

By-Law 124

Being a By-Law of the Village of Glenwood to approve an Agreement pertaining to Senior Citizens Housing.

WHEREAS the Senior Citizens Housing Act, being Chapter S-17 of the Revised Statutes of Alberta, 1980, as amended, provides a means whereby low rental housing units and homes for Senior Citizens of the Province of Alberta may be made available in or to the municipalities thereof:

AND WHEREAS the Senior Citizens Housing Act provides for The Chinook Foundation to enter into an agreement with the other municipalities and the Alberta Housing Corporation for the operation and management of Senior Citizen homes;

AND WHEREAS the Alberta Housing Corporation of the said Province has submitted a draft copy of a proposed agreement to be entered into between The Municipal District of Cardston No.6, the Town of Cardston, The Town of Magrath, and The Chinook Foundation and the Alberta Housing Corporation for the purpose of permitting the Villages of Glenwood and Hill Spring to join the Chinook Foundation as contracting municipalities;

AND WHEREAS it is expedient that the VILLAGE of GLENWOOD enter into such an agreement, being an amending agreement to an agreement called the Master Agreement";
NOW THEREFORE THE COUNCIL OF THE VILLAGE OF GLENWOOD ENACTS AS FOLLOWS:

1. The *mayor* and Secretary Treasurer are hereby authorized to execute on behalf of the VILLAGE OF GLENWOOD an amending agreement to the Master Agreement with the Alberta Housing Corporation and The Municipal District of Cardston No.6, The Town of Cardston, The Town of Magrath, and The Chinook Foundation for the purpose of permitting the Villages of Glenwood and Hillspring to join the Chinook Foundation as contracting municipalities, in the form and substance of the Agreement attached to the By-Law as Schedule "A" and made part hereof.

DONE AND PASSED THIS 12th DAY OF OCTOBER A.D. 1983

Grover A. Thomas, mayor

Judy H. Lybbert. Sec.treas.

Being a By-Law of the VILLAGE OF HILLSPRING to approve an Agreement pertaining to Senior Citizens Housing.

WHEREAS the Senior Citizens Housing Act, being Chapter S-17 of the Revised Statutes of Alberta, 1980, as amended, provides a means whereby low rental housing units and homes for Senior Citizens of the Province of Alberta may be made available in or to the municipalities thereof:

AND WHEREAS the Senior Citizens Housing Act provides for The Chinook Foundation to enter into an agreement with the other municipalities and the Alberta Housing Corporation for the operation and management of Senior Citizen homes;

AND WHEREAS the Alberta Housing Corporation of the said Province has submitted a draft copy of a proposed agreement to be entered into between The Municipal District of Cardston No.6, the Town of Cardston, The Town of Magrath, and The Chinook Foundation and the Alberta Housing Corporation for the purpose of permitting the Villages of Glenwood and Hill Spring to join the Chinook Foundation as contracting municipalities;

AND WHEREAS it is expedient that the VILLAGE of HILLSPRING enter into such an agreement, being an amending agreement to an agreement called the Master Agreement”;
NOW THEREFORE THE COUNCIL OF THE VILLAGE OF HILLSPRING ENACTS AS FOLLOWS:

2. The *mayor* and Secretary Treasurer are hereby authorized to execute on behalf of the VILLAGE OF HILLSPRING an amending agreement to the Master Agreement with the Alberta Housing Corporation and The Municipal District of Cardston No.6, The Town of Cardston, The Town of Magrath, and The Chinook Foundation for the purpose of permitting the Villages of Glenwood and Hillspring to join the Chinook Foundation as contracting municipalities, in the form and substance of the Agreement attached to the By-Law as Schedule “A” and made part hereof.

DONE AND PASSED THIS 12th DAY OF APRIL A.D. 1983

Dennis Gibb,
Keith Tolman

SCHEDULE “A”

THIS AMENDING AGREEMENT made this day of 198 .

BETWEEN:

The MUNICIPAL DISTRICT OF CARDSTON No. 6, a body corporate established under The Municipal Government Act,

THE TOWN OF CARDSTON, a body corporate established under The Municipal Government Act,

THE TOWN OF MAGRATH, a body corporate established under The Municipal Government Act, (hereinafter referred to as the “contracting municipalities”)

And

THE VILLAGE OF GLENWOOD, a body corporate established under the Municipal Government Act,

THE VILLAGE OF HILLSPRING, a body corporate established under The Municipal Government Act, (hereinafter referred to as the “non-contracting municipalities”)

and

ALBERTA HOUSING CORPORATION, a crown corporation incorporated by statute of the Province of Alberta, (hereafter referred to as the “corporation”)

And

THE CHINOOK FOUNDATION, a body corporate created by order of the Lieutenant Governor in Council, pursuant to The Homes for the Aged Act (now

referred to as The Senior Citizens Housing Act), (hereinafter referred to as the “foundation”).

