

Minutes of a Regular Council Meeting of Clearwater County, Province of Alberta, held May 8, 2012 in the County Office at Rocky Mountain House.

CALL TO ORDER: The Meeting was called to order at 9:01 A.M. by Reeve Alexander with the following being present:

Reeve:	Pat Alexander
Councillors:	Earl Graham
	John Vandermeer
	Jim Duncan
	Robert Bryant
	Dick Wymenga
	Case Korver
Acting Municipal Manager:	Joe Baker
Director, Public Works:	Marshall Morton
Assistant Director, Public Works:	Rick Emmons
Recording Secretary:	Christine Heggart
TIMS:	Brad Welygan
TIMS:	Darrell Philip
Maintenance Supervisor:	Frank McBride
Construction Supervisor:	Erik Hansen

**AGENDA
APPROVAL:**

Marshall Morton requested Council consider adding D3 – BF 07267.
Dick Wymenga added Leslieville Quads as D4.

JOHN VANDERMEER: That the May 8, 2012 Regular Meeting Agenda be accepted as amended.

168/12

CARRIED 7/0

**CONFIRMATION
OF MINUTES:**

1. April 24, 2012 Regular Meeting Minutes

JIM DUNCAN: That the Minutes of the April 24, 2012 Regular Meeting be confirmed as circulated.

169/12

CARRIED 7/0

PUBLIC WORKS: 1. Isolated Residential Access Road on Right-of-Way Policy Review

Erik Hansen presented a revised Isolated Residential Access Roads on Right-of-Way Policy.

Mr. Hansen noted that staff made the recommended changes to the described policy and that major changes included changing the policy title to "Isolated Access Roads On Right - Of- Way" with a series of other minor changes.

BOB BRYANT: That Council approves the draft revisions of the Isolated Residential Access Road on Right-of-Way Policy.

170/12

CARRIED 7/0

PUBLIC WORKS: 2. Three Year Bridge Request Submission

Frank McBride provided a request from Alberta Transportation for Clearwater County to submit a Local Road Bridge Request List – 3 Year Program for 2013, 2014 and 2015 as well as the recommended list including only bridges on local roads requiring an assessment, maintenance or replacement.

Marshall Morton noted that Alberta Transportation is receptive to options for Bingley and Beaver Flats bridges.

Rick Emmons responded to questions regarding the provincial budget and priorities as well as Clearwater Estates bridge requirements.

Mr. Morton responded to questions regarding an existing temporary bridge structure and Clearwater Estates standard bridge.

JOHN VANDERMEER: That Council approve the Three Year Bridge Request list as presented.

171/12

CARRIED 7/0

PUBLIC WORKS: 3. BF - 07267

Marshall Morton noted that tender openings for two bridges were held on April 30 – one for the replacement of BF 07267 (SE 14- 4-0-06W5) which received nine bids.

Mr. Morton presented the bids for BF – 07267, noted that both bridge tenders came in over budget and described the provincial funding of bridges.

Mr. Morton noted that West-Can Seal Coatings Inc. was the low valid bidder and that Alberta Transportation suggested awarding the project.

JIM DUNCAN: That Council approves awarding the BF 07267 tender to West-Can Seal Coatings Inc.

172/12

CARRIED 7/0

EARL GRAHAM: That Council approves the \$89,333.00 to be moved from Municipal Contingency to the Bridges Budget.

173/12

CARRIED 7/0

Darrell Phillip and Brad Welygan left the meeting.

PUBLIC WORKS: 4. Leslieville Off-Highway Vehicles

Councillor Wymenga noted he received many complaints of inappropriate use of off-highway vehicles (OHV) in the hamlet of Leslieville in the afternoons and evenings and the need for increased presence of RCMP and Community Peace Officers (CPO).

Marshall Morton noted that there are similar concerns in other hamlets and that CPOs do work shift work and that there is equal coverage to the municipality and noted the difficulty covering off a large area.

Councillor Duncan noted that the same issue was handled last year with a CPO going to residences of known offenders.

Al Kemmere, Bob Barss and Gerald Rhodes joined the meeting. Frank McBride left the meeting.

IN CAMERA: 6. In Camera

DICK WYMNEGA:

That Council meets as a Committee of the Whole for the purpose of discussing with AAMDC members.
9:27 A.M.

174/12

CARRIED 7/0

JIM DUNCAN:

That the meeting reverts to an Open Meeting at 10:44 A.M.

