

MUNICIPALITY OF CROWSNEST PASS

TUESDAY, JANUARY 19, 2010

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in the Council Chambers on Tuesday, January 19, 2010.

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

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

Also present:

Chief Administrative Officer
Director of Finance and Systems
Community Services Director
Public Works Superintendent
Municipal Tax Assessor
Confidential Secretary

Gordon O. Lundy
Marion Vanoni
Cam Mertz
Ray Mahieux
Glenn Snelgrove
Lynne Cox

CALL TO ORDER

Mayor J. Irwin called the meeting to order at 7:05 pm.

ADOPTION OF AGENDA

ADDITIONS:

Business Arising from the Minutes

1. Advertising
2. Additional Cost Recovery for Collective Agreement

In Camera

3. Legal
4. Personnel (4)
5. Personnel (3)

Other Business

10. AAMDC Convention

M#5271-10: Councillor Mitchell moved that the agenda be adopted as amended.

CARRIED

ADOPTION OF MINUTES

M#5272-10: Councillor Ward moved that the minutes of the Regular Council meeting of Tuesday, January 5, 2010 be adopted as written.

CARRIED UNANIMOUSLY

DELEGATIONS

Dennis Derksen, Crowsnest Mountain Resort Development

Mr. Dennis Derksen was in attendance on behalf of various landowners of Wolfstone Estates to express requests and concerns regarding the Wolfstone Estates Development and his comments included:

- Feels the development is experiencing technical and municipal oversight
- Residents have discovered surprises in the various agreements
- Major concerns included:
 - Development Plan improvements as per Schedule C have not gone according to plan
 - There has been a lack of supervision by the Municipality resulting in a delay in the project
 - Assurances regarding servicing have not been followed through
 - There are lawsuits involved with project
 - Several promises have been broken by the developer to some landowners resulting in no services causing damage to concrete
 - Developer has deviated from the original water servicing plan
 - Deposits seem inadequate for completion of the improvements
 - Some owners are hesitant to build due to issues and high taxes
 - Numerous clauses are of great concern in the Development Agreement
 - The responsibility of the grading of properties is an issue
 - Inspections questioned
 - Questions if the Municipality has videos mentioned in the agreement, and asked if the owners may have access to the videos
 - The intent of some clauses was questioned
- Regarding the Restrictive Covenant, it was requested that Council consider the Municipality taking a role in the Restrictive Covenant
 - The owners would like to request changes to this document prior to the Municipality granting an extension to the developer including:
 - 1. *Covenants Running With The Land* – would like changed to - *may be enforced by the Municipality*
 - 2 (e) Would like changed to *five years from the date of completion of home improvements for the issuance of this certificate*
 - 2 (i) – eliminate
 - 2 (o) – change 728106 to *Municipality*
 - 3(a) – change 728106 to *Municipality*

DELEGATIONS - Crowsnest Mountain Resort Development - Continued

Mr. Gerry Villeneuve was in attendance to provide a summary of the concerns of the landowners of Wolfstone Resort regarding the development plans which included:

- Loss of Use – disappointed and frustrated with length of time for significant development to take place and loss of recreational use
- Possible offloading of major work to the landowners
- Building costs are expected to increase
- Questioned if the Municipality is following through with their obligations and responsibilities
- Feel the security clause needs to be increased significantly
- Felt the Restrictive Covenant regarding the three year building commitment, should be extended to a minimum of five years

Further discussion included:

- Mr. Villeneuve confirmed they would like to make amendments to the Restrictive Covenant
- One of the amendments requested is that the Municipality has enforcement powers as opposed to the developer
- When questioned if the developer had been approached to make changes to the Restrictive Covenant, Mr. Villeneuve said the developer had been asked if willing to make some changes and the developer had said yes

Mayor Irwin thanked the delegation for their presentation.

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 will be maintained on file and contained information on the following:

Miscellaneous Issues

- ▶ 2009 Corporate Review
- ▶ Emergency Generator for Municipal Office
- ▶ Mountain Pine Beetle Survey and Control
- ▶ Subdivision of Proposed Lot for the Foodbank
- ▶ Alberta Environmental Appeals Board Ruling
- ▶ Municipal Sponsorship Program Application

Community Services

- ▶ Crowsnest Centre
- ▶ MD McEachern Community Centre
- ▶ Culture and Recreation Board
- ▶ Indoor Climbing Wall
- ▶ Katimavik Group

DEPARTURE

Ray Mahieux, Public Works Superintendent, was excused from the meeting at 7:45 pm.

