

The regular meeting of Council of the Municipal District of Wainwright No. 61 was held in the Municipal Administration Building, Wainwright, Alberta on Tuesday, February 19th, 2013 commencing at 9:00 a.m.

Present: Reeve Bob Barss, Councillors Oscar Buck, Ted Wilkinson, Myron Zajic, Phil Valleau, Bruce Cummins and Shelly Andersen. Staff present: Municipal Administrator Kelly Buchinski, Assistant Municipal Administrator Bonnie Milton and from the Star News, Kelly Clemmer (9:50 a.m. to 11:35 a.m.).

CALL TO ORDER

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.

40.13 Moved by Clr. Andersen that the agenda be adopted as presented.
CARRIED

41.13 Moved by Clr. Valleau that the following items be added to the agenda:

Agricultural Service Board
d. Wildlife

CARRIED UNANIMOUSLY

42.13 Moved by Clr. Wilkinson that the minutes of the Council Meeting held January 15th, 2013 be adopted as presented. CARRIED

NEW BUSINESS

Agriculture Service Board

The Agricultural Fieldman, James Schwindt, attended the meeting from 9:03 a.m. to 9:10 a.m. and reported to Council on the activities of the Agricultural Services Department for the past month.

43.13 Moved by Clr. Zajic that the Agricultural Fieldman's report be accepted as presented. CARRIED

Agricultural Fieldman handed out the Draft Approved Management Plan for the Battle River Basin along with the Highlights and a response form. If Council as individuals wish to respond, they may do so.

44.13 Moved by Clr. Cummins that the Agricultural Fieldman be authorized to purchase two pallets of strychnine for an approximate cost of \$12,000 per pallet. CARRIED

The Agricultural Fieldman advised council that a concern was brought to the M.D.'s attention regarding a predator killed deer in a yard in Division #4. After following up with Alberta Fish & Wildlife, they advised that they would not be taking any further action. They had received the call eight days after the incident occurred, little remained of the carcass or scene to investigate, and no further predator activity has taken place to date.

Safety & Utilities

The Safety & Utilities Manager, Preston Iverson, attended the meeting from 9:10 a.m. to 9:30 a.m. and reported on the activities of his department for the past month.

45.13 Moved by Clr. Buck that the Safety & Utilities Manager's report be accepted as presented. CARRIED

Recreation & Community Services

The Director of Public Works, Shannon LaHaye, attended the meeting from 9:20 a.m. to the end and reported on the activities of his departments for the past month.

Director of Public Works and Safety & Utilities Manager discussed May long weekend. It was the consensus of Council to work in conjunction with the RCMP over the May long weekend.

Public Works

The Director of Transportation, Mark Greibrok, attended the meeting from 9:20 a.m. to the end and reported on the activities of his department for the past month.

46.13 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 approve the Director of Transportation's report as presented. CARRIED

47.13 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 approve the Director of Public Work's report as presented. CARRIED

48.13 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 approve the 2013 Construction Map & Schedule as presented. CARRIED

49.13 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 approve the 2013 Oiling & TerraCem Map as amended. CARRIED

A letter was received from Charlie Mikolcevic requesting his windshield be replaced due to carelessness of an M.D. driver spreading salt and sand.

50.13 Moved by Clr. Valleau that the Municipal District of Wainwright No. 61 be authorized to send a letter to Mr. Mikolcevic advising that the municipality will not be replacing his windshield after reviewing his claim. CARRIED

A copy of a letter, cost breakdown and an agreement for the road crossing warning system for Mile 164.79 from CN was received and distributed to Council.

51.13 Moved by Clr. Andersen that the Municipal District of Wainwright No. 61 be authorized to sign and submit the road crossing warning system agreement for Mile 164.79 noting that the municipality will contribute 12.5% amounting to \$25,113 towards the project outlined in the agreement. CARRIED

A copy of a letter, cost breakdown and an agreement for the road crossing warning system for Mile 145.14 from CN was received and distributed to Council.