WHEREAS the contracting municipalities entered into an Agreement with each other and with the Minister of Public Welfare dated the 2nd day of June, 1959, which agreement is a Master Agreement under The Homes for the Aged Act (now referred to as The Senior Citizens Housing Act), (hereinafter referred to as the “master agreement”).

AND WHEREAS the said Agreement was made for the purpose of establishing a home in the Town of Cardston for the elderly persons;

AND WHEREAS for this purpose, the contracting municipalities donated to the minister a site, described in Appendix “B” to the master agreement and to the Minister constructed the Chinook Lodge on site;

AND WHEREAS the Chinook Foundation was established pursuant to the said master agreement to own, operate and maintain the said lodge (home);

AND WHEREAS the master agreement was amended on December 12, 1977 to allow for the inclusion into the management portfolio of the foundation of a 14 bed addition to the Chinook Lodge and a 44 bed lodge on a site located in the Town of Cardston and the Town of Magrath respectively and more particularly described in Appendix “D” thereto;

AND WHEREAS the non-contracting municipalities wish to become party to the master agreement and to participate in the operation and management of the foundation and attain the benefit of being a contracting municipality under the Senior Citizen’s Housing Act and amendments thereto.

THEREFORE IN CONSIDERATION of the foregoing, the parties agree as follows:

1. The non-contracting municipalities hereby agree to be bound by the terms of the master agreement and fulfill all the obligations of a contracting municipality under the master agreement. The non-contracting municipalities acknowledge that they are familiar with the terms and conditions of the master agreement, a copy of which has been provided as an attachment to a copy of this agreement. From the date of this agreement the master agreement shall read as if it had been signed by the non-contracting municipalities and as if the non-contracting municipalities were a contracting municipality under the master agreement. The corporation undertakes to recommend to the Minister that the charter of the foundation be amended to include the non-contracting municipalities.
2. Clause 9 of the Amending Agreement dated December 12, 1977 is deleted in its entirety and the following is substituted therefore:
“9. The Foundation is required to carry appropriate insurance on all properties managed by it under the master agreement and all amending agreements. This coverage must be by way of the corporation’s insurance program, and in that regard the foundation and the corporation’s insurance program, and in that regard the foundation and the corporation agree to the following provisions:

The corporation agrees to waive any right of recovery against the foundation for any loss or damage arising out of its operation, use and occupancy of the premises described herein, or use and occupancy of the

premises described herein, or arising out of its performance of the terms and conditions of this agreement, for the amount of any loss in excess of the amount deductible from the loss under the corporation's insurance program. The foundation shall pay, out of its budget, all accounts or invoices for any deductible applicable to an insured loss sustained by the corporation. The parties hereto agree that the amount of the deductible shall be Five Hundred (\$500.00) Dollars until such time as the corporation notifies the foundation in writing that the claims experience of the Government of the Province of Alberta and the general opinion of the insurance industry indicate that a revision is necessary. The foundation shall pay all claims for amounts less than the amount of deductible, and shall make a report in writing to the corporation of each such claim for information purposes only. The foundation shall pay all insurance premiums incurred by the corporation on behalf of the foundation."

3. Clause 9 of the master agreement related to the representation on the Board of Directors of the foundation from each of the contracting municipalities shall continue to remain in full force and effect. The representation of the non-contracting municipalities shall be governed by the following provisions:

The non-contracting municipalities agree that each of them shall be represented on the Board of Directors of the foundation by one person. Each of the said municipalities hereby undertakes to appoint from time to time, as may be required, one member of its Municipal Council to serve as a director of the foundation in accordance with the terms of the Order in Council establishing the foundation.

4. This agreement shall enure to the benefit of and be binding upon the Successors of any of the parties hereto.

IN WITNESS WHEREOF the contracting municipalities, the foundation and the corporation have affixed their respective corporate seals, attested to by their duly authorized signing officers in that behalf.

THE MUNICIPAL DISTRICT OF CARDSTON NO. 6

THE TOWN OF CARDSTON

THE TOWN OF MAGRATH

THE VILLAGE OF GLENWOOD

THE VILLAGE OF HILLSPRING

ALBERTA HOUSING CORPORATION

THE CHINOOK FOUNDATION