

Minutes of a Regular Council Meeting of Clearwater County, Province of Alberta, held January 9, 2018, 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 Vandermeer with the following being present:

Council:
Reeve
Councillors

John Vandermeer
Jim Duncan
Cammie Laird
Daryl Lougheed
Theresa Laing
Tim Hoven
Michelle Swanson

Staff:
Interim Chief Administrative Officer
Recording Secretary
Director, Corporate Services

Rick Emmons
Tracy Haight
Murray Hagan

Manager, Legislative Services
Manager, Infrastructure
Manager, Operations
Manager, Planning

Christine Heggart
Erik Hansen
Kurt Magnus
Keith McCrae

Media:

Shaelyn Poteet

Helge Nome

**AGENDA
APPROVAL:**

The following items were added to the January 9, 2018, Regular Meeting Agenda:

- Alberta Master Games – 2019 Bid as Item D3;

COUNCILLOR DUNCAN:

That the January 9, 2018 Regular Meeting Agenda is adopted as amended.

001/18

CARRIED 7/0

**CONFIRMATION
OF MINUTES:**

1. December 12, 2017 Regular Meeting Minutes

COUNCILLOR LAIRD:

That the Minutes of the December 12, 2017 Regular Meeting are adopted as circulated.

002/18

CARRIED 7/0

2. December 19, 2017 Special Meeting of Council Minutes

COUNCILLOR SWANSON:

That the Minutes of the December 19, 2017 Special Meeting of Council are adopted as circulated.

003/18

CARRIED 7/0

PRESENTATION: 1. Kelly and Andrea Spongberg

A. Spongberg read the letter attached to these minutes regarding 'Metaldog Industrial Subdivision – Cost sharing request for RR 7-2 overlay'.

The letter asks that Council consider sharing \$161,374.87 of costs that K. and A. Spongberg (the Developer) incurred for roadway improvements, completed in 2014 in accordance with the terms and conditions of the Metaldog Industrial Park development permit and a 'Cost Contribution Agreement', on a portion of Range Road 7-2.

Keanna Nelson joined the meeting.

COUNCILLOR DUNCAN: That Council receives the 'Kelly and Andrea Spongberg' presentation for information.

004/18

CARRIED 7/0

PUBLIC WORKS:

1. Spongberg Cost Share Request

The current 'Endeavour to Assist Program' (EAP) policy provides a mechanism for developers to recover a portion of costs for roadway improvements from future developers in the area, excepting development by Clearwater County and the Province. Consequently, Spongberg's request for cost-sharing is ineligible under the current policy.

Considering that Range Road 7-2 lies within the Joint Development Area (JDA), future discussions on cost-sharing roadway improvements may take place by the Intermunicipal Development Committee when meetings resume in the new year.

Discussion took place and it was noted there is the risk that timelines associated with the EAP for cost recovery on improvements from other future developers in the area may expire before finalization of JDA agreements.

COUNCILLOR LAING: That Council reviews the Endeavour to Assist policy.

005/18

CARRIED 7/0

COUNCILLOR LAING: That Council tables Spongberg's 'Metaldog Industrial Subdivision – Cost sharing request for RR 7-2 overlay' pending the Endeavour to Assist policy review.

006/18

CARRIED 7/0

Roger Smolnicky and Matt Martinson joined the meeting.

PRESENTATION: 3. Alberta Masters Games – 2019 Bid

R. Smolnicky presented details on an opportunity for the Town of Rocky Mountain House and Clearwater County to submit a joint bid to host the 2019 Alberta Masters Games.

Based on experiences from previous host communities, the event budget is estimated at \$1.1 million which includes a \$75,000 contribution from both the Town and County and gift-in-kind contributions (waiver of recreation facilities and venue fees and staff costs).

Upon both Council's approval, the bid will be submitted to Alberta Sport Connection who is expected to announce the bid winner in February 2018.

Discussion took place on host benefits and challenges and budget estimates for the event. R. Smolnicky responded to questions and confirmed net profit is traditionally donated to community groups while a net operating loss would be equally shared by Town and County. He also confirmed that follow up regarding budget and payment terms is required.

COUNCILLOR SWANSON: That Council authorizes \$75,000.00, from Contingency to Community Services budget, for the commitment of funding to the joint bid by the Town of Rocky Mountain House and Clearwater County to host Alberta Masters Games in 2019.

