

MINUTES OF THE REGULAR MEETING OF THE MUNICIPAL COUNCIL OF THE TOWN OF SUNDRE, IN THE PROVINCE OF ALBERTA HELD MONDAY, JUNE 5, 2006 IN COUNCIL CHAMBERS.

PRESENT

Mayor R. Cummings, Councillors J. Brosh, A. Clews, J. Henze, N. Savage-Howe, G. Taylor, and P. Toone

STAFF PRESENT

N. Bartholow, Chief Administrative Officer
W. Watson-Neufeld, Director of Corporate Services
J. Rock, Administrative Assistant
J. Whitesell, Development Officer
B. Rock, Community Services

OTHERS PRESENT

Dan Singleton, Sundre Roundup Reporter; Jaqui Joy, DTHR; Hal Irvine, Greenwood Family Physicians; Murray Griffin

CALL TO ORDER

Mayor R. Cummings called the meeting to order at 7:00 p.m. with a moment of reflection.

APPROVAL OF AGENDA

172/06 Councillor P. Toone moved that the agenda be approved as amended. **CARRIED**

ADOPTION OF MINUTES

173/06 Councillor J. Henze moved that the minutes of the May 15, 2006 Regular Council Meeting be adopted as presented. **CARRIED**

174/06 Councillor G. Taylor moved that the minutes of the May 23, 2006 Special Council Meeting be adopted as presented. **CARRIED**

DELEGATION

7:05 p.m. to 7:45 p.m. Jaqui Joy, Physician Recruitment/Retention Coordinator with DTHR

Ms. Joy outlined the history of Physician Recruitment from its origination in the communities to the centralized office within the David Thompson Health Region. She indicated the successful recruitment of 45 doctors in the past two years was largely due to community involvement and committees formed within those communities to help establish the recruitments in the area.

Ms. Joy stated she would return to help facilitate and establish a committee in Sundre once Council had a chance to review the system.

7:45 p.m. to 8:15 p.m. Barb Rock, Disaster Services

Ms. Rock presented Council with the three identified possible natural disasters and the preparation Sundre & District Disaster Services is beginning to take.

Ms. Rock stated they are waiting for the new flood plain/risk mapping from the province and notification of an amendment to building on these areas. They are locating fire hazardous areas in Sundre and taking measures to clear and/or barricade the areas. She noted that if Disaster Services implements a FIRE SMART plan before April 2008 there are grants to access.

The Pandemic preparations include cross training staff in the office and in public works, identifying essential services, and educating the public and business sectors within the municipality.

8:15 p.m. to 8:45 p.m. Murray Griffin, P2 Facility/Community Services Centre

Mr. Griffin presented Council with the estimates for additional work required at the P2 Facility.

175/06 Councillor J. Henze moved at 8:20 p.m. that a committee meeting of the whole be held in camera with DCS W. Watson-Neufeld, Administrative Assistant J. Rock, CAO N. Bartholow, and Mr. Griffin present. **CARRIED**

COUNCIL MINUTES – June 5, 2006

- 176/06** Councillor A. Clews moved at 8:39 p.m. that Council revert back to an open meeting. **CARRIED**
- 177/06** Councillor G. Taylor moved to continue with the P2 Facility project to its completion. **CARRIED**
- Mayor R. Cummings temporarily adjourned the meeting at 8:43 p.m.
Mayor R. Cummings reconvened the meeting at 8:49 p.m.

BUSINESS ARISING FROM THE MINUTES**Notice of Motion – Renaming 2 Avenue NW**

Councillor J. Brosh advised that he had provided a notice of motion at the May 15, 2006 Regular Council Meeting requesting to name 2 Avenue NW “Community Way”.

Councillor J. Brosh moved to rename 2 Avenue NW to “Community Way” at the time of the Grand Opening in October – **WITHDRAWN**

- 178/06** Councillor J. Brosh moved to direct Administration to investigate the procedures and costs of renaming 2 Avenue NW to Community Way. **CARRIED**

Notice of Motion – Community Design Seminar

Councillor A. Clews advised that she had provided a notice of motion at the May 15, 2006 Regular Council Meeting requesting the presence of Dr. Friedman at a Community Design seminar in Sundre.

- 179/06** Councillor A. Clews moved to direct Administration to investigate hosting a “Community Design” seminar directed by Dr. Friedman. **CARRIED**

BYLAWS**Bylaw No. 831; Solid Waste Collection, Removal, and Disposal**

A BYLAW OF THE TOWN OF SUNDRÉ IN THE PROVINCE OF ALBERTA TO PROVIDE FOR SOLID WASTE COLLECTION, REMOVAL, AND DISPOSAL

- 180/06** Councillor G. Taylor moved that Bylaw No. 831 receive first reading. **CARRIED**
- Council requested changes to Section 4.2.

