will be maintained on file.

BYLAWS

Bylaw No. 772, 2008 – Land Use Amendment – Pt. S.W. ¼-8-8-8-W5M (Gold Creek Dev.)

M#3755-08: Councillor D. Ward moved First Reading of Bylaw No. 772, 2008.

CARRIED UNANIMOUSLY

Bylaw No. 773, 2008 – Gold Creek Area Structure Plan

M#3756-08: Councillor D. Ward moved First Reading of Bylaw No. 773, 2008.

CARRIED UNANIMOUSLY

BYLAWS – cont'd

Bylaw No. 771, 2008 – Repeal Bylaw No. 265, 1990 and amendment (Bylaw No. 404, 1997)

M#3757-08: Councillor D. Ward moved Third and Final Reading of Bylaw No. 771, 2008.

CARRIED

NOTICE OF MOTIONS

No Notice of Motions were made.

OTHER BUSINESS

Crowsnest Centre Society – Boiler Insurance Deductible

Correspondence from the Crowsnest Centre Society advised that they are prepared to pay the insurance deductible for the replacement of the damaged boiler.

M#3758-08: Councillor L. Mitchell moved to accept the proposal from the Crowsnest Centre Society to pay the deductible for a new boiler at the Crowsnest Centre.

DEFEATED

Crowsnest Centre

Mr. Gordon O. Lundy, Chief Administrative Officer, submitted a report and recommended that that the boiler be replaced by the insurance company in light of the 50% payout offered and the boiler be removed to other facilities once the Learning Centre closes.

OTHER BUSINESS – cont'd

Crowsnest Centre Society – Legal Opinions

M#3759-08: Councillor D. Ward moved that legal opinion be obtained on the following questions:

1. If the Society is no longer administrating the Centre are contracts signed by the board legally binding on the municipality?
2. If they are binding on the Municipality, what are the limits to that? if the board signed a twenty year contract stating that a tenant would be maintained in a particular facility or location would the municipality be required to honor that?
3. Does the society hold a legal responsibility for the \$94,000 deficit from last year and any resulting deficit for this year?
4. If contracts/agreements/leases are not binding on the Municipality does the Society have any kind of legal liability regarding those tenants?
5. If the board of the society did not approve any agreements/leases/contracts are they legal?
6. If this agreement is binding on the municipality, then is it safe to assume that all agreements signed by the society are legally binding?
7. Being there is no termination clause in this agreement, what would be the legal consequences if the municipality was placed into a "force majeure" position?
8. The impact on the governance of the Centre by the passing of Bylaw #771, repealing Bylaws #265 and #404 placing centre under the control of the board?

CARRIED

Adanac Road

M#3760-08: Councillor D. Cole moved to close the washed out portion of the Adanac Road and sign it appropriately.

CARRIED UNANIMOUSLY

M.D. of Pincher Creek – Oldman River Basin Water Allocation Order – Meeting Dates

Correspondence from Rodney Cyr, Reeve, M.D. of Pincher Creek indicating their Council would like to continue discussions regarding the Oldman River Water Allocation Order and invited Council to attend with suggested meeting dates of December 15, 16 of 17, 2008.

Because of Council's meeting schedule for December a meeting date of January 14, 2009 will be suggested to Reeve Cyr.

COUNCIL MEMBER REPORTS

Council members provided the following reports:

Councillor D. Ward:	Budget Meetings Affordable Housing Meeting with MLA Berger	Landfill FCSS Chamber after Hours
Councillor I. MacLeod:	Meeting with MLA Berger Budget Meetings	Landfill
Councillor J. Salus:	Municipal Heritage Mainstreet Program Museum Chamber after Hours	
Councillor D. Cole:	Crowsnest Centre Meetings Budget Meetings	Meeting with MLA Berger
Councillor L. Mitchell:	Quad Squad Budget Meetings Crowsnest Centre Meetings	
Mayor J. Irwin:	Fire Service Awards	

PUBLIC INPUT

Bjorn Prenzel – Allison Creek Logging

Mr. Bjorn Prenzel addressed Council and provided the following comments:

- ▶ Referred to the letters he had submitted regarding the Allison Creek logging
- ▶ Speaking on what he perceives to be the community's concerns
- ▶ Has a BSC in ecology and a Masters in Landscape ecology and landscape Monitoring
- ▶ 2 years in the area of Bark Beetle Management
- ▶ Main concern is that the logging as proposed is not taking into account the overall value of the landscape of the valley
- ▶ It is southern Alberta's most notable landscape landmark
- ▶ People come here from around the world to enjoy the landscape
- ▶ Felt that Sustainable Resource Development and Spray Lakes Sawmills have done a good job of continuing what he felt is a fear based approach painting the Mountain Pine Beetle as an ecological problem
- ▶ He felt it was more of an economic problem
- ▶ Felt that standing dead trees were more appealing than clear cut areas
- ▶ Need to maintain the natural landscape

PUBLIC INPUT – cont'd

Bjorn Prenzel – Allison Creek Logging – cont'd

- ▶ Council must remember the long term economic impact for the community
- ▶ The long term sustainability of the community is not tied to logging, it is tied to tourism
- ▶ Urged Council to think in broad context of the economic and social drawbacks of the logging and what the benefit to the community would be
- ▶ Urged Council to delay the proposed logging
- ▶ Felt that the cut blocks have been laid out for economic expediency and not out of Pine Beetle management
- ▶ Pine Beetles are not selective but will attack the trees whether they are on flat land or on slopes; there must be more intensive selective logging using more advance technology
- ▶ Encouraged Council to recognize new management options and to not believe everything that Sustainable Resource Development and Spray Lakes Sawmills is saying.

Mayor J. Irwin thanked Mr. Prenzel for his presentation.

ADJOURN

M#3761-08: Councillor L. Mitchell moved to adjourn at 10:04 pm.

JOHN IRWIN

MAYOR

ORIGINAL SIGNED

GORDON O. LUNDY

CHIEF ADMINISTRATIVE OFFICER