

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN OF  
BLACK DIAMOND, IN THE PROVINCE OF ALBERTA, HELD  
JUNE 16, 2010 AT 7:30 P.M. IN THE TOWN OFFICE**

- PRESENT** Mayor Sharlene Brown  
Councillors Bill Price, Michel Jackson, Tyler Bray, Sharon Hart and Judy Thomson  
Town Manager Joanne Irwin, Administrative Assistant Verna Staples, Public Works Manager Andy Pfeifer, Development Officer Rod Potrie, Development Officer Sheikh Hossain  
Approximately 18 people guests were in the gallery.
- ABSENT** Councillor Mike Ross was absent due to illness and sent his regrets.
- ORDER** Mayor Sharlene Brown called the meeting to order at 7:30p.m.
- 15-MINUTE QUESTION & ANSWER PERIOD** Mayor Sharlene Brown declared the 15-minute question & answer period open at 7:30 p.m. Jason Webster, Black Diamond resident, questioned why a land purchase and Protective Services vehicle purchase were made in April when the tax increases were so high. Mayor Sharlene Brown noted that those items were saved for out of reserves over time, or debentured for. She further noted that there will be discussion about placing the rationale for the increase on the town's website so that it is available to the public. Mayor Sharlene Brown stated that Council would be open to hearing any options suggested by residents, as the only obvious option open to Council is cutting services. Councillor Tyler Bray pointed out the 12.3% increase in the school taxes for 2010. Mr. Webster then questioned whether Black Diamond has the highest tax rate in Alberta, and expressed his concern for our senior residents. Mayor Sharlene Brown noted that our municipal rate is 7.7% and compares to other relatively sized communities at 7.2% – 7.6%. Mr. Jim Harris, resident of Black Diamond, stated that there has been no increase to Senior's income, to offset the property tax increases. He noted that a large portion of the tax dollars is spent on road maintenance. Mr. Harris stated that he lives in Willow Ridge, therefore he has not been the recipient of street cleaning or snow cleaning services, and so is not getting the services that he is paying for. Mr. Harris wrote a letter to the Town Office outlining this issue, and commented that he did receive a very nice letter of response, however, the issues still stand. Randy, a Black Diamond resident, noted that sub-contracting could be more cost-efficient, it doesn't make sense, for example, to own a grader getting 100-200 work hours on it, when the work could be subcontracted out. More sharing of services would be a great idea as well to share costs with the Town of Turner

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Valley, such as the shared garbage truck. Gordon Tomte, Black Diamond resident, noted that as a Senior several items in the budget concern him: Protective Services, Twin Arenas, Library, for example. Mayor Sharlene Brown noted that every department went through cutbacks prior to passing the budgets. Mr. Jim Harris spoke again, stating that Willow Ridge Phase 5 has some road issues that require navigation when driving. He reiterated that he feels he should not have to pay taxes for the services that he is not receiving. Mr. Jason Webster asked if Council purchased the lot directly east of the Town Office. Mayor Sharlene Brown confirmed that this was correct, with future expansion in mind. Hope Duquette, Black Diamond resident, stated that for the past 5 years garbage collection is the only service that they receive. She questioned why if people are present at a Council meeting, and their issues are spoken, they are recorded here and then tabled without a response. Mayor Brown noted that Provincial grant dollars previously available were reduced, general revenues and assessed values were also down. She further identified general net costs of some specific initiatives and services, and advised that because of upcoming known infrastructure requirements, that no funds were taken from reserves to fund the 2010 operating budget/reduce the tax rate. As there were no further questions forthcoming, Mayor Sharlene Brown declared the 15-minute question & answer period closed at 8:03 p.m.

**AGENDA  
Res. 2010-253**

Moved by Councillor Tyler Bray that Council agree to accept the agenda, as amended by the addition of Item 7b)(v) Sheep River Community Library 2009 Financial Statemetns, Item 7b)(vi) Letter from Diamond Valley Centre 78 Society, Item 7d)(ii) Public distribution of 2010 operating budget information, Item 8h) 2<sup>nd</sup> Annual Foothills Country Hospice Charity Mixed Golf Tournament invitation, Item 8i) Rum Runner Days 2010 invitation and an In Camera session to discuss possible legal issues, and the removal of Item 5b) Delegation: Mr. & Mrs. Albert Fleury and Item 7b)(iv) Ltr from Boys & Girls Club of Diamond Valley & District.

**UNANIMOUSLY CARRIED**

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**MINUTES**

**Res. 2010-254**

Moved by Councillor Sharon Hart that Council agree to adopt the Minutes of the Regular Council Meeting held June 2, 2010, as presented.

