

MUNICIPALITY OF CROWSNEST PASS
TUESDAY, JULY 7, 2009 - 7:00 P.M.
AGENDA

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in the Council Chambers on Tuesday, July 7, 2009.

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

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

Also present:

Chief Administrative Officer:	Gordon O. Lundy
Director of Finance and Systems:	Marion Vanoni
Superintendent of Public Works	Ray Mahieuz
Confidential Secretary:	Lynne Cox

CALL TO ORDER

Mayor J. Irwin called the meeting to order at 7:00 pm.

PUBLIC HEARING

1. Spray Lake Sawmills Proposed Road Use Agreement for Allison/Chinook Harvest

Mayor Irwin invited those present and in opposition to the Road Use Agreement options (use of McGillivray Creek Road to access the harvest; or an Atlas/McGillivray connector road) to come forward to make their presentations:

1. Fred Krish

His presentation highlighted the following:

- ▶ He had met with Council previously on June 16, 2009 to review his opposition to the McGillivray access route and to present a third option; access on an “old” right of way road, Fortis Road, next to “Peter Keith’s sister’s quarter” (SW ¼ 18-8-4-5)
- ▶ Some work would be required as some trees were overgrown on the access road
- ▶ In his opinion there would be minimal impact on animals in the area as migration paths run parallel to the potential road
- ▶ It would provide easier access to Knowles Flats

PUBLIC HEARING (Cont'd)

- ▶ It could benefit Fish and Game dam access, the rifle range and Devon's access to gas valves in the long run if completed

Mayor Irwin thanked Mr. Krish for his presentation.

2. David Dudys

His presentation highlighted the following:

- ▶ He was in opposition to Mr. Krish's proposal
- ▶ The proposed road was in a critical winter range for elk
- ▶ The proposed road has 100 year old fir trees and any disruption to the land would have wide spread, long-ranging consequences which would forever change the landscape

Mayor Irwin thanked Mr. Dudys for his presentation.

3. Rick Cook

His presentation highlighted the following:

- ▶ He was at the Public Hearing representing the Crowsnest Conservation Society with wildlife conservancy being paramount and critical
- ▶ He asked why Council was reviewing this kind of access with a marginal industry that would have a negative impact on the natural spaces and viewscapes of the Crowsnest Pass
- ▶ He expressed concern that this initiative had no value to the Crowsnest Pass

Mayor Irwin thanked Mr. Cook for his presentation.

4. Darren Dorge

His presentation highlighted the following:

- ▶ He was opposed to the road option as outlined by Mr. Krish and said that it would impact the wildlife winter range of grizzlies and cougars
- ▶ He lived on the proposed McGillivray access road and if Spray Lake Sawmills could pave the road, fix it and assure no dust, then that road could be used

Mayor Irwin thanked Mr. Dorge for his presentation.

PUBLIC HEARING (Cont'd)

5. Yvonne Martinez

Her presentation highlighted the following:

- ▶ She was a resident along Knowles Flats road
- ▶ She wanted to ensure that taxes didn't go up because of any road improvements resulting from the use of that access road
- ▶ The road is currently dangerous and needs to be upgraded and she was seeking assurances that the road would be upgraded if used with no tax implications

Mayor Irwin thanked Ms. Martinez for her presentation.

6. Richard Tremblay

His presentation highlighted the following:

- ▶ He was a resident living along Knowles Flats road
- ▶ He was concerned about the safety issues along that road because of a blind, hairpin S-curve
- ▶ If the McGillivray /Knowles Flats road was to be used, it needed to be made safe

Mayor Irwin thanked Mr. Tremblay for his presentation.

7. Claire Allum

Her presentation highlighted the following:

- ▶ If the McGillivray road/Knowles Flats road was to be used, then she was advocating that some monies be allocated to upgrade the road

Mayor Irwin thanked Ms. Allum for her presentation.

