

AGENDA

GOVERNANCE AND PRIORITIES COMMITTEE MEETING

TUESDAY, May 10, 2011
7:00 p.m.

CALL TO ORDER

ADOPTION OF AGENDA

DELEGATIONS

1. Dan McKim – Member of Livingstone Landowners Group
 - Update on the Impact of the Micrex Burmis Magnetite Mine Proposal

TOPICS FOR DISCUSSION

1. Crowsnest Community Trails Bylaw
2. Agricultural Services Board Bylaw
3. Blairmore Mobile Home Sites
4. Bylaw Implementation Report
5. Practices and Procedures Review
6. Sustainability Review
7. Budget Format
8. Council Agenda

IN CAMERA

OUT OF CAMERA

ADJOURN

Lynne Cox

From: Lynne Cox
Sent: May-04-11 1:54 PM
To: Management; 'Andrew Saje'; Andrew Saje; 'Brian Gallant'; Brian Gallant; Bruce Decoux; 'Emile Saindon'; Emile Saindon; 'Jerry Lonsbury'; Jerry Lonsbury; Larry Mitchell; Mayor Decoux; Siegbert Gail; 'Siegbert Gail'
Subject: Video on the Micrex Mining Project to review before the May 10th GPC

Dan McKim – Member of the Livingstone Landowner Group is coming as a delegation to the May 10th GPC to review concerns and to provide an update on the impact of the Micrex Mining project. He would like Council and Management to review the video “Life along the Livingstone” prior to his presentation. It is about 15 minutes in length.

The link to the youtube video is below:

<http://www.youtube.com/watch?v=DZWXNPMwCQo>

Note: I will not be showing this at the GPC, due to its length. Please review from your home computer or Council laptop.

Lynne

*Lynne Cox
Director, Legislative & HR Services
Municipality of Crowsnest Pass
403-562-8833 (Phone)
403-563-5474 (Fax)*

Calgary Herald April 15, 2011

Quarry . The provincial government has ordered an in-depth review of a controversial proposal for a magnetite mine in southwestern Alberta.

The Alberta government said it would refer an application to build a magnetite quarry in the Livingstone mountain range, about 200 kilometres southwest of Calgary, to the Natural Resources Conservation Board.

The Micrex Development Corp. proposal has been opposed by some local residents and environmentalists who say it will cut into wildlife corridors and an iconic Alberta landscape. However, the company said the plan has now been retooled to address many concerns.

"Based on public feedback to the proposal, we feel that this is the best process for a fair and open review on the application," Sustainable Resource Development Minister Mel Knight said. "The NRCB will determine if the project is in the public interest by considering its social, economic and environmental effects."

As part of the review, the board will seek public comments on the Micrex project. In general, the board reviews non-oil and gas projects, or any development referred to the board by cabinet.

Late last year, former sustainable resource development minister Ted Morton waded into the debate about the project, saying it needed a more in-depth examination. He suggested the NRCB take a look at the Micrex proposal.

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Micrex Development Corp. would like to thank you for visiting the Burmis Magnetite Project website and for your interest in this project.

Latest News	Micrex is an Alberta Company that seeks innovative ways to minimize impacts to the environment and the community through development of small-scale, low-impact projects.
Home	
FAQ	Micrex is committed to being socially and environmentally responsible in the areas in which it operates.
More FAQ	
Contact Us	Micrex Development Corporation has taken a proactive approach towards consulting with the public regarding the Project since 2004. Micrex identified stakeholders and has actively pursued meetings with each group to introduce the proposed Project, gather information, and actively seek feedback prior to application submission to ensure optimum Project planning and mitigation. Consultation with stakeholders will continue to be a very high priority and an essential part of ongoing business practice for Micrex.
Feedback	

As announced in December of 2007 Micrex has made significant changes to the proposed operations at the Burmis Magnetite Project.

Throughout 2008 Micrex has worked to complete the studies and engineering required to update its proposal. As the work nears completion changes are being made to the website to make the information available to the public. Please check back regularly to see the latest information.

Project proposals in the past focused on the production of "heavy media" a high-grade magnetite product used by the coal industry.

In its continued efforts to minimize impact on its neighbours and the environment, the Company has developed a product line and production system that eliminates the need for water in the process. In addition, the end product will use almost 100% of the raw ore rather than only that portion that consists of magnetite. This will eliminate tailings issues, extend the life of the mine and lower operating costs.

