

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN OF
BLACK DIAMOND, IN THE PROVINCE OF ALBERTA, HELD
APRIL 21, 2010 AT 7:30 P.M. IN THE TOWN OFFICE**

PRESENT Mayor Sharlene Brown
Councillors Bill Price, Michel Jackson, Tyler Bray, Sharon Hart, Mike Ross and Judy Thomson
Town Manager Joanne Irwin, Administrative Assistant Verna Staples, Planning & Development Officer Rod Potrie, Planning & Development Officer Sheikh Hossain
Approximately 5 guests were in the gallery.

ORDER Mayor Sharlene Brown called the meeting to order at 7:31p.m.

15-MINUTE QUESTION & ANSWER PERIOD Mayor Sharlene Brown declared the 15-minute question & answer period open at 7:31p.m. Gordon Tomte asked if the Town will ever be changing its Agenda procedure, and offered a comparison to the package posted on the Town of Turner Valley's website. Mayor Sharlene Brown informed him that the Public Communications Policy, Item 7a)(ii) on the agenda, would address that issue. Mr. Tomte then questioned what criteria Councillor Sharon Hart will use when voting on behalf of taxpayers, as he stated that she was quoted in a recent newspaper article as "wearing 2 hats". Mayor Sharlene Brown stated that Councillor Sharon Hart was elected by the taxpayers of the town of Black Diamond. Councillor Sharon Hart stated that she is a taxpayer in the town of Black Diamond and will vote as a tax payer and as a person elected by the taxpayers. As there were no further questions forthcoming, Mayor Sharlene Brown declared the 15-minute question & answer period closed at 7:33 p.m.

AGENDA Res. 2010-128 Moved by Councillor Tyler Bray that Council agree to accept the agenda, with the addition of Item 8k) Turner Valley Charity Golf Classic, and to take the Agenda out of order to permit Items 7d)(i)-(iii) to take place following the adoption of the Minutes to facilitate the early departure of the Planning & Development Officers.

UNANIMOUSLY CARRIED

MINUTES Res. 2010-129 Moved by Councillor Mike Ross that Council agree to adopt the Minutes of the Regular Council Meeting held April 7, 2010, as presented.

UNANIMOUSLY CARRIED

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d) Core Strategy: Positive Leadership

(i) Growth Management Plan

Planning & Development Officer Rod Potrie offered a powerpoint presentation, as attached, outlining the Growth Management Plan presented to Council, as attached.

(ii) Diamond Ridge Area Concept Plan

Planning & Development Officer Rod Potrie offered a powerpoint presentation, as attached, outlining the Diamond Ridge Area Concept Plan, as attached, which has been submitted to Council by the MD of Foothills for discussion.

**(iii) Development Permit Application DP 10-19: Lot 1,
Block 10, Plan 0811832**

Planning & Development Officer Rod Potrie offered a powerpoint presentation, as attached, regarding the Development Permit Application DP 10-19, pertaining to the property described as Lot 1, Block 10, Plan 0811832.

2010-130

Moved by Councillor Mike Ross that Council agree to accept the Growth Management Plan as presented, and agree to circulate the Plan to the MD of Foothills and the Town of Turner Valley, and agree to place the Plan on the Town of Black Diamond website.

UNANIMOUSLY CARRIED

2010-131

Moved by Councillor Sharon Hart that Council agree to accept the Diamond Ridge Area Concept Plan, as presented, for information purposes only at this time, and further to make a request that the MD of Foothills make an official request for decision to the Town of Black Diamond.

UNANIMOUSLY CARRIED

2010-132

Moved by Councillor Michel Jackson that Council agree to approve the Development Permit Application DP 10-19 as presented and with the following conditions:

Prior to Issuance:

- 1) Deposit of a \$27,000.00 performance security, as required under Land Use Bylaw #98-14, with the Town of Black Diamond for landscaping and paving of the site. This is a refundable deposit upon completion of the development as

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per the outlined conditions.

- 2) The applicant to enter into a development agreement with the Town for the installation of water, sewer and storm drainage systems, payment schedule for offsite levies, benefitting lands schedule for cost recovery on water, sewer and TIA study and performance security deposit for the installation of the above facilities and improvements. (Note: offsite levies to be in accordance with the Kaiser Area Structure Plan and existing levy bylaws)
- 3) Submission of a revised landscaping/site plan annotating the tree and shrub names.
- 4) Applicant to pay \$2,500.00 towards the construction of a pedestrian culvert to connect the east-west pedestrian movement on the escarpment located to the northeast corner of the property. The applicant is to provide engineering drawing with detailed design and location of the pedestrian culvert.
- 5) Payment of 3 (three) commercial water meters (one for each building) fee. (Commercial water meters to be purchased by the Town of Black Diamond and the cost of same passed on to applicant once the amount is known).
- 6) Payment for a public garbage container if private arrangements are not implemented.

