

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN OF
BLACK DIAMOND, IN THE PROVINCE OF ALBERTA, HELD
SEPTEMBER 16, 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, Administrative Assistant Verna Staples, and Public Works Manager Andy Pfeifer
Approximately 10 people including but not limited to: Ally Rutherford (Eagle), Rick Northrop (Western Wheel), Cheryle Dobbyn, Pamela McLean (FHS President), Kelly Kendrick (FHS Secretary) and Nicole Busch (FHS Director), Dave Brown, Terry Brown, Gordon Tomte and Betty Paul.

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. Gordon Tomte, 16 Valley Ridge Place, stated that the yellow flyers published by the R.C.M.P. as an educational tool to enable identification of suspected drug houses, and inserted into the Town's utility bills give a bad impression and present a horrible image. He suggested that the Town provide more crime-based policing and less revenue-based policing. Mayor Sharlene Brown responded that the information was distributed to increase community awareness. Cheryle Dobbyn, 101 – 3 Street SW, questioned what is happening with the lot on Centre Avenue West where a development was proposed, but did not happen. She was advised that as the property is privately owned, the Town could not comment further. 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. 2009-296

Moved by Councillor Bill Price that Council agree to accept the agenda with the addition of the following items:

- Item 7a)(i) further information provided
- Item 7e)(iv) Alberta Environment: appointment to meet with them at AUMA
- Item 7f)(ii) Public statement from Cheryle Dobbyn regarding Foothills Humane Society
- Item 9b) Committee of the Whole Minutes of September 14, 2009

UNANIMOUSLY CARRIED

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MINUTES

Res. 2009-297

Moved by Councillor Mike Ross that Council agree to adopt the Minutes of the Regular Council Meeting held September 2, 2009, as presented.

UNANIMOUSLY CARRIED

DELEGATIONS

a) Foothills Humane Society – P. McLean

A powerpoint presentation outlining the current status of the Foothills Humane Society (FHS) was offered by Ms. Pamela McLean, President of the FHS, as attached. She further outlined the Society's intentions for a "no kill" facility. Councillor Thomson questioned if there were any land prospects available for such a facility at this time. Ms. McLean responded that one piece of land is available valued at \$3,000,000.00, and that it is not a viable prospect. The presentation ended at 7:48pm and the 3 FHS delegates left Council Chambers, as well as Cheryle Dobbyn.

b) Affordable Housing Project – D. Brown

A verbal presentation was given by Mr. Dave Brown and Mr. Terry Brown regarding the affordable housing project they are proposing to build in Black Diamond. Terry Brown offered some history as to the initial creation of this proposed 28-unit project, and background of project developers Dave and Terry Brown. He outlined plans which include a potential on-site daycare, and stressed the community benefits involved. He advised that Alberta Housing asks developers what the communities are providing in order to offset the "value added" to the community by such a project. Terry Brown requested that the normal off-site levies be relaxed in order to assist the project to meet the Province's strict regulations on affordable housing rental rates. He also requested a fixed value be placed on the property in order to continue to make it economically viable to maintain the Provincial 10% less than market value rent restriction, capping the assessed value at \$2,000,000.00 as long as it remains an affordable housing property under the jurisdiction of Alberta Housing. He stated that should that status change, the property would revert to a fair market value property, and would be taxed as such. Mayor Sharlene Brown questioned when a decision would be required regarding the relaxation request and market value capping, noting that it is a lot of funds for the Town to consider. Dave Brown stated

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that it would be up to Council to respond after discussing the issue as necessary. Dave Brown further noted that they would be running water lines and fire hydrants into that property at their cost, adding to the value of that property. The presentation ended at 8:04pm. Both Dave Brown and Terry Brown left Council Chambers at this time.

ACTION ITEMS

a) Core Strategy: Flexibility

(i) MD of Foothills Circulation Memorandum

Res. 2009-298

Moved by Councillor Michel Jackson that Council agree to rescind resolution 2009-265, made at the September 2, 2009 Council meeting, regarding an MD of Foothills Circulation Memorandum, as new information has been received.

UNANIMOUSLY CARRIED

Res. 2009-299

Moved by Councillor Michel Jackson that Council agree to send a letter notifying the MD of Foothills of the Town of Black Diamond's environmental concerns, and a request that the MD advise the Town of Black Diamond of any development permits considered for the land described as SW 17-20-2 W5M Plan 0112173 Block 1.

UNANIMOUSLY CARRIED

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

c) Core Strategy: Partnerships

**(i) Appointment of D. Medland to Parks and Recreation
Committee**

Res. 2009-300

Moved by Councillor Sharon Hart that Council agree to appoint Derek Medland to the Parks and Recreation Board.

UNANIMOUSLY CARRIED

d) Core Strategy: Improve Communication

(i) FICE questions

Mayor Sharlene Brown advised that she had heard that it may be too late to ask any extra questions, so no further action is required at this time.

