

MUNICIPALITY OF CROWSNEST PASS

TUESDAY, SEPTEMBER 7, 2010

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in the Council Chambers on Tuesday, September 7, 2010.

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 & Systems	Marion Vanoni
Public Works Field Superintendent	Ray Mahieux
Cam Mertz	Community Services Director
Director, Legislative and HR Services	Lynne Cox

Absent:

Municipal Tax Assessor	Glen Snelgrove
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CALL TO ORDER

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

PUBLIC HEARINGS

Bylaw No. 805, 2010 – Plan 2609 BD, Block 4 – Road Closure

No one spoke in favor of or in opposition to the proposed road closure.
Mayor Irwin declared the Public Hearing concluded.

ADOPTION OF AGENDA

Additions:

In Camera

3. Land

Notice of Motion

2. Policy Regarding Municipally Elected Officials Supporting Private Ventures

Deletions

2. Personnel – One item withdrawn - #3

M#5672-10: Councillor Mitchell moved that the agenda be adopted as amended.

CARRIED UNANIMOUSLY

ADOPTION OF THE PREVIOUS MINUTES

Regular Council Meeting of August 17, 2010

M#5673-10: Councillor Macleod moved that the minutes of the Regular Council meeting of Tuesday, August 17, 2010 be adopted as written.

CARRIED UNANIMOUSLY

DELEGATIONS

No delegations were in attendance.

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:

- ▶ Road Closure Bylaw No. 805, 2010
- ▶ Underground Gas
- ▶ Maplevue Hall Hazardous Materials
- ▶ Frank Wastewater Treatment Plant Upgrade Preliminary Engineering Design
- ▶ Crowsnest Centre Utilities
- ▶ Mountain Pine Beetle Control Program
- ▶ Director of Operational Services
- ▶ Acting Chief Administrative Officer

Mr. Ray Mahieux, Public Works Field Superintendent, provided a written report and reviewed same with Council. Said report will be maintained on file and contained information on the following:

- ▶ Lagoon Update
- ▶ Plugged Sewer Mains
- ▶ McGillivray Road Log Haul
- ▶ Toxic Round Up
- ▶ Equipment Purchases

Ms. Lynne Cox, Director Legislative and Human Resources, provided a written report and reviewed same with Council. Said report will be maintained on file and contained information on the following:

- ▶ CUPE Update – Reclassification Project
- ▶ Benefit Review
- ▶ Operator Training
- ▶ Joint/Union Management Meetings
- ▶ Succession Planning
- ▶ Animal Control
- ▶ Discretionary Use Amendment

ACCEPT ADMINISTRATIVE AND AGENCY REPORTS

M#5674-10: Councillor Taje moved to accept the Administrative and Agency Reports.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

No Business Arising From the Minutes.

CORRESPONDENCE

AltaLink

Correspondence was received from Sean Heffernan, Right-of-Way Planner, AltaLink to provide an update on the proposal to relocate three sections of the 138 kV transmission line called 170L running through the Crowsnest Pass.

Councillor Taje noted public consultation should be starting on the proposed relocation of transmission lines and should be monitored.

Crowsnest Conservation Society – Logging in the Castle Special Place

Correspondence was received from Judy Cooke, President of the Crowsnest Conservation Society, expressing concern in reference to Alberta Sustainable Resource Development's plans designating logging areas in the Crowsnest Pass and within Castle Special Place.

M#5675-10: Councillor Mitchell moved to file correspondence from the Crowsnest Conservation Society in reference to logging in the Castle Special Place for future reference.

CARRIED UNANIMOUSLY

Honourable Yvonne Fritz – Recruitment to Children and Youth Services' Boards

Correspondence was received from the Honourable Yvonne Fritz, Minister of Children and Youth Services, in reference to encouraging individuals to submit an application to serve on either a Child and Family Services Authority Board or one of the Ministry's Appeal Panels.

Council requested the Community Services Director to forward the recruitment information to serve on either a Child and Family Services Authority Board or one of the Ministry's Appeal Panels to the Family and Community Support Services Board.

CORRESPONDENCE - Continued

Honourable Luke Ouellette – Funding Delays

Correspondence was received from Honourable Luke Ouellette, Minister of Transportation, in response to concerns with delays in providing ISF project funding, advising that department staff are working with Infrastructure Canada to assist with timely payment of claims. Minister Ouellette also advised that the first three claims submitted on the 1A Water and Sewer Replacement Project have been approved for payment.

Filed as information.