52.13 Moved by Clr. Cummins that the Municipal District of Wainwright No. 61 be authorized to sign and submit the road crossing warning system agreement for Mile 145.14 noting that the municipality will contribute 12.5% amounting to \$26,675 towards the project outlined in the agreement. CARRIED

The Municipal Administrator advised Council that a meeting has been set with Alberta Transportation at the Spring Convention for March 19th at 11:15 a.m. Salon 14 and requested Council to submit agenda items for the meeting as soon as possible.

Sheri Jane Ducoion from the Wainwright & Area Youth Justice Committee attended Council to inform Council on what the Youth Justice Committee is, what the committee does and how it benefits the communities.

The following 2013/14 gravel crushing tenders were received and distributed to Council:

| Contractor | 2013 Price | 2014 Price (option year) |
|---------------------|----------------|--------------------------|
| Praxis Earthworks | \$718,250.00 | \$805,375.00 |
| Westridge Rock Ltd. | \$839,375.00 | \$945,625.00 |
| Lone Pine Crushing | \$850,000.00 | \$953,750.00 |
| McNabb Construction | \$1,100,875.00 | \$1,289,125.00 |

53.13

Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 be authorized to award the 2013 Gravel Crushing Tender for a cost of \$718,250.00 plus applicable taxes to Praxis Earthworks conditional to a satisfactory safety inspection of their equipment by an M.D of Wainwright representative. CARRIED

The following 2013/14 gravel hauling tenders were received and distributed to Council:

| Contactor | 2013 Price SCH. B DIV#5 | 2013 Price SCH. C DIV#6 | 2013 Price SCH. D DIV#7 |
|-----------------|-------------------------------|-------------------------------|-------------------------------|
| Holt Transport | \$118,860.00 | \$86,226.00 | \$104,874.00 |
| Jamboree Const. | \$202,020.00 | \$158,760.00 | \$194,460.00 |
| Contactor | 2014 Price SCH. B DIV#5 | 2014 Price SCH. C DIV#6 | 2014 Price SCH. D DIV#7 |
| Holt Transport | \$118,860.00 | \$86,226.00 | \$104,874.00 |
| Jamboree Const. | \$222,600.00 | \$175,560.00 | \$212,520.00 |

54.13

Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to award the 2013 Gravel Hauling Tender for a total cost of \$309,960.00 plus applicable taxes to Holt Transport conditional to a satisfactory safety inspection of their equipment by a M.D. of Wainwright representative. CARRIED

Council discussed the use of plastic lids vs. metal lids for garbage bins. It was the consensus of Council to stay with metal lids.

55.13

Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to order the 2013 garbage bins with metal lids and increase the budget to \$39,000 plus applicable tax. CARRIED

A copy of a letter from Battle River REA was received and distributed to Council advising that as part of their on-going maintenance program they will be switching out poles in the Strawhill area.

A copy of a letter from Battle River REA was received requesting permission to clear out any ditch vegetation that interferes with their power lines noting they will contact each landowner prior to proceeding.

56.13

Moved by Clr. Buck that the Municipal District of Wainwright No. 61 have no objection to Battle River REA clearing out any ditch vegetation during the 2013 season that interferes with their power lines subject to our no spray list being honored. CARRIED

Finance

The Municipal Accountant, Mary Nelson, attended the meeting from 10:35 a.m. to 10:40 a.m. and reported to Council on the finances for the past month.

57.13 Moved by Clr. Buck that the accounts recorded on the attached list in the amount of \$1,270,180.09 covered by debit memos 1876 to 1890 and cheques numbered 66549-66694 be approved and paid and furthermore that payroll payments as per the attached list totaling \$181,206.22 covered by EFT's numbered 90002300-900022396 be ratified. CARRIED

58.13 Moved by Clr. Andersen that the financial statement of receipts and disbursements for the month ending January 31st, 2013 be adopted as written and incorporated into these minutes. CARRIED

A copy of the reserve statement as of January 31st, 2013 was received and distributed to Council.

Administration & Taxation

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

A copy of the AAMDC Spring Convention Draft Agenda was received and distributed to Council.

59.13 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 authorize Council, Director of Public Works, Director of Transportation and the Administrator to attend the AAMDC Spring Convention in Edmonton from March 18th to 20th, 2013. CARRIED

60.13 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 refer the 2013 Battle River Foundation requisition in the amount of \$270,917.00 to the 2013 Budget. CARRIED

61.13 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 refer the 2013 Wainwright FCS requisition in the amount of \$37,596.00 to the 2013 Budget. CARRIED

A copy of a letter from the Town of Wainwright was received and distributed to Council requesting a funding increase for WEDB (Wainwright Economic Development Board).

