

Minutes of a Regular Council Meeting of Clearwater County, Province of Alberta, held May 09, 2017, in the Clearwater County Council Chambers in Rocky Mountain House.

CALL TO ORDER: The Meeting was called to order at 9:00 am by Reeve Alexander with the following being present:

Reeve:	Pat Alexander
Councillors:	Earl Graham
	John Vandermeer
	Kyle Greenwood
	Theresa Laing
	Jim Duncan
	Curt Maki

Staff:	
Chief Administrative Officer	Ron Leaf
Recording Secretary	Tracy Haight
Director, Corporate Services	Rodney Boyko
Manager, Infrastructure	Erik Hansen
Director, Public Works	Marshall Morton
Project Technologist	Kate Reglin
Manager, Intergovernmental & Legislative Services	Christine Heggart

Media:	Laura Button
	Keanna Nelson
	Helge Nome

**AGENDA
APPROVAL:**

The May 09, 2017 Regular Meeting Agenda was amended as follows:
- Removal of Item D3 Delegation: Wastewater System for the Hamlet of Withrow.

COUNCILLOR MAKI:	That the May 09, 2017 Regular Meeting Agenda is adopted as amended.
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159/17	CARRIED 7/0
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**CONFIRMATION
OF MINUTES:**

1. April 25, 2017 Regular Meeting Minutes

COUNCILLOR GREENWOOD:	That the Minutes of the April 25, 2017 Regular Meeting are adopted as circulated.
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160/17	CARRIED 7/0
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PUBLIC WORKS:

1. Bridge File 07440 (SE 35 038 07 W5M – Township Road 38-5) Rehabilitation Tender Award

K. Reglin stated six tenders were received for Bridge File (BF) 07440 rehabilitation work and noted Unsurpassable Construction Ltd. is the low valid bid at \$308,742.44. Work includes replacing the existing round bridge culvert with an overflow pipe and longer round bridge culvert.

M. Morton responded to questions and explained the bid is \$118,439.00 over the engineer's estimated amount however, the 2017 bridge budget covers the project's overage thru savings realized on previous projects.

COUNCILLOR GRAHAM: That Council awards Bridge File 07440 Rehabilitation Tender to Unsurpassable Construction Ltd.

161/17

CARRIED 7/0

Rick Emmons and Keith McCrae joined the meeting.

2. Village of Caroline Development

E. Hansen provided a summary of Council's previous discussions and decisions on the two-phased development of industrial (Phase 1) and highway commercial (Phase 2) lots in the Village of Caroline. Phase 1, originally scheduled for completion last year but delayed due to inclement weather throughout much of the 2016 construction season, is approximately 75% complete. Phase 2 was proposed pending provincial grant funding, however grant applications were unsuccessful therefore Phase 2 was deferred.

At the April 18 Agenda and Priorities meeting, the Committee recommended Council consider moving forward with Phase Two and, consider extending municipal water and sanitary infrastructure (offsite deep utilities) to service Phase 1 and 2.

Administration estimates that the additional planning and design requirements to amend the deep utility plans and to receive the necessary approvals from the Village of Caroline and various Provincial departments to accelerate Phase 2 development, will take approximately seven to nine months. Costs for Phase 2 is estimated at \$2,328,579 and the estimate to extend offsite deep utilities to Phase 1 lots is \$647,471.

E. Hansen reviewed project options and noted estimated costs as follows:

1. \$2,328,579 for Phase 2 development with offsite deep utilities;
2. \$2,610,388 for Phase 2 as above and extend deep utilities to four lots in Phase 1 development; or
3. \$2,976,050 for Phase 2 as above and extend deep utilities to all (11) lots in Phase 1 development.

Discussion followed on provincial and municipal regulatory approvals required to move forward with Phase 2 development as follows:

- Village of Caroline area structure plan amendments;
- Village of Caroline water/wastewater treatment capacity;
- Wetland compensation; and,
- Highway 54 intersectional treatment.

Discussion took place on required studies and projections to determine the project's impact on the Village's water/wastewater system and marketability and return on investment for serviced lots in Phase 1.

