

The regular meeting of Council of the Municipal District of Wainwright No. 61 was held in the Municipal Administration Building, Wainwright, Alberta on Tuesday, August 19th, 2008 commencing at 9:00 a.m.

Present: Reeve Bob Barss, Councillors Oscar Buck, Ted Wilkinson, Myron Zajic, Phil Valleau, Shelly Andersen (10:00 a.m. to 3:35 p.m.) and Morley Muldoon Staff present: Administrator Kelly Buchinski, Assistant Administrator Bonnie Milton, Public Works Superintendent Ivan Perich, and from Star News, Kelly Clemmer (10:10 a.m. to 3:35 p.m.).

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

332.08 Moved by Clr. Muldoon that the agenda be approved as presented. CARRIED

333.08 Moved by Clr. Buck that the following items be added to the agenda:

Public Works

- l. Ducks Unlimited
- m. Gravel Agreement
- n. Stop Signs
- o. Fabyan Bridge
- p. N. Giltedge Road

Administration & Taxation

- j. MPC Member

IN-CAMERA ISSUE

- 1. Employee Issue

CARRIED UNANIMOUSLY

334.08 Moved by Clr. Wilkinson that the accounts recorded on the attached list in the amount of \$2,870,546.39 covered by debit memos 1133 to 1145 and cheques numbered 57501 to 57691 be approved and paid and that the payroll payments as per the attached list totaling \$370,575.65 covered by EFT's numbered 900014417 to 900014648 be ratified. CARRIED

335.08 Moved by Clr. Zajic that the minutes of the regular meeting held July 15th, 2008 be adopted as written. CARRIED

UNFINISHED BUSINESS

NEW BUSINESS

Public Works

The Public Works Superintendent Ivan Perich 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.

336.08 Moved by Clr. Zajic that the Public Works Superintendent's report be accepted as written. CARRIED

The Safety & Utilities Manager, Preston Iverson attended the meeting from 9:15 a.m. to 9:25 a.m. and reported to Council on the activities of the Safety & Utilities Department for the past month.

337.08 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 be authorized to install cement slabs at the base of the culvert at Clear Lake on the main beach and have Olson Construction make the cement slabs at a cost of \$950.00. CARRIED

338.08 Moved by Clr. Valleau that the Safety & Utilities Manager's report be accepted as written. CARRIED

339.08 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 authorize the change of the yield sign to a stop sign in accordance with Bylaw #1334 and that this stop sign be added and the yield sign be removed from Appendix A of Bylaw #1334:

- NW of NW 34-42-4 W4M

CARRIED

Council discussed installation of cable guard rails at the curve located in the NE 10-47-5 W4M for an approximate cost of \$60,000. It was the consensus of Council to put the appropriate speed signs in and monitor this issue.

Lot Krawchuk and Barb Sjoquist from the Village of Edgerton attended Council at 9:30 a.m. to 9:45 a.m. to discuss the Dry Disposal Site. They advised Council of their concerns and problems with regard to garbage and would like the M.D. to consider exploring different option with the Villages. It was the consensus of Council to take the information as received and wait to hear back from the Irma, Chauvin & Edgerton (ICE) Villages for their recommendations.

340.08 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to make an offer to purchase the salt shed and land located in the Village of Irma from Carillion for up to a cost of \$20,000. CARRIED

Berg Road Culvert – Water Resources – It was the consensus of Council to have EXH Engineering address this issue. – No Action

Council discussed dust control for ratepayers willing to pay for the oil. It was the consensus of Council to address this issue at the 2009 Planning Meeting. In the meantime Clr. Muldoon is to meet with the Public Works Superintendent to go over his priority list for the 20 cubic yards of MC250 oil for dust control for the 2008 season.

PUBLIC HEARING

Present at the Hearing were Bob Barss, Shelly Andersen, Oscar Buck, Myron Zajic, Ted Wilkinson, Phil Valleau, Morley Muldoon, Kelly Buchinski, Bonnie Milton, Jim Klasson, Ivan Perich and Kelly Clemmer.

