

The regular meeting of Council of the Municipal District of Wainwright No. 61 was held in the Municipal Administration Building, Wainwright, Alberta on Tuesday, July 21st, 2009 commencing at 9:00 a.m.

Present: Reeve Bob Barss, Councillors Phil Valleau, Shelly Andersen, Oscar Buck, Ted Wilkinson and Myron Zajic. Staff present: Municipal Administrator Kelly Buchinski and Assistant Municipal Administrator Bonnie Milton and from the Star News, Kelly Clemmer (10:55 a.m. to the end).

Absent: Clr. Morley Muldoon

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

345.09 Moved by Clr. Andersen that the agenda be approved as presented.
CARRIED

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

Agriculture Service Board

- c. Minister of Agriculture re: Drought (Handout)
- d. Road Spraying

Public Works

- p. Rural Address Signs
- q. Speed Zone on Paved Road
- r. Oiling – Dumpster Site
- s. Oiling – Salt Lake Road

Administration & Taxation

- m. Jubilee Letter re: Property Insurance Increase Notice (Handout)
- n. Irma Arena

Development

- c. ConocoPhillips – Minburn Road Project/Road Design
- e. Nova Gas Transmission Line lease Renewal NW 7-43-2 W4M (Handout)
- g. ConocoPhillips – Division #6 – Construction

CARRIED UNANIMOUSLY

347.09 Moved by Clr. Zajic that the minutes of the regular meeting held June 16th, 2009 be adopted as written. CARRIED

UNFINISHED BUSINESS

NEW BUSINESS

Agriculture Service Board

The Agricultural Fieldman, James Schwindt attended the meeting from 9:10 a.m. to 9:30 a.m. and reported to Council on the activities of the Agricultural Service Department for the past month.

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

349.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 approve the additional chemical order in the amount of approximately \$24,000.00 plus tax. CARRIED

A copy of a thank you letter from the Minister of Agriculture was received and distributed to Council with regard to declaring an agricultural disaster area due to drought.

Clr. Andersen had some concerns with regard to right of way roadside spraying. It was consensus of Council that the ratepayer would have to put in their request not to have their property sprayed as per policy.

Safety & Utilities

The Safety & Utilities Manager, Preston Iverson, attended the meeting from 9:30 a.m. to 10:05 a.m. and reported on his department for the past month.

350.09 Moved by Clr. Andersen that the temporary speed bumps at the Arm Lake Recreation Centre installed at the cost of and by the caretakers be allowed to stay for the duration of the Arm Lake contract and that we write a letter to the contractors stating that proper authorization must be obtained prior to implementing projects at Arm Lake such as the speed bumps and that this authorization come from Council as directed by the Safety and Utilities Manager. CARRIED

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

A copy of a detailed cost estimate for the construction administration of the Fabyan Lagoon was received and distributed to Council from Genivar.

352.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to send a letter to Genivar advising that the M.D. is not prepared to pay additional third party costs of approximately \$28,000 for inspecting the Fabyan Lagoon liner as it was the M.D.'s understanding that all tasks required for a complete project were included in the original engineering budget provided to the M.D. in February 2009. CARRIED

353.09 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 be authorized to sign and date the easement agreement for the NE 18-45-7 W4M (Fayban Lagoon) as presented. CARRIED

Recreation & Community Services

354.09 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 authorize the Denwood Outdoor Athletics Club to host an Arm Lake Trail Race at Arm Lake Recreational Centre on September 5th, 2009 and to use the Arm Lake narrow trails subject to proper insurance being in place and each participant signing a waiver of liability. CARRIED

A letter from Don and Marguerite Hopaluk was received and distributed to Council with regard to operations at Riverdale Mini Park. No Action

PUBLIC HEARING

Present at the hearing were Bob Barss, Shelly Andersen, Oscar Buck, Ted Wilkinson, Phil Valleau, Myron Zajic, Kelly Buchinski, Bonnie Milton, Mark Greibrok, Shannon LaHaye and Jim Klasson.