In a Press Release in December of 2007 Mr. Stan Marshall, President of Micrex Development Corp., was quoted as saying, "This announcement is another example of how Micrex continues to meet its commitment to work towards innovative solutions to reduce project impact while enhancing the value to our shareholders. Two years ago, a Micrex controlled lab scale crushing and grinding circuit was commissioned to carry out research and development. Over the last year Micrex introduced its dry products to the intended market. Micrex is pleased to announce the successful conclusion to this effort. The response received has been excellent. The markets identified are both long term and of sufficient size to justify the move to products that require only dry processing. Micrex has already taken significant steps towards a minimal impact project but this change will truly move this project to one of least possible impact while enhancing its economics."

Positive changes from the perspective of local stakeholders:

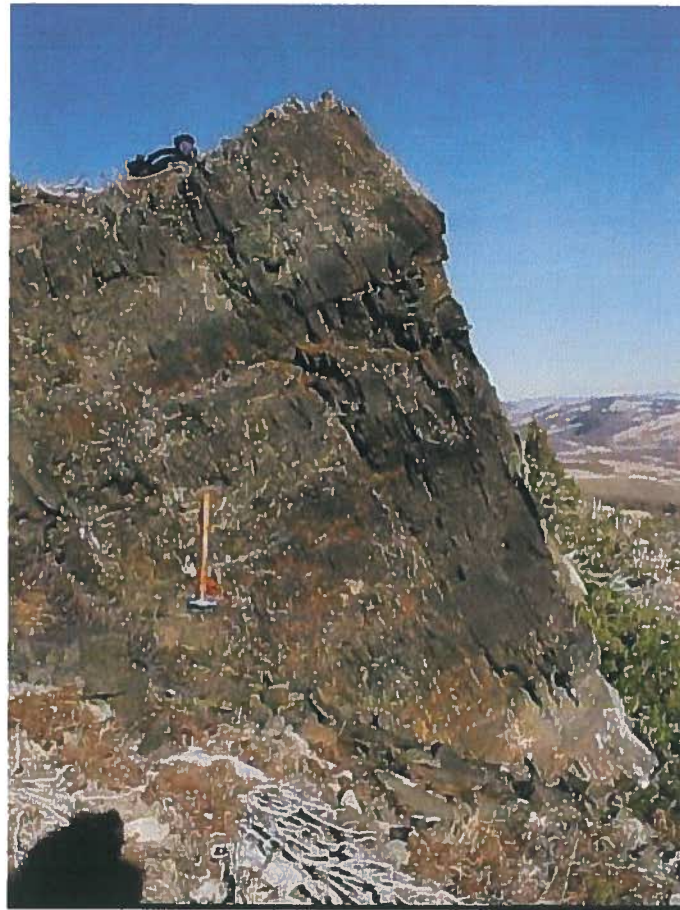
1. The need for process water has been eliminated.
2. A process water holding pond is no longer required.
3. The product line utilizes the whole rock rather than just the magnetite portion of the ore, meaning tailings, in the form of non-economic reject materials, have largely been eliminated.
4. Some stakeholders expressed concerns about tailings disposal in a holding pond next to the plant and in the quarry. The new products produce virtually no tailings, thereby eliminating the need for a tailings pond. As there will be no disposal of tailings in the quarry, the quarry operation will also have a lower impact.
5. Because the operation does not reject a portion of the ore in the production process, less ore is required to be mined. This means decreasing by 2/3 the number of truck trips from the quarry to the plant compared to the original projections. It also results in a much smaller operation at the quarry, a reduced ore stockpile at the plant and a smaller plant to process ore, overall, a smaller project footprint.
6. By lowering the number of tonnes required from the quarry, the seasonal operation of the quarry can be even more flexible.
7. Under the original 10 year mine life projection, an area of approximately 100 meters by 200 meters would be impacted per year. Under the new design that same 100 by 200 meter area will last 3 years, further decreasing the environmental impact.
8. Local employment opportunities created will remain the same, but with a longer project life.

Along with addressing stakeholder concerns, this project revision will create a significant economic benefit for Micrex and its shareholders.

Positive changes from the perspective of Micrex shareholders:

1. The cost to produce a tonne of marketable product has been reduced by almost 50%.
2. The capital cost of building a tailings pond/water holding pond has been eliminated.
3. Tailings disposal costs for trucking and reclamation are gone.
4. The tonnage requirements for raw ore have been cut by 2/3 resulting in lower mining costs, trucking costs and processing costs.
5. The processing plant has been simplified with much of the equipment either eliminated or downsized resulting in lower capital cost for the processing plant and lower costs overall for processing.
6. The largest economic benefit for the shareholders is the increased value of the project as a result of utilizing 100% of the raw ore. Without changing the projected area, the life of the mine has been extended from the originally projected 10 years of heavy media production to 30 years for the new products. Micrex can take advantage of the resulting increase in mine life by realizing an annual economic benefit on par with heavy media but for 30 years rather than 10.