BUSINESS ARISING FROM THE MINUTES

Advertising

Councillor Ward questioned when Council could expect feedback regarding his request for the cost of advertising per page prior to tendering.

The Chief Administrative Officer will follow up on presenting the information to Council.

Additional Cost Recovery for Collective Agreement

Councillor Ward questioned when Administration will provide the information regarding Council's request to have Administration provide \$50,000.00 worth of savings to recover the additional cost of the Collective Agreement.

The Chief Administrative Officer advised the issue has been discussed by Senior Administration; they have looked at the budget allocated to the Crowsnest Centre, and have not yet made any recommendations.

Council requested the \$50,000.00 of savings to recover additional costs for the Collective Agreement information be presented to Council at the February 2, 2010 Council Meeting.

CORRESPONDENCE

Angus Watt – Alberta Order of Excellence Council

Correspondence was received from Angus Watt, Chair of Alberta Order of Excellence Council, inviting the nomination of a deserving Albertan to become a member of the Alberta Order of Excellence. The deadline for nominations is February 15, 2010.

Accepted as information.

COMMITTEE REPORTS

Committee of the Whole – December 8, 2009

The minutes of the December 8, 2009 Council Committee of the Whole Meeting were provided for Council's review. The minutes were received as information and will be maintained on file.

M#5273-10: Councillor Taje moved to adopt the December 8, 2009 Committee of the Whole Minutes as presented.

CARRIED

Committee of the Whole – December 12, 2010

Noted the minutes presented are the January 12, 2010 Committee of the Whole Minutes rather than December 12, 2010 as stated on the Agenda.

The minutes of the January 12, 2010 Council Committee of the Whole Meeting were provided for Council's review. The minutes were received as information and will be maintained on file.

M#5274-10: Councillor Cole moved to adopt the January 12, 2010 Committee of the Whole Minutes as presented with the amendment to the agenda.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

No Notices of Motion were presented.

OTHER BUSINESS

Senior Management Meetings and Decisions of Council

M#5275-10: Councillor Taje moved that Council resolve that the Chief Administrative Officer shall hold senior management meetings weekly, shall prepare an agenda and solicit input on its preparation from the department heads and shall commit to implementing immediately all decisions of Council at duly constituted meetings of Council wherein there is no question that Council is functioning in a legal manner.

OTHER BUSINESS-Senior Management Meetings and Decisions of Council - Continued

M#5276-10: Councillor Ward moved to amend the motion that no member of Council shall attend Senior Management Meetings and if any member of Council is required to attend any future meetings the invitation shall be made to all members of Council.

CARRIED UNANIMOUSLY

M#5277-10: Councillor Taje moved that Council resolve that the Chief Administrative Officer shall hold senior management meetings weekly, shall prepare an agenda and solicit input on its preparation from the department heads and shall commit to implementing immediately all decisions of Council at duly constituted meetings of Council wherein there is no question that Council is functioning in a legal manner, that no member of Council shall attend Senior Management Meetings and if any member of Council is required to attend any future meetings the invitation shall be made to all members of Council.

CARRIED

Meetings of Council

M#5278-10: Councillor Taje moved the resolutions as presented by George Cuff which included:

That Council commit to not hold private meetings with other members of Council unless such meetings are held at the Council Chambers and are advertised to all other members of Council, and

That Council commit to not engage other members of Council or members of the administration in any email exchanges unless all other members of Council are simultaneously copied on each such communiqué.

That the Council refuse to participate in any process of decision-making that is not held at a regular or special meeting of Council.

CARRIED

Councillor Ward requested clarification regarding engaging Administration.

Crowsnest Revitalization Initiative

Council's consensus was to table the Crowsnest Revitalization Initiative agenda item until the Strategic Planning study is completed.

OTHER BUSINESS - Continued

Establishment of a Governance and Priorities Committee

M#5279-10: Councillor Ward moved that Council eliminate the three standing committees of Council, namely the Municipal Community Development Committee, the Corporate Services Committee and the Operational Services Committee, and replace them with a Governance and Priorities Committee commencing February 9, 2010, and that Council discuss the principles and terms of reference with the Governance and Priorities Committee at that meeting as suggested by Mr. Cuff.

CARRIED UNANIMOUSLY

Consolidation of Properties Subject to a Minimum Property Tax

M#5280-10: Councillor Taje moved that Council approve the Policy: *Consolidation of Properties Subject to a Minimum Property Tax for General Municipal Purposes* that will assist with the administration of the minimum property tax and its impact on adjacent properties and possible consolidation of the same.