PUBLIC HEARING (Cont'd)

Mayor Irwin invited those present and in favour of the Road Use Agreement options (use of McGillivray Road to access the harvest; Connector road Atlas Road) to come forward to make their presentations:

1. Martin Wilson, Forest Planner for Spray Lake Sawmills

His presentation highlighted the following:

- ▶ The third option, Fortis Road, as outlined by Mr. Krish had been explored by Spray Lake Sawmills
- ▶ It had been ruled out for safety concerns as they would have had to run a road under the power lines; there was also a concern for the environmental and wildlife impact
- ▶ McGillivray Creek Road was the preferred choice and Spray Lake Sawmills had approached Glen Murray from Alberta Transportation on this option
 - Mr. Murray had indicated that he is ok with the use of McGillivray road but Spray Lake Sawmills would have to do a roadside application
- ▶ Mr. Wilson also indicated that if Mr. Krish's option did move forward, Spray Lake would have to reclaim the road after the haul in January to restore it to its previous condition – negating any long term benefit to the rifle range or Fish and Game

Mayor Irwin thanked Mr. Wilson for his presentation.

2. Wade Aebli – Forest Technologist

His presentation highlighted the following:

- ▶ He did not work for Spray Lake Sawmills
- ▶ He was in favour of using the McGillivray road as it is existing and adequate – instead of increasing the footprint with a connector road or any similar option
- ▶ Because of the local pine beetle prevention and cleanup program in place, this type of harvest was important to the community and to that program
- ▶ He urged the community to set an example to help Spray Lake Sawmills do their hauling business
- ▶ The other two options would be disruptive to a unique wildlife habitat and would destroy the areas recreational opportunities
- ▶ The community needs industry in the valley and it needs to show that it supports industries like Spray Lake Sawmills

Mayor Irwin thanked Mr. Aebli for his presentation.

PUBLIC HEARING (Cont'd)

3. Tim Meyers

His presentation highlighted the following:

- ▶ The McGillivray road, if used, needed to be paved

Mayor Irwin thanked Mr. Meyers for his presentation.

Mayor Irwin declared the public hearing concluded at 7:30 pm.

ADOPTION OF AGENDA

ADDITIONS:

OTHER BUSINESS:

6. Request for Absence (J. Salus)
7. Ball/Soccer Complex (D. Cole)
8. Councillor Duties (L. Mitchell)

M#4093 -09: Councillor D. Ward moved that the agenda be adopted as amended.

CARRIED UNANIMOUSLY

ADOPTION OF THE PREVIOUS MINUTES

- Regular Council Minutes of June 16, 2009

M#4094-09: Councillor L. Mitchell moved that the minutes of the Regular Council meeting of Tuesday, June 16, 2009 be adopted as written.

CARRIED UNANIMOUSLY

DELEGATIONS

Terry Grinevitch & Majella Dortman – Crowsnest Pass Food Bank Society

Ms. Dortman read a letter for the Crowsnest Pass Food Bank Society into the record requesting that Council review options for venue alternatives for the Food Bank:

- ▶ The Food Bank is interested in building a simple structure at the site of the now unused Blairmore Senior's Center and requested that the Municipality provide the land site at minimal costs through donation, lease or sale
- ▶ Given the time required to build a new structure and to research other relocation option, the first choice is to remain at the old Hospital venue
- ▶ If the Food Bank cannot stay until a solution is finalized, the Food Bank may have to close while a permanent venue is finalized
- ▶ Many options had been reviewed over the past few weeks and both compliance to health regulations and leasing costs are issues
- ▶ Venues are showing a 50% increase in leasing costs to what the Food Bank currently pays
- ▶ The best option, in the Society's opinion, is to build their own building and the Senior's Home is ideal

Mayor Irwin thanked Mr. Grinevitch and Ms. Dortman for their presentation

ADMINISTRATIVE AND AGENCY REPORTS

Chief Administrative Officer

Mr. Gordon O. Lundy, Chief Administrative Officer, provided verbal and written information on the following:

- ▶ Attendance at the June 22, 2009 Southern Rockies Watershed Project with Mayor Irwin, led by Dr. Silins, which assessed the impact of natural disturbances by wildfire on hydrology, water quality and aquatic ecology
 - Phase II component will be undertaken with an investigation of the Assessment of Vulnerability to Source Water by Land Disturbance
- ▶ Retirement of Mr. John Orleni, Building Inspector
 - Until the position is filled, Park Enterprises will be filling in for Mr. Orleni
- ▶ June 22, 2009 Council workshop on future planning for the municipality's electrical distribution system – Council review in the fall for administrative direction to ensure long term sustainability
- ▶ Municipal Enforcement position issues to be reviewed at the July 21, 2009 Council meeting
- ▶ Turtle Mountain Tabletop exercise to be held in October, 2009
 - First planning meeting held with Alberta Emergency Management Agency, the Alberta Geological Survey, Mr. George Roddick and the Municipality