Micrex believes that these changes represent a major benefit to all those involved with the Burmis Magnetite Project and looks forward to moving to mine permitting shortly.



Magnetite Outcrop At Burmis Property
Red stick is one meter long



Municipality of Crowsnest Pass

Council Agenda Report

Meeting: Governance & Priorities Committee
Meeting Date: May 10, 2011
Originated By: Cam Mertz
Subject: **CROWSNEST COMMUNITY TRAILS BYLAW**
Agenda Item No: **GPC 2011-013**

Administration Recommendation:

Administration recommends to the Policy Committee to forward Bylaw 816, 2011 to the Governance & Priorities Committee.

Policy Committee Recommendation:

To forward Bylaw 816, 2011 to the May 10, 2011 Governance and Priorities Committee

Discussion:

The Community Services Department is proposing the implementation of a Crowsnest Community Trails Bylaw. The purpose of the proposed Bylaw is to formally define the intended use of the trail system(s) and to regulate the activities through enforcement of the Bylaw.

This proposed Bylaw is a new proposal resulting from the pending completion of the new developments on the Walking Trail. This proposed Bylaw may be considered complimentary to existing Bylaw 722, 2007, Off Highway Vehicle Control Bylaw.

The implementation of this Bylaw supports the sustainability of this community project by providing enforcement of rules and regulations designed to protect the amenities of the walking trail, ensuring the safety of the trail users and committing to the landowners that the land use agreements put in place will be safeguarded against non-authorized activities (ex. Motorized Use).

Approvals:

CAO 

Department Head 

Providing support for the Bylaw would exhibit to residents and visitors that the Municipality of Crowsnest Pass is committed to a) maintaining the integrity of a high quality and diverse trail system and b) providing a safe, aesthetic and comfortable environment.

Alternatives:

The ability to enforce the rules and regulations specified in the document underline the need for a Bylaw to be developed rather than it becoming a policy. Several communities were consulted in the initiation of this document all indicating they have a Bylaw supporting the rules and regulations.

Financial Impact:

It is not expected that the Bylaw will require a tremendous amount of attention by the Bylaw Enforcement Officer so the financial impact associated with implementing the Bylaw will be limited.

Attachments:

- DRAFT- Crowsnest Community Trails Bylaw

**BEING A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS
TO REGULATE THE USE OF THE CROWSNEST COMMUNITY TRAILS
AND TO REGULATE ACTIVITIES ON THE CROWSNEST COMMUNITY TRAILS**

WHEREAS The Municipality of Crowsnest Pass' Crowsnest Community Trails are valued and treasured assets, and protecting their value and quality is a high priority as is ensuring that they remain safe and accessible for the enjoyment of all Crowsnest Pass residents and visitors.

AND WHEREAS The Municipality of Crowsnest Pass is committed to:

- a) maintaining the integrity of a high-quality and diverse trail system; and
- b) providing a safe, aesthetic and comfortable environment by:
 - i. protecting our Parks and Natural Areas;
 - ii. providing environmental stewardship, programs and services; and
 - iii. prohibiting activities that damage the Municipality's assets and jeopardize public safety.

AND WHEREAS the Bylaw 816, 2011 empowers Council for The Municipality of Crowsnest Pass to pass bylaws;

NOW THEREFORE THE COUNCIL OF THE MUNICIPALITY OF CROWSNEST PASS ENACTS AS FOLLOWS:

SHORT TITLE

- 1. This bylaw may be cited as the "Crowsnest Community Trails Bylaw".
- 2. In this Bylaw, where capitalized:
 - a. "*Amenity*" means anything constructed or placed in along the Crowsnest Community Trails whether temporary or permanent, excluding Park Vegetation and including any sign, building, wall, bench, table, railing, stairs, BearSmart garbage bin, 'dog poo bag' dispenser, fence, bridge, boardwalk, guardrail, memorial marker, memorial tree or other similar thing;
 - b. "*Bicycle*" means a cycle propelled by human power on which a Person can ride regardless of the number of wheels it has;
 - c. "*Centre Line*" means a longitudinal division of a Trail whether or not the division is indicated on the surface of the Trail;
 - d. "*Council*" means the elected Mayor and Council Members for The Municipality of Crowsnest Pass;