Foothills Little Bow Association Meeting

The Director of Legislative and Human Resource Services provided the meeting agenda for the Foothills Little Bow Municipal Association Meeting to be held on Friday, September 17, 2010, as well as the minutes of the January 2010 meeting.

The Chief Administrative Officer advised that the Minister of Municipal Affairs and the local MLA will be in attendance.

COMMITTEE REPORTS

Governance and Priorities Committee Meeting – August 24, 2010

The minutes of the August 24, 2010 Governance and Priorities Committee Meeting were provided for Council's review. The minutes were received as information and will be maintained on file.

M#5676-10: Councillor Ward moved to accept the August 24, 2010 Governance and Priorities Committee Minutes as presented.

CARRIED

Crowsnest/Pincher Creek Landfill Association

The 2009 Financial Statements for The Crowsnest/Pincher Creek Landfill Association were provided for Council's review.

BYLAWS

Bylaw No.805, 2010 – First Reading

M#-5677-10: Councillor Mitchell moved First Reading of Bylaw No. 805, 2010.

CARRIED UNANIMOUSLY

M#-5678-10: Councillor Ward moved to accept first reading of Bylaw No. 805, 2010 subject to the condition of access being maintained with a road access agreement as requested by the Schiewes.

CARRIED

Bylaw No.808, 2010 – Land Use Bylaw Amendment – First Reading

M#-5679-10: Councillor Mitchell moved First Reading of Bylaw No. 808, 2010.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

Crowsnest Centre Demolition

Councillor MacLeod advised at the September 21, 2010 Council meeting he will be bringing forth a motion requesting administration to request proposals for the demolition of the Crowsnest Centre.

Policy Regarding Municipally Elected Officials Supporting Private Ventures

Councillor Ward advised at the September 21, 2010 meeting he will be bringing forth a policy that elected members not have the ability to appear in marketing material of the private realm.

OTHER BUSINESS

Agriculture Services Board

The Community Services Director will check whether benefits are included in the funding for wages for an Agriculture Fieldman.

- M#5680-10:** Councillor Mitchell moved adoption of the administration recommendations:
1. Council to instruct administration to establish an Agriculture Services Board in the Crowsnest Pass;
 2. Council appoint Kim Lutz as Agriculture Fieldman;
 3. Council appoint Kim Lutz as Pest Control Officer and Soil Conservation Officer within the Crowsnest Pass;
 4. Council to appoint a member of Council to the Agriculture Services Board; with all expenditures to be approved by the Municipality of Crowsnest Pass.

DEFEATED

- M#5681-10:** Councillor Cole moved adoption of the following recommendations:
- Council to instruct administration to establish an Agriculture Services Board in the Crowsnest Pass;
 - Council to appoint a member of Council to the Agriculture Services Board;
- and once an Agriculture Service Board is established, the following recommendations be reviewed at that point:
- Council appoint Kim Lutz as Agriculture Fieldman;
 - Council appoint Kim Lutz as Pest Control Officer and Soil Conservation Officer within the Crowsnest Pass.

CARRIED UNANIMOUSLY

Ski Hill Groomer

- M#5682-10:** Councillor Ward moved to proceed on the MSI grant application for the Ski Hill Groomer.

CARRIED UNANIMOUSLY

Environmental Reserve Policy

- M#5683-10:** Councillor MacLeod moved that Council establish a policy where environmental reserves are registered against the title by caveat which describes a three meter environmental reserve from the bank of the water body, which is then protected if the shore of the water body changes.

CARRIED UNANIMOUSLY

OTHER BUSINESS - Continued

Leasing Municipal Lands for Signs

- M#5684-10:** Councillor Ward moved that Council enter into a lease agreement with Crow Works Signs and Engraving for a portion of the property subject to the following conditions:
1. That the agreement be for a five year term, reviewed annually for compliance with the Community Standards Bylaw.
 2. That the landscaping in front of the sign be graveled with short native shrubbery.
 3. That the center line of the sign be located 57 feet from the west boundary of the subject property and a minimum of 5 feet to a maximum of 7 feet from the south property line.
 4. That the rent for the site be \$1200 per year which will include the minimum tax, payable by January 31 of each year, or within 30 days of receipt of an invoice from the municipality.
 5. That the proposal be subject to a development permit from the municipality and from Alberta Transportation.
 6. That the agreement can be terminated by either party with just cause by providing 90 days written notice to the other party.
 7. That the structure be suitably stained as per the submitted drawings and the sign kept in good repair.
 8. That the applicant maintain liability insurance in the amount of \$2,000,000 (two million dollars) identifying the Municipality of Crowsnest Pass as an additional insured party.