The public hearing was called to order at 10:30 a.m.

The purpose of the public hearing is to hear any public concerns in respect to the proposed Bylaw No. 1465 which is a bylaw proposing to amend Bylaw No. 1318, as amended May 15, 2007, of the Municipal District of Wainwright No. 61. It is deemed necessary to amend the Land Use Bylaw of the Municipal District of Wainwright No. 61 in order to amend Section 6.3.6 - Lakeside Residential District – 4 (1) (a) (iii) Minimum Yard - Side. Under the authority and subject to the provisions of the Municipal Government Act, 1994 with amendments and by virtue of all other powers it enabling, the Council of the Municipal District of Wainwright No. 61 duly assembled enacts as follows: Bylaw No. 1031, being the Land Use Bylaw of the Municipal District of Wainwright No. 61 is hereby amended as follows:

Section 6.3.6 – Lakeside Residential District – 4 (1) (a) (iii) Minimum Yard – Side, is amended to 1.5 meters (5 feet).

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

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

341.08 Moved by Clr. Valleau that the hearing be adjourned at 10:31 a.m.
CARRIED

A copy of a letter from EXH Engineering Services was received and distributed to Council with regard to the final inspection of Giltedge Road RR#61 with BYZ Construction Inc. as the contractors for the grading and other work advising the entire project was found to be complete as per the contract and specification with no deficiencies being noted.

Clr. Zajic advised Council of an approach issue with regard to Giltedge Road RR#61 and it was the consensus of Council to have EXH Engineering deal with this approach issue prior to authorizing the construction completion certificate letter to BYZ Construction.

A copy of Liquidated Damages Contract 1006211 RR 61 (Giltedge Road) was received and distributed to Council.

342.08 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 be authorized to waive the liquidation damages on contract 1006211 RR 61 (Giltedge Road) in the amount of \$99,900. CARRIED

Fabyan – Letter addressing back alley trimming. No Action

Referencing of legal survey pins on construction projects. Public Works Superintendent Ivan Perich advised cost estimate from Interprovincial Surveys of \$10,000 for Twp. Rd. #422 for approximately 12 pins. It was the consensus of Council to have Darrin Newell of EXH Engineering advise what procedure and who should do the referencing of the survey pins.

343.08 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 ratify the payment to Ducks Unlimited in the amount of \$14,035.20 for wetland compensation for Twp Rd. #422. CARRIED

344.08 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 authorize the gravel agreement for the NE 26-45-10 W4M (Larson Pit) to finish the 2006 gravel crush up to 33,585 cubic yards of 3/4" gravel @ \$2.00 per cubic yard and up to an additional 50,000 cubic yard of 3/4" gravel @ \$2.50 per cubic yard with the crush being completed by 2011.
CARRIED

345.08 Moved by Clr. Zajic that the following traffic signs be authorized in accordance to Bylaw #1334 and that Appendix A to Bylaw #1334 be changed accordingly:

Add to the following stop signs:

- SE of SE 2-47-9 W4M
- NW of NE 35-46-9 W4M

Delete the following stop signs:

- NE of NW 35-46-9 W4M
- SW of SW1-47-9 W4M

CARRIED

346.08 Moved by Clr. Muldoon that the Municipal District of Wainwright No. 61 be authorized to post the appropriate weight signs for the Fabyan Bridge (BF70228) as follows:

- 16 tonnes (single axle)
- 29 tonnes (semi)
- 42 tonnes (truck-train)

- 347.08 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 be authorized to put the construction of North Giltedge Road approximately 2 miles on the 2008 construction schedule if time permits. CARRIED
DEFEATED

Agriculture Service Board

Agricultural Fieldman James Schwindt attended the meeting from 11:10 a.m. to 11:25 a.m. and reported to Council on the activities of the Agricultural Service Department for the past month.

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

Agricultural Fieldman James Schwindt gave Council a copy of the attendance and expenses of the 2008 Rural Routes Supper.

- 349.08 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to proceed with a Rural Routes Supper and Social Event for 2009. CARRIED

Agricultural Fieldman James Schwindt advised Council of some clerical corrections on the Tankloader Agreement Forms.

