

CLEARWATER COUNTY COUNCIL AGENDA
March 14, 2017
9:00 AM
Council Chambers
4340 – 47 Avenue, Rocky Mountain House, AB

10:00 am Community & Protective Services: Stephen Bull, Assistant Deputy Minister – SuperNet Secretariat, Service Alberta - ‘SuperNet and Broadband Internet’

A. CALL TO ORDER

B. AGENDA ADOPTION

C. CONFIRMATION OF MINUTES

1. February 28, 2017 Regular Meeting Minutes

D. PUBLIC WORKS

1. Tender Award: BF07463 (NW 12 38 04 W5M/Range Road 4-1 Bridge Crossing)

E. CLEARWATER REGIONAL FIRE RESCUE SERVICES

1. 2017 Fire Season Prevention Report

F. CORPORATE SERVICES

1. Bylaw 1019/17 Well Drilling Equipment Tax - First, Second and Third Readings
2. Assessment and Tax Implications
3. Reserve Transfer for Broadband Administrative Report

G. COMMUNITY & PROTECTIVE SERVICES

1. 10:00 am Stephan Bull, Assistant Deputy Minister – SuperNet Secretariat, Service Alberta ‘SuperNet and Broadband Internet’
2. Letter of Support for ‘Connect to Innovate’ Grant Applications

H. PLANNING

1. Clearwater County Hamlet Residential Chicken Bylaw

I. INFORMATION

1. CAO’s Report
2. Public Works Director’s Report
3. Councillor’s Verbal Report
4. Accounts Payable Listing

J. IN CAMERA*

1. Third Party Interest - Harewaves Wireless Inc.
2. Administrative Report - Area Structure Plan ***Item to Follow***

* For discussions relating to and in accordance with: a) the Municipal Government Act, Section 197 (2) and b) the Freedom of Information and Protection of Privacy Act, Section 16(1)(a) to (c), and Section 24(1)(c).

K. ADJOURNMENT



AGENDA ITEM

PROJECT: BF 07463 Bridge Rehabilitation Tender Award		
PRESENTATION DATE: March 14th, 2017		
DEPARTMENT: Public Works	WRITTEN BY: Kate Reglin	REVIEWED BY: Kurt Magnus / Marshall Morton
BUDGET IMPLICATION: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME: Managing Our Growth	PRIORITY AREA: Support a transportation network that connects and moves residents and industry	STRATEGIES: Bridge repair or replacement scheduled at an average of 2-3 bridges per year (50-60 year cycle)
RECOMMENDATION: That Council receives BF 07463 Bridge Rehabilitation Tender Award information as presented.		

BACKGROUND:

Bridge File (BF) 07463, which is located at NW 12-038-04-W5M, on local road Range Road 4-1, crossing Tributary to Medicine River, is part of Clearwater County's Bridge Rehabilitation program. This rehabilitation includes the removal of the existing 24.4-meter-long 2360mm x 1670 mm arch bridge culvert and installation of a new 33.0-meter-long, 2400mm round bridge culvert.

Administration held a tender opening on Thursday, February 23rd, 2017 for the work outlined above. We received nine bids, with **Pearl Rose Construction Ltd.** being the low valid bidder.

Contractor	BF07463
Pearl Rose Construction Ltd.	\$ 136,100.00
Tar-ific Construction Ltd.	\$ 154,044.00
Unsurpassable Construction Ltd.	\$ 179,123.50
McKnight Enterprises Ltd.	\$ 188,790.00
TBL Construction Ltd.	\$ 207,855.00
Kichton Contracting Ltd.	\$ 212,716.97
Carbon Earthworks Ltd.	\$ 224,551.00

1690082 AB Ltd.	\$ 267,955.00
Prairie Erectors Int'l Inc.	\$ 272,537.50

BF07463

Pearl Rose Construction LTD.	<u>Tender Pricing</u>	<u>Estimated Amount</u>
Total Contract Cost	\$ 136,100.00	\$ 156,752.00
Modified Amount (less site occupancy)	\$ 123,300.00	\$ 143,925.00
Potential Site Occupancy	\$ 1,600.00	\$1,600.00
Bonus Days (\$800/day)		
Contingency 10%	\$ 12,330.00	\$ 14,392.50
Engineering	<u>\$ 56,916.00</u>	<u>\$ 56,916.00</u>
Total	\$ 194,146.00	\$ 216,833.50

The cost for BF 07463 came in **\$22,687.50** under the engineer's estimated amount of **\$216,833.50**.



AGENDA ITEM

PROJECT: 2017 Fire Season Prevention Report		
PRESENTATION DATE: March 14, 2017		
DEPARTMENT: Clearwater Regional Fire Rescue Services	WRITTEN BY: Steve Debiegne	REVIEWED BY: Ron Leaf
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME: Community Well-Being	PRIORITY AREA: 3.2	STRATEGIES: 3.2.2
RECOMMENDATION: That Council receives the 2017 Fire Season Prevention Report as information.		

BACKGROUND:

Alberta's Wildfire Season has started on March 1. The Office of the Fire Commissioner, municipalities and fire departments across Alberta, Alberta Agriculture and Forestry, and Alberta FireSmart are all working to help raise awareness about wildfire - Wildland Urban Interface (WUI) and grass fires. This serves as a reminder that a permit is required for burning within the Forest Protection Area, as well as to ensure you notify Clearwater Regional Fire Rescue's Burn Notification Line at 1-403-845-7711.

During the 2016 fire season the Alberta government responded to 1,403 wildfires that burned more than 611,000 hectares, which is three times the 25-year average. Locally, Regional Fire crews responded to 82 Rubbish & Wildland fires. The majority of these responses were in the spring season, with the Provincial wide fire ban in May easing the situation. This outlining the importance timely implementation of Fire Bans when the hazard reaches an extreme risk. Over the past year administration has worked with ESRD to sign a formal mutual aid agreement, ensuring interoperation between agencies.

Preparing for the threat of wildfire is a shared responsibility. You can do your part:

- Dispose of debris and lawn clippings quickly to reduce fuel for fire. Don't let them linger.

- Clear leaves and other vegetative debris from roofs, gutters, porches and decks. This helps prevent embers from igniting your home.
- Remove dead vegetation and other items from under your deck or porch, and within 10 feet of the house.
- Remove flammable materials (wood piles, propane tanks) within 30 feet of your home's foundation and outbuildings, including garages and sheds. If it can catch fire, don't let it touch your house, deck or porch.
- Prune trees so the lowest branches are 6 to 10 feet from the ground. Wildfire can spread to tree tops.



AGENDA ITEM

PROJECT: Well Drilling Equipment Tax		
PRESENTATION DATE: March 14, 2017		
DEPARTMENT: Corporate Services	WRITTEN BY: Denniece Crout	REVIEWED BY: Rodney Boyko
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite) MGA Division 6 Sec 388		
STRATEGIC PLAN THEME: Well governed and leading organization	PRIORITY AREA: Ensure timely compliance with regulatory obligations	STRATEGIES: Monitor provincial legislation to ensure policies remain current
ATTACHMENT(S): Bylaw 1019/17		
RECOMMENDATION: That Council grants first and second readings and, considers granting third reading of Bylaw 1019/17 Well Drilling Equipment Tax, authorizing the County to impose a tax on equipment used to drill oil and gas wells.		

BACKGROUND:

Upon the expiry of Alberta Regulation 233/2013 in 2014, Regulation 218/2014 was passed and came into effect in January 2015. The existing Bylaw No 13 which references the Well Drilling Equipment Legislation contains an out of date fee schedule and is no longer relevant with the new legislation.

The current regulation contains rates vary from year to year. Regulation 233/2013 is set to expire in 2019.

Attached is the updated Bylaw for your consideration.

BYLAW NO. 1019/17

A BYLAW of Clearwater County, in the Province of Alberta, for the purpose of imposing a tax on persons engaged in the drilling of a well for which a permit is required pursuant to the Oil and Gas Conservation Act and/or engaged in the servicing of an existing well.

