

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN OF
BLACK DIAMOND, IN THE PROVINCE OF ALBERTA, HELD
NOVEMBER 3, 2009 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, Public Works Manager Andy Pfeifer, Development Officer Rod Potrie (arrived at 7:50pm)
Approximately 4 people including but not limited to: Ally Rutherford (Eagle), Shirley Pickering, Gordon Tomte and 1 unidentified male.
- 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 7:30p.m. As there were no questions forthcoming, Mayor Sharlene Brown declared the 15-minute question & answer period closed at 7:31p.m.
- AGENDA**
Res. 2009-367 Moved by Councillor Sharon Hart that Council agree to accept the agenda with the deletion of Item 5b), the delegation from the Boys and Girls Club of Diamond Valley & District, as they were unable to attend.
UNANIMOUSLY CARRIED
- MINUTES**
Res. 2009-368 Moved by Councillor Bill Price that Council agree to adopt the Minutes of the Organizational Meeting held October 21, 2009, as amended to show Councillor Mike Ross was not present at that meeting.
UNANIMOUSLY CARRIED
- Res. 2009-369** Moved by Councillor Tyler Bray that Council agree to adopt the Minutes of the Regular Council Meeting held October 21, 2009, as presented.
UNANIMOUSLY CARRIED
- DELEGATION**
- a) **Highwood-Sheep Watersheds Integrated Water Balance Study – Shirley Pickering**
- Shirley Pickering, Chairperson of the Highwood Management Plan Phase 1 Public Advisory Committee, presented a Powerpoint report, as attached. Following was a short discussion of the work done previously by other local watershed groups. Mayor Sharlene Brown thanked Ms. Pickering for her presentation, and she left Council Chambers at 8:15pm

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ACTION ITEMS

a) Core Strategy: Flexibility

**(i) Development Permit – Phase II Mountainview
Condominium Development**

Development Officer Rod Potrie gave a Powerpoint presentation, as attached. He advised that as this property is zoned DC-5, Council is the approving authority for proceeding with the next phase of this development.

Res. 2009-370

Moved by Councillor Michel Jackson that Council agree that the Development Permit Application 09-73 be approved subject to the following conditions:

PRIOR TO RELEASE

1. Deposit of a \$12,000.00 performance security, as required under Land Use Bylaw #98-14, with the Town of Black Diamond. This is a refundable deposit upon completion of the development as 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, timing and costs attributable for improvements of 3rd Street and Highway 7 intersection improvements, payment schedule for offsite levies, benefiting 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 prorated on a per unit basis)
3. Fire Lane located on the North side of 'Phase one' to be completed as per satisfaction of Town of Black Diamond's fire department prior to commencement of 'Phase two'.
4. Payment of water meter fee for the 22 units.

STANDARD CONDITIONS

1. Applicant is providing total of 43 parking stalls, 28 are required (1.25/ Unit). Parking stalls 7, 8, 9, 12 and 17 and 18 be designated for small car parking only. All parking stalls must be located as per site plan-A1.1.

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2. All exterior parking and driving aisles shall be paved with a minimum of 50 mm asphalt paving. Wheel stops to be incorporated as part of a hard landscaped feature.
3. Hard landscaping to consist of paving brick, textured concrete, minimum 50 mm rock or other suitable material of same durability and size as rock.
4. 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. Any trees or shrubs which die after the completion of the project shall be replaced on a continuous basis by the landowners.
5. All mechanical equipment shall be screened or painted to the satisfaction of the Development Authority.
6. The development to be completed in accordance with the approved plans and conditions stated herein and all other applicable Provincial Regulations and Acts.
7. Applicant to obtain all necessary permits, including but not limited to building, plumbing, gas and electrical permits. Copies of all permits must be forwarded to the Town office prior to installation of the services.
8. Alberta Transportation Road Side Development Permit to be applied for and approved by Alberta Transportation.
9. The development must be completed as per rules and regulations of DC-5 land use bylaw with the exception of 22 units instead of 24 units.
10. The address must be clearly identified and remain visible at all times.
11. The development shall be completed in its entirety, in accordance with the approved plans and conditions; any changes or revisions to the approved plans (including non-completion of the development) shall be submitted to the Development Authority for approval.

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12. This Development Permit approval does not guarantee Building Permit approval. Applicant must obtain a Building Permit approval prior to commencement of any construction.
13. Development must commence within twelve (12) months of issuance of the Development permit and must be completed with in twenty four (24) months of building permit issuance; unless a time extension has been granted.

UNANIMOUSLY CARRIED

RECESS

Res. 2009-371

Moved by Mayor Sharlene Brown that Council agree to recess the meeting at 8:42p.m.

UNANIMOUSLY CARRIED

RECONVENE

Res. 2009-372

Moved by Mayor Sharlene Brown that Council agree to reconvene the meeting at 8:51p.m.

UNANIMOUSLY CARRIED

b) Core Strategy: Provide Safe and Effective Service -

(i) Computer equipment and cell phone usage and maintenance Policy 12-52

Res. 2009-373

Moved by Councillor Mike Ross that Council agree to accept Policy 12-52 Computer equipment and cell phone usage and maintenance as presented.

UNANIMOUSLY CARRIED

c) Core Strategy: Partnerships

(i) Alberta Representative for the Western Canadian Cemetery Association

Res. 2009-374

Moved by Mayor Sharlene Brown that Council agree to send a letter to Pat Holt congratulating her on her appointment as an Alberta Director for the Western Canadian Cemetery Association (cc the Town of Turner Valley and the MD of Foothills).

UNANIMOUSLY CARRIED

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d) Core Strategy: Improve Communication

(i) Christmas Hours

Res. 2009-375

Moved by Councillor Sharon Hart that Council agree to authorize the closure of the Town Office and the Public Works Shop from December 24-28, 2009 inclusive for the Christmas break, and to advertise accordingly.

UNANIMOUSLY CARRIED

e) Core Strategy: Positive Leadership

(i) Parks & Recreation budget reallocation request

Res. 2009-376

Moved by Councillor Michel Jackson that Council agree to authorize the reallocation of the Parks & Recreation budgeted line items for the garage construction as requested, and that Council also agree to transfer funds from capital reserves to a maximum of \$8,431.15 in order to complete the garage construction project, and further agree that a letter of thanks be sent to Les Quinton for his efforts on this project.

UNANIMOUSLY CARRIED

(ii) Parks & Recreation Pathway Project

Res. 2009-377

Moved by Councillor Mike Ross that Council agree to authorize transfer of \$60,000.00, being the current balance of the reserve, to the Parks and Recreation capital budget in order to facilitate the completion of a pathway as per the Trails & Pathways Master Plan and as recommended by the Parks and Recreation Board, alongside the Lions Park, atop the berm from Highway 22 towards the skateboard park.

UNANIMOUSLY CARRIED

(iii) 2008 Financial Indicator Graphs

Res. 2009-378

Moved by Mayor Sharlene Brown that Council agree to accept the 2008 Financial Indicator Graphs as presented for information purposes.

UNANIMOUSLY CARRIED

f) Miscellaneous Items

(i) Town Manager Report Decisions – as required

None required.

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(ii) Delegation Decisions – as required

Res. 2009-379 Moved by Councillor Judy Thomson that Council agree to send a letter of support to the Calgary Foundation in support of the Boys & Girls Club of Diamond Valley and District's application for a Young People Thriving Grant.
UNANIMOUSLY CARRIED

Res. 2009-380 Moved by Mayor Sharlene Brown that Council agree to send a letter to Shirley Pickering thanking her for presenting her information to Council.
UNANIMOUSLY CARRIED

(iii) Small Communities Conference

Res. 2009-381 Moved by Mayor Sharlene Brown that Council agree to accept the information presented regarding the Small Communities Conference for information purposes.
UNANIMOUSLY CARRIED

**CORRESPONDENCE
AND INFORMATION**

Res. 2009-382 Moved by Councillor Sharon Hart that Council agree to accept the following correspondence for information purposes only:
a) Town Manager's Report
b) Public Works Report
c) Smile and Wave 2010 brochure re: aerial photographs
d) Altalink letter supporting Bill 50
e) FCSS Report
UNANIMOUSLY CARRIED

RECESS

Res. 2009-383 Moved by Mayor Sharlene Brown that Council agree to recess the meeting at 9:27 p.m.
UNANIMOUSLY CARRIED

RECONVENE

Res. 2009-384 Moved by Mayor Sharlene Brown that Council agree to reconvene the meeting at 9:33 p.m.
UNANIMOUSLY CARRIED

IN CAMERA

Res. 2009-385 Moved by Mayor Sharlene Brown that Council agree to go In Camera at 9:33 p.m. to discuss a possible legal matter.
UNANIMOUSLY CARRIED

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IN CAMERA

Res. 2009-386

Moved by Councillor Michel Jackson that Council agree to re-open the meeting to the public at 9:45 p.m.

UNANIMOUSLY CARRIED

ADJOURNMENT

Res. 2009-387

Moved by Councillor Bill Price that Council agree to adjourn the meeting at 9:45 p.m.

UNANIMOUSLY CARRIED

MAYOR

TOWN MANAGER