CARRIED UNANIMOUSLY

Recycling Contract Extension

M#5281-10: Councillor Mitchell moved that Council accept the Recycling Agreement Extension between the Municipality of Crowsnest Pass and 660903 Alberta Ltd. for the period of January 1, 2010 to December 31, 2012 including the new shipping subsidization clause.

M#5282-10: Councillor Ward moved to amend the Recycling Agreement Extension – 5. Shipping Subsidization (a) “which would include but ~~not~~ be limited to tin, glass and plastics” to “which would include but be limited to tin, glass and plastics.”

Councillor Salus moved to amend the Recycling Agreement Extension – 5. Shipping Subsidization (a) “for the shipping of six (6) semi trailer loads” to “for the shipping of **up to** six (6) semi trailer loads”.

CARRIED UNANIMOUSLY

M#5283-10: Councillor Mitchell moved that Council accept the Recycling Agreement Extension between the Municipality of Crowsnest Pass and 660903 Alberta Ltd. for the period of January 1, 2010 to December 31, 2012 including the new shipping subsidization clause with amendments.

CARRIED UNANIMOUSLY

OTHER BUSINESS - Continued

Street Light Request – Intersection of Passburg and Highway 3

M#5284-10: Councillor Cole moved that Council proceed to contact Alberta Transportation and request the installation of a street light or street lights as requested by the local residents.

CARRIED UNANIMOUSLY

Oldman Watershed Council – Request for Finding

M#5285-10: Councillor Taje moved that Council join the Oldman Watershed Council and fund it accordingly.

CARRIED

Crowsnest Pass Senior Housing – Board Vacancies

M#5286-10: Councillor Cole moved that Council appoint Loretta Thompson and Joanne Drain to the Board of Directors of Crowsnest Pass Senior Housing.

CARRIED UNANIMOUSLY

AAMDC Convention

The AAMDC Convention will be held on March 15th to 17th, 2010.

COUNCIL MEMBER REPORTS

Council members provided the following reports:

Councillor Taje

- No Report

Councillor Mitchell

- Spray Lake Sawmills Meeting
- York Creek Lodge Meeting

Councillor Cole

- Spray Lake Sawmills Meeting
- Protective Services Meeting
- Meeting with Crowsnest Centre Board
- York Creek Lodge Meeting

COUNCIL MEMBER REPORTS - Continued

Councillor Salus

- Meeting with Crowsnest Centre Board
- Bellevue Mine Board Meeting
- Doors Open Festival Meeting

Councillor MacLeod

- Heritage Board Meeting
- Council Committee Meeting
- Meeting with Crowsnest Centre Board
- Heritage Tour of the Grand Union Hotel

Councillor Ward

- Spray Lake Sawmills Meeting
- Subdivision Board Special Meeting
- Council Committee of the Whole Meeting
- Meeting with Crowsnest Centre Board

Mayor Irwin

- Most of the above
- Mayor & Reeves Meeting
- Foothills Little Bow AAMD&C

BYLAWS

No bylaws were presented.

PUBLIC INPUT

No public input was provided.

IN CAMERA

M#5287-10: Councillor Salus moved that Council go In Camera at 8:30 pm.

CARRIED UNANIMOUSLY

RECESS/RECONVENE

Council recessed at 8:30 pm and reconvened at 8:36 pm.

OUT OF CAMERA

M#5288-10: Councillor MacLeod moved that Council come Out of Camera at 9:35 pm.

CARRIED UNANIMOUSLY

M#5289-10: Councillor Ward moved to allow the Crowsnest Centre Society to secure all the assets and proceed to liquidate the assets by auction to be hosted at the Crowsnest Centre facility within the next 60 days.

CARRIED

M#5290-10: Councillor MacLeod moved that the Chief Administrative Officer reply to Council by letter indicating the date of his retirement and his last day of work and the letter be presented to Council at the next Council meeting.

CARRIED UNANIMOUSLY

M#5291-10: Councillor Ward moved that Administration contact the Crowsnest Centre Society to determine the date of their auction and that all bookings be honored to that date, and after that date the bookings be notified that they will be provided the option of using other municipal facilities.

CARRIED

M#5292-10: Councillor Ward moved Administration request Lethbridge College Vice Presidents meet with Council after they tour the facilities.

CARRIED

ADJOURN

M#5293-10: Councillor Mitchell moved to adjourn the meeting at 9:45 pm.

CARRIED UNANIMOUSLY

MAYOR

CHIEF ADMINISTRATIVE OFFICER