A copy of the 2008 Regional ASB Conference letter advising Council that the M.D. of Wainwright will be hosting the conference and requesting agenda items was received and distributed to Council from the ASB Chairman Myron Zajic and Agricultural Fieldman James Schwindt.

A copy of the call for written submissions on Bill 23 – Weed Control Act from the Standing Committee on Resources and Environment was received and distributed to Council.

Administration & Taxation

A copy of the monthly status report was received and distributed to Council.

The Municipal Accountant, Karrie Gau attended the meeting from 11:25 a.m. to 12:05 p.m. and reported to Council on the finances for the past month.

- 350.08 Moved by Clr. Andersen that the financial statement of receipts and disbursements for the month ending July 31st, 2008 be adopted as written and incorporated into these minutes. CARRIED

Reeve Barss will be away on September 16th, 2008 to attend the Recycling Board Meeting.

- 351.08 Moved by Clr. Valleau that the Regular Council meeting for September 16th, 2008 be changed to September 15th, 2008 @ 9:00 a.m. in the Council Chambers. CARRIED

Doug Griffith, MLA attended Council at 11:30 a.m. to address Council issues and discuss general issues throughout the municipality and the province.

Rick and Marlene Lapierre, Caretakers of Arm Lake attended Council from 1:30 p.m. to 1:45 p.m. to discuss proposed changes to the Arm Lake Recreation Area.

Bob Schneider, Cabin Owner at Clear Lake and a delegation of Cabin Owners attended Council from 1:45 p.m. to 2:00 p.m. to present Council with a petition. Mr. Schneider read aloud their concerns and issues with regard to the structure area plan for around Clear Lake. Reeve Barss received the petition on behalf of the Municipal District of Wainwright No. 61 and advised that it will be taken under advisement and verified and further notification would be forwarded to them in accordance with the Municipal Government Act.

352.08 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 set the Assessment Review Board Hearing for September 15th, 2007 @ 10:30 a.m. in the Council Chambers. CARRIED

A copy of the roof inspection from Goodwin Roof Inspection and Consulting (1999) Ltd. was received and distributed to Council. It was the consensus of Council to move this issue to the Planning Meeting for 2009 and Administration bring their recommendations forward.

A copy of the A.A.M.D. & C's Member Bulletins (elected official Course Schedule, Alberta Safety Codes Council and Proposed Bylaw Amendments) and Contract were received and distributed to Council.

Clr. Zajic advised that MPC Member Gerry Schapansky will be resigning his position in October of 2008 and would like to see Council bring their recommendations forward at the Organizational Meeting.

Protection to Persons and Property

Clr. Buck brought forward his concerns with regard to E911 Dispatch being over-loaded and advised that they dispatched Wainwright Fire and Ambulance before Chauvin Fire and Ambulance to a call that should have been Chauvin's call. Reeve Barss advised Council that the Fire Chiefs along with their Mayor and the Ambulance Administrator address the proper protocol for E911 Dispatch.

Darrin Newell, EXH Engineering Ltd. attended Council from 2:30 p.m. to 2:45 p.m. to address the Fabyan Lift Station quotes and discuss Carmacks options.

353.08 Moved by Clr. Wilkinson that the following item be added to the agenda:

- Fabyan Lift Station – Project #4006034

CARRIED UNANIMOUSLY

The unofficial tender results for the Fabyan Lift Station Project #4006034 were as follows:

- | | |
|----------------------------------|----------------|
| • Prairie Ghost Contracting Ltd. | • \$258,750.47 |
| • Bandit Excavating | • \$229,556.52 |
| • B.E.L. Contracting | • \$286,440.00 |

354.08 Moved by Clr. Andersen that the Municipal District of Wainwright No. 61 award the Fabyan Lift Station Project #4006034 to Bandit Excavating for a cost of \$229,556.52 including taxes. CARRIED

It was the consensus of Council that Carmacks Enterprises contract be upheld as is.