The public hearings were called to order at 10:30 a.m.

The purpose of this public hearing is to hear any public concerns in respect to the proposed Bylaw No. 1479 which is a bylaw proposing to amend Bylaw No. 1318, as amended May 15, 2007, of the Municipal District of Wainwright No. 61 by changing the Land Use Designation of Pt. of NE 6-45-7-W4 from Agricultural District to Country Residential District Area.

Reeve Barss asked if there were any written submissions. There were

none.

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

The purpose of this public hearing is to hear any public concerns in respect to the proposed Bylaw No. 1480 which is a bylaw proposing to amend Bylaw No. 1318, as amended May 15, 2007, of the Municipal District of Wainwright No. 61 by changing the Land Use Designation of SW 8-44-6 W4M from Agricultural District to Country Residential District Area.

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

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

The purpose of this public hearing is to hear any public concerns in respect to the proposed Bylaw No. 1481 which is a bylaw proposing to amend Bylaw No. 1318, as amended May 15, 2007, of the Municipal District of Wainwright No. 61 by changing the Land Use Designation of SE 31-43-6-W4 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.

355.09 Moved by Clr. Zajic that the hearings be adjourned at 10:33 a.m. CARRIED

Public Works

The Director of Public Works, Shannon LaHaye, and the Director of Transportation, Mark Greibrok, attended the meeting from 10:30 a.m. to 11:30 a.m. and reported to Council on the activities of their respective departments for the month.

356.09 Moved by Clr. Wilkinson that the Director of Public Works' report be accepted as presented. CARRIED

357.09 Moved by Clr. Valleau that the Director of Transportation's report be accepted as presented. CARRIED

A letter about miscellaneous pavement repairs for Terminal Road and Correction Line Road was received from Construction Manager, Darrell Quist, of Knelsen Sand & Gravel Limited.

358.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 authorize Knelsen Sand & Gravel Limited to complete extra repairs for a cost of \$45,000 for approaches and \$20,000 for culverts. CARRIED

A copy of a letter and a program description was received and distributed to Council from Infrastructure Manager, Brian Reid, of Alberta Transportation advising them of the Resource Road program changes.

The Municipal Administration requested Council to bring forward the potential projects for the 2009/2010 Resource Road Program.

Stewart Weir's request for additional engineering South Chauvin Road – No Action

A change order from Williams Engineering on the Ribstone Road Project was received and distributed to Council.

359.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be

authorized to pay the Change Order No. 2 for density testing on Ribstone Road in the amount of \$11,604.00 as requested by Williams Engineering.
CARRIED

A copy of final detail guidelines from Alberta Transportation that Genivar adheres to was received and distributed to Council along with a cost breakdown for conducting the final detail for Correction Line Road.

360.09 Moved by Reeve Barss that the Municipal District of Wainwright No. 61 be authorized to inform Genivar that it is the M.D.'s understanding that "Post Construction" as called for in the Terms of Reference for the Correction Line Road Paving Project was included in Genivar's original bid price and that this included Final Inspection and Deficiencies and a Final Detail Report.
CARRIED

361.09 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 authorize Holt Transport to crush an additional 6,000 to 8,000 cubic yards of 3/4" gravel from the undeveloped road allowance located adjacent to NE 21-47-5 W4M in addition to the original crush of 27,203 cubic yards. CARRIED

362.09 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 request Genivar to submit all compliance letters and reports for Contract No. 1008064 Twp Rd. #422 Grading and Other Work to the M.D. prior to a construction completion certificate letter being sent to Carfax Construction Ltd. CARRIED

363.09 Moved by Clr. Valleau that the Municipal District of Wainwright No. 61 be authorized to set up a meeting with the Transportation Superintendent, Municipal Administrator and Genivar to discuss final inspection details with regard to Contract No. 1006211 Range Road #61 (Berg Road) prior to a Final Acceptance Certificate being issued. CARRIED

The Director of Public Works advised Council that the following two quotes were received for a 8' fence for the Greenshields garbage area:

- Yard Solutions Contracting Ltd. \$6,592.39
- Phoenix Fence \$8,940.75

364.09 Moved by Clr. Valleau that the Municipal District of Wainwright No. 61 be authorized to hire Yard Solutions Contracting Limited to install an 8' fence around the Greenshields garbage area for a total cost of \$6,592.39.
CARRIED

Council discussed having stop signs installed on all paved roads approaching intersections. It was the consensus of Council to have Administration draft a policy and bring it back to Council for approval

365.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to change the following yield signs to stop signs and also add the following stop signs and yield sign in accordance with Bylaw #1334 and that these stop signs be added and the yields signs be removed from Appendix A of Bylaw #1334:

Division 1 South Chauvin Rg Rd 20

SW, SW-30-41-1- W4 (NEW STOP SIGN)
NE, NE-24-41-2- W4 (NEW STOP SIGN)
SW, SW-18-41-1 -W4 (SIGN CHG. YIELD TO STOP)
NE, NE-12-41-2-W4 (SIGN CHG. YIELD TO STOP)
NE, NE-36-41-2-W4 (NEW STOP SIGN)
NE, NE-12-42-2-W4 (NEW STOP SIGN)
SW, SW-18-42-1-W4 (NEW STOP SIGN)

Division 4 (Berg Rd) Rg Rd 61

NE, NE-11-45-6-W4 (SIGN CHG. YIELD TO STOP)
SW, SW-13-45-6-W4 (SIGN CHG. YIELD TO STOP)

Division 5 TWP 470 Correction Line (N Dalton's)

SE, SE-5-47-7 W4 (NEW STOP)
SE, SE-6-47-7 W4 (NEW STOP)
NW, NW-32-46-7 W4 (NEW STOP)
NW, NW-33-46-7 W4 (NEW STOP)
SE, SE-3-47-7 W4 (NEW STOP)
SE, SE-2-47-7 W4 (NEW STOP)
NW, NW-1-47-7 W4 (NEW YIELD)
SE, SE 25-45-6 W4 (SIGN CHG. YIELD TO STOP)-Rg Rd 61, Berg's
(Alton's)

Division 7 Twp 470

NW, NW-36-46-9-W4 (NEW STOP SIGN)
NW, NW-31-46-8-W4 (NEW STOP SIGN)
SE, SE-6-47-8-W4 (NEW STOP SIGN)
NW, NW-32-46-8-W4 (NEW STOP SIGN)
SE, SE-5-47-8-W4 (NEW STOP SIGN)
NW, NW-33-46-8-W4 (NEW STOP SIGN)
SE, SE 4-47-8-W4 (NEW STOP SIGN)
NW, NW-35-46-8-W4 (NEW STOP SIGN)
NW, NW-34-46-8-W4 (SIGN CHG. YIELD TO STOP)

CARRIED

- 366.09 Moved by Clr. Wilkinson that Municipal District of Wainwright No. 61 be authorized to extend our gravel contract at the Maull Pit (SE 17-41-4 W4M) for an additional 30,000 cubic yards of ¾" gravel at \$3.00 per cubic yard and commence the crush in 2010. CARRIED
- 367.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to change all the speed limits on all municipal paved roads to 100 km/hr. MOTION DEFEATED
- 368.09 Moved by Clr. Andersen that the Municipal District of Wainwright No. 61's Administration be authorized to research the process of upgrading the speed limit on all paved municipal roads to 100 km/hr. CARRIED
- 369.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to lay cold mix to level the ground under the M.D. dumpster sites. CARRIED
- 370.09 Moved by Clr. Valleau that the Municipal District of Wainwright No. 61 be authorized to research the process of incorporating a rural address system for the municipality and bring back their findings at a later date. CARRIED
- 371.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to oil approximately 1.5 miles on Salt Lake Road for an additional cost of approximately \$45,000.00. CARRIED

Finance

The Municipal Accountant, Karrie Gau, attended the meeting from 11:30 a.m. to 1:30 p.m. and reported to Council on the finances for the past month.