PURSUANT to the Authority conferred upon it in Division 6 Section 388 (1) and (2) of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26 and amendments thereto; and,

PURSUANT to the Alberta Regulation 218/2014 Well Drilling Equipment Tax Rate Regulation;

WHEREAS, a Council may by bylaw pass a well drilling equipment tax;

NOW, THEREFORE, upon compliance with the relevant requirements of the Municipal Government Act, the Council of the Clearwater County, Province of Alberta, duly assembled, enacts as follows:

1. *THAT Clearwater County is authorized to impose a tax in respect of equipment issued to drill a well for which a license is required under the Oil and Gas Conservation Act implementing the calculation as per A/R 218/2014.*

2. *That Bylaw 13/85 is hereby repealed.*

READ A FIRST TIME this 14th day of March A.D., 2017.

REEVE

CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME this 14th day of March A.D., 2017.

READ A THIRD AND FINAL TIME this 14th day of March A.D., 2017.

REEVE

CHIEF ADMINISTRATIVE OFFICER



AGENDA ITEM

PROJECT: Assessment and Tax Implications		
PRESENTATION DATE: March 14, 2017		
DEPARTMENT: Corporate Services	WRITTEN BY: Denniece Crout	REVIEWED BY: Rodney Boyko
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME: Well Governed and Leading Organization	PRIORITY AREA: Provide service levels that balance community needs with organizational capacity	STRATEGIES: Determine Levels of service aligned with Community Need.
RECOMMENDATION: That Council receives the report on Assessment and Tax Implications for information.		

BACKGROUND:

The 2016 Assessment Roll was declared on February 22, 2017. The budget numbers are now confirmed and the 2017 Tax Rate Bylaw will be in front of Council at the April 11, 2017 meeting. The school requisition will be available March 16. With the assessment numbers finalized, some analysis reveals a few interesting facts.

There was growth last year in the residential component. Growth was \$24M and with the current tax rate that growth results in an increased revenue of \$62K. There is some assessment that is at risk, this is tax dollars that may not materialize. The estimated value is \$100K. If the tax rates in all Assessment classes are to remain constant there will be a \$225K shortfall compared to the budget.

The purpose of this item was to provide Council with an update on the status of the assessment as the last discussion with Council, during budget discussions, contemplated larger reductions in the linear assessment, however these did not materialize as previously rumored.

Administration is currently reviewing various options and will provide more information at the April 11 Council meeting along with the bylaw.



AGENDA ITEM

PROJECT: Reserve Transfer for Broadband Administrative Report		
PRESENTATION DATE: March 14, 2017		
DEPARTMENT: Corporate Services	WRITTEN BY: Rodney Boyko	REVIEWED BY: Ron Leaf
BUDGET IMPLICATION: <input type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input checked="" type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation - MGA 248		
STRATEGIC PLAN THEME: Well Governed and Leading Organization	PRIORITY AREA: Socially Responsible Governance for Long Term Sustainability	STRATEGIES: Fiscal Management
RECOMMENDATION: That Council approves transfer of \$35,000 to Other Contracted Services from the Internet Reserve for the due diligence process for the Clearwater Broadband Request for Funding.		

BACKGROUND:

The Clearwater Broadband Foundation (CBF) presented to Council on February 28, 2017. The CBF requested the following items from Clearwater County:

1. For the 2017 portion of their proposal, loan the CBF \$3,480,000.00 over 25 years, principle and interest free for the first five years, with a modest interest rate charged for the remaining 20 years.
2. Use of, and cooperation from, County staff resources and departments to facilitate fibre deployment and completion of grant applications for projects.
3. Developing a 'dig-once' broadband deployment policy focused on increasing coordination between government agencies and utility companies to decrease the frequency of highway excavation.
4. Responding to CBF's requests in a timely manner so that CBF can begin the projects as soon as possible.