007/18

CARRIED 7/0

COUNCILLOR LAIRD: That Council authorizes a letter of support to Alberta Sport Connection, indicating County's support and funding for the bid to host Alberta Masters Games in 2019.

008/18

CARRIED 7/0

COUNCILLOR LAING: That Council supports jointly-funded County/Town recreation facilities being utilized to host Alberta Masters Games in 2019, at no charge to games organizers.

009/18

CARRIED 7/0

Steve Maki joined the meeting.

MUNICIPAL:

1. Safety Audit

Clearwater County achieved a grade of 94% on the 2017 External Safety Audit which successfully recertifies Clearwater County's 'Certificate of Recognition (COR). Administration intends to develop an action plan with improvements and changes based on the audit results for 2018.

COUNCILLOR LAIRD: That Council receives the 2017 External Safety Audit results as presented for information.

010/18

CARRIED 7/0

2. Emergency Management Appointments

Regional and municipal appointments for Director of Emergency Management (DEM) and Deputy DEM are currently vacant as a result of Clearwater County's recent organizational restructuring. To ensure compliance with legislation, and in accordance with Council's Bylaw 1101/16, Administration recommends appointing Rick Emmons as the Interim Regional DEM and the County's DEM.

COUNCILLOR SWANSON: That Council appoints Rick Emmons as the Interim Regional Director of Emergency Management, effective January 9, 2018.

011/18

CARRIED 7/0

COUNCILLOR HOVEN: That Council appoints Rick Emmons as the Clearwater County Director of Emergency Management, effective January 9, 2018.

012/18

CARRIED 7/0

3. Alberta Community Partnership Grant Applications

Clearwater County, on behalf of its partner municipalities, completed two grant applications for the 2017/2018 Alberta Community Partnership (ACP) program.

For the first ACP application, the Town of Rocky Mountain House submitted the project to complete the development of an Intermunicipal Collaboration Framework (ICF) with Clearwater County and subsequent Municipal Development Plan (MDP) revisions for both municipalities to align with ICF.

For the second ACP application, Clearwater County submitted the project to complete the development of the Intermunicipal Collaboration Framework (ICF) and Intermunicipal Development Plan (IDP) with the Village of Caroline and subsequent Municipal Development Plan (MDP) revisions for both municipalities to align with ICF.

With a budget of \$150,000 each respectively, the purpose of completing both projects is to comply with MGA requirements for creation of ICFs (County/Town and County/Caroline) and IDPs (County/Caroline) to be in place by March 31, 2020 and to ensure that all of the land use statutory plans used by the Town, Village and County, as they apply to the area around either Caroline or Rocky, are consistent with the respective ICFs.

COUNCILLOR DUNCAN: That Council endorses the Town of Rocky Mountain House's 2017/2018 Alberta Community Partnership grant application, in partnership with the Clearwater County, Collaboration Framework (ICF) and for the development of Intermunicipal subsequent Municipal Development Plan (MDP) revisions to align with ICF.

013/18

CARRIED 7/0

COUNCILLOR HOVEN: That Council endorses Clearwater County's 2017/2018 Alberta Community Partnership grant application, in partnership with the Village of Caroline, for the development of Intermunicipal Collaboration Framework (ICF), Intermunicipal Development Plan (IDP) and subsequent Municipal Development Plan (MDP) revisions to align with ICF/IDP.

014/18

CARRIED 7/0

4. Federation of Canadian Municipalities (FCM) 2018 Conference

The Federation of Canadian Municipalities (FCM) 2018 Conference takes place in Halifax on May 31 – June 3.

COUNCILLOR DUNCAN: That Council authorizes the Reeve and Councillors Swanson and Hoven's attendance and, Councillor Laird's attendance as alternate, at the FCM 2018 Conference.

015/18

CARRIED 7/0

5. Alberta Association of Municipal Districts and Counties (AAMDC) 2018 Member Visit

AAMDC Executive asks that Council indicate availability and preference of either a one-hour discussion meeting or, a four-hour (maximum) municipal tour meeting with the Executive.