Standard Conditions:

- 1) Finished grade elevation must be maintained for a sufficient distance from the walls of the building in order to provide for the rescue ladder to reach balconies.
- 2) Applicant to complete all storm drainage requirements to the satisfaction of the Town and to ensure that it does not negatively impact any adjacent land owners.
- 3) Installation of water and sewer infrastructure as well as all other utility connections and storm drainage to be done to Town Standards at owner's expense and a development agreement to that effect be entered into with the Town. Such development agreement to be registered on land title until all works are completed to the satisfaction of the Town of Black Diamond.
- 4) All exterior Town streets, entrance, parking and driving aisles shall be paved to Town of Black Diamond standards to the satisfaction of the Town. Wheel stops to be incorporated as part of a hard landscaped feature.
- 5) Hard landscaping to consist of paving brick, textured concrete, minimum 50 mm rock or other suitable material of same durability and size as rock.

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- 6) Signage permits to be obtained as separate development permit application.
- 7) Trees or shrubs, as shown on the landscaping plan, to be planted to be of a variety that is conducive to Black Diamond growing conditions. No poplars, willows or deep rooted trees to be planted within 10 metres of the Town's underground utilities. Any trees or shrubs which die after the completion of the project shall be replaced on a continuous basis by the landowners.
- 8) All mechanical equipment shall be screened or painted to the satisfaction of the Development Authority.
- 9) The site must be kept clean and safe to the public as per requirements of Town Bylaws. All debris generated from this site must be properly disposed to the land fill.
- 10) Provision for dust control, debris and excess dirt so as to not negatively affect adjacent landowners and must be maintained to the satisfaction of the Town.
- 11) Safety fencing to be constructed around the construction site to the satisfaction of the Town.
- 12) Any excavation on town owned land to be returned to the original state in a timely fashion.
- 13) Noise levels and construction hours to be controlled so as not to disrupt adjacent landowners during evening and early morning hours.
- 14) A 1.5 meter pathway to be constructed, the full length of the site, located east of, but adjacent to the east boundary of Lot 1, Block 10 and Plan 0112494 on a north-south alignment (on berm) and to be constructed subject to approval from Town of Black Diamond Parks and Recreation department.
- 15) Alberta Transportation Road Site Development Permit to be applied for and approved by Alberta Transportation.
- 16) The address must be clearly identified and remain visible at all times.
- 17) The development to be completed in accordance with the approved plans and conditions stated herein and all other applicable Provincial Regulations and Acts.
- 18) Applicant to obtain all necessary permits, including but not limited to building, plumbing and gas, and electrical permits. Copies of all permits must be forwarded to the Town office prior to installation of the services.
- 19) This Development Permit **does not** guarantee Building Permit approval. Applicant must obtain a Building Permit prior to commencement of any construction or site preparation.

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- 20) The Town of Black Diamond will be held harmless against any liability and applicant must be responsible for his own liability insurance coverage. A copy of the insurance to be forwarded to the Town.
- 21) Streetlights must be installed to the public access road and meet the guidelines as set out by Fortis, Dark Sky Initiative, the Illuminating Engineering Society of North America and to the satisfaction of the Town of Black Diamond.
- 22) A professionally done sign to be posted on-site, clearly identifying the overall development of the site.
- 23) Turn around at the end of the internal road to be constructed adequately large enough to accommodate turning emergency equipment around, to the satisfaction of the Town of Black Diamond.
- 24) Development must commence within twelve (12) months of issuance of the Development Permit and must be completed within twenty four (24) months of building permit issuance unless a time extension has been granted.

UNANIMOUSLY CARRIED

BYLAWS

a) Bylaw 10-04: Freedom of Information and Protection of Privacy Bylaw

Res. 2010-133

Moved by Councillor Tyler Bray that Council agree to give Bylaw 10-04 known as the Freedom of Information and Protection of Privacy Bylaw first reading.

UNANIMOUSLY CARRIED

Res. 2010-134

Moved by Councillor Judy Thomson that Council agree to give Bylaw 10-04 second reading.

UNANIMOUSLY CARRIED

Res. 2010-135

Moved by Councillor Mike Ross that Council agree to give Bylaw 10-04 third reading at this time.

UNANIMOUSLY CARRIED

Res. 2010-136

Moved by Councillor Bill Price that Council agree to give Bylaw 10-04 third and final reading.

UNANIMOUSLY CARRIED

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ACTION ITEMS

a) Core Strategy: Provide Safe and Effective Service

(i) 2010 Parade Route

Res. 2010-137

Moved by Mayor Sharlene Brown that Council agree to accept the 2010 Parade Route as presented, and further to direct Administration to submit an application to Alberta Transportation to close the affected highways from 9:45am to 11:30am on Saturday June 5, 2010.

UNANIMOUSLY CARRIED

(ii) Public Communication Policy # 12-63

Res. 2010-138

Moved by Mayor Sharlene Brown that Council agree to authorize the Public Communications Policy #12-63 as presented.