175/12

CARRIED 7/0

Diane Fingler, Sarah Maetche, Elin Jensdottir, Helge Nome, Marianne Cole, Barb Scott, Denniece Crout, Murray Hagan, Rhonda Serhan and Marianne Shaffer joined the meeting.

MUNICIPAL: 1. Delegation – Marianne Cole

Marianne Cole introduced Helge Nome and Marianne Shaffer.

Ms. Cole stated her concerns with the tax rate increase and the County's increase in assets in 2011 and questioned the accumulated surplus.

Ms. Cole noted the increases in her personal property tax notice from 2010 to 2012.

Councillor Alexander noted that overall the assessments decreased 1.9% and as a result the 2% municipal tax rate increase tax payers may notice increases or decreases dependent on their assessment.

Ms. Cole stated that with the increase in tax rate and the increase in assessment for her personal property meant that she was paying 16% more municipal tax and that Council should consider adjusting tax rate or assessment to ensure taxpayers don't receive large increases.

Ken Qually, Mike Haugen and Sharon Reubling joined the meeting.

Denniece Crout stated how property assessments are determined; that they are submitted to Municipal Affairs; and, that assessments can only have a variance of 5% of market value. Ms. Crout also noted that the reason for Ms. Cole's increased assessment is an attached garage that previously was not included on the property assessment.

Councillor Vandermeer noted that Council reviewed examples for all County residents' properties, as on average there was a 1.9% decrease in assessment.

For comparison purposes, Ms. Crout noted that the 2012 assessment for Councilor Graham's property went up by 3% and that Councilor Bryant's went down by 6%.

Mr. Alexander noted the total increase of agricultural land revenue increased by \$16,000.00 for the entire County and noted that agricultural taxation is a regulated rate and that there is a push from industry to see agricultural land valued at market value. He noted that agricultural land makes up less than 1% of County revenue, of which 11% is residential and 88% is industrial based.

Councillor Korver questioned whether the intent of the delegation was to argue personal property taxes or for the benefit of the entire County as a whole.

Helge Nome noted that communications of the tax rate increase of 2% and that overall values of properties have decreased is needed.

Councillor Alexander noted major capital costs anticipated in the next 5 – 10 years as well as increasing expectation regarding service delivery which drives the budget process and that when assessments jumped up several years ago the tax rate was reduced significantly to minimize impact on taxpayers.

Ms. Cole noted that she assumed that her 20% increase was the standard because she didn't have any other information and that she feels the dollar value increase is unfair to the taxpayer.

Ms. Cole noted further concerns with assessment and designation of land and that a gravel pit operates on agricultural land.

Ms. Crout responded that taxation is based on land use and not land zoning.

Murray Hagan described Council's budget process and the tax rate determination process.

Ms. Cole noted that the County is financially secure.

Councillor Alexander noted that if the 88% revenue from industry drops, residential revenue will need to increase exponentially to make up the difference.

Councillor Korver noted that Council started the open house meetings in an effort to communicate more with the taxpayers and that the meeting were sidetracked due to one specific issue.

Mr. Hagan noted that the \$1.6 million budget increase is to manage increasing costs of service provision, such as fuel and utilities. Councillor Alexander noted that most of the increase is coming from the industrial revenue.

Councillor Bryant noted that the County cannot manipulate assessments or tax rates on an individual basis.

Councillor Wymenga noted that assessments are audited and that the county scores very high on assessment audits. Ms. Crout noted the 99.1 percent assessment audit scores and described the assessment cycle.

Mr. Hagan noted the County's financial position, including an accumulated surplus of \$390 million which includes tangible capital assets of \$361 million, which are resources that cannot be used for operations. Mr. Hagan further noted that the of the \$35 million in reserves, they are for the most part designated to specific capital projects and that the discretionary surplus is limited to less than \$100,000.00.

Mr. Nome noted that Council should consider notification period for decisions on tax rate in the future.

Ms. Cole noted that to make it fair for taxpayer that greater time is needed between second and third reading of tax rate bylaw.

DICK WYMENGA: That Council accepts the presentation by Marianne Cole as information.

176/12

CARRIED 7/0

EARL GRAHAM: That the meeting recess for lunch at 12:15 P.M.

177/12

CARRIED 7/0

The Meeting reconvened at 1:12 P.M. with the same people present as noted at the beginning of the meeting excluding Frank McBride, Darrell Philip, Brad Welygan and Rick Emmons and including Eleanor Pengelly, Ketih McCrae, Sarah Maetche, Trent Tessmer and Kathy Tessmer.

PLANNING: 1. Land Use Amendment - Tessmer

Eleanor Pengelly presented an application for the redesignation of 16.85 acres described as Lot 3, Block 1, Plan 022 0194 (PT. NW 21-39-07-W5) from Agriculture District "A" to Light Industrial District "LI" for the purpose of expanding an existing pipeline maintenance company

Ms. Pengelly noted the location of the property, adjacent land uses, the existing operation, TNT Pipeline Services, which is a pipeline maintenance business and the applicant's intent to expand the business by constructing an office building and shop in the southwest portion thereby concentrating the operation of the business in that portion of the property.

Ms. Pengelly noted that the subject property is part of the lands identified in the Rocky-Clearwater Intermunicipal Development Plan (IDP) as Rural Policy Area and referenced applicable IDP policy, the Municipal Development Plan (MDP) policy and the Land Use Bylaw.

Ms. Pengelly responded to questions regarding setbacks, internal driveway and that the land is not in the Garth-Ferrier Area Structure Plan.

Trent Tessmer discussed his intentions to purchase a portion of property to the South from CP rail.

Bob Bryant noted that the proposed use is not different from what exists on the property.

FIRST READING of Bylaw 960/12 to amend the Land Use Bylaw for was moved by Councillor BRYANT.

178/12

CARRIED 7/0

Murray Hagan, Denniece Crout and Mike Haugen joined the meeting.

**CORPORATE
SERVICES:**

1. 2012 Tax Rate Bylaw – 3rd reading

Denniece Crout presented the 2012 Tax Rate and Minimum Tax By-Law with the following rates:

Residential – .0024556 Tax Rate
Farmland – .0037761 Tax Rate
Non-residential, M&E, and Linear –.0066292 Tax Rate

The Provincial Education live tax rates:
a. Residential and Farmland – .0024358 Tax Rate
b. Non-residential, M&E, and Linear – .0037149 Tax Rate
c. Uncollectible School Tax Rate - . 0000086 Tax Rate
Westview Lodge Tax Rate - .0000686 Tax Rate

THIRD READING of Bylaw 959/12 2012 Tax Rate Bylaw was moved by Councillor KORVER.

179/12

CARRIED 6/1

Councillor Duncan noted that the deadline for farmland tax payments should be deferred to December 15.

Councillor Wymenga noted that he'd like to see the December 15 deadline become permanent.

Councillor Bryant noted tax payment deadlines should be consistent across the board.

Councillor Vandermeer noted the December 15 deadline was put in temporarily to assist farmers and that all taxes should be due at the same time.

JIM DUNCAN: That Council authorizes the deferral of farmland tax payment deadline to December 15, 2012.

180/12

CARRIED 4/3

**CORPORATE
SERVICES:**

2. Tax Penalty Bylaw

Denniece Crout presented a revised Tax Penalty Bylaw which recognizes the levying of penalties if the specified date falls on a non-work day and noted the need to adjust the date of January 1 to December 31 to accurately recognize revenue in the correct year.

FIRST READING of Bylaw 961/12 2012, the Tax Penalty Bylaw, was moved by Councillor GRAHAM.

181/12

CARRIED 7/0

SECOND READING of Bylaw 961/12 2012, the Tax Penalty Bylaw, was moved by Councillor DUNCAN.

182/12

CARRIED 7/0

PERMISSION for Third Reading of of Bylaw 961/12 2012, the Tax Penalty Bylaw, was moved by Councillor WYMENGA.

183/12

CARRIED 7/0

THIRD READING of Bylaw 961/12 2012, the Tax Penalty Bylaw, was moved by Councillor BRYANT.

184/12

CARRIED 7/0

John Vandermeer left the meeting.

**CORPORATE
SERVICES:**

3. Westview Lodge Audited Financial Statements

Murray Hagan presented the audited financial statements for the Rocky Senior Housing Council, Westview Lodge.

Mr. Hagan noted the requisition amount has remained consistent, with the 2012 requisition being \$422,447.

CASE KORVER: That Council accepts the Westview Lodge audited financial statements for information.

185/12

CARRIED 6/0

Murray Hagan left the meeting. Terri Miller joined the meeting.