- e. "*Cyclist*" means a Person who rides or is in actual physical control of a Bicycle;
- f. "*Director*" means the Community Services Director or his designate;
- g. "*Dog*" means a male or female animal of the canine species and includes an animal that is a cross between a wolf and a dog or a coyote and a dog or a combination thereof.
- h. "*Emergency Vehicles*" means a vehicle used for Police duty, by a Fire department, by the Rescue Department, as an Ambulance, or for purposes relating to maintenance of a public utility and designated as an emergency vehicle by the Director.
- i. "*Exempt Vehicles*" means a vehicle which is used by an employee of the Municipality, or an employee of the Government of the Province of Alberta, or a Member of the Legislative Assembly of the Province of Alberta.
- j. "*Municipality*" means The Municipality of Crowsnest Pass, a municipal corporation in the Province of Alberta and includes the area contained within the boundaries of the municipality where the context requires;
- k. "*Officer*" means a Bylaw Enforcement Officer of The Municipality of Crowsnest Pass or a member of the Royal Canadian Mounted Police;
- l. "*Permit*" means the written permission of the Director to do something in or on a Trail;
- m. "*Person*" means an individual or any business entity including a firm, partnership, association, corporation or society, but does not include The Municipality or an Officer or any of their employees, who are acting within the course and scope of their employment;
- n. "*Trail*" means the designated Crowsnest Community Trails that is established, and used by pedestrians or Cyclists, or both which is improved by concrete, asphalt, brick, compact granular surface or natural trail surface and includes any bridge or structure with which it is contiguous;
- o. "*Vehicle*" means:
 - i. cars, trucks, boats, all terrain vehicles, mini-bikes, motorcycles, dirt bikes, snowmobiles or other devices which are or may be propelled by a motor; and
 - ii. trailers, campers, non-power boats or other devices which may be towed behind other vehicles; but
 - iii. does not include Bicycles and Wheeled Conveyances;
- p. "*Wheeled Conveyance*" means roller-skates, in-line-skates, roller skis, skateboards, scooters, motorized 3 or 4 wheeled scooters designed for Persons with infirmities, motorized wheelchairs, or other similar devices but excludes Bicycles, Vehicles or any other motorized scooters.

SCOPE

3. This Bylaw shall apply to all sections of the designated Crowsnest Community Trails network in the Municipality.

PROHIBITED ACTIVITIES

4. No Person shall damage, deface, destroy, remove or use other than for its intended purpose any Trail or Trail Amenity.
5. No Person shall perform or engage in any stunt, trick or reckless behavior or unsafe activity on or in any Amenity or Trail.
6. No Person shall engage in any conduct or activity in or on the Trail which may:
 - a. injure any other user of the Trail;
 - b. disturb the use or enjoyment of the Trail by any other user of a Trail;
 - c. damage the Trail or an Amenity on the Trail; or
 - d. be inconsistent with the purpose of the Trail.
7. No Person shall operate any type of Vehicle on the Trail. Peace Officers, Municipal representatives, or any person operating Emergency Vehicles and Exempt Vehicles in the execution of duties, are exempt from this section.
8. No person shall utilize poles while operating a Wheeled Conveyance.

TRAILS

9. No Person shall ride a Bicycle or use a Wheeled Conveyance or Vehicle on any Trail which is closed, or where such use is prohibited. No Pedestrian should access a Trail which is closed, or where such use is prohibited.
10. Notwithstanding any other provision in this Bylaw, no Person shall leave a Trail while the Trail crosses grazing leases or private land.
11. Unless otherwise posted by the Municipality, the Municipality suggests no Person shall operate a Bicycle or Wheeled Conveyance in a Park at a speed greater than twenty (20) kilometers per hour.
12. No Person using the Trail shall travel at a rate of speed that is unreasonable having regard to all the circumstances, including but not limited to:
 - a. the nature, condition and use of the Trail;
 - b. any conditions, including weather, that may affect visibility; and

- c. the volume and type of traffic on the Trail regardless of whether that person is travelling at the applicable speed limit.

TRAIL RULES

13. A Person with a dog using the Trail shall:
 - a. secure the dog on a leash no longer than three metres;
 - b. not interfere with or obstruct other users; and
 - c. pick up and dispose of all feces.
14. When entering onto the Trail from other routes all Persons shall yield the right of way to users already on the Trail.
15. When approaching an uncontrolled intersection between a Roadway and the Trail a Person using the Trail shall:
 - a. when on a Trail, yield the right of way to users on a Roadway; and
 - b. when on a Trail, approaching an uncontrolled intersection with another pathway, yield the right of way to the user on the right.
16. A Person using the Trail shall:
 - a. exercise due care and attention to avoid colliding with any other user;
 - b. exercise reasonable consideration for any other user;
 - c. give an audible signal by voice, bell or other signaling device before overtaking another user; and
 - d. ensure they are visible to other users.
17. No Person using the Trail shall travel left of the Centre Line of the Trail except:
 - a. when overtaking another Person travelling in the same direction;
 - b. when the Trail to the right of the Centre Line is obstructed;
 - c. when the Trail to the right of the Centre Line is closed to Trail users; or
 - d. when turning left off the Trail.
18. No Person using the Trail shall pass or attempt to pass another Person travelling in the same direction when:
 - a. it is unsafe to do so;
 - b. on a curve in the Trail, when that Person's vision is obstructed; or
 - c. passing beneath a bridge or through a tunnel of any kind.
19. No Person overtaking another Person on the Trail shall return to the right-side of the Centre Line of a Trail until it is safe to do so.