NEW BUSINESS**Gas Alberta Supply Agreement**

- 181/06** Councillor J. Brosh moved that Council adopt the New Supply Agreement as well as the Debenture payment date pending a clause is added to the agreement stating the contract may be dissolved at a later date, should the Town sell the gas service, without penalty. **CARRIED**

Prairies 2 Peak Funding Request

- 182/06** Councillor J. Henze moved to support the 2006 funding at \$0.75 per capita. **DEFEATED**

Council directed administration to draft a letter to the County with copies to the municipalities, stating the Town of Sundre is in support of the Prairies 2 Peak project but did not feel their contribution alone would benefit or be substantial enough to the organization. If the rest of the County were to support this organization, the Town of Sundre would also support them.

Negotiations on Inter-municipal Development Plans and Memorandums of Understanding

- 183/06** Councillor G. Taylor moved to authorize the Chief Administrative Officer to negotiate directly with the Chief Administrative Officers of Mountain View County on the development of a template for Inter-municipal Development Plans and Memorandums of Understanding, subject to Council approval on the final version of the templates. **CARRIED**

Hopes and Dreams Foundation Relaxation of Bylaw No. 725

- 184/06** Councillor G. Taylor moved to relax Noise Bylaw No. 725 on June 30 – July 3, 2006 for the Hopes & Dreams Foundation Music Festival. **DEFEATED**

Relaxation of Bylaw No. 726

COUNCIL MINUTES – June 5, 2006

- 185/06** Councillor A. Clews moved to relax Bylaw No. 726 for the wedding of Lisa Wood at #5 Willow Crescent NE, and allow parking for the wedding guests on the green space area on 4 Avenue NE on June 17, 2006 provided that the green space is inspected before and after the event by a Town employee and the reclamation, for example garbage and ruts made by vehicles, if necessary, becomes the responsibility of the requesting party. The Town is not liable for vehicular and/or personal property damage and the site is not assessable if previously saturated with rain. **CARRIED**
- 186/06** **Proposed Capital Projects Approval**
Councillor A. Clews moved to officially approve the proposed 10-year capital projects list as presented on April 5, 2006.
Councillor J. Brosh requested a recorded vote.
For: Councillors A. Clews, J. Henze, N. Savage-Howe, G. Taylor, and Mayor R. Cummings
Against: Councillors J. Brosh, and P. Toone **CARRIED**
- 187/06** **W & WW North of Highway 27 west of Prairie Creek Meeting Date**
Councillor G. Taylor moved to set September 5, 2006 for an Open House to discuss the Water & Wastewater Local Improvement North of Highway 27 west of Prairie Creek. **CARRIED**
- 188/06** **Sundre & District Chamber of Commerce Annual Sundre Rodeo Parade**
Councillor G. Taylor moved to approve the Sundre & District Chamber of Commerce's request to hold the annual Sundre Rodeo Parade on June 24, 2006 with the assistance of staff. **CARRIED**
- 189/06** **Outlaws & Swamp Donkeys Pub Relaxation of Bylaw No. 725**
Councillor G. Taylor moved to relax Bylaw No. 725 to allow Outlaw's Grill and Swamp Donkey's Pub to provide live entertainment during the Sundre Pro Rodeo June 23 through 25, 2006. **CARRIED**
- 190/06** **Sundre.com Portal Policy No. 323**
Councillor A. Clews moved approve Policy 323 – Sundre.com Portal as presented. **CARRIED**
- 191/06** **Offer to Purchase Easement at 601 2 Street NE**
Councillor N. Savage-Howe moved to defer this decision to the Monday, June 26, 2006 Regular Council Meeting. **CARRIED**
- 192/06** **Offer to Purchase 98.24m² from Lot 2, Block 13, Plan 9912954**
Councillor G. Taylor moved to consider an offer to purchase of 98.24m² of land from Lot 2, Block 13, Plan 9912954 owned by the Town of Sundre and is occupied by Well #5. **DEFEATED**
- 193/06** **Community Centre Grand Opening**
Councillor G. Taylor moved to direct Administration to work with River Valley School on a joint Grand Opening for the Community Centre for October 2006. **CARRIED**
- 194/06** **Development Map Fees**
Councillor J. Henze moved to set the price of maps for resale to \$10.25 plus GST. **CARRIED**
- 195/06** **Aquaplex Advertising Request**
Councillor G. Taylor moved to allow the Sundre & District Aquatic Society the use of the Weekly Town Advertisement. **DEFEATED**
- 196/06** **P2 Facility/Community Centre Rental Policy #325**
Councillor G. Taylor moved to approve Policy #325 – Community Hall and Conference Room Rental as presented. **CARRIED**
- 197/06** **Table and Chair Rental/Use Policy # 324**
Councillor G. Taylor moved to approve Policy #324 – Table and Chair Rental Use as presented. **CARRIED**

COUNCIL MINUTES – June 5, 2006

Bulls n' Wagons Grader Use

198/06 Councillor P. Toone moved to use the 50th Birthday Budget to cover the costs for the grader used on August Long Weekend by the Bulls n' Wagons. **CARRIED**

FINANCIAL

199/06 Councillor A. Clews moved to accept the Town of Sundre Cash Statement and Reserves ending April 30, 2006. **CARRIED**

CORRESPONDENCE

AB Sustainable Resource Development: Minister David C. Coutts, Mountain Pine Beetle

Stating that the Alberta Government is taking aggressive steps to avoid a major outbreak and a summit will be organized to bring together government, industry, and community leaders from Alberta and British Columbia.