62.13 Moved by Clr. Valleau that the Municipal District of Wainwright No. 61 authorize an increase of \$7,500 to the WEDB (Wainwright Economic Development Board) making the annual funding allocation \$17,500 per year and refer the 2013 fund allocation to the 2013 Budget. CARRIED

A letter from the Wainwright Frontier & Exhibition Agricultural Society was distributed to Council inviting the Municipal District of Wainwright No. 61 to sponsor the Wainwright Stampede.

63.13 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 sponsor the 60th Annual Wainwright Stampede in the amount of \$5,000.00. CARRIED

A copy of a letter from ICE Villages was received and distributed to Council requesting Council to attend their next meeting on May 9th, 2013 at 7:00 p.m. at the Village of Irma.

64.13 Moved by Clr. Andersen that the Municipal District of Wainwright No. 61 advise ICE Villages that unfortunately Administration is unable to attend on May 9th and that we request an alternate date. CARRIED

A copy of the AAMDC Member Bulletins, Contacts and District Highlights were received and distributed to Council.

Protection to Persons and Property

- 65.13 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 be authorized to enter into an agreement with Alberta Environment and Sustainable Resource Development Annual Mutual Aid Fire Control Plan – 2013 as presented. CARRIED

A copy of the revised price structure of Waste Management's Contract effective July 1st, 2013 was distributed to Council for information purposes.

The Municipal Administrator advised Council in writing that at the last Fire Chief's meeting held on February 11th, 2013 it was collectively agreed to request the M.D. of Wainwright to remove the requirement on fire permits to call the Fire Department before lighting each fire as they believe that the requirement to contact E911 prior to lighting is adequate.

- 66.13 Moved by Clr. Valleau that the Municipal District of Wainwright No. 61 be authorized to remove the requirement on fire permits to call the Local Fire Department prior to lighting a fire. CARRIED

Municipal Property

Health & Social Services

Environment

Bylaws

Bylaw No. 1529 - A Bylaw of the Municipal District of Wainwright No. 61 in the Province of Alberta being a Bylaw to amend Bylaw No. 1318, as amended to May 15, 2007, of the Municipal District of Wainwright No. 61 to amend the Land Use Designation of NW 15-44-6 W4M from Agricultural District to Country Residential District.

- 67.13 Moved by Clr. Valleau that Bylaw No. 1529 pass the first reading. CARRIED

- 68.13 Moved by Clr. Cummins that a Public Hearing be set for March 15th, 2013 for Bylaw No. 1529 at 10:30 a.m. at the Municipal District of Wainwright No. 61 Administration Building. CARRIED

Bylaw No. 1537 - A Bylaw of the Municipal District of Wainwright No. 61, in the Province of Alberta, to authorize the borrowing of money for the purpose of financing operating expenditures.

- 69.13 Moved by Clr. Buck that Bylaw No. 1537 pass the first reading. CARRIED

- 70.13 Moved by Clr. Zajic that Bylaw No. 1537 pass the second reading. CARRIED

- 71.13 Moved by Clr. Cummins that Bylaw No. 1537 proceed to the third reading at this meeting. CARRIED UNANIMOUSLY

- 72.13 Moved by Clr. Valleau that Bylaw No. 1537 pass the third and final reading. CARRIED

Development

The Development Officer, Jim Klasson, attended the meeting from 10:55 a.m. to 11:55 a.m. and reported to Council on the activities of the Development Department for the past month.

- 73.13 Moved by Clr. Wilkinson that the Development Officer's report be accepted as presented. CARRIED

A copy of the February 8th, 2013 MPC minutes were received and distributed to Council.

- 74.13 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 be authorized to proceed with the Lake Watch Data Study Program for 2013 at Clear Lake for a cost up to \$4,000.00. CARRIED

A copy of an email from Jelena Matc on behalf of ATCO Electric Right-of-Way Planning was received and distributed to Council requesting feedback on the transmission project from Lloydminster to Edgerton.

