

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN OF
BLACK DIAMOND, IN THE PROVINCE OF ALBERTA, HELD
MAY 5, 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 and Administrative Assistant
Verna Staples
Approximately 3 guests were in the gallery.

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. Mr. Gordon Tomte, resident of Black Diamond, thanked Council for the new Public Agenda Packages. He then questioned Councillor Mike Ross's report from the last Council meeting stating that after participating in the choosing of the contractor for the Library project, the contract was awarded to a company other than the one selected by the panel. He stated that he questioned the Town of Turner Valley, as he felt that there were good qualified people on that panel, that the decision should have come back to the panel, and further that as there has been no respect for the involvement of the participating parties, we should not be giving any funding to the project. Mayor Sharlene Brown reminded everyone that the Council for the Town of Black Diamond has no control over the decision-making process of the Town of Turner Valley. 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. 2010-159**

Moved by Councillor Tyler Bray that Council agree to accept the agenda as amended to include the deletion of the Delegation as the person had advised they wished to cancel, and with the addition of: Item 7a)(iii) DP-10-19 Amendment to Development Approval – additional information provided; Item 7b)(ii) Request for letter of support: Diamond Valley Community Garden – The Rebuilding Nature Grant application – additional information provided; and Item 7e)(v) Sheep River Health Trust – Golf 4 Wellness Tournament Package; and that Council further agree to take the Agenda out of order to move Item 7e)(iii) Proclamation: Official Welcome Wagon Week – May 2-8, 2010 and Item 7e)(iv) Certificate of Appreciation presentation to Linda Nelson to take place immediately following the adoption of the Agenda, to accommodate Ms. Nelson.

UNANIMOUSLY CARRIED

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e) Miscellaneous Items

**(iv) Proclamation: Official Welcome Wagon Week – May
2-8, 2010**

Mayor Sharlene Brown offered Council's warm congratulations to Linda Nelson and presented her with a Certificate of Appreciation to recognize her for receiving the Welcome Wagon's Representative of the Year Award for Western Canada and Eastern BC for towns in the under 8000 population category.

Linda Nelson presented Council with the Welcome Wagon's 2009 Community of the Year Award, under 8000 population category, which is to be shared by Black Diamond and Turner Valley. She advised that in order for a community to be eligible for this award, all three Welcome Wagon programs must be in place, and there must be a visible partnership between Welcome Wagon and the municipality. Ms. Nelson advised that she would make arrangements to present the plaque to the Town of Turner Valley and to ensure that the plaque is displayed in both Town Offices for a suitable amount of time.

**(iii) Proclamation: Official Welcome Wagon Week – May
2-8, 2010**

Mayor Sharlene Brown proclaimed the week of May 2-8, 2010 as Welcome Wagon Week in the Town of Black Diamond.

**MINUTES
Res. 2010-160**

Moved by Councillor Michel Jackson that Council agree to adopt the Minutes of the Special Council Meeting held March 29, 2010, as presented.

UNANIMOUSLY CARRIED

Res. 2010-161

Moved by Councillor Sharon Hart that Council agree to adopt the Minutes of the Special Council Meeting held March 30, 2010, as presented.

UNANIMOUSLY CARRIED

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MAY 5, 2010 AT 7:30 P.M. IN THE TOWN OFFICE**

Res. 2010-162 Moved by Mayor Sharlene Brown that Council agree to adopt the Minutes of the Regular Council Meeting held April 21, 2010, as presented.

UNANIMOUSLY CARRIED

ACTION ITEMS

a) Core Strategy: Provide Safe and Effective Service

(i) Joint Services Emergency Management

Res. 2010-163 Moved by Councillor Judy Thomson that Council agree that the position of joint Director of Emergency Management (volunteer position to receive an honorarium as mutually agreed to by the Councils of Black Diamond and Turner Valley) be advertised and that once the applications are received, that they be reviewed by a panel of 6 (2 Council members from each town, together with the CAO or designate from each town and that upon a recommendation from the panel, that both Councils, by resolution, then agree to appoint the successful applicant; and that Council also agree to forward this resolution to the Joint Steering Committee for the May meeting, together with our bylaw currently in place.

UNANIMOUSLY CARRIED

(ii) Planning and Development Dept. Report to Council re: Drive-throughs

Res. 2010-164 Moved by Mayor Sharlene Brown that Council agree to instruct administration to research other municipalities with drive-through bylaws and forward the information to the June, 2010 Committee of the Whole meeting.

UNANIMOUSLY CARRIED

(iii) DP-10-19 Amendment to Development Approval

Res. 2010-165 Moved by Mayor Sharlene Brown that Council agree to rescind Council's resolution 2010-132 and further agree to refer the development permit application DP-10-19 to the Municipal Planning Commission for their decision.

UNANIMOUSLY CARRIED

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b) Core Strategy: Partnerships

**(i) Request for letter of support: Boys & Girls Club of
Diamond Valley & District – CFEP grant application**

Res. 2010-166

Moved by Councillor Judy Thomson that Council agree to send a letter to the Boys & Girls Club of Diamond Valley & District in support of their Community Facility Enhancement Program grant application and to ensure they are aware that the proposed project will still need to follow the normal process in applying for a development and building permit if necessary together with any other applicable required permits,

UNANIMOUSLY CARRIED

**(ii) Request for letter of support: Diamond Valley
Community Garden – The Rebuilding Nature Grant
Application**

Res. 2010-167

Moved by Councillor Mike Ross that Council agree to send a letter to the Diamond Valley Community Garden in support of their Rebuilding Nature Grant application.

UNANIMOUSLY CARRIED

(iii) Foothills Cemetery Board Council representative

Res. 2010-168

Moved by Councillor Judy Thomson that Council agree to appoint Councillor Judy Thomson as the Council representative to the Foothills Cemetery Board, and further agree that Councillor Mike Ross be appointed as the alternate Council representative to the Foothills Cemetery Board.

UNANIMOUSLY CARRIED

c) Core Strategy: Improve Communication

**(i) Alberta Urban Municipalities Association (AUMA)
Communications**

Res. 2010-169

Moved by Mayor Sharlene Brown that Council agree to instruct administration to forward the AUMA resolution regarding “Notification of Public Hearing” to the Small Communities Conference Agenda and to the June Mayor’s Caucus Agenda, for discussion at those venues as well as continuing the process of submitting to the AUMA as a resolution.

UNANIMOUSLY CARRIED

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d) Core Strategy: Positive Leadership

**(i) MD of Foothills re-circulation re: Diamond Ridge
Area Concept Plan**

Res. 2010-170

Moved by Mayor Sharlene Brown that Council agree to send a letter to the M.D. of Foothills stating that the concerns Council had in 2008 still apply (and to restate them or attach a copy of the 2008 response), and to indicate that the Growth Management Plan for the Town of Black Diamond includes the area concerned, and that Council may consider negotiations for the annexation of that property.

UNANIMOUSLY CARRIED

e) Miscellaneous Items

(i) Delegation decisions (as required) - none required

(ii) Proclamation: Seniors' Week 2010 – June 7-13, 2010

Mayor Sharlene Brown proclaimed the week of June 7-13, 2010 to be Seniors' Week in the Town of Black Diamond

**(v) Sheep River Health Trust – Golf 4 Wellness
Tournament Package**

Res. 2010-171

Moved by Councillor Bill Price that Council agree to send Councillor Bill Price to the Golf 4 Wellness Tournament, and that the funds come from the Mayor's Slush Fund.

UNANIMOUSLY CARRIED

**CORRESPONDENCE
AND INFORMATION**

Res. 2010-172

Moved by Councillor Sharon Hart that Council agree to send a group of 4 golfers, to be determined at a later date, to the AMSC Swing into Summer Golf Tournament in an effort to promote Council's AUMA resolution "Notification of Public Hearing" to those attending the tournament.