20. No Person shall operate a Bicycle or Wheeled Conveyance on the Trail in a manner that is unsafe to that Person or other people on the Trail.
21. No Person riding a Bicycle or Wheeled Conveyance on the Trail shall use the Bicycle or Wheeled Conveyance to carry more Persons than the number for which it is designed and equipped.
22. No Person operating or riding as a passenger on a Bicycle or Wheeled Conveyance on the Trail shall:
 - a. hold onto; or
 - b. be attached to;any other Bicycle, Wheeled Conveyance or Vehicle unless that person is riding in a child or animal trailer designed for such use.

PERMITS

23. The Director may grant Permits allowing any activity on the Trail which is otherwise prohibited by this Bylaw including:
 - a. allowing parades, events or public gatherings on the Trail;
 - b. allowing Vehicles to operate on the Trail at locations other than roadways;
 - c. allowing the placement of temporary signs or banners.
24. The Director may place any conditions the Director considers reasonable on any Permit.
25. A Permit is valid only for the period of time it is granted.
26. The Director may amend, vary or revoke a Permit at any time.

MISCELLANEOUS

27. Nothing in this Bylaw relieves a person from complying with any federal or provincial law or regulation, other bylaw or any requirements of any lawful permit, order, consent or other direction.
28. Where this Bylaw refers to another Act, Regulation or agency, it includes reference to any Act, Regulation or agency that may be substituted therefore.
29. Every provision of this Bylaw is independent of all other provisions, if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

MINIMUM PENALTIES AND SUBSEQUENT OFFENCES

30. The minimum penalty which may be imposed for:
- a. a first offence in respect of a violation of any provision of this Bylaw excluding Section 7, shall be \$25.00;
 - b. a second offence of the same provision of this Bylaw excluding Section 7, within a twenty-four month period shall be \$50.00; and
 - c. a third or subsequent offence of the same provision of this Bylaw excluding Section 7, within a twenty-four month period shall be \$150.00.
 - d. Every person guilty of an infraction of Section 7 hereof shall upon summary conviction be liable to a penalty not exceeding FIVE HUNDRED (\$500.00) DOLLARS.
 - e. In the event the Officer shall observe any person operating a Vehicle contrary to the provisions of Section 7 hereof, such Officer may thereupon seize and impound such Vehicle so operated, and such Vehicle shall only be released to its owner on payment to the Municipality of an impound fee of FIFTY (\$50.00) DOLLARS for each day, or part thereof that such Vehicle remains impounded, plus applicable towing charges. These fees shall be paid at the Municipal Office of the Municipality before the release from impound of any such Vehicle to its registered owner. In the event that such fees remain unpaid in excess of thirty (30) days, the Municipality may sell such Vehicle at public auction, and the proceeds of such sale shall be applied:
 - i. first, to the costs of such sale at public auction;
 - ii. secondly, to the fees accumulated from the date of such seizure and impoundment to the date of sale the balance, if any, shall be paid to the owner of such Vehicle. Any fees owing shall be recovered from the owner of such Vehicle by action in a court of competent jurisdiction.



Municipality of Crowsnest Pass

Council Agenda Report

Meeting: Governance and Priorities Committee
Meeting Date: May 10, 2011
Originated By: Cam Mertz
Subject: **AGRICULTURE SERVICE BOARD BYLAW**
Agenda Item No: **GPC 2011-014**

Administration Recommendation:

Administration recommends to the Policy Committee to forward Bylaw 825, 2011 to the Governance and Priorities Committee.

Policy Committee Recommendation:

To forward Bylaw 825, 2011 to the May 10, 2011 Governance and Priorities Committee.

Discussion:

The development of an Agricultural Service Board within the Crowsnest Pass has been the direction of Council since the Municipality became affiliated with the Alberta Association of Municipal Districts and Counties (AAMDC). In 2010 the Crowsnest Pass became the 70th Agricultural Service Board within the Province.

June 2005: Motion to investigate the potential of establishing a Crowsnest Pass Agriculture Service Board.

September 2010: Motion to instruct administration to establish an Agriculture Service Board in the Crowsnest Pass

The establishment of the Agriculture Services Board Bylaw will allow for administration to begin the recruitment procedure. The appointment of members to the Agriculture Services Board will provide focused attention on all matters and concerns related to agriculture issues in the community and ensure citizen concerns are addressed and reported to Council in an expedient way.

