

Minutes of a Regular Council Meeting of Clearwater County, Province of Alberta, held November 12, 2014 in the Clearwater County Council Chambers in Rocky Mountain House.

CALL TO ORDER: The Meeting was called to order at 9:02 A.M. by Reeve Alexander with the following being present:

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|-------------------------|-------------------|
| Reeve: | Patrick Alexander |
| Councillors: | Earl Graham |
| | Curt Maki |
| | Jim Duncan |
| | Theresa Laing |
| | Kyle Greenwood |
| | John Vandermeer |
| CAO: | Ron Leaf |
| Recording Secretary: | Tracy Haight |
| Director, Public Works: | Marshall Morton |
| Director, CPS: | Ted Hickey |
| Director, Planning: | Rick Emmons |
| Staff: | Erik Hansen |
| | Kurt Magnus |
| | Keith McCrae |
| Media: | Sarah Maetche |
| | Dania Gravelle |
| Public: | Dennis Ross |
| | Dave McLaughlin |
| | Rick Deschambault |

**AGENDA
APPROVAL:**

Reeve Alexander noted the removal of Item D1 as Mr. Calkins is unable to attend today's meeting.

COUNCILLOR MAKI: That the November 12, 2014 Regular Meeting Agenda be accepted as amended.

421/14 CARRIED 7/0

**CONFIRMATION
OF MINUTES:**

1. October 28, 2014 Organizational Meeting Minutes

COUNCILLOR GREENWOOD: That the Minutes of the October 28, 2014 Organizational Meeting be accepted.

422/14 CARRIED 7/0

2. October 28, 2014 Regular Meeting Minutes

COUNCILLOR DUNCAN: That the Minutes of the October 28, 2014 Regular Meeting be accepted.

423/14 CARRIED 7/0

COUNCILLOR GREENWOOD: That Council removes from the table September 08, 2014 Agenda Item D1.

424/14 CARRIED 7/0

**PUBLIC
WORKS:**

1. Tabled Item: D1 – Development Request (Pidherney’s Gravel Pit Road Access Development Permit #55/95)

Keith McCrae provided background information on the September 8 tabled agenda item and presented a legal opinion regarding the interpretation of Condition 1 of the Subdivision and Development Appeal Board’s 1996 Notice of Decision. Should Council accept this interpretation they may direct administration to request that the developer make application to the Municipal Planning Commission (MPC) to vary the wording of Condition 1 of the existing development permit to accommodate the proposed alterations to the haul route. This application would not be for a new development permit and the only issue that would be open for discussion and decision is with respect to varying the condition.

Mr. McCrae then provided Planning Administration’s interpretation of Condition 1 of the Development Permit that the partial re-routing of the haul route being requested by the applicant can be viewed as meeting the general intent of the condition; and should Council accept this interpretation, they may direct administration to prepare a Development Agreement in accordance with the general intent of Condition 1 that would include the requested alterations to the haul route.

Rhonda Serhan joined the meeting.

Mr. McCrae responded to questions from Council and noted the north/south portion of proposed route is paved and dust suppression will be applied on the east/west portion.

Dave McLaughlin and Rick Deschambault, representing Pidherneys, responded to questions from Council and noted Pidherneys believes the proposed route will minimize traffic impact on residents located along the County road.

Discussion followed on public expectations regarding opportunity for comment on noise levels and hours of operation. Mr. McCrae noted the request to partially re-route the haul route does not alter the general intent or the original conditions of the development permit. The original conditions regarding hours of operation still apply. As per procedure, if Council requires the Developer to make application to vary the wording of Condition 1, the neighboring landowners will be notified of the proposed haul route and will have opportunity to comment only on the altered haul route.

COUNCILLOR VANDERMEER: That Council authorizes Administration to prepare a Development Agreement in accordance with the general intent of Condition 1 that would include requested alterations to the haul route.

425/14

CARRIED 7/0

Rick Emmons, Keith McCrae, Dave McLaughlin, and Rick Deschambault left the meeting.

2. Asphalt Overlay 2015 Tender Award

Erik Hansen stated administration has tendered the proposed 2015 Asphalt Overlay program which includes re-surfacing, side slope improvement and other work for six major projects. Mr. Hansen noted this is the program’s final year.

Six bids were received at the October 30 tender opening in which Lahrman Construction Inc. was the low valid bidder at a cost of \$4,225,735. This amount is \$521,333 more than the engineer's estimated amount.

Marshall Morton and Mr. Hansen responded to questions from Council and explained an increased provincial demand for asphalt in 2015, along with higher than expected oil prices, increased the cost of asphalt. Mr. Hansen noted Council will achieve the goal of 90% ban-free roads in Clearwater County upon completion of this program.

COUNCILLOR DUNCAN: That Council awards the 2015 Asphalt Overlay Program tender to Lahrman Construction Inc.

426/14

CARRIED 7/0

Rhonda Serhan, Erik Hansen and Marshall Morton left the meeting.

**COMMUNITY &
PROTECTIVE
SERVICES:**

1. Broadband Internet Access

Ted Hickey provided information on Industry Canada's proposal to reclassify broadband spectrum licensing in rural areas. Mr. Hickey explained the effects of the proposal on existing internet service providers and their rural customers in Clearwater County.

Mr. Hickey presented a letter of response, drafted by Administration, to Industry Canada urging the Minister to reject the proposal and allow existing spectrum licensing to remain the same so that current wireless providers in Clearwater County can continue to provide fixed wireless services.

Mr. Hickey responded to questions from Council. Discussion followed and Council noted the following: internet service in Clearwater County is essential; the lack of performance measures that guarantee internet coverage in rural areas; and as this is a critical issue, Council will include this in discussions with Blaine Calkins, MP, and other government representatives.

COUNCILLOR LAING: That Council approves the Letter of Response to Industry Canada and forwards copies to the AAMDC and various all provincial and federal individuals or agencies.

427/14

CARRIED 7/0

MUNICIPAL:

2. 2014 Christmas Greeting

Christine Heggart provided information regarding previous "Christmas Greetings from Council" advertisement in the Mountaineer, Western Star and Sundre Round Up.

Ms. Heggart noted in the past, advertisements included a full colour photo of Council and a Christmas greeting. The ads ran for one week in all three papers. Ms. Heggart stated the total cost for the three Christmas Greeting advertisements in 2013 was \$900.00 and was equally divided amongst the seven Councillors.

COUNCILLOR MAKI: That Council authorizes the the publication of Christmas Greeting Advertisements, using the 2013 photo, with costs borne by councillors.

428/14

CARRIED 7/0

Christine Heggart left the meeting.

2. Policy Review: Clearwater County Vehicle and Equipment Use Policy

Ron Leaf presented draft amendments to the “Vehicle Use By Staff” policy for Council’s review and noted proposed changes as follows:

- Inclusion of direction on use of equipment by staff
- Addition of definition of terms
- Expression of requirements consistent with Health and Safety practices
- Clarification of staff eligibility to use County equipment or programs that are available to the general public
- Updating of the title for Community Peace Officers.

Mr. Leaf responded to question from Council and confirmed that trailers are included and defined as equipment. Mr. Leaf explained item 2 under the “Vehicle Identification & Color” section is redundant therefore removed.

Mr. Leaf noted Council will receive the final draft for adoption at the next regular meeting.

COUNCILLOR GREENWOOD: That Council approves the proposed policy amendments in principle.

429/14

CARRIED 7/0

Kurt Magnus left the meeting.

INFORMATION:

Ron Leaf noted Blaine Calkins, MP, although unable to attend today’s meeting, committed to providing a written response to the briefing note at Council’s next meeting.

Mr. Leaf confirmed topics of discussion for scheduled meetings with Mountain View County and with Alberta Transportation during the AAMDC Convention.

Council discussed the scheduled meeting with the Alberta Rural Health Review Panel.

Reeve Alexander noted his absence from Council on November 25 and 26.

Council discussed the upcoming AAMDC Convention and noted lobby strategies on behalf of the Clearwater Forest Recreational Trail Initiative.