Darrin Newell, EXH Engineering advised that he would take under advisement the Berg Road Culvert – Water Resource issue. He also noted he would check into the approach issue located on the Berg Road. He then advised Council that it is the responsibility of the municipality to pay for the referencing of legal survey pins and only legal surveyors are allowed to put the pins back in place at the cost of the municipality.

It was the consensus of Council to have the Public Works Superintendent, Ivan Perich obtain a couple more quotes other than Interprovincial Surveys on replacing the reference pins on Twp. Rd. #422 for approximately 12 pins.

Municipal Property

An offer to purchase the NE 36-43-5 W4M from Linda Morash was received and distributed to Council.

- 355.08 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 be authorized to send a letter to Linda Morash advising that the 21.83 acres located in the NE 36-43 5 W4M are not for sale. CARRIED

An offer to purchase the SW 11-45-10 W4M from Dave Urquhart was received and distributed to Council.

- 356.08 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to send a letter Mr. Urquhart advising that the 12.38 acres located in the SW 11-45-10 W4M are not for sale at this time. CARRIED

Health & Social Services

Environment

- 357.08 Moved by Clr. Muldoon that the Municipal District of Wainwright No. 61 authorize MPC Board, Municipal Administrator and Clr. Valleau to complete a site inspection with regard to Ascot Heights Waste Disposal Site and bring back their recommendation to the next Council meeting. CARRIED

Recreation & Community Services

A copy of the proposed changes to the Arm Lake Recreation Area from Rick & Marlene Lapierre was received and distributed to Council.

- 358.08 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 approve in principle Rick & Marlene Lapierre's proposal for Arm Lake Recreation Area dated August 12th, 2008 and that Administration be authorized to review their current contract and make necessary amendments for the new sites. CARRIED

- 359.08 Moved by Clr. Muldoon that the following recommendations be implemented at Riverdale Mini Park::

(1) We honor the reservations made by the On-Site Assistant Manager for the 2009 season with a credit card attached to the reservation and the first night being charged as per the policy, but disallow any further reservations subsequent to the 2009 season. Then in 2009 have the On-Site Assistant Manger start on the 1st of April to open the phone lines and address all the reservations taken during the 2008 season with a credit card. In 2010, have the On-Site Assistant Manager start on the 1st of April to take reservations with a credit card for the 2010 season only.

(2): Disallow monthly and weekly rates for the 2009 season and obtain the following rates (total sites camping are 99):

- 8 Full Serviced Sites \$20.00/unit/night
(#54, 55, 74 to 79)
- 70 Power Sites \$16.00/unit/night
(#1 to 22, 28 to 39, 51 to 53, 56 to 73 and 80 to 94)
- 21 Non-power Sites \$10.00/unit/night
(#23 to 27, 40 to 49, oversized #01 – 06)
 - ✓ (1) Reserved Grill Area \$25.00/day (Site C)
 - ✓ (4) Shelters/Cookhouse \$15.00/day (Site A,B & D)

(3) Review all rates prior to the 2010 season.

CARRIED

PAYSHEETS

360.08 Moved by Clr. Valleau that the paysheets be approved as presented.
CARRIED

Bylaws

Bylaw #1465, A Bylaw of the Municipal District of Wainwright No. 61 in the Province of Alberta, to amend the Land Use Bylaw No. 1318, as amended May 15, 2007, of the Municipal District of Wainwright No. 61 Section 6.3.6 – Lakeside Residential District – 4 (1) (a) (iii) Minimum Yard – Side, is amended to 1.5 meters (5 feet).

361.08 Moved by Clr. Wilkinson that Bylaw No. 1465 pass the second reading.
CARRIED

362.08 Moved by Clr. Zajic that Bylaw No. 1465 pass the third and final reading.
CARRIED

Development

The Development Officer, Jim Klasson attended the meeting from 10:30 a.m. to 10:31 a.m. and 11:30 a.m. to 12:05 p.m. and 3:45 p.m. to 4:30 p.m. and reported to Council on the activities of the Development Department for the past month.