Approvals:

CAO

Department Head

Alternatives:

The establishment of an Agriculture Services Board is a requirement of our funding agreement with the Province. As indicated in the Agriculture Services Board Strategic Plan the mission of the Agriculture Service Board is *“The Municipality of Crowsnest Pass Agricultural Service Board will work within and adhere to the following Acts and Regulations: Agricultural Service Board Act, Weed Control Act, Soil Conservation Act, and the Agricultural Pests Act. The Service Board will also work with land owners to deliver relevant sustainable environmental stewardship programs to the community that encompass the local climate, soil, fauna, and hydrologic systems within Municipal boundaries. All members of the Agricultural Service Board will be committed to environmental conservation in the Crowsnest Pass (CNP) and will work with due diligence to use best practices in order to recommend appropriate recommendations for conservation issues to the Municipal Council.”*, 2010.

Financial Impact:

The Alberta Agriculture Service Board funding is on a three year basis. The funding is contingent on a municipal base expenditure of \$60,000.00 and based on qualifying expenditures of the Agriculture Services Department.

Attachments:

- DRAFT- Agriculture Service Board Bylaw

MUNICIPALITY OF CROWSNEST PASS

Bylaw 825, 2011

A BY-LAW OF THE MUNICIPALITY OF THE CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, ESTABLISHING THE CROWSNEST PASS AGRICULTURE SERVICE BOARD AND SET FORTH THE DUTIES AND RESPONSIBILITIES THEREFOR.

WHEREAS, the Municipal Government Act (Pursuant to Sections 145 and 146) authorizes the appointment of an Agriculture Service Board to advise on such powers as determined by Council for the control and supervision of Agriculture Service Board Programs;

NOWTHEREFORE, The Council of the Municipality of Crowsnest Pass, duly assembled, does hereby enact as follows:

1. DEFINITIONS

- a) "Council" – the Municipal Council of the Municipality of Crowsnest Pass
- b) "Board" – the Crowsnest Pass Agriculture Service Board
- c) "Municipality" – the Municipality of Crowsnest Pass
- d) "Department" – the Crowsnest Pass Culture and Recreation Department
- e) "Minister" – means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act

2. ESTABLISHMENT

A) NAME

- i) There is hereby established and constituted a Board to be known as the Crowsnest Pass Agriculture Service Board to exercise the duties and powers and to perform the functions as prescribed by this By-Law.

B) BOARD MEMBERSHIP

- i) The Board shall consist of up to five (5) members, all of which shall be appointed by Council. There will also be one (1) elected Councilor of the Municipality on the Board.
- ii) Each of the citizens at large members of the Board shall hold office for different term lengths: one (1) position for a one (1) year term, two (2) positions for a two (2) year term, and two (2) positions for a three (3) year term, and the elected Councilor shall hold office for a 1 year term. These terms will commence on November 1st of the appropriate year, except that an appointment to fill a vacancy

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AGRICULTURE SERVICE BOARD BYLAW
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may be made for the balance of that term.

iii) As per the section 186 of the Municipal Government Act “if there is equal number of votes for and against a resolution or bylaw, the resolution or bylaw is defeated. (1994 cM-26.1 s186)

C) DISMISSAL

i) Notwithstanding Section 2 (b) (ii), Council shall review annually the membership of the Board and may in consultation with the Board Chairman, for any reason it considers proper, revoke the appointment of a member of the Board and appoint a successor to fill the vacancy for the remainder of the term.

D) RESIGNATION

i) Any member of the Board may resign at any time by forwarding written notice to that effect of the Chairperson and/or the Agricultural Fieldman.

E) DISQUALIFICATION

i) A member ceases to be a member of the Board when he or she:

1. Fails to attend three (3) consecutive regular meetings of the Board, unless such absence is due to illness or authorization by resolution of the Board;
2. Ceases to be a resident of the Municipality.
3. Is hired in any capacity with the Municipality; or
4. Ceases to be an elected member of Council.

F) VACANCIES

i) The Board shall, when a vacancy occurs on the Board, advertise to fill that position(s) from the community at large (with the exception of Council Members). Should the vacancy not be filled, then it shall be advertised for a second time. If the vacancy is not filled then the Board may commence direct recruitment.

ii) The outgoing Board Members are entitled to reapply.

iii) The Board shall recommend name(s) of selected candidates to Council for appointment.

G) OFFICES

i) At its first meeting in September of each year, a Chairperson and Vice-Chairperson shall be chosen by majority vote of the Board for a term of one (1) year;

ii) The Chairperson is the Chief Officer of the Board and shall preside at all meetings of the Board when present. He/She will be responsible for supervising the conduct of the Board members in the performance of their duties and bring such matters to the attention of the Board as warranted;

iii) The Vice-Chairperson shall perform the duties of the Board Chairperson in that officer's absence and such other duties as directed by the Board;

iv) Should a vacancy occur among the members of the Board, another member shall be chosen to fill that vacancy for the remainder of that term.