COUNCILLOR VANDERMEER: That Council directs Administration to discuss the impact of proceeding with Phase 2 Industrial/Commercial lot development in the Village of Caroline with Village of Caroline Administration; and, provide details of marketability and return on investment for serviced lots in Phase 1 development; and, report to Council.

162/17

CARRIED 4/3

PLANNING:

1. Draft Bylaw 1023/17 Land Use Bylaw Amendment

R. Emmons presented draft Bylaw 1023/17 to amend the Land Use Bylaw 714/01. Bylaw 1023/17 repeals and replaces the current “Part Five: Enforcement” section of the Land Use Bylaw to address issues with illegal development and/or land use and clarify enforcement action.

R. Emmons noted enforcement provisions for cleanup orders are addressed either through the Municipal Government Act, Section 546.01, or by a separate bylaw.

R. Emmons responded to questions and explained current process for responding to complaints of ‘unsightly’ premises and noted a separate bylaw for community standards would provide definition and clarity for enforcement however, the current practice is that investigations are initiated by written complaint.

R. Emmons reviewed penalty amounts for illegal development and noted amounts are comparable to adjacent municipalities.

COUNCILLOR VANDERMEER: That Council grants First Reading of Land Use Amending Bylaw 1023/17; schedules a public hearing for Bylaw 1023/17; and, directs Administration to draft a bylaw for enforcement of community standards for Council's consideration.

163/17

CARRIED 7/0

2. Telecommunications Tower Development Permit Fee

As per Council’s April 25 decision to reconsider development permit fees for telecommunications towers (towers), Administration presents the following options:

1. Maintain current development permit fees for private and commercial towers;
2. Exempt private towers from development permit fees; or,
3. Remove the requirement of a development permit for both private and commercial towers from the Land Use Bylaw.

Discussion took place and the following points were noted:

- The federal government already regulates and approves installation of towers over 15 meters thereby reducing municipal responsibility.
- Eliminating municipal development permit fees facilitates broadband coverage by simplifying the process and lessening owner costs.

COUNCILLOR MAKI: That Council amends the Land Use Bylaw by designating telecommunications towers as ‘deemed approved use’; and, by the removal of development permit fees for both private and commercial telecommunications towers.

164/17

CARRIED 7//0

Discussion took place on reimbursing development permit fees paid by landowners for tower installations since 2014.

COUNCILLOR MAKI:

That Council tables the discussion on reimbursing development permit fees to landowners for tower installations.

165/17

CARRIED 7/0

Whitney Wedman, Jerry Pratt, Steve Taylor, Fred Blair and Michelle Swanson joined the meeting.

**COMMUNITY &
PROTECTIVE
SERVICES:**

1. 2017 Parades and Councillor Participation

W. Wedman reviewed dates for 2017 Summer Parades and inquired on Councillors' participation.

Discussion followed on attendance and type of entry for the Village of Caroline Big Horn Stampede and Rocky Rodeo parades.

Councillor Maki indicated interest in attending the Eckville Parade.

Reeve Alexander stated he is not attending the Ponoka Parade as the date conflicts with local graduation ceremonies.

Discussion took place on participating in the Red Deer parade and it was determined that attendance and/or participation is unnecessary.

COUNCILLOR DUNCAN:

That Council authorizes Councillor Maki's attendance at the Eckville Parade on June 10, 2017.

166/17

CARRIED 7/0

2. 10:15 am Delegation: Condor Community Centre Grant Application

J. Pratt reviewed Condor Community Centre's application for \$18,000.00 in capital grant funding as per Council's policy.

F. Blair, Board Member – Condor Community Centre, reviewed plans for interior and exterior repairs needed to address water drainage and damage issues effecting the hall.

COUNCILLOR LAING:

That Council grants \$18,000.00 to the Condor Community Centre for water damage repairs and to address water drainage issues.

167/17

CARRIED 7/0

Roger Smolnicky and Jason Simituk joined the meeting.

3. 10:30 am Delegation: Compassionate Care Hospice Society

J. Pratt provided an overview of the not-for-profit Compassionate Care Hospice Society (Society) and introduced S. Taylor, Vice Chair.

S. Taylor outlined the Society's objectives and noted the Society is conducting a community needs assessment, as required by Alberta Health Services, and asks that Council consider providing a letter of support.

168/17

COUNCILLOR MAKI: That Council receives the information from the Compassionate Care Hospice Society Delegation as presented.

CARRIED 7/0

169/17

COUNCILLOR GRAHAM: That Council provides a letter of support to the Compassionate Care Hospice Society for the Community Needs Assessment required by Alberta Health Services.

CARRIED 7/0

3. 10:45 am Delegation: Town of Rocky Mountain House Recreation Master Plan

R. Smolnicky introduced J. Simituk, McElhanney Consulting Services Ltd. (McElhanney), who presented a Power Point, 'Recreation Master Plan', that outlined the Town of Rocky Mountain House's project to engage the community in identifying framework and priorities for recreation.

J. Simituk reviewed project timelines and noted anticipated completion date is end of July.

Discussion took place and R. Smolnicky responded to questions and confirmed Town of Rocky Mountain House Administration will report McElhanney's final analysis to Clearwater County Council for additional feedback.

COUNCILLOR LAING: That Council receives the Town of Rocky Mountain House Recreation Master Plan presentation for information.

170/17

CARRIED 7/0

MUNICIPAL:

1. Draft Council Committees Bylaw 1022/17

C. Heggart presented the draft Council Committees Bylaw 1022/17 to govern the establishment and regulation of standing and special committees of Council as well as define the purpose, function and delegation of powers and duties for compliance with the Municipal Government Act (MGA) Section 145.

C. Heggart reviewed committees/ boards covered in the bylaw and identified various Town, Village, County, and community-based committees/boards currently established with formal agreements, board specific bylaws, and/or terms of reference.

C. Heggart reviewed the workplan for Administration's review of committees/boards as follows:

- prepare a bylaw to rescind existing bylaws for obsolete committees/boards;
- prepare regional bylaws for Clearwater Regional Fire Rescue Services Committee and Regional Solid Waste Authority Board;
- document terms of references/agreements for community-based committees/boards; and,
- revise the Organizational Meeting agenda package to focus on committee functions rather than 'workload'.

COUNCILLOR VANDERMEER: That Council grants First Reading to Council Committees Bylaw 1022/17.

171/17

CARRIED 7/0

2. Draft Code of Conduct Bylaw 1025/17

C. Heggart presented the draft Code of Conduct Bylaw 1025/17 to establish a code of conduct governing the conduct of councillors; and, to establish a code of conduct governing the conduct of members of Council committees and other bodies established by Council who are not Councillors.

Administration developed the bylaw based on Section 146.1 draft amendment to the MGA. Although final adoption of the amendment is not expected until July, Administration recommends considering the bylaw now so it may be included in prospective councillors information package in advance of the October 16, 2017, municipal election.

C. Heggart responded to questions and confirmed the bylaw may be reviewed and amended at any time dependent on further MGA amendments or Council decision.

COUNCILLOR MAKI: That Council grants First Reading to Code of Conduct Bylaw 1025/17.

172/17

CARRIED 7/0

5. 11:15 am Delegation: Clearwater Broadband Foundation

M. Swanson, Chair, Clearwater Broadband Foundation (CBF), requested 'seed funding' to retain three independent consultants representing CBF, County, and local internet service providers, respectively, to study CBF's proposed project to enhance broadband/internet and provide: assessment of public uptake; recommendations and cost estimates for infrastructure and technical design; and, estimated economic benefits for the County and Town of Rocky Mountain House.

M. Swanson stated CBF also proposes that the results of the study are presented to Council and stakeholders during Council's regular meeting and County residents at an open house to gauge support for the project.

COUNCILLOR MAKI: That Council receives the information from Clearwater Broadband Foundation's Delegation as presented.

173/17

CARRIED 7/0

3. Returning Officer Appointment – 2017 Election

C. Heggart introduced Karlene Dickau as the recommended candidate for Clearwater County's Returning Officer appointment for the 2017 municipal election.

COUNCILLOR GREENWOOD: That Council appoints
Karlene Dickau as Official Returning
Officer for the 2017 municipal election.