363.08 Moved by Clr. Muldoon that the Development Officer's report be accepted as presented. CARRIED

A copy of the August 11th, 2008 MPC meeting minutes were received and distributed to Council.

364.08 Moved by Clr. Buck that the Municipal District of Wainwright No.61 be authorized to contact Talisman Energy on the renewal of the Surface Lease Agreement on the SE 12-43-3 W4M for a 5-year term in the amount of \$2,200 per year requesting the appropriate percentage of increase be in line with other recent surface leases making this lease \$2,500 to \$2,600.
CARRIED

365.08 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 have no objections to the proposed annexation from the Village of Edgerton of M.D. land described as SE 1-44-4 W4M containing 160 acres less portion that are already part of the village subdivided on plans 270BW and 7025CG 2.64 acres on road plan 5242HW: 25.98 right of way plan 8021756; 7.52 acres south and east of plan 7052CG and south of 8021756 and Pt. N 12/ 36-46-4 W4m excepting 2 acres; from each quarter 7.11 acres for road; from northwest ½ .85 acres for road. CARRIED

366.08 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision located in the SE 24-42-3 W4M subject to 17' road widening. CARRIED

367.08 Moved by Clr. Muldoon that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision located in the SE 12-45-8 W4M subject to 17' road widening and constructing two approaches one to each parcel. CARRIED

368.08 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision located in the Pt. of SE 26-46-10 W4M subject to this new parcel being consolidated with the existing adjoining acreage. CARRIED

- 369.08 Moved by Reeve Barss that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision located in the Pt. of SW 26-46-10 W4M subject to the applicant constructing an approach on the south west corner of the parcel on to Range Road 10-2. CARRIED
- The Development Officer advised Council that Mr. & Mrs. Hallett have been given a copy of the Procedures and Standards Manual with regard to the proposed multi lot subdivision in the Pt. NW 2-45-7 W4M (9 parcels) and Alberta Transportation has asked that a traffic impact assessment be completed with applicant being responsible for all costs.
- 370.08 Moved by Clr. Muldoon that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision located in the Pt. of SE 16-46-6 W4M subject to the applicant constructing an approach onto the parcel. CARRIED
- 371.08 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision located in the SW 18-46-5 W4M (12 acres). CARRIED
- 372.08 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 be authorized to enter into a facility crossing agreement with Kinder Morgan Cochin ULC to work over top of their pipeline located on Township Road #42-2 and Township Road #47-0. CARRIED
- 373.08 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to forward the Development Agreement to Brownlee LLP for its review and comments. CARRIED
- 374.08 Moved by Reeve Barss that the Municipal District of Wainwright No. 61 authorize the approach request from ConocoPhillips Canada (RBC) Ltd. in the NE 28-46-10 W4M. CARRIED
- 375.08 Moved by Clr. Wilkinson that the following item be added to the agenda:
- Advantage Oil & Gas Ltd. – Facility Crossing agreement

CARRIED UNANIMOUSLY WITH MEMBERS PRESENT

- 376.08 Moved by Reeve Barss that the Municipal District of Wainwright No. 61 be authorized to enter into a facility crossing agreement with Advantage Oil & Gas Ltd. CARRIED
- 377.08 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 authorize the Development Officer to proceed with the Stop Order for the mobile structure at Clear Lake Cabin #90 (NW 1-44-5 W4M) and that Administration is authorized to instruct Brownlee LLP to obtain a Court Order, if necessary, to enforce the Stop Order. CARRIED

**COMMITTEE
REPORTS**

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

**IN-CAMERA
ISSUES**

- 379.08 Moved by Clr. Valleau that Council recess for a private meeting as per Section 197 (2) of the Municipal Government Act 2000 and amendments. CARRIED (4:35 p.m.)

- 380.08 Moved by Clr. Zajic that Council reconvene to the regular meeting. CARRIED (5:00 p.m.)
- 381.08 Moved by Clr. Wilkinson that this meeting be adjourned. CARRIED (5:01 p.m.)

Reeve

Municipal Administrator

Assistant Municipal Administrator

(1 Day)