- 75.13 Moved by Clr. Cummins that the Municipal District of Wainwright No. 61 support the request from Alberta Transportation to change the speed limit on Highway 14:16 on the east side of the Town of Wainwright, east of Highway 41 and on Highway 14:14 on the west side of Wainwright from 100km/h to 80km/h approximately 400 metres east of the junction with Highway 41 to the existing 60km/h speed zone beginning west of Highway 41 at the corporate limit. CARRIED

Council discussed the water well for Cabin 100 at Clear Lake. It was the consensus of Council to have ratepayer of Cabin 100 submit a written request to Council.

A copy of the Alberta Utilities Commission (AUC) notices of updated proceeding schedule for the Bluearth Wind Project was received and distributed to Council.

- 76.13 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 authorize Talisman Energy to upgrade 350 meters of road allowance in 2013 on Township Road 45-2 along the SE 16-45-4 W4M and to constructed an approach to the SE 16-45-4 W4M to its proposed well site conditional to Talisman Energy building the road to M.D. standards on a 100' right of way supplied by the M.D. of Wainwright and further that all costs associated with the road construction be the total responsibility of Talisman Energy and furthermore that Talisman Energy sign our Third Party Road Construction Agreement prior to starting this project. CARRIED

- 77.13 Moved by Clr. Valleau that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision in the NW 15-44-6 W4M (3 parcels) subject to rezoning, road widening of 17' along the west boundary and approaches to be constructed with parcels 2 & 3 sharing one approach. CARRIED

- 78.13 Moved by Clr. Valleau that the Municipal District of Wainwright No. 61 have no objections to the proposed subdivision in the NE15-44-6 W4M (2 parcels) subject to road widening of 17' along the east boundary and approaches to be constructed for both parcels. CARRIED

The MPC advised that they withheld support pending a reduction in the parcel size to 10.0 acres or the applicant provides further clarification as to why the increase size of 15.0 acres is warranted on the proposed subdivision in the NW 13-45-9 W4M.

- 79.13 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 grant a variance to Motion #422.12 on the proposed subdivision SE 15-46-6 with the additional condition of adding 17 feet to the west boundary of each of the three parcels so they remain at 10 acre parcels. CARRIED

- 80.13 Moved by Reeve Barss that the Municipal District of Wainwright No. 61 authorize Interpipeline Fund to install its pipeline road crossing at R.R. #81 adjacent to the SE 14-47-8 W4M at less than a 90 degree angle to correspond with the other pipelines at the same crossing location. CARRIED

Proposed RV Park Development – NW 17-44-6 W4M. No Action

81.13 Moved by Clr. Valleau that the following item be added to the agenda:

In-Camera Issues:

*Legal Issue

CARRIED UNANIMOUSLY

82.13 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 authorize Twin Butte Energy Ltd. to upgrade the undeveloped road allowance in 2013 along the SE 10 and E1/2 3-47-5 W4M conditional to Twin Butte Energy Ltd. building the road to M.D. standards on a 100' right of way supplied by the M.D. of Wainwright and further that all costs associated with the road construction be the total responsibility of Twin Butte Energy Ltd. and furthermore that Twin Butte Energy Ltd. sign our Third Party Road Construction Agreement prior to starting this project.
CARRIED

PAYSHEETS

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

COMMITTEE REPORTS

84.13 Moved by Clr. Cummins that the following Committee Reports be accepted as presented: Wainwright Seed Cleaning Plant, Edgerton Seed Cleaning Plant, Family & Community Services, Battle River Foundation, Wainwright Waste to Energy Authority, Wainwright Ambulance, East Central E911, Community Health Foundation, Northern Lights Library Systems and Wainwright Economic Development Board. CARRIED

IN-CAMERA

85.13 Moved by Clr. Cummins that Council recess for a private meeting, as per Section 197(2) of the Municipal Government Act 2000 and amendments. (11:35 a.m.) CARRIED

86.13 Moved by Clr. Andersen that Council reconvene to the meeting. (11:50 a.m.) CARRIED

87.13 Moved by Clr. Cummins that this meeting be adjourned. (11:55 a.m.)
CARRIED

Reeve

Municipal Administrator

Assistant Municipal Administrator

(1/2 day)