

The regular meeting of Council of the Municipal District of Wainwright No. 61 was held in the Municipal Administration Building, Wainwright, Alberta on Tuesday, November 21st, 2006 commencing at 9:00 a.m.

Present: Reeve Bob Barss, Councillors Oscar Buck, Ted Wilkinson, Myron Zajic, Brad Scribner, Doug Fletcher and Kevin MacKay. Staff present: Administrator Kelly Buchinski, Assistant Administrator Bonnie Milton, Public Works Superintendent Darrin Newell and Kelly Clemmer from Star Publications.

The Reeve called the meeting to order at 9:00 a.m.

Reeve Barss in the Chair.

This is the official record for the proceedings.

APPROVAL OF AGENDA

495.06 Moved by Clr. Scribner that the agenda be approved as presented. CARRIED

496.06 Moved by Clr. Fletcher that the following items be added to, changed or deleted from the agenda:

Added:

Administration and Taxation
i. FCM

Deletion:

Administration and Taxation
c. Intermunicipal Development Committee-confirm ratepayer member

Change:

1. 10:45 a.m. PFRA – Twyla Legault

CARRIED UNANIMOUSLY

497.06 Moved by Clr. Zajic that the minutes of the regular meeting held October 17th, 2006 and the minutes of organizational meeting held October 16th, 2006 be adopted as written. CARRIED

UNFINISHED BUSINESS

FINANCE

498.06 Moved by Clr. Buck that the accounts recorded on the attached list in the amount of \$3,186,926.68 covered by debit memos 888 to 896 and cheques numbered 54248-54397 be approved and paid and that the payroll payments as per the attached list totaling \$163,946.83 covered by EFT's numbered 900012050 – 900012147 be ratified. CARRIED

499.06 Moved by Clr. Wilkinson that the financial statement of receipts and disbursements for the month ending October 31st, 2006 be accepted and incorporated into these minutes. CARRIED

UNFINISHED BUSINESS

NEW BUSINESS

Agriculture Service Board

Agricultural Fieldman James Schwindt attended the meeting from 9:15 a.m. to 9:30 a.m. and reported to Council on the activities of the Agricultural Service Department for the past month.

- 500.06 Moved by Clr. Wilkinson that the Agricultural Fieldman's report be accepted as presented. CARRIED

Agricultural Fieldman read aloud quotes for a 1-ton truck engine and approximate cost of a new vehicle.

- 501.06 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 be authorized to purchase a 1-ton truck engine for a cost of \$13,000 plus applicable taxes from Norris Brothers Ford. CARRIED

A copy of the Deer Tracks Newsletter was received and distributed to Council.

Public Works

Public Works Superintendent Darrin Newell attended the meeting from 9:00 a.m. to the end and reported to Council on the activities of the Public Works Department for the past month.

- 502.06 Moved by Clr. Scribner that the Public Works Superintendent's report be accepted as presented. CARRIED

Safety & Utilities Manager Preston Iverson attended the meeting from 9:30 a.m. to 9:50 a.m. and reported to Council on the activities of the Safety & Utilities Department for the past month.

- 503.06 Moved by Clr. Wilkinson that the Safety & Utilities Manager's report be accepted as presented. CARRIED

Administrator presented the gravel crush survey results along with options for gravel crushing.

- 504.06 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 authorize Administration to prepare a tender package for 2007 gravel crushing requirements:

- 10% bid bond
- liquidated damages
- 50% performance bond
- Closing date of January 26/07 @ 11:00 a.m.

CARRIED

- 505.06 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 authorize the gravel agreement for the pit located in the NE 21-47-5 W4M (White Cloud Pit). CARRIED

A copy of an invitation from CastleGlenn Consultants Inc. was received and distributed to Council to attend a public meeting with regard to the re-alignment of Highway #14 on November 22nd @ 5:30 p.m. at the Wainwright Communiplex.

The Administrator read aloud a letter from CN with regard to the Heath siding construction between Mile 125.93 and Mile 126.93 Wainwright Subdivision.

Twyla Legault from PFRA attended Council to give a presentation with regard to why PFRA is studying the issue of Arsenic in Groundwater.

- 506.06 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to proceed with replacing the manganese greensand filter media with an iron oxide/hydroxide arsenic absorption media (the existing equipment will be used) and PFRA will pick up the cost of the media and will also monitor the media for a year. CARRIED
- 507.06 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 have no objection with CN Rail's plans to change CN Crossing Mile 126.11 from public to private restricted and to be gated and locked with access by local ratepayers and with CN Rail applying to Transport Canada for an exemption to Rule 103C for the crossing at Mile 127.19 and further with CN constructing an alternate access from both crossings to S.H. 610 at CN's cost. CARRIED
- 508.06 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 prepare a one-time fee of \$35,000 plus G.S.T. to CN Rail for the maintenance required on the newly constructed road over a 20 year time period. CARRIED

Development

Development Officer Norma Schiefer attended the meeting from 11:30 a.m. to 11:51 a.m. and 2:52 p.m. to 3:00 p.m. and 3:25 p.m. to 3:36 p.m. and reported on the activities of the Development Department for the past month.