Mountain View Regional Emergency Services Commission: Kris Bojda, Inter-Facility Ambulance Patient Transfer Services Agreement

Stating that the inter-facility ground ambulance transfer agreement has been completed and a strategic planning meeting is scheduled for May 29, 2006. After which, the Commission would be happy to address individual Councils.

Mayor R. Cummings received these letters for information.

COUNCIL REPORTS

Mayor and Council Reports

Council received these reports for information.

CHIEF ADMINISTRATOR'S REPORT

Follow Up Action List

Council Open House Meeting

Scheduled for September 19, 2006 at 7:00 p.m. in the Community Centre.

CONFIDENTIAL ITEMS

200/06 Councillor G. Taylor moved at 10:26 p.m. that a committee meeting of the whole be held in camera with CAO N. Bartholow and Development Officer J. Whitesell present. **CARRIED**

201/06 Councillor A. Clews moved at 10:50 p.m. that Council revert back to an open meeting. **CARRIED**

Guenther Abel

202/06 Councillor N. Savage-Howe moved to pass the following resolution enforcing all the orders given regarding the property described as 128 5 Street SE in the Town of Sundre and owned by Six Star, He Ju He-A-Pool Inc., formerly Six Star Holdings Inc. and it's President, Mr. Guenther Abel:

WHEREAS Development Permit No. 2001082, Temporary Structure, 128 – 5th Street SE, Sundre, Alberta was issued to Six Star Holdings Inc. and Mr. Guenther Abel on August 8, 2001;

AND WHEREAS an Order of Compliance No. 010505 was issued to Six Star Inc. and Mr. Guenther Abel on January 5, 2005 to compel compliance with Development Permit No. 2001082;

AND WHEREAS Six Star, He Ju He-A-Pool Inc, formerly Six Star Holdings Inc. and it's President, Mr. Guenther Abel, are in breach of Development Permit No. 2001082 and Order of Compliance No. 010505;

AND WHEREAS the Subdivision and Development Appeal Board dismissed an appeal by Six Star, He Ju He-A-Pool Inc., formerly Six Star Holdings Inc. and Mr. Guenther Abel, of Order of

COUNCIL MINUTES – June 5, 2006

Compliance No. 010505;

AND WHEREAS a mandatory injunction was granted by Mr. Justice L. D. Wilkins on December 1, 2005 requiring Six Star, He Ju He-A-Pool Inc, formerly Six Star Holdings Inc. and it's President, Mr. Guenther Abel to comply with Order of Compliance No. 010505 within 60 days of receipt of this order;

AND WHEREAS an Order Deeming Service Good and Sufficient was granted by Master Waller effective January 26, 2006;

AND WHEREAS an Order of Compliance No. 05056A was issued on May 5th, 2006 and was received by the property owner on May 8th, 2006 ordering the cessation of all development on the property referenced in Development Permit No. 2001082 within 30 days (June 4th, 2006);

AND WHEREAS an Order of Compliance No. 050506B was issued on May 5th, 2006 and received by the property owner on May 8th, 2006 ordering the owner to clean up the property pursuant to section 546 of the Municipal Government Act, R.S.A. 2000, c.M-26, as amended and Town of Sundre Bylaw No. 819 and to eliminate any possible danger to public safety on the property pursuant to section 546 of the Municipal Government Act, R.S.A. 2000, c.M-26, as amended;

AND WHEREAS Six Star, He Ju He-A-Pool Inc., formerly Six Star Holdings Inc. and it's President, Mr. Guenther Abel has made application to the Court of Queens Bench requesting a temporary stay on the orders and variances of the Mandatory Injunction which was heard on May 25th, 2006 and was refused by Mr. Justice W. P. Sullivan;

AND WHEREAS neither the mandatory injunction nor any of the Orders of Compliance have been complied with as of June 5th, 2006 and all appeal periods including any legitimate appeals against the Mandatory Injunction have expired prior to June 5th, 2006;

NOW THEREFORE, in accordance with the provisions of the *Municipal Government Act*, the Mandatory Injunction and the Town of Sundre Bylaws, the Council of the Town of Sundre hereby resolves that the Town of Sundre administration be authorized to proceed with enforcement of all the orders given regarding the property described as 128 – 5th Street SE in the Town of Sundre and owned by Six Star, He Ju He-A-Pool Inc., formerly Six Star Holdings Inc. and it's President, Mr. Guenther Abel and any costs incurred for the enforcement of the orders are payable by Six Star, He Ju He-A-Pool Inc., formerly Six Star Holdings Inc. and it's President, Mr. Guenther Abel and may be added to the tax roll for the property pursuant to section 553(1)© of the Municipal Government Act, R.S.A. 2000, c.M-26, as amended.

CARRIED

**ADJOURNMENT
203/06**

Councillor G. Taylor moved at 9:53 p.m. that the meeting be adjourned. **CARRIED**

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER