

**SUMMER VILLAGE OF SILVER SANDS
AGENDA**

Friday, February 24th, 2016 – at the Fallis Hall 9:00 a.m.

1. Call to order
2. Agenda a) Friday, February 24th, 2016 Regular Council Meeting
3. Minutes: p1-7 a) Friday, January 13th, 2016 Regular Council Meeting
4. Delegations: p8-12 a) Tom Puffer – 10:30 am, Wabamun Lake Regional Bylaw Services
6. Bylaws: p13-18 a) Bylaw #268, Regional Emergency Management – a Regional Emergency Advisory Committee and a Regional Emergency Management Agency to provide for Emergency Management for the Silver Sands Summer Village and Summer Villages that are partner of this bylaw. These documents have been prepared by the consultants working for ERMC and this all part of the Regional Emergency Services Project *(for Council to give all readings to bylaw)*

b) Bylaw #269 – Bylaw to rescind the Lake Isle Area Structure Plan, from our records it is believed this was intended to be rescinded years ago, but was not done that we can determine. It is our understanding that Parkland County has rescinded this ASP, and that Lac Ste. Anne has (or intended to) as well. We are asking for first reading of this bylaw, and then a public hearing will have to be held at our next Council meeting, and then consideration for 2nd and 3rd readings can be given *(give 1st reading to Bylaw #269, and set public hearing for next Council meeting)*

p19-20
7. Business: a) Municipal Reserve Lands – further to discussions at our last three Council meetings, Administration has the following comments on this matter. The Summer Village commenced review and enforcement of encroachments on municipal reserve properties, starting on the Summer Villages very west end which in part was chosen because we knew there were significant infractions in this area. My recollection of the initial discussion when we commenced this project, was that the Summer Village would continue this review and enforcement throughout the Summer Village in an organized and orderly fashion, and as annual budgets allow – meaning a phased project over several years. Which I believe is still the direction of Council. We have now received a verbal request from a property owner along this very west municipal reserve to be able to lease a portion of this reserve property to encompass their encroachments and to allow a fire land mitigation buffer to be retained. I have reviewed the MGA sections that pertain the municipal reserve property, and I have discussed this with the Summer Villages Development Officer as well as Planner, and have also discussed this with fellow CAO's. None of us believe this can be done as requested, nor do we

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believe this would be a good idea for the municipality as a whole.

Here are excerpts from the Municipal Government Act;

1. The proposed use of the MR lands (ie. For lease to adjacent landowners) is contrary to MGA, Section 671(2), where allowable uses are:

a) A public park;

b) A public recreation area;

c) School board purposes;

d) To separate areas of land that are used for different purposes.

2. MGA, Section 674(1) Disposal of municipal and school reserves provides that if

a) A council wishes to sell, lease or otherwise dispose of municipal reserve or community services reserve, or

b) A council and a school board wish to sell, lease or otherwise dispose of municipal and school reserve,

A Public hearing must be held in accordance with Section 230 and must be advertised in accordance with Section 606. Pursuant to MGA, Section 675(1), if Council, after considering all submissions at the Public Hearing under Section 674, deems it appropriate, the Municipal Reserve designation may be removed from the MR lands. Once this action has been taken, the lands are similar to any other vacant lands within the municipality. Council may sell the entire parcel, lease the entire or portion thereof, or even subdivide the lands for residential development as they did with the now Poppy Place.

3. Where Council were to dispose of the MR lands within the community, and wished to lease such lands to adjacent landowners, it is recommended:

a) All efforts be made to keep the lands in pristine condition while the Municipality holds title. (ie. Any lease agreement should include a provision for a bond to be put in place for any required remediation as a result of actions taken by the lessee and an environmental assessment be undertaken by the Municipality prior to the return of the bond amount).

b) Lessees must carry liability insurance.

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c) Certainly, at Council pleasure, but the price for leasing the lands should be at the market rate.

There are a considerable number of vacant properties, and properties for sale, within the Municipality. The former MR lands which are now encompassed by Poppy Place are still largely undeveloped; where that development was undertaken a decade ago.

However, this is Council's decision, and there are several initial angles that need to be considered in this:

-we need to be consistent in what we do, so if we were to take this step in this area, we would have to ensure it was also available in other areas. Having said that, the wild fire mitigation buffer discussion does put a somewhat unique angle to this particular area, but is something that certainly requires further discussion.

-if we proceeded with this and keeping in mind the theory that we need to be consistent throughout the municipality, there are properties on the east end which are not lake front and do not have a municipal reserve adjoining them, so already it is impossible to be consistent (I have attached maps of both the east and west end)

- if Council determined this area is unique and there are merits to proceeding in this one location only, then I would suggest we proceed disclosing to those residents along this area that all associated costs would have to be borne by them and not the municipality as a whole – or at least a portion of these costs. If Council determined there is merit in the fire mitigation strategy, then perhaps a portion of these costs could be borne by the municipality as a whole. These costs would include administration time, public hearing costs including advertising, survey costs, and legal costs (and perhaps others that I have not thought of at this time). And if Council was going to give any further consideration to any of this, I would suggest a legal opinion should be obtained prior to continuing any further on this. And if we are to consider this one area to start, we would have to confirm all property owners affected by it are on board and willing to bear associated costs.

- if the municipality was to proceed with leasing a portion of this municipal reserve (or any other) I believe we need to consider completing a Phase I Environmental Assessment prior to leasing this so we know exactly the state of the land in question at present. I do not know what this would cost, but I would suggest it would be cost recovery. Then to follow through with this, I would recommend the lease holders would have to complete another Phase I Environmental Assessment every 5 years, as well as prior to the lease ending, to ensure the property is returned in the same state in which it was leased. This type of an assessment would be looking for things like lead, fuel, battery acid, grey water etc. The municipality would have to ensure something was written into the lease agreement with respect to recovery of costs,

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where costs are incurred or the land is negatively affected (contaminated).

- my interpretation of the Act is that this cannot be done in the fashion that I believe the resident is requesting. In that if the municipality was to lease a portion of the municipal reserve, this land will still have to be able to be accessed by the public. Meaning, the public can still walk down this property. If there was a fire pit and chairs on the municipal reserve anyone to stop, start a fire, sit down and enjoy their wiener roast. If there was a boat lift or hoist there, it could be interpreted that this is also a public chattel available to anyone to utilize and return, or hopefully return. The municipality does have the option to go through the process of removing the municipal reserve designation and selling a portion of this municipal reserve to the adjoining properties, but this is something that would need a great deal more discussion as to things like (but not limited to): does this make sense is it the right decision for this area and the Summer Village as a whole, ability to be consistent throughout the municipality, recovery of costs from those benefitting from this.

-also, Administration has gone back and have attached excerpts from our annual newsletters informing residents of the intended use of municipal reserves.

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(discussion and direction at meeting time)

- b) Safety Codes discussion – further to an email request from the Summer Village of South View, is Council interested in a joint meeting to discuss safety codes and sewage inspection and enforcement. *(participate in a joint meeting, or accept for information)*
- c) 2016 Annual Ground Water Monitoring – attached is the report prepared by Associated Engineering on the Silver Sands landfill. The results show that the groundwater within the site is within the Code of Practice for Landfills. Administration has been working with the Engineers, who have been working with Alberta Environment, to see if we can have the landfill reclamation officially closed *(for Council to accept for information)*
- d) Seba Beach Patrol Proposal – Council please see the attached proposal for Peace Officer Services. Under this proposal we would be looking at 10 hours minimum per month at a rate of \$110.00 per hour, this would include the travel for patrols and call outs during scheduled days/nights while on duty only. Court time would be included unless 10 hours have been exceeded then the standard fee would apply. Under the current agreement with the Town of Mayerthorpe we are paying \$90.00 per hour *(for discussion and direction at meeting time)*

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- p 34-39
- e) 2017 AEMA Regional Workshop Registration – March 8, 2017 in Edmonton from 8:30 am to 4:00 pm, registration is now open, attached is the agenda for the day, Liz Turnbull, DEM has already confirmed that she will be attending for the Summer Village of Silver Sands. (*authorize attendance*)
- p40-42
- f) ALARIE Recap and Update – please see attached bullet reviewing ALARIE's operations, Court proceedings and the next steps as put together by AUMA. A Court hearing has been scheduled for March 15th, 2017 at 9:00 am in Edmonton, AB to determine the distribution of assets. (*accept for information, or authorize attendance at March 15th court hearing if deemed appropriate, or some other direction as given by Council*)
- p43-56
- g) Town of Mayerthorpe – January 26th, 2017 letter and attached AFRRCs Third Party Agreement. This is all part of the Regional Radio Project and the Town of Mayerthorpe has agreed to host the agreement with the Province on behalf of all member municipalities. (*approve AFRRCs Third Party Agreement, and authorize its execution*)
- p57-59
- h) Association of Summer Villages – January 20th, 2017 letter seeking continued support of the Association, Silver Sand's 2017 dues are \$850.00 which is calculated using the 2017 Residential Equalized Assessment x 0.0242 Mills. (*for Council to approve the 2017 dues of \$850.00 to the Association of Summer Villages*)
- p60-62
- i) Alberta Urban Municipalities Association – February 3rd, 2017 letter and membership invoice for 2017. For 2017 the membership fee is \$994.08. (*Council to approve payment to AUMA in the amount of \$994.08 for 2017 membership fees*)
- p63-70
- j) 2017 FCSS Allocations – the Summer Village of Silver Sands has \$5,593.00 in FCSS money available. Similar to last year, we are seeking Council direction as to how you would like this money spent (direction as given by Council at meeting time)
- p71
- k) AUMA Mayors Caucus – March 7th and 8th, 2017 at the Shaw Conference Centre in Edmonton. Cost is \$75.00 plus GST per registration. The following Mayors Caucus is scheduled for June 12th, 2017 in Okotoks and has some agenda items dealing with emergency management (*authorize attendance or accept for information*)
- p72-80
- l) Honourable Peter Van Loan MP – January 19th, 2017 letter on Bill C-323 a proposal to create a 20% tax credit for rehabilitation work done on designated heritage buildings. MP Van Loan is asking for support by lobbying our MP Jim Eglinski to support this bill (*lobby MP or accept for information*)

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- m) *p81-83* 2017 Draft Operating and Capital Budget – further to our discussion at our last Council meeting, attached is the most recent version of the draft budget. Administration has done cuts to the budget since our last discussion as we were looking at a 14.2% increase and that was not acceptable. We are now down to 6.6% which is still too high in our opinion (*review budget and make changes*)
- n) *p84* Darwell Public Library – February 16th, 2017 email from Valerie McKenzie, President of the Darwell Public Library Services requesting funding from the Summer Village for 2016 and 2017. The Summer Village no longer has a service agreement with Lac Ste. Anne County, which in the past has funded the library a sum of \$6,000.00 a year. With no agreement in place the library did not receive any money last year and is now in a deficit for the 2016 year as they had budgeted the year including the \$6,000.00. The Library is asking for funding from the Summer Village for 2016 and 2017. From 2010 to 2014 the Summer Village contributed (through the County) between \$3,494.00 and \$2,542.00 annually to the library. (*for Council discussion and direction*)
- o) 2017 Election Dates – the Summer Village needs to hold its 2017 election in July or August, with nomination day being 4 weeks prior to Election Day I would also suggest setting an advance vote. (*set day, time and place nomination day, advance vote and election day*)
- p) April Council meeting date – Mayor Poulin is away mid April to mid May. Requesting consideration to move the April meeting up to earlier to April (*change meeting date or leave as is*)
- q)
- r)
- s)
8. Financial *p85*
- a) Accounts Payable – Cheque Listing for – December 2016, #1324 through #1348, including auto withdrawals totaling \$62,377.72
- p86-92* b) Income & Expense Statement – December 2016
- p93-101* c) Bank Reconciliation – December 2016
- d) Grant Report – N/A
9. Councillors' Reports
- a) Mayor Poulin
- b) Deputy Mayor Kirk
- c) Councillor Mazerolle

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10. Administration Reports

- a) Administration Report
-Development Officers Report
- b) Public Works Report
- written report

11. Information and Correspondence

- a) Fortis Alberta – January 25th, 2017, Approved Rates for 2017 effective January 1st, 2017
- b) Town of Mayerthorpe – January 2017 Community Peace Officer Report
- c) Canadian Postmasters and Assistants Association – January 23rd, 2017 letter regarding the report released on December 13th, 2016 on the Federal Government Standing
- d) Ogilvie LLP – January 16th, 2017 letter ALARIE Asset Distribution
- e) Government of Alberta – January 2nd, 2017 direct deposit \$1,646.00 FCSS First Quarter Payment
- f) Canadian Association of Oilwell Drilling Contractors – January 16th, 2017, requesting support of Oil and Gas Awareness Day on February 13th, 2017
- g) Alberta Municipal Insurance Exchange (MUNIX) – January 3rd, 2017, claim number: SILSA1618307 has been concluded and paid expenses total \$1,201.20
- h)
- i)

12. Open Floor Discussion with Gallery

13. In camera (if required) - N/A

14. Adjournment

Next Meetings:

- February 25th, 2017 at 9:00 a.m. – Summer Villages of Lac Ste. Anne County East
- March 31st, 2017 at 9:00 a.m. – Regular Council Meeting
- April 28th, 2017 at 9:00 a.m. – Regular Council Meeting