**UNANIMOUSLY CARRIED**

**DELEGATIONS**

**a) Sheep River Inter-Municipal Library – Turner Valley Council and Library Board**

Turner Valley Councillor Garry Pollock made a verbal presentation regarding the Sheep River Inter-Municipal Library. He outlined the recent history of the Library's growth and building project. Library Board Chair Diane Osberg spoke regarding the attached Business Plan and other documentation as requested by the Town of Black Diamond. She outlined the rationale and requirements for the programming now provided by the Library, such as video conferencing, learning programs, etc. and the planned expansion of these programs in the new building. She outlined the future operational budget items provided within the document. Turner Valley Councillor Garry Pollock spoke again regarding the capital budget needs for the project. He also stated that the capital requirements of the facility are the sole responsibility of the Town of Turner Valley. He also noted the importance of the expected Town of Black Diamond financial contribution toward the project. He further noted the risk assessment that has been completed and is contained within the document. He further stated that it is paramount that the two towns and Diamond Valley Centre 78 Society meet together to discuss the \$500,000 Major Communities Grant. Councillor Michel Jackson questioned the definition of LEEDS for this new building project. Diane Osberg stated that currently they are at LEEDS Silver and hoping to achieve LEEDS Gold standard. Councillor Michel Jackson questioned the projected costs of operation, i.e. cleaning, etc. The information was pointed out in the document in the budget projections on pages 16-19. Diane Osberg noted that the utilities costs were based on estimates provided by the builders and other professionals involved in the project and based on the LEEDS statistics and the costs of aggregate utilities as provided by the Town of Turner Valley. Turner Valley Councillor Garry Pollock provided digital copies of the documentation for dissemination to our residents, as well as a copy of the Environmental Assessment Phase I, which was erroneously omitted from the information package submitted

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for this delegation. Councillor Michel Jackson requested to see a signed, certified copy of the Environmental Assessment, as he stated that they were not included in the reports. Mayor Sharlene Brown requested that the copies be provided to Black Diamond Council. Turner Valley Councillor Garry Pollock confirmed that the proper persons were on-site, as required by the report, for any excavations. Excavations are now complete as of the first week of June. Councillor Michel Jackson questioned the dates of the reports and the excavation dates. Turner Valley CAO Rob Sabine clarified that the Confirmation Soils Report states that no further work is required. Mayor Sharlene Brown thanked the delegates for attending and for providing the information as requested. The delegation ended at 8:35pm and the delegates left Council Chambers at this time.

**RECESS**

**Res. 2010-255**

Moved by Mayor Sharlene Brown that Council agree to recess the meeting at 8:35 p.m.

**UNANIMOUSLY CARRIED**

**RECONVENE**

**Res. 2010-256**

Moved by Mayor Sharlene Brown that Council agree to reconvene the meeting at 8:45 p.m.

**UNANIMOUSLY CARRIED**

**BYLAWS**

**a) Bylaw 10-08: Street Tree Maintenance Bylaw**

**Res. 2010-257**

Moved by Councillor Sharon Hart that Council agree to give Bylaw 10-08 second reading.

**UNANIMOUSLY CARRIED**

**Res. 2010-258**

Moved by Councillor Judy Thomson that Council agree to give Bylaw 10-08 third and final reading.

**UNANIMOUSLY CARRIED**

**ACTION ITEMS**

**a) Core Strategy: Provide Safe and Effective Service - no items to discuss**

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**b) Core Strategy: Partnerships**

**(i) Foothills Foundation 50<sup>th</sup> Anniversary Celebrations invitation**

It was generally agreed that Mayor Sharlene Brown will attend, and Councillor Judy Thomson will try to be there as well.

**(ii) Foothills Foundation request for letter of support**

**Res. 2010-259**

Moved by Councillor Judy Thomson that Council agree to send the Foothills Foundation a letter of support for the inclusion of two more members at large.

**UNANIMOUSLY CARRIED**

**(iii) Resignation of J. Laskowski from Economic Development Committee**

**Res. 2010-260**

Moved by Mayor Sharlene Brown that Council agree to accept the resignation of Joseph Laskowski from the Economic Development Committee with regret, to send him a letter thanking him for his participation on that committee, and further agree that the committee vacancy be advertised.

**UNANIMOUSLY CARRIED**

**(v) Sheep River Community Library 2009 Financial Statements**

**Res. 2010-261**

Moved by Councillor Tyler Bray that Council agree to accept the Sheep River Community Library 2009 Financial Statements for information purposes.

**UNANIMOUSLY CARRIED**

Councillor Tyler Bray declared a pecuniary interest related to the Diamond Valley Centre 78 Community Centre project, as he is a contract employee of the Royal Canadian Legion Branch No. 78, who may be affected monetarily by any decisions related to this issue, and noted that he will be declining discussion and will further abstain from voting on the matter, and excused himself from the room.

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**(vi) Letter from Diamond Valley Centre 78 Society**

**Res. 2010-262**

Moved by Councillor Bill Price that Council agree to send a letter to Ted Morton, MLA Rockyview, requesting a meeting with him to show Council's support for the Diamond Valley Centre 78 Community Centre to be built within the Town of Black Diamond.

**UNANIMOUSLY CARRIED**

After the discussion and the vote on the motion was finished, Councillor Tyler Bray returned to Council Chambers and returned to his seat at the Council Table.

**c) Core Strategy: Improve Communication**

**(i) Re-assignment of "Councillor's Corner" rotation**

**Res. 2010-263**

Moved by Mayor Sharlene Brown that Council agree that Councillor Judy Thomson will write the bi-weekly "Councillor's Corner" article until the October 2010 municipal elections.