PUBLIC HEARING

Present at the hearing were Bob Barss, Doug Fletcher, Oscar Buck, Myron Zajic, Ted Wilkinson, Brad Scribner, Kevin MacKay, Kelly Buchinski, Bonnie Milton, Norma Schiefer, Darrin Newell and Kelly Clemmer.

The public hearing was called to order at 11:30 a.m.

The purpose of the hearing was to hear any public concerns in respect to the proposed Bylaw #1440 which is a Bylaw of the Municipal District of Wainwright No. 61 for the purpose of closing and selling a portion of road in the NE 22-44-6 W4M in accordance with Section 22 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

Reeve Barss asked if there were any written submissions. There were none.

Reeve Barss asked if there were any oral submissions. There were none.

- 509.06 Moved by Clr. Scribner that the hearing be adjourned at 11:31 a.m. CARRIED
- 510.06 Moved by Clr. Zajic that the Development Officer's report be accepted as presented. CARRIED
- 511.06 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision located in the NE4-43-4 W4M subject to 17' road widening on the south boundary and access to the balance of the subdivision. CARRIED
- A letter was received and distributed to Council from Municipal Planning Services (Alberta) Ltd. advising that the subdivision located in the NE 32-44-4 W4M has been conditionally approved.

A letter was received and distributed to Council from Municipal Planning Services (Alberta) Ltd. advising that the subdivision located in the SE 32-45-6 W4M has been conditionally approved.

- 512.06 Moved by Clr. MacKay that the Municipal District of Wainwright No. 61 authorize the access agreement for the gravel pit located in the NW 22-45-9 W4M as amended. CARRIED

**PUBLIC
HEARING**

Present at the hearing were Bob Barss, Doug Fletcher, Oscar Buck, Myron Zajic, Ted Wilkinson, Brad Scribner, Kevin MacKay, Kelly Buchinski, Bonnie Milton, Norma Schiefer, Darrin Newell and Kelly Clemmer.

The public hearing was called to order at 11:40 a.m.

The purpose of the hearing was to hear any public concerns in respect to the proposed Bylaw No. 1441 which is a Bylaw of the Municipal District of Wainwright No. 61 to amend the Land Use Bylaw No. 1318 by changing the Land Use Designation of Pt. NE 9-45-7 W4 containing approx. 5 acres from Agricultural District to Country Residential District.

Reeve Barss asked if there were any written submissions. There were none.

Reeve Barss asked if there were any oral submissions. There were none.

- 513.06 Moved by Clr. Zajic that the hearing be adjourned at 11:41 a.m. CARRIED

A copy of the October 16th, 2006 Intermunicipal Development minutes were received and distributed to Council

A copy of the November 7th, 2006 MPC minutes were received and distributed to Council

Development Officer reminded Council of the Land Use Bylaw review meeting to be held on December 11th, 2006 @ 9:30 a.m. in the Administration Council Chambers.

Administration & Taxation

A copy of a letter from Meyers Norris Penny was received and distributed to Council advising that Meyers Norris Penny LLP has sold its Wainwright practice to Donald L. Isaman Professional Corporation.

- 514.06 Moved by Clr. Wilkinson that Clr. Scribner, Administrator Kelly Buchinski and Public Works Superintendent Darrin Newell represent the Municipal District of Wainwright No. 61 on the Airport Committee. CARRIED

**PUBLIC
HEARING**

Present at the hearing were Bob Barss, Doug Fletcher, Oscar Buck, Myron Zajic, Ted Wilkinson, Brad Scribner, Kevin MacKay, Kelly Buchinski, Bonnie Milton, Norma Schiefer, Darrin Newell and Kelly Clemmer.

The public hearing was called to order at 11:50 a.m.

The purpose of the hearing was to hear any public concerns in respect to the proposed Bylaw #1442 which is a Bylaw of the Municipal District of Wainwright No. 61 to amend the Land Use Bylaw No. 1318 by changing the Land Use Designation of Pt. NW 12-46-6 W4 containing approx. 10 acres from Agricultural District to Country Residential District.

Reeve Barss asked if there were any written submissions. There were none.

Reeve Barss asked if there were any oral submissions. There were none.

515.06 Moved by Clr. Scribner that the hearing be adjourned at 11:51 a.m.
CARRIED

Council presented Doug White with a plaque for his dedicated service on the ASB board as a Farm Member.

A copy of the A.A.M.D. & C.'s Elected Officials Training Program Survey was received and distributed to Council. Administrator read aloud the survey and compiled Council's answers to be submitted to A.A.M.D. & C.

516.06 Moved by Clr. Fletcher that the Municipal District of Wainwright No. 61 set a meeting for Salary/Wage Review and the C.A.O. Evaluation for December 11th, 2006 @ 1:00 p.m. in the Council Chambers. CARRIED

A copy of an email from the Village of Edgerton was received and distributed to Council requesting the Municipal District of Wainwright No. 61 participation in the ME First program for installing artificial ice in the Village of Edgerton arena.