ADMINISTRATIVE AND AGENCY REPORTS (Cont'd)

- ▶ Stantec Engineering has been contacted to provide an estimate to prepare an application to Alberta Environment and the Department of Fisheries and Oceans for the dredging of the Crowsnest River in proximity to Bushtown
- ▶ Community meeting on Vandalism - resulting from the Police Advisory Committee recommendation to take place on July 23 at 7 pm at the Provincial Building

Director of Finance and Systems

Mrs. Marion Vanoni, Director of Finance, provided five reports and reviewed same with Council. Said reports contained information on the following:

- ▶ General Council Update
 - 2009 Senior's Property Tax Rebate-update
 - 75 applications received with refunds totalling \$8,724
 - 2009 Property Tax collection
 - Tax Recovery Auction – Scheduled for July 8, 2009
 - Two properties for auction
 - Bill 23- Assessment Complaint System Information Session attended on June 29, 2009
 - Electrical Distribution Capital Upgrade
 - Workshop of June 22, 2009
 - Short and Long-Term Goal assessment required for September 8, 2009
- ▶ Tax Agreement for Roll #1101200
- ▶ Tax Agreement for Roll #1114400
- ▶ George Cuff – Corporate Review
 - Availability the week of July 20th
 - Administration in the process of data collecting minutes, committee structures
- ▶ Statements of Surplus and Loss for each cost centre as of June 30th, 2009

Superintendent of Public Works

Mr. Ray Mahieux reported on the following:

- ▶ Dust Suppressant – Applied June 29th, 2009
- ▶ New Sand Truck
 - Tenders packages received by Dunlop Sterling and Shaw GMC; however neither placed a bid
- ▶ Blairmore/Coleman Interconnect Project
 - June 15-19th, Stantec Engineering in conjunction with the Municipality and Chinook Pipelines, commissioned the Blairmore/Coleman Interconnect Project
- ▶ 2008 Infrastructure Projects
 - 227th Street Bellevue
 - Work is completed. Topsoil and seeding required in locations where excavation had been required to install services

ADMINISTRATIVE AND AGENCY REPORTS (Cont'd)

- 225 and 226th Street Bellevue
 - Work is completed except for seeding
- 23rd Ave and 207th Street Bellevue
 - Contractor is preparing the sub grade and installing the curb and gutter
- 29th Avenue and 223rd Street Bellevue
 - On June 29 the contractor started removing asphalt pavenment and started hooking up temporary water services to the houses
- ▶ Decommissioning of the Old Hospital
 - Estimated costs to winterize and decommission the heating system is \$2,853.00
- ▶ Public works Crews
 - Cleanup completed on June 18, 2009
 - Summer painting began on June 22
 - Sewer and water line repairs underway in Hillcrest, Coleman and Blairmore
 - Two new water services in Willow Drive

Director of Community Services

Mr. Cam Mertz, Director of Community Services was absent from Council in preparation for the Southern Alberta Summer Games; Mr. Gordon O. Lundy reviewed Mr. Mertz's written report with Council. He reported on:

- ▶ Dry Sprinkler System at the Coleman complex
 - Tender awarded to Fire Safety Services from Lethbridge for \$66,600.
- ▶ BMX Park Relcoation – CFEP Grant Funding Application Request
- ▶ Pass Powder Key Skill Hill – CIP Grant
- ▶ Transrockies, August 14-15th
 - Mountain bike race to take place in the Crowsnest Pass August 14-15
 - Request for temporary street closures and temporary camping
- ▶ Waiver of Fees/Non-Profit Organization
 - Caution for Council to review the waiving of fees for any non-profit organization

M#4095-09: Councillor G. Taje moved that Council authorize entering into a thirty-six month Tax Agreement for Tax Roll 1101200 in the amount of \$9,772 for property tax arrears in the amount of \$6,304 and estimated property tax levy provisions for each of 2010, 2011 and 2012 in the amount of \$3468.