COUNCILLOR DUNCAN: That Council proposes meeting with AAMDC Executive staff during an Agenda and Priorities Council Committee meeting (April 16, June 18, or September 17) and, discusses: Lack of member support for Resolution 11-17F Off-Highway Vehicle (OHV) Fees; Reduction of rural crime in Central Alberta; Funding for capital infrastructure and municipal internet projects; templates and best practices for developing Intermunicipal Collaborative Frameworks and Development Plans with other municipalities; and, alternative bridge structures.

016/18

CARRIED 7/0

Stephen Bull joined the meeting.

PRESENTATION: 2. Stephen Bull, Assistant Deputy Minister, Service Alberta

S. Bull presented a PowerPoint 'SuperNet, AFRRCS & Broadband Update' that outlined progress made on renewing the SuperNet operating agreement, Alberta First Responders Radio Communication System concerns with end-user usability, particularly for areas around Caroline, and initiatives for developing policy options for a provincial broadband strategy.

Discussion followed on Council's vision for increased economic development within Clearwater County and the value that quality internet services would have in diversifying the local economy and attracting new business and residents to the community.

Discussion took place on questions that the Province will ask municipalities in an upcoming survey to help with the development of a provincial broadband strategy.

COUNCILLOR SWANSON : That Council receives the 'SuperNet, AFRRCS and Broadband Update' presentation from Stephen Bull, Assistant Deputy Minister, Service Alberta, for information.

017/18

CARRIED 7/0

RECESS: Reeve Vandermeer recessed the meeting at 11:51 am.

CALL TO ORDER: Reeve Vandermeer called the meeting to order at 12:35 pm with the following people present: Councillors Duncan, Laird, Lougheed, Laing, Hoven and Swanson; Helge Nome, Shaelynn Poteet, Murray Hagan, Rick Emmons and Tracy Haight.

MUNICIPAL: **6. Broadband Policy Framework**

Discussion took place on progress made to date on the development of the County's policy framework for implementing a broadband internet infrastructure project.

Discussion continued on how to identify general direction and objectives of the policy and the following points were noted:

- engage and consult the public;
- inquire on what level the Town of Rocky Mountain House, Village of Caroline and neighbouring First Nations are interested in participating with the planning process for internet infrastructure;
- review previous broadband internet feasibility studies and reports completed for Clearwater County since 2012;
- review municipal legislative requirements and legalities;
- access risk factors associated with municipally owned and operated internet infrastructure/services;
- respond to questions presented in the provincial survey on broadband strategy; and,
- obtain administrative input on policy writing.

Discussion took place on how to inform the public of how the County supports services offered to the community and it was suggested to publish information in the County's newsletter.

COUNCILLOR LAIRD: That Council authorizes Administration to prepare a draft letter inviting Town of Rocky Mountain House and Village of Caroline Councils to participate in Clearwater County Council's planning process for enhanced broadband services; and, presents the draft letter for review by the Agenda and Priorities Council Committee of the Whole on January 15, 2018.

018/18

CARRIED 7/0

COUNCILLOR LOUGHEED: That Council reviews draft broadband internet policy framework, as a Council Committee of the Whole, at the Agenda and Priorities Committee meeting on January 15, 2018.

019/18

CARRIED 7/0

CORPORATE SERVICES:

1. 2018 Council, Board and Committee Remuneration

As per Council's direction on December 12, 2017, additional amendments were made to the 'Council, Board and Committee Remuneration' policy, which replaces the 'Council and Board Reimbursement' policy.

Discussion took place and further amendments were recommended.

COUNCILLOR DUNCAN: That Council reviews additional amendments, as discussed, to the Council, Board and Committee Remuneration policy at the January 23, 2018 Regular Council Meeting.

020/18

CARRIED 7/0

2. Provincial Education Requisition Credit (PERC) Program

Clearwater County is applying for the new Provincial Education Requisition Credit (PERC) Program that allows municipalities to receive credit for uncollectible education tax assessed on oil and gas properties.

A summary, attached to these minutes, lists amount of taxes owing to the County as of December 31, 2017 for write-off and the amount eligible for credit under this program.

COUNCILLOR SWANSON: That Council approves the list of accounts, as attached to these minutes, for write-off totaling \$241,175.26 (including eligible uncollectible education taxes of \$30,415.30) effective December 31, 2017.