Motion 075/17 by Councillor Vandermeer accepted the presentation as information. Following this presentation Council discussed an administrative review of the proposal by the CBF. Council passed motion 078/17 stating:

That Administration provides Council with an administrative report and recommendation regarding the Clearwater Broadband Foundation proposal.

Carried 6/1

To complete the administrative report, the expertise to ensure the County does the appropriate due diligence must be accessed through contracted services. Administration believes to move forward the following first steps, as a minimum, will be required:

- Business Plan Review
 - Does the plan address the key risks and provide mitigation strategies;
 - Has the feasibility and viability been proven in the plan;
 - What are the Key Success Factors of the plan;
 - What constraints will the project face and how have they been mitigated;
 - Do the pro-forma financials address all the required factors;
- Legal Review
 - Will the structure of the Foundation allow for the accessing of funds from alternative sources to complete the mandate of the County for broad internet and mobility coverage;
 - Does the MGA allow the County to lend to the CBF with their current business model;
 - Does the business model of the Foundation support the status of not for profit;
 - Analysis of additional risk to County;
- Technical Review
 - How does the proposal compare to new and emerging technologies;
 - Confirmation of review of plans by Certified engineer practicing in this field;
 - Comparison to alternative technology.

Administration is currently basing our assumptions on the PowerPoint and verbal presentation to Council. Once the CBF's documentation for the business plans and related documents are received, Administration can provide further information to Council on additional resources required.

Administration has scheduled a meeting with legal counsel on March 29, 2017. As the CBF currently does not have financial resources to procure legal counsel, two members of the executive will attend with Administration to represent the CBF's concepts and interests. Costs will be borne by the County for this first meeting.

The 2017 budget did not anticipate the broadband evaluation report therefore Administration is requesting that \$35,000 be added to the Other Contracted Services (GL 8-12-000-000-801-8257) budget for anticipated costs associated with this review. This budget does not include the staff resources requested in #2 above, nor any additional administration and materials required to comply with #3.



AGENDA ITEM

PROJECT: Presentation by Stephen Bull, Assistant Deputy Minister of the SuperNet Secretariat, Service Alberta 'SuperNet and Broadband Internet'		
PRESENTATION DATE: March 14, 2017		
DEPARTMENT: Community & Protective Services - Economic Development	WRITTEN BY: Ted Hickey	REVIEWED BY: Rodney Boyko
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME: Managing Growth	PRIORITY AREA: Local Economy	STRATEGIES: 1.3.4
ATTACHMENT(S): PowerPoint presentation – 'SuperNet and Broadband Internet'		
RECOMMENDATION: 1. That Council receives the 'SuperNet and Broadband Internet' presentation for information.		

BACKGROUND:

Mr. Stephen Bull is the Assistant Deputy Minister of the SuperNet Secretariat, Service Alberta, with responsibility for the SuperNet and Alberta First Responders Radio Communications System (AFRRCS). Mr. Bull will update Council on the state of the Alberta SuperNet and changes that may occur when the current SuperNet contract expires in 2018.

SuperNet & Broadband Internet

Clearwater County Council

March 14, 2017

Who am I?

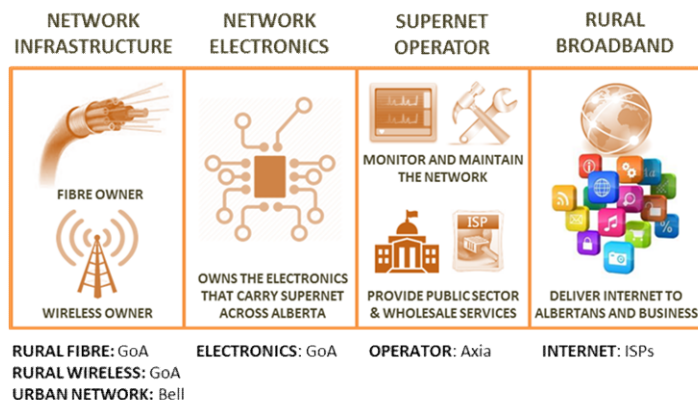
- Assistant Deputy Minister in Service Alberta
- With responsibility for:
 - SuperNet
 - Alberta First Responders Radio Communications System (AFRRCS)