CARRIED UNANIMOUSLY

M#4096-09: Councillor G. Taje moved that Council authorize entering into a thirty-six month Tax Agreement for Tax Roll 1114400 in the amount of \$17,072 for property tax arrears in the amount of \$10,859 and estimated property tax levy provisions for each of 2010, 2011 and 2012 in the amount of \$6,212.

CARRIED UNANIMOUSLY

ADMINISTRATIVE AND AGENCY REPORTS (Cont'd)

M#4097-09: Councillor D. Ward moved that Council approve and direct administration to apply for CFEP Grant to facilitate the relocation of the BMX Track and development of a new facility.

CARRIED UNANIMOUSLY

M#4098-09: Councillor D. Cole moved that Council approve the temporary street closure from 129th Street to 130th Street from 10 am August 14th to 10 am August 15th and allow temporary camping across from the ISS Soccer Fields for the Transrockies mountain bike race, August 14-15th

CARRIED UNANIMOUSLY

M#4099-09: Councillor G. Taje moved to approve the Statement of Surplus and Loss and financial statements for each cost centre as at June 30th, 2009

CARRIED UNANIMOUSLY

M#5000-09: Councillor D. Ward moved to approve the Pass Power Keg Sill Hill to apply to the CIP Program for funding to replace the Snow Cat.

CARRIED UNANIMOUSLY

M#5001-09: Councillor D. Ward directed administration to bring back an agreement with the Cadets for in-kind labour in exchange for using the Elk's Hall facility for their practices.

CARRIED UNANIMOUSLY

ACCEPT ADMINISTRATIVE AND AGENCY REPORTS

M#5002-09: Councillor G. Taje moved to accept the Administrative and Agency Reports as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

1. Agreement for Use In Case – Department of Highways; Cattle Guard Maintenance with Krish

Council confirmed with the Superintendent of Public Works that the cattle guards were being maintained on Mr. Krish's property.

2. Road Use Agreement with Spray Lake Sawmills

M#5003-09: Councillor G. Taje moved to table the issue and to have Spray Lake Sawmills review a potential fourth option of using Dutch Creek Road and for them to provide information on how they can mitigate safety concerns.

CARRIED UNANIMOUSLY

3. Requirement for a Letter to Minister to Change Representation for Senior Housing

A report by Gordon O. Lundy requesting that a letter be sent to the Minister for Alberta Seniors and Community Supports to request changes to the Ministerial Order to increase to the Senior Housing Board Membership up to seven members. The report also requested a review of councillor fees for Senior Housing Board representation to see if they could be paid by the Municipality to provide funding relief to the Board.

M#5004-09: Councillor D. Ward moved that Council send a letter to the Minister for Alberta Seniors and Community Supports to request changes to the Ministerial Order to increase to the Senior Housing Board Membership up to seven members.

CARRIED UNANIMOUSLY

M#5005-09: Councillor L. Ward moved that councillor fees for Senior Housing Board representation be paid by the Municipality in order to provide funding relief to the Board if membership is to increase to seven.

CARRIED

EXCUSED

Mr. Ray Mahieux, Superintendent of Public Works was excused from the meeting at 8:55 pm

RECESS/RECONVENE

Mayor Irwin called for a ten minute recess at 8:55 pm and reconvened at 9:05 pm.

CORRESPONDENCE

1. Tom Bryant – Micrex Development Corporation

Council reviewed the letter as information

2. Alberta Forest Products Association AGM

Council reviewed the letter as information

3. Hon. Luke Oullette – Improvement to Highway 3

M#5006-09: Councillor I. MacLeod moved that Council get together with the regional director of Alberta Transportation for a meeting to review the status of the Highway 3 initiative.

CARRIED UNANIMOUSLY

4. Hon. Ray Danyluk – Grant Information

M#5007-09: Councillor D. Ward moved that Council write a thank you letter to Minister Danyluk thanking him for the unconditional municipal grant funding.