021/18

CARRIED 7/0

INFORMATION:

1. Interim CAO's Report

R. Emmons reported the following:

- As per Town of Rocky Mountain House Council's request, Town and County Administration will propose tentative dates for a Joint Council meeting to discuss options for moving forward with the Joint Development Area plan.
- Authorization is required for councillors to attend the Mayor's Prayer Breakfast on January 24 and 2018 Municipal Law Seminars.
- Additional municipal governance training for councillors is scheduled for January 23.
- Administration intends to complete a comprehensive review of boards and committees with council appointments.
- Clearwater County's new website is expected to launch in February 2018.
- Expressions of condolences were sent to the families of Richard Gabler, Clearwater County Councillor 1992 – 1998 and, Larry Goodhope, the first Clearwater County Manager in 1985.

COUNCILLOR SWANSON: That Council authorizes Reeve Vandermeer and Councillors Laing, Hoven, Lougheed and Swanson's attendance at the Mayor's Prayer Breakfast.

022/18

CARRIED 7/0

COUNCILLOR LAING: That Council authorizes councillors' attendance to the 2018 Municipal Law Seminars.

023/18

CARRIED 7/0

2. Public Works Director's Report

R. Emmons reviewed the January 9, 2018, Public Works Directors' Report as submitted.

3. Councillor's Verbal Report

Councillor Laird reported the following:

- Rocky Senior Housing Council hired a CAO for Westview Lodge.
- AAMDC accepted her application to serve as AAMDC's representative on Alberta Municipal Affairs' Safety Codes Council for a three-year term.

Councillor Laird requested Council's authorization of remuneration/per diems payment for attending Safety Codes Council meetings.

COUNCILLOR SWANSON: That Council authorizes payment of Councillor Laird's remuneration/per diems for attending Safety Codes Council meetings.

024/18

CARRIED 7/0

Councillor Laing reported the following:

- Chamber of Commerce Lunch and Learn event scheduled for January 11.
- West Country Drug Coalition Winter Wellness Fair scheduled for January 18.

Discussion took place on having two councillors attend the Chamber of Commerce Lunch and Learn events on a rotational basis.

COUNCILLOR LAING: That Council authorizes two councillors' attendance at the Chamber of Commerce Lunch and Learn events on a rotational basis.

025/18

CARRIED 7/0

Councillor Hoven reported the following:

- Sundre Petroleum Operators Group (SPOG) requested the appointment of an alternate member to the SPOG Board of Directors at Council's next Organizational Meeting.

Discussion took place on meetings, organized by the Deputy Minister of Alberta Environment and Parks, that have taken place in the community. Residents have expressed concern with the lack of communication regarding the purpose of these meetings.

COUNCILLOR SWANSON: That Council invites the Deputy Minister of Alberta Environment and Parks to meet with Council at first opportunity.

026/18

CARRIED 7/0

COUNCILLOR LAING:

That Council receives the Interim CAO's Report, Public Works Manager's Report, Accounts Payable, Councillor's Verbal Report, November 9, 2017 Rocky Mountain Regional Solid Waste Authority and September 21, 2017 Clearwater County Heritage Board Committee Meeting Minutes and Councillor Remuneration for information as presented.

027/18

CARRIED 7/0

ADJOURNMENT:
2:25 pm

COUNCILLOR DUNCAN:

That the Meeting adjourns.

028/18

CARRIED 7/0



REEVE


INTERIM CHIEF ADMINISTRATIVE OFFICER

ATTACHMENT "A"

Kelly and Andrea Spongberg
400051 Rge Rd 7-2
Clearwater County, AB
T4T 1A4
December 11, 2017
Clearwater County Council
4340 – 47th Ave
Rocky Mountain House, AB
T4T 1A4

RE: Metaldog Industrial Subdivision – cost sharing request for RR 7-2 overlay
Reeve and Council,

As you may know we are developing 13 industrial lots north of town on Range Rd 7-2. We began this process in 2010. They are now nearing completion. We are requesting Clearwater County Council consider assisting us, the developers of Metaldog Industrial Subdivision, with the costs that were incurred for an asphalt overlay of Range Road 7-2. We requested the overlay in August of 2013 to remove the seasonal 90% Road Ban from RR 7-2 to allow for our own construction as well as to provide any potential lot owners with a ban free road. RR 7-2 is a main artery through designated industrial and commercial zones, connecting the Rocky Mountain House Airport with the Town and County. We were told at this time that we could apply for an Endeavor to Assist to be placed on this infrastructure upgrade so that we would be able to recover some of our costs if future development used RR 7-2 and we therefore applied for an Endeavor to Assist on August 16, 2013. We also entered into a Cost Contribution Agreement with the County on October 1, 2013 to have the work completed by the County for which we provided an Irrevocable letter of credit for \$270,000.