UNANIMOUSLY CARRIED

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Res. 2010-173

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

- a) Town Manager's Report
- b) Elkford WildCat Days Parade Invitation
- c) Letter from Municipal Affairs regarding Minister's Awards for Municipal Excellence
- d) AMSC Swing into Summer Golf Tournament

UNANIMOUSLY CARRIED

**COMMITTEE
REPORTS**

Res. 2010-174

Moved by Councillor Bill Price that Council agree that:

- Administration be instructed to include the principal and interest payments related to the issuance of a debenture in the amount of \$250,000.00 over 20 years into the operational budget for 2010 for the purpose of possible cash injection into the Sheep River Inter-Municipal Library project;
- Administration is not to begin the process of the debenture application until Council, by resolution, instructs the process to begin;
- The inclusion of this budgetary item in no way binds Council to forward any funds as a capital injection in the proposed new Sheep River Inter-Municipal Library;
- In order to make an informed decision on this issue, and ensure full accountability to the citizens of the Town of Black Diamond that it continues to require the following documents previously requested from the Town of Turner Valley:
 - ❖ a certified environmental assessment report from a qualified source confirming that the land that the Town of Turner Valley proposes to build the facility on meets or exceeds the required environmental standards; and
 - ❖ a comprehensive business plan for the proposed facility; and
 - ❖ a detailed operational budget for the proposed facility; and
 - ❖ an operational maintenance budget for the proposed facility and grounds.

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- Council will seek legal advice and have a legal agreement drawn up to best protect the citizens of Black Diamond, prior to the consideration of the release of any funds towards this project. Included in this agreement will be a condition stating that the Town of Black Diamond will not be held responsible for any cost overruns on the capital project, and that no further capital funds will be contributed.

UNANIMOUSLY CARRIED

Councillor Tyler Bray declared a pecuniary interest related to the Diamond Valley Centre 78 Community Centre project, stating that 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 removed himself from the Council table.

Res. 2010-175

Moved by Councillor Bill Price that Council agree to

- ❖ Instruct staff to investigate the feasibility and necessary engineering required of the land located north of Highway 7, adjacent (south) of the Diamond Valley Community Garden and west of the Service Commercial area, (Portion of 3ER Plan 9910437 and Portion of 5MR 9910437) as the primary site being considered for the location of the proposed Diamond Valley Centre 78 Community Centre; and
- ❖ Instruct staff that if the primary location is deemed unfeasible, that staff then consider the feasibility of the second location being considered, on the land located south east of the intersection of 3rd Street SW and 6th Avenue SW (Portion of 1MR Block 1 Plan 0613337 and Portion of 16MR Block 13 Plan 0910930); and
- ❖ Results of the investigation(s) to be forwarded to Council for consideration of next steps which may include the consideration of rezoning of the land(s) and a memorandum of understanding between the Town of Black Diamond and the Diamond Valley Centre 78 Society.

UNANIMOUSLY CARRIED

Councillor Tyler Bray returned to the Council table following this vote.

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Res. 2010-176 Moved by Councillor Michel Jackson that Council agree to forward any comments or concerns of the Council members related to the MD of Foothills draft Municipal Development Plan to Administration, and further, that our Planning & Development Officer be requested to provide his comments on the draft MDP to Council by June 2, 2010 so that Council can then consider forwarding all concerns or comments to the MD of Foothills in writing prior to the resumption of the MD of Foothills Public Hearing on June 8, 2010.

UNANIMOUSLY CARRIED

RECESS

Res. 2010-177 Moved by Mayor Sharlene Brown that Council agree to recess the meeting at 8:32 p.m.

UNANIMOUSLY CARRIED

RECONVENE

Res. 2010-178 Moved by Mayor Sharlene Brown that Council agree to reconvene the meeting at 8:45 p.m.

UNANIMOUSLY CARRIED

IN CAMERA

Res. 2010-179 Moved by Mayor Sharlene Brown that Council agree to go In Camera at 8:45 p.m. to discuss a land matter.

UNANIMOUSLY CARRIED

IN CAMERA

Res. 2010-180 Moved by Councillor Michel Jackson that Council agree to re-open the meeting to the public at 9:00 p.m.

UNANIMOUSLY CARRIED

ADJOURNMENT

Res. 2010-181 Moved by Councillor Bill Price that Council agree to adjourn the meeting at 9:00 p.m.

UNANIMOUSLY CARRIED

Original Signed

MAYOR

Original Signed

TOWN MANAGER