CARRIED UNANIMOUSLY

5. 2008 Financial Statements
 - a) Crowsnest/Pincher Landfill Association
 - b) Crowsnest Learning Centre
 - c) Chinook Arch Library

Council reviewed the financial statements as information

COMMITTEE REPORTS

Council reviewed the minutes of the following Committees as information:

- a) Mayor & Reeves, Alberta Southwest Region – June 5, 2009
- b) Regional Council Meeting – Pincher Creek – June 11, 2009
- c) Committee of the Whole – June 23, 2009
- d) Crowsnest Pass/Elk Valley Regional Council Meeting – June 17, 2009

M#5008-09: Councillor D. Ward moved that Council accept the Council Committee of the Whole minutes as presented

CARRIED UNANIMOUSLY

COMMITTEE REPORTS (Cont'd)

M#5009-09: Councillor L. Mitchell moved that the Municipality of the Crowsnest Pass host the next Crowsnest Pass/Elk Valley Regional Council Meeting for 2010.

CARRIED UNANIMOUSLY

OTHER BUSINESS

1. Bill 202 – Municipal Government Amendment

Council reviewed the proposed amendment as information

2. Mullen & Desjardins Development Agreement

M#5010-09: Councillor I. MacLeod moved that Council approve the Mullen & Desjardins Development Agreement as written

CARRIED UNANIMOUSLY

3. Hoy Archer et al Development Agreement

M#5011-09: Councillor D. Ward moved that Council approve the Hoy Archer et al Development Agreement as written

CARRIED UNANIMOUSLY

4. Alberta Provincial Police Barracks Restoration Project - Coleman

A report by Gordon O. Lundy requesting that Council approve the encroachment of the Alberta Provincial Police Barracks onto the Coleman Senior Drop-in Centre and review its level of support for the restoration project.

M#5012-09: Councillor D. Ward moved that Council approve the encroachment of the Alberta Provincial Police Barracks Restoration project onto the municipal lands presently occupied by the Coleman Senior Drop-in Centre by 3-5 feet; and that the Municipality would provide disconnection and reconnection services.

CARRIED UNANIMOUSLY

OTHER BUSINESS (Cont'd)

5. Councillor Absence

John Salus advised Council that he would be absent from Council or Committee meetings from July 14-July 26th.

M#5013-09: Councillor D. Ward moved that Council accept Councillor Salus' absence request.

CARRIED UNANIMOUSLY

6. Oldman River Regional Services Commission Special Meeting, July 14th, Lethbridge on the Alberta Land Use Framework

Council reviewed a request from the ORRSC to attend a special meeting on July 14, 2009

M#5014-09: Councillor D. Cole moved that available Council members attend the Special Meeting of the ORRSC on July 14, 2009.

CARRIED UNANIMOUSLY

7. Ball/Soccer Complex Committee

Council reviewed a letter from Rob Amatto, Chairperson of Ball/Soccer Complex Committee requesting Council's help to complete their concession building at the complex with includes wire and paper, drip cap, J channel and plaster stop (caulking) around all openings, scratch coat, color finish coat and a purge line for an approximate cost of \$5000.00.

M#5015-09: Councillor D. Cole moved that Council take \$5000.00 from the \$17,000.00 in savings realized from the dry sprinkler system installation to apply to completion of the concession building for the Ball/Soccer Complex.

CARRIED

8. Councillor Duties

Councillor Larry Mitchell asked Councillor John Salus if he divulged any In-Camera confidential information on the Crowsnest Centre to the Crowsnest Pass Herald. Councillor Salus responded, "I did not. No".

COUNCIL MEMBER REPORTS

Council members provided the following reports:

- | | |
|-------------------------|---|
| Councillor D. Ward: | Elk Valley Regional Council Meeting
Electrical Planning Workshop
Corporate Services
Landfill
Pincher Creek Regional Council Meeting
Committee of the Whole |
| Councillor J. Salus: | Library
Elk Valley Regional Council Meeting
Electrical Planning Workshop
Museum
Committee of the Whole
Canada Day Parade
Pincher Creek Regional Council Meeting |
| Councillor D. Cole: | York Creek Senior Housing
Elk Valley Regional Council Meeting
Pincher Creek Regional Council Meeting
Greyhound Public Meeting
Turtle Mountain Meeting |
| Councillor L. Mitchell: | Elk Valley Regional Council Meeting
Pincher Creek Regional Council Meeting
2 Greyhound Public Meetings
Canada Day Parade
Sinister 7 |
| Councillor I. MacLeod: | Municipal Heritage Board
Photo Contest Judge
Canada Day Parade |
| Mayor J. Irwin | As above and Bellecrest Days, Canada Day
Legion Ceremonies
Watershed Meeting |

IN CAMERA

M#5016-09: Councillor D. Cole moved that Council go In Camera at 9:40 pm.