**UNANIMOUSLY CARRIED**

**d) Core Strategy: Positive Leadership**

**(i) Letter from Recycling Council of Alberta requesting expression of support**

**Res. 2010-264**

Moved by Councillor Michel Jackson that Council agree to send a letter to Ted Morton, MLA, Rockyview, expressing support for the proposed Construction & Demolition Waste Diversion program.

**UNANIMOUSLY CARRIED**

**(ii) Public distribution of 2010 operating budget information**

**Res. 2010-265**

Moved by Councillor Tyler Bray that Council agree that CAO Joanne Irwin prepare a document to provide all pertinent rationale to residents regarding the 2010 operating budget.

**UNANIMOUSLY CARRIED**

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**e) Miscellaneous Items**

**(i) Delegation Decisions**

**Res. 2010-266**

Moved by Councillor Sharon Hart that Council agree to accept the Sheep River Inter-Municipal Library Business Plan for information purposes.

**UNANIMOUSLY CARRIED**

**(ii) Turner Valley Charity Golf Classic: rescheduled**

It was generally agreed that Mayor Sharlene Brown will attend, as she was previously registered.

**CORRESPONDENCE  
AND INFORMATION**

**Res. 2010-267**

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)** Thankyou card from the Diamond Valley Community Garden
- d)** Thankyou card from Oilfields High School re: Mock Accident
- e)** Letter from Minister of Tourism, Parks and Recreation: invitation to host 2013 Alberta 55 Plus Summer Games
- f)** "Getting the Word Out" Invitation – Sheep River Inter-Municipal Library
- g)** Royal Canadian Legion Alberta-Northwest Territories Command's *Military Service Recognition Book, Volume II* and Certificate of Appreciation
- h)** 2<sup>nd</sup> Annual Foothills Country Hospice Charity Golf Tournament invitation
- i)** Rum Runner Days 2010 invitation

**UNANIMOUSLY CARRIED**

**Committee Reports:**

Councillor Sharon Hart: verbal report given  
Councillor Michel Jackson: written report attached  
Councillor Judy Thomson: written report attached  
Councillor Tyler Bray: no meetings to attend  
Councillor Bill Price: written report attached  
Mayor Sharlene Brown: written report attached  
Committee of the Whole Minutes, June 7, 2010: attached

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**Res. 2010-268**                      Moved by Councillor Michel Jackson that Council agree to accept the Committee of the Whole Minutes of June 7, 2010 as amended to reflect that Councillor Tyler Bray was absent; to correct the spelling of Councillor Judy Thomson's name; and to remove the decision to place the "no drive thru" item on the next Joint Steering Committee agenda.  
**UNANIMOUSLY CARRIED**

**RECESS**

**Res. 2010-269**                      Moved by Councillor Michel Jackson that Council agree to recess the meeting at 9:55 p.m.  
**UNANIMOUSLY CARRIED**

**RECONVENE**

**Res. 2010-270**                      Moved by Councillor Tyler Bray that Council agree to reconvene the meeting at 10:10 p.m.  
**UNANIMOUSLY CARRIED**

**IN CAMERA**

**Res. 2010-271**                      Moved by Councillor Tyler Bray that Council agree to go In Camera at 10:10 p.m. to discuss a personnel issue and possible legal issues.  
**UNANIMOUSLY CARRIED**

**IN CAMERA**

**Res. 2010-272**                      Moved by Councillor Tyler Bray that Council agree to re-open the meeting to the public at 10:43 p.m.  
**UNANIMOUSLY CARRIED**

**Res. 2010-273**                      Moved by Councillor Sharon Hart that Council agree to instruct Administration that in accordance with the new water meter replacement program and in accordance with the Water & Sewer Utility Bylaw #05-09, that the owner of 402, 404 & 406 – 3<sup>rd</sup> Avenue SW, Black Diamond Alberta be notified that the existing meter bypass valve(s) be removed from the premises as described, as it contravenes Bylaw 05-09.  
**UNANIMOUSLY CARRIED**

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**Res 2010-274**

Moved by Councillor Michel Jackson that Council agree to send a letter to the owners of Lot 2, Bock 3 Plan 9310427 stating that no tie-in to the Town's water/wastewater system will be required until the water/wastewater system is installed in 4<sup>th</sup> Street SE, and that this exception is being granted as there is a Registered Road Alloance on file at Land Titles office, and further agree that the Town Manager is to seek legal advice to determine if an agreement is required to note this on file, if an agreement is not required, then to place a memo in the property's roll file with a cc to the Town's Public Works Manager.

**UNANIMOUSLY CARRIED**

**ADJOURNMENT**

**Res. 2010-275**

Moved by Councillor Bill Price that Council agree to adjourn the meeting at 10:45 p.m.

**UNANIMOUSLY CARRIED**

*Original Signed*

\_\_\_\_\_  
MAYOR

*Original Signed*

\_\_\_\_\_  
TOWN MANAGER