UNANIMOUSLY CARRIED

(iii) Request for letter of permission for Motorcycle Rally for Special Needs Association for Parents and Siblings (SNAPS)

Res. 2010-139

Moved by Councillor Sharon Hart that Council agree to send a letter to the SNAPS organization approving their request to have a Motorcycle Rally awareness event travel through the Town of Black Diamond, and invite them to "Stop and Shop".

UNANIMOUSLY CARRIED

b) Core Strategy: Partnerships

(i) Foothills Foundation 50th Anniversary

Res. 2010-140

Moved by Councillor Judy Thomson that Council agree to purchase a gift in celebration of the Foothills Foundation's 50th Anniversary to be presented to the High Country Lodge during the July celebration event, and agree that the funds, not to exceed \$250.00, are to come from the Mayor's Slush Fund, and further agree that Mayor Sharlene Brown will purchase the gift on behalf of Council.

UNANIMOUSLY CARRIED

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c) Core Strategy: Improve Communication

**(i) Diamond Valley Centre 78 Community Centre
Business Plan**

Councillor Tyler Bray abstained from voting on this issue due to a pecuniary interest in the Diamond Valley Centre 78 Community Centre project.

Res. 2010-141

Moved by Councillor Michel Jackson that Council agree to accept the Diamond Valley Centre 78 Community Centre Business Plan, as presented, for information purposes only.

UNANIMOUSLY CARRIED

e) Miscellaneous Items – no items to discuss

**CORRESPONDENCE
AND INFORMATION**

It was generally agreed that Council request that the issue of the Electoral Boundaries be placed on the May Joint Steering Committee Agenda, and further to issue a request that the meeting be rescheduled to May 19, 2010.

It was generally agreed that Council requested Administration send a letter to the High Country Wellness Coalition thanking them for the Resource Book, and asking them if there is a link available to their website that we can place on our website in order to provide this information to the public.

Res. 2010-142

Moved by Mayor Sharlene Brown that Council agree to donate 2 Town of Black Diamond duffel bags to the Turner Valley Charity Golf Classic silent auction.

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Res. 2010-143

Moved by Councillor Michel Jackson that Council agree to accept the following correspondence for information purposes only:

- a) Town Manager's Report
- b) Public Works Report
- c) "Partnering on Solutions" invitation from Bow Valley College
- d) Letter from Town of Turner Valley to Diamond Valley Centre 78 Society
- e) Letter from Minister of Municipal Affairs to CRP Chair Linda Bruce
- f) Highwood PC Association charity golf tournament invitation
- g) Community Futures Highwood – Year in Review
- h) Letter from Foothills School Division
- i) "Retooling for Revitalization" Symposium invitation
- j) High Country Wellness Coalition – Resource Book 2010
- k) 30th Annual Turner Valley Charity Golf Classic (verbal information provided by Councillor Tyler Bray) This event will be held on May 28, 2010. In previous years, the Town has donated items to the silent auction, as well as sending a Councillor to golf. Written information will follow.

UNANIMOUSLY CARRIED

RECESS

Res. 2010-144

Moved by Mayor Sharlene Brown that Council agree to recess the meeting at 9:01 p.m.

UNANIMOUSLY CARRIED

RECONVENE

Res. 2010-145

Moved by Mayor Sharlen Brown that Council agree to reconvene the meeting at 9:13 p.m.

UNANIMOUSLY CARRIED

Committee Reports:

Councillor Sharon Hart: written report attached
Councillor Michel Jackson: written report attached
Councillor Judy Thomson: written report attached
Councillor Mike Ross: written report attached
Councillor Tyler Bray: written report attached
Councillor Bill Price: written report attached
Mayor Sharlene Brown: written report attached
Committee of the Whole Minutes, April 5, 2010: attached

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Res. 2010-146 Moved by Mayor Sharlene Brown that Council agree to forward a road closure application, on behalf of the Special Events Subcommittee, to Administration requesting that 2nd Street NW between Centre Avenue and 1st Avenue NW be closed on June 5, 2010 to provide space for the Show and Shine to take place.

UNANIMOUSLY CARRIED

Res. 2010-147 Moved by Councillor Mike Ross that Council agree to accept Stacy Laskowski's resignation from the FCSS Board with regret to and send a letter thanking her for serving on that Board, and that Council further agree to request Administration to advertise the FCSS Board Member at Large vacancy.

UNANIMOUSLY CARRIED

Res. 2010-148 Moved by Councillor Bill Price that Council agree to continue to take part in the Sheep River Water Management Plan Core Working Group, and that Mayor Sharlene Brown continue her representation on this committee.

UNANIMOUSLY CARRIED

Res. 2010-149 Moved by Councillor Sharon Hart that Council agree to accept all Committee Reports, as presented and attached, for information purposes.

UNANIMOUSLY CARRIED

ADJOURNMENT

Res. 2010-150 Moved by Councillor Bill Price that Council agree to adjourn the meeting at 9:50 p.m.

UNANIMOUSLY CARRIED

Originals signed

MAYOR

Originals signed

TOWN MANAGER