CARRIED UNANIMOUSLY

OUT OF CAMERA

M#5017-09: Councillor L. Mitchell moved that Council come Out of Camera at 10:15 pm.

CARRIED UNANIMOUSLY

M#5018-09: Councillor D. Ward moved that Council and Administration continue to work with the Crowsnest Pass Food Bank and any other groups that may be tenants of the Crowsnest Centre, in The old hospital portion, to find alternative locations.

CARRIED

Recorded Vote:

For: D. Ward, J. Salus, D. Cole, I. MacLeod
Against: Mayor Irwin, G. Taje, Larry Mitchell

M#5019-09: Councillor G. Taje moved to enter into discussion with the Crowsnest Pass Food Bank to determine the availability of municipal land suitable for their business.

CARRIED UNANIMOUSLY

M#5020-09: Councillor G. Taje moved to keep the Crowsnest Pass Food Bank at its current location until a suitable location for their business can be found.

M#5021-09: Councillor D. Ward moved to table the motion by Councillor G. Taje to keep the Crowsnest Pass Food Bank at its current location until a suitable location for their business can be found.

CARRIED

OUT OF CAMERA (Cont'd)

M#5022-09: Councillor D. Ward moved that the Municipality retain the services of Mr. Nick Parker to represent it in legal issues arising from the Chinook Educational Consortium.

CARRIED

Recorded Vote:

For: D. Ward, J. Salus, D. Cole, I. MacLeod
Against: Mayor Irwin, G. Taje, Larry Mitchell

M#5023-09: Councillor D. Ward moved that the Municipality approve the McKenna lease of the adjacent road allowance to the west of their property along with an irregular shaped piece which runs parallel to the existing 217 Street for landscaping purposes, subject to the following conditions:

That the annual lease fee be \$100 per year for a period of 10 years, effective August 1, 2009 to July 31, 2019

1. That the applicant accepts responsibility for weed control on the site.
2. That public access to the river be maintained
3. That there is a 90 day termination clause by either party in the event that the parcel is required by the municipality for municipal purposes.
4. That all other standard lease conditions apply

CARRIED UNANIMOUSLY

M#5024-09: Councillor D. Ward moved that the Municipality approve Mr. Ruzicka's request to purchase the portions of road allowances that have been closed in subdivision plan 2609 BD, subject to the following conditions:

1. That the 4.29 acres of wet land be traded for an additional 10 meter right of way which would run adjacent to the existing sewer trunk line right of way on the west side. That sewer line would be identified by plan of survey.
2. That the Municipality would also establish an additional 20 meter utility right of way located south of the CPR right of way from the east boundary of the Crowsnest River at 146 Street to intersect with the existing and additional sewer truck line right of way.
3. That the 2.185 acres of dry land be traded to you in exchange for the additional 20 metre right of way from the east boundary of the Crowsnest River at 146 Street to intersect with the existing and additional sewer truck line right of way, and the amendment of the attached agreement dated January 31, 1981 to reflect no future annual cost to the Municipality for use of any right of way across the consolidated parcel.

OUT OF CAMERA (Cont'd)

4. That the purchaser consolidates all of your existing parcels, together with the closed portions of road allowance into one plan of survey.
5. That the purchaser be responsible for all survey, consolidation and legal costs associated with this transaction.
6. That an easement is granted to ensure access to adjacent land owners
7. That this transaction be completed by the purchaser by December 31, 2009

CARRIED UNANIMOUSLY

ADJOURN

M#5025-09: Councillor I. MacLeod moved to adjourn at 10:20 pm.

CARRIED UNANIMOUSLY

JOHN IRWIN

MAYOR

GORDON O. LUNDY

CHIEF ADMINISTRATIVE OFFICER