The asphalt overlay of RR 7-2 from Road 40-0 to our north approach was completed in August of 2014 and our cost was \$161,374.87 for the upgrade. (Exhibit 2) Please note that there was additional work done on the road at the same time that was not considered to be our responsibility, listed as County Portion. On August 28, 2014 a 10 year Endeavor to Assist was placed on file for all properties utilizing RR 7-2 that could potentially benefit from the road upgrades.

Subsequently in July of 2015, Clearwater County purchased land directly to the west of us on RR 7-2 for salt and sand storage, a potential new administration building and/or industrial lots. The asphalt overlay that we paid for allows County trucks to use the ban free road now, the main County approach is directly across from our north approach. Also of note is the fact that we constructed a large firepond, as required by County conditions, that may be used in the case of fire on County property or any property in the area.

We had been encouraged to submit a request to Clearwater County Council for assistance in the summer of 2013 by County staff in accordance with the Access Roads Policy. (Exhibit 1) However we found out that a new policy was being drafted and that we should wait, therefore when we applied to Council to include the upgrades in the 2014 Overlay project we did not ask for any assistance with the cost apart from establishing an Endeavor to Assist. When the new Endeavor to Assist Program was released February 24, 2015 we found that the policy had been written to specifically exclude County development from any need to assist developers with public upgrades. (Exhibit 3) This does not seem to be in accordance with Section 651(3) of the Municipal Government Act.

(3) If a municipality has at any time, either before or after this section comes into force, or before or after section 77.1 of the Planning Act was deemed to come into force, entered into an agreement providing for reimbursement of payments made or costs incurred in respect of the excess capacity of an improvement by an applicant for a development permit or subdivision approval, the municipality must, when other land that benefits from the improvement is developed or subdivided, enter into an agreement with the applicant for a development permit or subdivision approval for the other land, and that agreement may require the applicant to pay an amount in respect of the improvement, as determined by the municipality, which may be in excess of the cost of the improvement required for the proposed development or subdivision

We applied to Clearwater County Public Works Department for assistance through the Endeavor to Assist Policy on October 18, 2016 but were denied due to the fact that the "current Endeavor to Assist Policy does not apply to development by Clearwater County." (Exhibit 4) We have reviewed other Municipal Endeavors to Assist and Infrastructure Cost Recovery policies and we have not found another one yet that specifically excludes the Municipality.

We are now appealing to Clearwater County Council to share the cost of upgrading RR 7-2 to ban free status. It is not fair for us to pay for the whole cost of upgrading this road, especially now that the County itself and its citizens are benefitting from its use.

We are available for a public presentation of this request should there be any questions arising.

We thank you for your consideration of this request.

Sincerely
Kelly and Andrea Spongberg

ATTACHMENT "B"
#021/18 Provincial Education Requisition Credit (PERC) Program

ROLL NUMBER	TOTAL OUTSTANDING	2016 DOUBTFUL ACCOUNTS	TOTAL ELIGIBLE
3605044003	\$ 8,146.78		\$ 317.94
9900660001	\$ 3,784.61		\$ 1,131.38
4108311001	\$ 10,948.78	\$ 8,223.25	\$ 590.93
4208062001	\$ 13,033.08	\$ 9,892.27	\$ 569.20
9900406001	\$ 85,762.44	\$ 76,355.44	\$ 7,188.78
9900365001	\$ 862.40		\$ 240.20
9900422001	\$ 30,441.30	\$ 27,102.30	\$ 1,681.47
9900558001	\$ 3,020.98	\$ 2,689.62	\$ -
9900515001	\$ 85,174.89		\$ 18,695.40
	\$ 241,175.26	\$ 124,262.88	\$ 30,415.30