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(ii) Website feedback

Following the recent launch of the Town's new website, feedback regarding it was provided to Council. As recommended by Administration, it was generally agreed to submit future feedback received to the Red Book for Council's information for a 3-month period, and then followed by annual reports to Council containing informational statistics.

e) Core Strategy: Positive Leadership

(i) Map and town pins donation

Res. 2009-301

Moved by Mayor Sharlene Brown that Council agree to donate the Town's map and pin collection to the Foothills Lions Club pin trading event to be held on September 26, 2009, and to send best wishes for a successful event.

UNANIMOUSLY CARRIED

(ii) Proclamation: October 4-10, 2009 as Fire Prevention Week

Mayor Sharlene Brown proclaimed October 4-10, 2009 as Fire Prevention Week in the Town of Black Diamond.

(iii) Alberta Transportation: appointment to meet with them at AUMA

Res. 2009-302

Moved by Mayor Sharlene Brown that Council agree to make an appointment to meet with Alberta Transportation staff at the 2009 AUMA Convention, and further that Public Works Manager Andy Pfeifer is to provide the questions to present.

UNANIMOUSLY CARRIED

(iv) Alberta Environment: appointment to meet with them at AUMA

Res. 2009-303

Moved by Councillor Sharon Hart that Council agree to make an appointment to meet with Alberta Environment staff at the 2009 AUMA Convention, and further that Public Works Manager Andy Pfeifer is to provide the questions to present.

UNANIMOUSLY CARRIED

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Mayor Sharlene Brown advised that a meeting with R.C.M.P. staff has already been requested at the 2009 AUMA Convention.

Res. 2009-304

Moved by Councillor Michel Jackson that Council agree to make an appointment with Alberta Housing and Urban Affairs staff to discuss private affordable housing developments, if they plan to be present at the 2009 AUMA Convention.

UNANIMOUSLY CARRIED

f) Miscellaneous Items

(i) Town Manager Report Decisions – as required

None required.

(ii) Delegation decisions – as required

Res. 2009-305

Moved by Councillor Tyler Bray that Council agree to accept the Public Statement provided by Ms. Cheryle Dobbyn, regarding the Foothills Humane Society as attached, for information purposes.

UNANIMOUSLY CARRIED

Res. 2009-306

Moved by Mayor Sharlene Brown that Council agree to place the private Affordable Housing proposal on the October 5, 2009 Committee of the Whole agenda, and request that information regarding the capping of assessment value and relaxation of off-site levies be provided, prior to that meeting, by staff, and that Administration is to provide an impact analysis based on the requests made during the presentation, and further that a letter be sent to Mr. Dave Brown to inform them of Council's decision, and the potential timeframe.

UNANIMOUSLY CARRIED

(iii) Committee of the Whole decisions

Res. 2009-307

Moved by Councillor Bill Price that Council agree to reschedule the November 4, 2009 Council meeting to November 3, 2009 as Council members will be absent due to attendance at the AUMA convention.

UNANIMOUSLY CARRIED

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Res. 2009-308

Moved by Councillor Tyler Bray that Council agree to forward the Emergency Management Agency bylaw to the October 13, 2009 Joint Steering Committee meeting agenda.

UNANIMOUSLY CARRIED

**CORRESPONDENCE
AND INFORMATION**

Res. 2009-309

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) Recycle update
- d) Letter of thanks from the Town of Carstairs
- e) Letter from the Town of High River withdrawing from Regional Indoor Field House project

UNANIMOUSLY CARRIED

RECESS

Res. 2009-310

Moved by Councillor Michel Jackson that Council agree to recess the meeting at 8:45p.m.

UNANIMOUSLY CARRIED

RECONVENE

Res. 2009-311

Moved by Mayor Sharlene Brown that Council agree to reconvene the meeting at 8:52p.m.

UNANIMOUSLY CARRIED

Committee Reports:

Councillor Sharon Hart: written report attached
Councillor Michel Jackson: no meetings to report on
Councillor Judy Thomson: no meetings to report on
Councillor Mike Ross: no meetings to report on
Councillor Tyler Bray: written report attached
Councillor Bill Price: written report attached
Mayor Sharlene Brown: written report attached
Committee of the Whole Minutes of September 14, 2009 as attached

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Res. 2009-312

Moved by Councillor Sharon Hart that Council agree to provide \$2200.00 from the Parks and Recreation budget, or reserves, as advised by the Parks & Recreation Manager and as recommended by the Parks & Recreation Board, to the Westend Regional Sewage Services Commission to help with the cost of the fencing as requested by the Commission since the fencing has effectively provided the Town of Black Diamond with a natural pathway along the Westend lands as was identified in the Trails & Pathways Master Plan.

UNANIMOUSLY CARRIED

Res. 2009-313

Moved by Councillor Sharon Hart that Council agree to accept Committee Reports for information purposes.

UNANIMOUSLY CARRIED

ADJOURNMENT

Res. 2009-314

Moved by Councillor Bill Price that Council agree to adjourn the meeting at 9:15p.m.

UNANIMOUSLY CARRIED

MAYOR

TOWN MANAGER