- 372.09 Moved by Clr. Buck that the accounts recorded on the attached list in the

amount of \$7,303,668.59 covered by debit memos 1265 to 1277 and cheques numbered 59204 to 59394 be approved and paid and that the payroll payments as per the attached list totaling \$398,326.15 covered by EFTs numbered 900015898 to 900016140 be ratified. CARRIED

- 373.09 Moved by Clr. Valleau that the financial statement of receipts and disbursements for the month ending June 30th, 2009 be adopted as written and incorporated into these minutes. CARRIED

Administration & Taxation

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

A letter was received from Battle River Historical Society requesting funding for the Tourist Information Centre.

- 374.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to assist in the funding for the Tourist Information Centre in the amount of \$3,000.00 for the 2009 season as requested by the Battle River Historical Society. CARRIED

A copy of the 2009 FCS Annual Program Report was received and distributed to Council.

- 375.09 Moved by Clr. Buck that the following crop rates be set for 2009:

• Canola	\$15.00	Bushel or Contract Price
• Wheat	\$9.00	Bushel or Contract Price
• Barley	\$5.00	Bushel or Contract Price
• Oats	\$4.00	Bushel or Contract Price
• Peas	\$10.00	Bushel or Contract Price
• Flax	\$18.00	Bushel or Contract Price
• Greenfeed & Hay	\$75.00	1200 lb Bale
• Pasture	\$150.00	Acre

CARRIED

The Municipal Accountant submitted draft forms for accountability for MSI funding for Council's consideration.

- 376.09 Moved by Clr. Wilkinson that the accountability forms for MSI funding be approved as amended. CARRIED

- 377.09 Moved by Clr. Wilkinson that the Municipal District of Wainwright No. 61 be authorized to sign and date the two copies of a Consent to Amend the Northern Lights Library System Master Agreement as presented. CARRIED

A letter from the Wainwright Military Family Resource Centre was received and distributed to Council thanking them for the transportation assistance grant.

A letter from the A.A.M.D.C. Manager of Marketing was received and distributed to Council describing and requesting the Municipal District of Wainwright No. 61 to be become a member of the A.A.M.D.C. Fuel Program. No Action

- 378.09 Moved by Clr. Zajic that the following 2009 taxes be cancelled pursuant to Section 347 of the M.G.A.:

Roll #	Legal Description	Amount
• 152401	NE 33-43-3 W4M	\$373.67
• 480800	SE 34-45-9 W4M	\$659.25

CARRIED

A copy of the A.A.M.D.C. Member Bulletins, Contacts and Minister Meeting

Summaries were received and distributed to Council.

- 379.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to send a letter to A.A.M.D.C. to address its concerns and opposition to Bill 202, Municipal Auditor General. CARRIED

Member Bulletin on TRAVIS Fee Structures it was the consensus of Council to bring comments back to the Municipal Administrator so he could forward them on to the A.A.M.D.C. and complete the survey.

A copy of a letter from Jubilee was received and distributed to Council advising that property insurance could increase up to 65% for the 2009/2010 term and the deductible will be changed from \$1,000 to \$5,000 for the 2009/2010 term.

The Municipal Administrator read a letter from the Irma Arena Renovations Committee requesting support, leadership and funding of \$372,000.00 for April 2010 from the Municipal District of Wainwright No. 61. No Action

Protection to Persons and Property

A copy of quotes from Lakeland Communication Inc. and Vercomm Wireless were received and distributed to Council for the Edgerton Tower Repeater.

- 380.09 Moved by Clr. Buck that the Municipal District of Wainwright No. 61 be authorized to hire Lakeland Communications to replace the UHF repeater and coax at the Edgerton Tower for a cost of \$16,942.82 plus applicable taxes. CARRIED

Municipal Property

Health & Social Services

Environment

Bylaws

Bylaw No. 1479 - A Bylaw of the Municipal District of Wainwright No. 61, in the Province of Alberta, to amend the Land Use Bylaw No. 1318 (NE 6-45-7 W4M).