MUNICIPAL: 3. FCSS Board Resignation

Mike Haugen presented a resignation letter from Mona Crocker, who has been a Member at Large on the Clearwater Regional FCSS Board for several years and is now resigning from that Board.

Mr. Haugen asked whether Council wishes to advertise the position immediately, or to leave the position vacant and advertise for the Organizational Meeting in October with all of Council's other Boards.

Councillor Wymenga noted that with no summer meetings it would be okay to have vacancy until the October organizational meeting.

BOB BRYANT: That Council accepts the resignation of Mona Crocker and directs staff to advertise for the position with fall organizational meeting advertising.

186/12

CARRIED 6/0

Terri Miller noted she was interested to determine Council's participation in the May Long Weekend Taskforce and BBQ.

Ms. Miller noted that the check stop is Friday night and responded to questions regarding the materials to distribute to campers as well as the staffing for the long weekend.

By consensus, Council agreed to attend the check stop Friday afternoon and provide a barbeque to all the enforcement agencies.

Tyler McKinnon joined the meeting.

Councillor Wymenga noted concerns received regarding off-highway vehicles in Leslieville.

By consensus, Council agreed to pass along OHV complainants to the Community Peace Officers.

MUNICIPAL: 2. Eckville Parade Invitation

Tyler McKinnon presented an invitation from the Town of Eckville to participate in their upcoming parade held in conjunction with the rodeo on Saturday June 2, 2012 from 12:00 noon to 12:30 pm.

Mr. McKinnon noted the estimated costs associated with Council and staff attendance for the parade.

Councillor Wymenga noted his ability to attend the Eckville Parade.

DICK WYMENGA: That Council authorizes all Councillors attendance at the Eckville's 2012 parade.

187/12

CARRIED 6/0

Tyler McKinnon left the meeting.

MUNICIPAL: 4. High School Graduation Ceremonies

Christine Heggart presented dates for each of the four High School graduation ceremonies for area schools and asked Council to indicate which Councillor is available to attend which ceremony.

Councillor Graham indicated his availability to attend Caroline School – June 1 at 2pm.

Councillor Korver indicated his availability to attend St. Dominic's High School – June 28 at 5:00pm at the Community Centre.

Councillor Alexander indicated his availability to attend West Central High School – June 28 at 1:00pm.

Councillor Bryant indicated his availability to attend David Thompson High School – June 28 at 2:00pm.

EARL GRAHAM: That Council authorize attendance at the four High School graduation ceremonies for 2012.

188/12 CARRIED 6/0

MUNICIPAL: 5. May Additional Meetings and Tour Dates

Joe Baker presented dates for a Joint Council meeting on May 23 (5:30pm) with the Village of Caroline and a tour of Town of Drumheller wastewater facility on May 28 (7:30am departure).

Mr. Baker also noted a meeting date with the O'Chiese Chief, the Reeve and Town of Rocky Mountain House Mayor tentatively scheduled for June 7.

JIM DUNCAN: That Council authorize all Councillors attendance at the Joint Council Meeting in Caroline on May 23.

189/12 CARRIED 6/0

JIM DUNCAN: That Council authorize all Councillors attendance at the Tour of Drumheller wastewater facility on May 28.

190/12 CARRIED 6/0

INFORMATION: 1. Information Items

Staff responded to questions of purchase of three side-by-sides off-highway vehicles.

EARL GRAHAM: That the Accounts Payable listing, the Municipal Manager's Report, Public Works Manager's Report and Council Calendar of May 8, 2012 be accepted as information.

Discussion took place on the Red Deer River Watershed Alliance Annual General Meeting (AGM) taking place on June 21 at 9:00am. Councillor Bryant encouraged Councilor attendance to the meeting located at the Quality Inn North Hill in Red Deer.

191/12 CARRIED 6/0

IN CAMERA: 6. In Camera

JIM DUNCAN:

That Council meets as a Committee of the Whole for the purpose of discussing a proposed land development.
2:14 P.M.

192/12

CARRIED 7/0

Christine Heggart, Helge Nome and Sarah Maeche left the meeting.

CASE KORVER:

That the meeting reverts to an Open Meeting at 2:49 P.M.

193/12

CARRIED 7/0

ADJOURNMENT: DICK WYMENGA:
2:50 P.M.

That the Meeting adjourns.

CARRIED 7/0

REEVE

MUNICIPAL MANAGER