Karen Meakin from Penn West Energy Trust attended Council to discuss the penalty charged in 2004 and have the penalties waived because the cheque was sent to the wrong address.

517.06 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to send a letter to Penn West Energy Trust advising that according to Municipal District of Wainwright No. 61 policy penalties will not be waived. CARRIED

A copy of a memo from the Payroll Clerk was received and distributed to Council advising that there will be a rate adjustment for the employee benefits effective January 1st, 2007.

The Administrator advised he had contacted the ME First program and advised that if the Municipal District of Wainwright No. 61 transfers their eligibility for the ME First funds there would be no liability to the Municipal District of Wainwright No. 61 and that the Village of Edgerton would be 100% responsible for the repayment of the funds.

518.06 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 agrees to allocate 100% of its ME First eligibility to the Village of Edgerton for its arena upgrade project and that the Village of Edgerton be designated Manager of the ME First Artificial Ice for the Village of Edgerton's Arena for the purposes of receiving, administering, allocating, reporting, repayment of the loan and accounting for the project and debenture.
CARRIED

A copy of the A.A.M.D. & C. Spring Convention Government Responses Summary was received and distributed to Council.

A copy of the A.A.M.D.&C.'s Contacts and a Member Bulletin were received and distributed to Council.

- 519.06 Moved by Clr. Scribner that the Municipal District of Wainwright No. 61 authorize Council and the Administrator to attend the FCM conference in Calgary June 1st – 4th, 2007. CARRIED

Protection to Persons and Property

Municipal Property

- 520.06 Moved by Clr. MacKay that the Municipal District of Wainwright No. 61 be authorized to execute the Mutual Fire Aid Agreement between the Villages of Irma, Edgerton, Chauvin and the Town of Wainwright as presented. CARRIED

Health & Social Services

Environment

Recreation & Community Services

BYLAWS

Bylaw #1441 – A Bylaw of the Municipal District of Wainwright No. 61 in the province of Alberta, to amend the Land Use Bylaw No. 1318. (Pt. NE 9-45-7 W4M)

- 521.06 Moved by Clr. Wilkinson that Bylaw No. 1441 pass the second reading. CARRIED

- 522.06 Moved by Clr. Fletcher that Bylaw No. 1441 pass the third and final reading. CARRIED

Bylaw #1442 – A Bylaw of the Municipal District of Wainwright No. 61 in the province of Alberta, to amend the Land Use Bylaw No. 1318. (Pt. NW 12-46-6 W4M)

- 523.06 Moved by Clr. Scribner that Bylaw No. 1442 pass the second reading. CARRIED

- 524.06 Moved by Clr. MacKay that Bylaw No. 1442 pass the third and final reading. CARRIED

Bylaw #1444 - A Bylaw of the Municipal District of Wainwright No. 61 in the Province of Alberta to establish a Subdivision and Development Appeal Board.

- 525.06 Moved by Clr. Zajic that Bylaw No. 1444 pass the first reading. CARRIED

- 526.06 Moved by Clr. Scribner that Bylaw No. 1444 pass the second reading. CARRIED

- 527.06 Moved by Clr. MacKay that Bylaw No. 1444 proceed with the third reading at this meeting. CARRIED UNANIMOUSLY

- 528.06 Moved by Clr. Fletcher that Bylaw No. 1444 pass the third and final reading. CARRIED

- 529.06 Moved by Clr. Fletcher that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision located in Pt. NE 09-45-7 W4M subject to reserves being due and an approach being installed on the north boundary. CARRIED

530.06 Moved by Clr. Fletcher that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision located in Pt. NW 12-46-6 W4M subject to reserves being due and 17' road widening dedication.
CARRIED

PAYSHEETS

531.06 Moved by Clr. Buck that the paysheets be approved as presented.
CARRIED

COMMITTEE REPORTS

532.06 Moved by Clr. MacKay that the following committee reports be accepted as presented: Wainwright Seed Cleaning Plant, Edgerton Seed Cleaning Plant, Battle River Foundation, Family & Community Services, Wainwright Waste to Energy Authority, Wainwright Ambulance, Community Health Foundation, Northern Lights Library Systems and Wainwright Economic Development Board. CARRIED

533.06 Moved by Clr. Wilkinson that Council recess for a private meeting as per Section 197 (2) of the Municipal Government Act 2000 and amendments.
CARRIED (3:25 p.m.)

534.06 Moved by Clr. MacKay that Council reconvene to the regular meeting.
CARRIED (3:35 p.m.)

535.06 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 authorize Nickerson Roberts to proceed with the Talisman Surface lease agreement with the condition that a compensation review be arranged.
CARRIED

536.06 Moved by Clr. Scribner that this meeting be adjourned. CARRIED (3:36 p.m.)

Reeve

Municipal Administrator

(1 day)

Assistant Municipal Administrator