- 381.09 Moved by Clr. Andersen that Bylaw No. 1479 pass the second reading. CARRIED

- 382.09 Moved by Clr. Zajic that Bylaw No. 1479 pass the third and final reading. CARRIED

Bylaw No. 1480 - A Bylaw of the Municipal District of Wainwright No. 61, in the Province of Alberta, to amend the Land Use Bylaw No. 1318 (SW 8-44-6 W4M).

- 383.09 Moved by Clr. Valleau that Bylaw No. 1480 pass the second reading. CARRIED

- 384.09 Moved by Clr. Wilkinson that Bylaw No. 1480 pass the third and final reading. CARRIED

Bylaw No. 1481 - A Bylaw of the Municipal District of Wainwright No. 61, in the Province of Alberta, to amend the Land Use Bylaw No. 1318. (SE 31-43-6 W4M)

- 385.09 Moved by Clr. Wilkinson that Bylaw No. 1481 pass the second reading.

CARRIED

- 386.09 Moved by Clr. Valleau that Bylaw No. 1481 pass the third and final reading. CARRIED

Bylaw No. 1482 - A Bylaw of the Municipal District of Wainwright No. 61, in the Province of Alberta, to amend the Land Use Bylaw No. 1318. (Plan 7921915 Block 1 Pt. of NW 1-44-4 W4M).

- 387.09 Moved by Clr. Buck that Bylaw No. 1482 pass the first reading. CARRIED

- 388.09 Moved by Clr. Zajic that a Public Hearing be set for August 18th, 2009 for Bylaw No. 1482 beginning at 10:30 a.m. at the Municipal District of Wainwright No. 61's Administration Building. CARRIED

Development

The Development Officer, Jim Klasson attended the meeting from 10:30 a.m. to 10:33 a.m. and 1:35 p.m. to 2:15 p.m. and reported to Council on the activities of the Development Department for the past month.

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

A copy of the July 20th, 2009 MPC meeting minutes was received and distributed to Council.

The Reeve discussed the issue with lowering pipelines on the Minburn Road Project with Conocophillips. It was noted that four pipelines were in question noting that three had agreements in place and one from 1951 did not. Stewart Weir resurveyed the crossing and advised it may be re-designed as a fill. It was the consensus of Council to contact the ERCB and also obtain a legal opinion and have them start working towards getting the pipelines lowered. It was also the consensus of Council to have the Development Officer work toward getting agreements signed if necessary with pipeline companies prior to the project starting.

- 390.09 Moved by Reeve Barss that the Municipal District of Wainwright No. 61 be authorized to contact ERCB with regard to this disagreement and that we obtain a legal opinion from Brownlee LLP in regard to protecting our position in this situation. CARRIED

The Development Officer requested that the M.D. be authorized to use facility owner agreements for facility crossings as long as they are similar to the M.D.'s. No Action

The Development Officer gave Council an update on the meeting he had with the Town of Wainwright, the Town of Provost, the M.D. of Provost, and the County of Flagstaff on the accreditation - Safety Codes Inspections. He advised Council that the group hopes to have a business plan in place in early 2010.

Council also discussed the Conocophillips pipeline in Division #6 that requires lowering or getting a redesign. The Reeve advised that he will be contacting ERCB and will discuss this pipeline at that time.

- 391.09 Moved by Clr. Zajic that the Municipal District of Wainwright No. 61 be authorized to sign the lease rental amending agreement with Nova Gas Transmission Ltd. (NW 7-43-2 W4M) from 2005-07-15 to 2010-07-14 for \$1,000.00 per year. CARRIED

PAYSHEETS

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

**COMMITTEE
REPORTS**

393.09 Moved by Clr. Zajic 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, Community Health Foundation, Northern Lights Library Systems, and Wainwright Economic Development Board. CARRIED

394.09 Moved by Clr. Andersen that this meeting be adjourned. (2:20 p.m.)
CARRIED

Reeve

Municipal Administrator

Assistant Municipal Administrator

(1 Day)