Council discussed Administrative recommendations regarding support of the AAMDC Fall 2014 resolutions. Council noted concerns with Resolution 9-14F regarding the potential of municipalities forced into unionized emergency services, increased costs for emergency services, and that the resolution does not address the lack of volunteer fire fighters within municipal services.

COUNCILLOR VANDERMEER: That Council accepts the CAO Report, Public Works Director’s Report, Accounts Payable Listing and Administrative Recommendations re AAMDC 2014 Fall Resolutions as information.

430/14

CARRIED 7/0

**COMMITTEE
REPORT:**

Councillor Duncan noted Mountain Rose Women's Shelter Association will host a community consultation on housing needs in Rocky Mountain House. Councillor Duncan indicated his availability to attend the afternoon session and will provide a report to Council at first opportunity.

Discussion followed on the community's need for affordable housing.

COUNCILLOR MAKI: That Council accepts the Committee Report as presented for information.

431/14

CARRIED 7/0

Marshall Morton, Erik Hansen, Kurt Magnus, and Kevin Leitch joined the meeting.

**PUBLIC
WORKS:**

3. Kevin Leitch – Range Road 5-3A Access Road

Rudy Huisman joined the meeting.

Marshall Morton introduced Kevin Leitch to Council. Mr. Morton noted Mr. Leitch requests the opportunity to discuss the ownership and maintenance responsibility of a forced Range Road 5-3A (RR5-3A) that is used to access his property.

Mr. Leitch requested snow fence and road maintenance on RR5-3A in order to provide access to the school bus and emergency vehicles. Mr. Leitch stated he believes RR5-3A is owned by Clearwater County therefore any road maintenance is the County's responsibility.

Mr. Morton stated RR5-3A was registered in 1968 as a 33 foot right-of-way and Administration speculates it was to provide access to the property as access by Range Road 5-3 was hindered by Horse Guard Creek.

Mr. Morton responded to question from Council and noted Administration assumes the original intent of the road was as an access road for farm equipment. He stated RR5-3A is currently categorized as an Isolated Access Road/Unimproved Road and the County does not currently maintain this road as a public roadway, as per policy.

Erik Hansen submitted photos of RR5-3A to Council for their review and explained standards for isolated access roads and noted, as per County policy, maintenance of isolated access roads is the sole responsibility and cost of the applicants. Council noted signage, as shown in the photos, identified the road as an isolated access road.

Janice Anderson joined the meeting.

Discussion followed on ownership of RR5-3A. Mr. Morton responded to questions from Council and noted there were no records found indicating who originally built the road. He confirmed the road is an unimproved road on a County owned road allowance. Mr. Hansen noted the property owners were notified on the development permit that as access to the property is via an unimproved forced road, (RR5-3A) the road will not be maintained by the County as per policy.

Council considered available options and noted the considerable expense to upgrade and maintain the road and the possibility of using applicable cost share programs. Council noted the road is not a thru road and if maintenance is undertaken by the County considerable expense would be required to bring the road up to minimum standards.

Discussion continued and Council noted the road in question meets the intent of the isolated access road policy, however the original intent of the road is unclear. Mr. Leitch noted he is aware of documentation from the previous landowner indicating previous discussions with Council on ownership of the road, however he was unable to present it at this meeting.

COUNCILLOR GREENWOOD: That Council tables Item E3 pending further information from Kevin Leitch and Public Works.

432/14

CARRIED 5/2

IN CAMERA:

COUNCILLOR MAKI: That Council meets as a Committee of the Whole to discuss Land and Labour issues at 11:38 A.M.

433/14

CARRIED 7/0

Marshall Morton, Erik Hansen, Kurt Magnus, Kevin Leitch, and Tracy Haight left the meeting.

COUNCILLOR DUNCAN: That the meeting reverts to an Open Meeting at 12:30 P.M.

434/14

CARRIED 7/0

ADJOURNMENT:
12:30 P.M.

COUNCILLOR LAING:

That the Meeting adjourns.

435/14

CARRIED 7/0


REEVE
CHIEF ADMINISTRATIVE OFFICER