H) DUTIES

i) The duties of the members of the Agriculture Service Board (as per section 2 of the Agricultural Service Board Act) shall be:

1. To act as an advisory body and to assist the Council and the Minister, in matters of mutual concern,
2. To advise on and to help organize and direct weed and pest control and soil and water conservation programs,
3. To assist in the control of animal disease under the *Animal Health Act*,
4. To promote, enhance and protect viable and sustainable agriculture with a view to improving the economic viability of the agricultural producer,
5. To promote and develop agricultural and environmental policies to meet the needs of the Municipality,
6. To hear public delegations and review disputes and/or complaints regarding activities and policies of the Board,

ii) The agricultural fieldman shall act as a designated officer of the Municipality as per section 8(2) of the Agriculture Service Board Act:

1. In carrying out functions, duties and powers of the Municipality under any Act relating to Agriculture, and
2. In implementing projects respecting agriculture and environment agreed upon between the Council and the Minister.

iii) An agricultural fieldman is, in the Municipality employing that fieldman (as per section 8(3) of the *Agriculture Service Board Act*):

1. A Municipal inspector under the Weed Control Act,
2. An inspector of the Municipality under the Agricultural Pests Act, and
3. A soil conservation officer of the Municipality under the Soil Conservation Act.

iv) Clerical and minute taking assistance will be provided by the Administrative Assistant of the Municipality.

I) REMUNERATION

i) All "Citizens at Large" Board members shall hold office without remuneration.

J) PERSONAL CONFLICT

i) Personal Conflict means that the matter being voted on:

1. Could monetarily affect the Board Member or an employee of the Board Member,
or
2. The Board Member knows or should know that the matter could monetarily affect the Board Member's family.

ii) A Board Member is monetarily affected by a matter if the matter monetarily affects:

1. The Board Member directly;
2. A corporation, other than a distributing corporation, in which the Board Member is a shareholder, director or officer;
3. A distributing corporation in which the person beneficially owns voting shares carrying at least ten percent (10%) of the voting rights shares of the corporation or of which the person is a director or officer; or
4. A partnership or firm of which the person is a member.

iii) A Board Member does not have a Personal Conflict by reason of only:

1. That the Board Member may have with respect to any allowance, honorarium, remuneration, or benefit to which the Board Member may be entitled to by being a Board Member;
2. That the Board Member or a member of the Board Member's family may have by being employed by the Government of Canada, the Government of Alberta or a federal or provincial Crown Corporation or agency, except with respect to a matter directly affecting the department, corporation or agency of which the Board Member or a member of the Board Member's family is an employee;
3. That a member of the Board Members family may have by having an employer, other than the Municipality, that is monetarily affected by the decision of the Board;
4. That the Board Member or member of the Boards Member's family may have by being a member or director or a non-profit organization or a service club; or
5. That is so remote or insignificant that it cannot reasonably be regarded as likely to influence the Board Member.

3. MEETINGS

A) REGULAR MEETINGS AND CONFERENCES

- i) Regular meetings shall be held every month unless otherwise decided by resolution of the Board, provided that a minimum of ten (10) regular meetings are held each year, at a time and place so designated by the Chairperson. Meetings will take place every third (3) Wednesday, of every month.
- ii) At least one (1) Board member will attend the Southern Alberta Agriculture Service Board Committee Meetings held throughout the year.
- iii) At least one (1) Board member will attend the annual Provincial Agriculture Service Board Conference (3 days long).
- iv) All members of the Board will attend any member of the public's appeal meeting concerning offences under the Weed Control Act, Agricultural Pests Act, and the Soil Conservation Act.

B) SPECIAL MEETINGS

- i) Special Meetings of the Board may be called by the Chairperson or any four (4) members of the Board by giving at least twenty-four (24) hours notice prior to such meetings, stating the time, place, and date, and nature of the business to be transacted.

C) VOTING

- i) All Board Members including the Chairperson shall vote on all questions before the Board, except in issues of personal conflict, and in the event of a tie vote, the motion shall be lost.

D) QUORUM

- i) A quorum of the Board shall be a majority of its members at the time, but in any case not less than four (4) members of the Board.

E) STANDING COMMITTEES

- i) The Board may appoint Standing Committees from among its members to perform such functions of the Board as it may determine, and the Chairperson or Board may appoint such other Special Committees consisting of members or non-members to perform such duties as may be determined for advisory purposes.