CARRIED

Legal Responsibility Assignment

- M#5685-10:** Councillor Taje moved to approve the Assignment document as written for the continuation of Legal Service provisions to the Municipality of Crowsnest Pass.

CARRIED

Encroachment Agreement

- M#5686-10:** Councillor Taje moved to approve the execution of the Encroachment Agreement for Plan 9052ED, Lot F.

DEFEATED

Council questioned administration whether a response had been received from the letter of May 4th.

OTHER BUSINESS – Continued

Development Agreement Security

M#5687-10: Councillor Ward moved that Municipal Council adopt the sample development agreement and all principles along with providing 100% security of the estimated construction costs for municipal and utility improvements required for all applicable developments prior to commencing any work on the development areas subject to Council discretion to vary the amount of security for condominium and small lot developments.

CARRIED

Doug Kirkman Proposed Development

M#5688-10: Councillor Salus moved to deny Mr. Kirkman's proposal as presented.

CARRIED

Mohawk Meadows Utility Rite-of-Way Request

M#5689-10: Councillor Mitchell moved that Council approve the 3.5 meter right-of-way and that it is registered to the Municipality of Crowsnest Pass fully at the developer's expense.

CARRIED UNANIMOUSLY

Council Date Changes

M#5690-10: Councillor Mitchell moved that Council approve the following Council meeting date changes:

1. Have October 5, 2010 as the last Council meeting for the current Council in 2010
2. Cancel the October 12th Governance and Priorities Committee meeting to allow for Election and Council Administrative preparations
3. Move the next regularly held Council meeting for the newly elected Council to Tuesday, October 26th at 7:00 pm
4. The next regularly scheduled Council meeting would return to the approved schedule and would be on Tuesday, November 2, 2010

CARRIED UNANIMOUSLY

COUNCIL MEMBER REPORTS

Council members provided the following reports:

Councillor Taje

- No Report

Councillor Mitchell

- Fall Moon Volunteer
- Senior Housing Meeting
- Governance and Priorities Committee Meeting
- MD of Ranchlands
- Alberta SouthWest Regular Meeting
- Castle Special Places Meeting

Councillor Cole

- York Creek Lodge Meetings
- Governance and Priorities Committee Meeting
- Running for Reelection

Councillor Salus

- Oldman River Regional Services Commission Annual General Meeting
- Governance and Priorities Committee Meeting

Councillor MacLeod

- Landfill Meeting
- Governance and Priorities Committee Meeting
- Oldman River Regional Services Commission Meeting

Councillor Ward

- Landfill Meeting
- Governance and Priorities Committee Meeting
- Running for Reelection

Mayor

- Southern Alberta Alternative Energy
- Pincher Creek Parade
- Mayors and Reeves Meeting

PUBLIC INPUT

No public input.

IN CAMERA

M#5691-10: Councillor MacLeod moved that Council go In Camera at 8:45 pm.

CARRIED UNANIMOUSLY

RECESS / RECONVENE

Council recessed at 8:45 pm and reconvened at 8:55 pm.

BUSINESS OUT OF CAMERA

M#5692-10: Councillor Taje moved that Council come Out of Camera at 10:05 pm.

CARRIED UNANIMOUSLY

M#5693-10: Councillor Cole moved that Administration work with Mr. Garner for tax recovery.

CARRIED

M#5694-10: Councillor Cole moved to support the recommendations of the Director of Legislative and Human Resource Services for the default testing protocol for new hires undergoing preemployment screening.

CARRIED

M#5695-10: Councillor Cole moved to accept the appointment of Mr. Jason Elliott to represent the Municipality on the arbitration board in respect to the hearing for the Plumbing Inspector Journeyman position.

CARRIED UNANIMOUSLY

M#5696-10: Councillor Ward moved to eliminate the position of Field Superintendent immediately.

WITHDRAWN

BUSINESS OUT OF CAMERA – Continued

M#5697-10: Councillor Ward moved that the position of Field Superintendent be eliminated and that the employee in the department position be offered a severance package in line with the legal advice received.

CARRIED

A recorded vote was requested.

In Favor: Councillors Ward, Cole, MacLeod, and Salus

Opposed: Councillors Mitchell and Taje, Mayor Irwin

ADJOURN

M#5698-10: Councillor Taje moved to adjourn the meeting at 10:15 pm.

CARRIED

JOHN IRWIN
MAYOR

GORDON O. LUNDY
CHIEF ADMINISTRATIVE OFFICER

Minutes edited and approved by ***Lynne Cox***

Lynne Cox, Director of Legislative & HR
Services