174/17

CARRIED 7/0

4. 2017 Election: Advance Vote, Incapacitated Voters and New Councillor Orientation

C. Heggart reviewed 2017 Election processes requiring Council's authorization for advance vote and incapacitated voters, as per the Local Authority Elections Act, as follows:

- Advance Vote: October 2, 2017 from 10:00 am to 6:00 pm, with voting stations at the HUB in Caroline and the Lou Soppit Community Centre in Rocky Mountain House.
- Incapacitated Voters: two polling clerks to attend eligible individuals on October 2, 2017 between the hours of 10:00 am and 6:00 pm.

COUNCILLOR GRAHAM: That Council authorizes an
advance vote to take place on October
2, 2017, from 10:00 am to 6:00 pm with
voting stations in Village of Caroline
and Town of Rocky Mountain House.

175/17

CARRIED 7/0

COUNCILLOR GREENWOOD: That Council authorizes two
polling clerks to attend incapacitated
voters on October 2, 2017, from 10:00
am to 6:00 pm.

176/17

CARRIED 7/0

C. Heggart reviewed the preliminary post-election schedule to be included in prospective candidates' information package and new councillor orientation calendar.

Discussion took place on investigating alternative presenters and/or coordinating a councillor orientation presentation with councillors from local and/or adjacent municipalities.

COUNCILLOR DUNCAN: That Council endorses the
preliminary post-election schedule and
directs Administration to investigate
alternative presenters and/or
coordinating a councillor orientation
presentation with councillors from
local and/or adjacent municipalities.

177/17

CARRIED 7/0

6. Clearwater Broadband Foundation Proposal

R. Leaf summarized results of a financial and legal review conducted on CBF’s proposal to borrow \$3.48 million from Clearwater County to finance the first phase of a fibre-based strategy to supply internet broadband service for Clearwater County residents.

He explained rational, based on the legal opinion obtained, for declining CBF’s proposal as follows:

- CBF’s status as a non-profit organization conflicts with its financial plan and intent to operate on a ‘for profit’ basis as a network and/or internet service provider.
- Pursuant to the MGA Section 264, municipalities may loan funds to a non-profit organization or a municipally controlled corporation, not an incorporated business with a ‘for profit’ entity.

Discussion took place on the organizational structure of Olds Institute, issues related to municipalities lending monies, and fiscal risks to be considered.

COUNCILLOR MAKI: That Council not approve
Clearwater Broadband Foundation’s
request to borrow \$3.48 million from
Clearwater County to finance an
internet broadband service.

178/17

CARRIED 7/0

Councillor Laing requested a recorded vote on the following motion:

COUNCILLOR VANDERMEER: That Council requests
Administration to approach the Town
of Olds and Olds Institute to confirm
the structure that makes it possible for
the Town of Olds to lend monies to a
corporate entity.

179/17

DEFEATED 3/4

Vote in favour: Councillors Vandermeer, Laing, and Duncan.

Vote opposed: Reeve Alexander, Councillors Maki, Graham, and Greenwood.

Discussion took place on CBF’s request and proposal that was presented to Council earlier in the meeting.

Councillor Laing requested a recorded vote on the following motion:

COUNCILLOR VANDERMEER: That Council accepts CBF’s
recommendation to retain three
independent consultants representing
CBF, County, and local internet
service providers, respectively, to
study CBF’s proposed project for
broadband/internet service and
schedule and present results at an
open council meeting and a public
open house.

180/17

DEFEATED 3/4

Vote in Favour: Councillors Vandermeer, Duncan, and Laing

Vote Opposed: Reeve Alexander, Councillors Maki, Graham, and Greenwood.

COUNCILLOR DUNCAN: That Council requests an Administrative report setting out available options with respect to how Council may improve access to broadband service in Clearwater County.

181/17

CARRIED 7/0

Discussion took place on Administration investigating Olds Institute and O-Net loan.

INFORMATION: 1. CAO's Report

R. Leaf presented the CAO's report and reviewed upcoming meeting dates, events and scheduled delegations for May and June.

COUNCILLOR MAKI: That Council receives the CAO Report, Public Works Director's Report, Councillor Remuneration, and Accounts Payable Listing as information.

182/17

CARRIED 7/0

ADJOURNMENT: 12:38 pm. COUNCILLOR MAKI: That the Meeting adjourns.

183/17

CARRIED 7/0



REEVE


CHIEF ADMINISTRATIVE OFFICER