F) RECORDS/MINUTES

- i) A minute book shall be kept and the minutes of all regular and special meetings of the Board shall be recorded therein. The meeting minutes will later be forwarded onto Alberta Agriculture and Rural Development Agriculture Service Board Program staff for review as per the Agriculture Service Board Grant agreement.

G) ANNUAL REPORT

REPORT TO COUNCIL ON:

- i) On an annual basis on organizational relationships, service goals, and evaluation, future plans/goals, and any other matter deemed appropriate;
- ii) On any substantive change to service levels and/or long term plans.



Municipality of Crowsnest Pass

Council Agenda Report

Meeting: Governance and Priorities Committee
Meeting Date: May 10, 2011
Originated By: Tully Clifford, Chief Administrative Officer
Subject: **BLAIRMORE MOBILE HOME SITES**
Agenda Item No: **GPC 2011-015**

Administration Recommendation:

That the Governance and Priorities Committee recommend that Council provide direction to Administration regarding the mobile home sites in Blairmore owned by the Municipality.

Background:

The Municipality owns lots 17 – 31, Block 10 Plan 3319I in Blairmore. The lots are along 22nd Avenue between 134th and 135th Streets. A schematic of the lots is included as Attachment A. The lots have been rented to mobile home owners since before amalgamation when the lots were owned by the Town of Blairmore. There are seven mobile home sites, or 2 lots per site. Twelve of the lots are 25' x 105' each and the remaining three lots are somewhat irregular. The lots have an unrestricted view of the Crowsnest River.

The water line is presently located under the mobile homes. The sewer mains are located on 22nd Avenue. Natural Gas lines are located in the alley as are cable television and telephone service lines.

Discussion:

There has been some discussion over the years in an attempt to determine what the best use would be for the previously mentioned lots. Given the complexity of this matter and the impact on current residents Council has yet to determined a final position. Unfortunately, this has left Administration to deal with matters on a case by case basis,

Approvals:

CAO

Handwritten signature of Tully Clifford in black ink.

Department Head _____

and this has proven to be less than consistent. In the not so recent past Council identified these lots as having good redevelopment potential given their proximity to the river. This included discussion regarding the disposition of the mobile homes on the lots. Accordingly, Council passed the following motion on December 18, 2007:

M#3200-07: Councillor G. Taje moved that the mobile home located on lots 28-29, Block 10, Plan 3319 I be removed within 5 months.

Attachment B is a copy of the letter from Administration, dated December 20, 2007, advising the owner that the mobile home would have to be removed. The owner instead decided to sell the mobile home to a senior citizen so the mobile home is still on the site. This was consistent with the practice that was followed regarding the sale of the mobile homes and reassignment of leases. Attachment C is a copy of the letter authorizing the sale of the mobile home.

It was recently determined that Administration had not be charging property tax on the lots, even though the leases stipulated the lessees would be responsible for any taxes. Letters have been sent to all lessees advising that they are now responsible for the property taxes. This is in addition to their monthly fee of \$140. The lessees are also responsible to pay utility costs.

An owner of one of the mobile homes has an offer to sell her trailer and has inquired as to whether or not that would be permissible. In the past some of the owners were advised that their mobile homes could only be sold to senior citizens. With this pending sale Administration is looking for direction from Council. There are several issues that Council may wish to consider:

- If new leases will be offered by the Municipality when mobile homes are sold or if the new owner will be required to remove the mobile home from the location;
- If there are any age restrictions regarding the sale of the mobile homes and/or the lease agreements;
- If lessees are allowed to sublet the mobile homes;
- The length of time that should be given when a lease is terminated and/or a mobile home is sold and is ordered to be removed. Current owners have indicated they are concerned it may not be possible to remove the mobile homes due to their age. This concern has not been validated by Administration;
- If the Municipality should have all the mobile homes removed within a specified timeframe; and
- If there is a better use for the land.

Administration is looking for direction from Council on this matter in order to provide consistent responses and to take action that would be in the best interest of the Municipality.

Alternatives:

Council could choose to leave issues relating to the mobile home sites in Blairmore owned by the Municipality to the discretion of the Administration or could issue firm direction to Administration regarding the long term disposition of the sites.

Financial Impact:

There are many financial impacts associated with the disposition of the mobile home sites in Blairmore owned by the Municipality. Different land uses will generate different levels of property tax revenues. Revenue could be derived by selling the land in its current configuration or by relocating the water line and selling the land for another use, such as single family residential.

Retaining the current land use and permitting the mobile homes to be sold, be it to senior citizens or others, will provide on-going lease and property tax revenue to the Municipality.

Attachments:

- A. Site Schematic
- B. Letter Dated December 20, 2007
- C. Letter Dated April 9, 2008

Attachment A

Blairmore Mobile Home Sites