Presentation Purpose

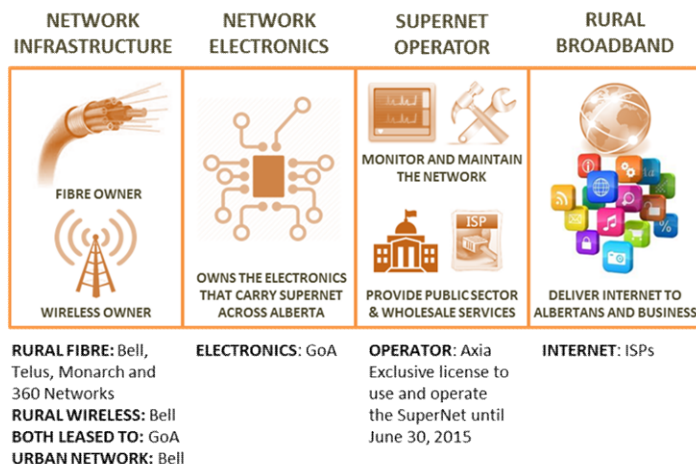
- To tell you the truth about SuperNet
- Discuss the current state of broadband internet in the province
- Propose ways we can improve services for Albertans

SuperNet: The History: 2001



- In 2001, government committed \$193 million to build, and own, a network connecting public sector facilities in 402 rural communities.
 - This investment was made in 402 of 429 SuperNet communities, as few services or competition existed.
 - Bell also committed \$102 million to complete an urban network connecting 27 of the 429 SuperNet communities.
 - Owned and operated by Bell, the urban network did not require government investment as services were already available in these communities.
- SuperNet: Fibre optic cables & wireless towers, formed into a network by electronics carrying signals to public facilities;
- SuperNet Operator: monitors and maintains the infrastructure and electronics; and
- SuperNet Operator: delivers services directly to the public sector, and sells wholesale services to rural ISPs to use in delivering internet to rural Albertans and businesses.

SuperNet: The History: 2005

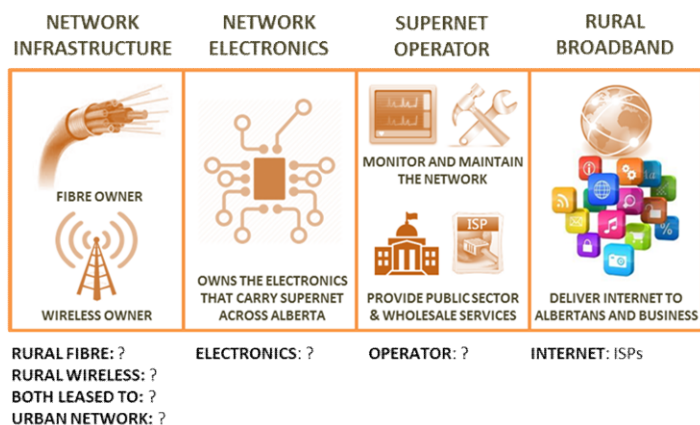


The two major 2005 changes to SuperNet agreements were:

- Bell provided a revenue shortfall guarantee through to the SuperNet operating agreement's original expiry date on June 30, 2015; and
- Change from direct government ownership to an Indefeasible Right of Use (IRU) - essentially an exclusive long-term lease through to 2045 - with buy-back options, for \$1, in 2035.

- Although most of the rural network was initially owned by government, renegotiated contracts in 2005 transferred ownership of the majority of rural fibre and wireless infrastructure to Bell.
- Government holds exclusive rights to the infrastructure until 2045 through fibre and wireless leases.
- At the time, this recognized Bell's additional investment of over \$300 million to complete the construction of the rural network.
- Leases offered government long-term ownership, without associated liabilities (i.e. Bell would provide 10 years maintenance at no cost to the government).
- However the 10 years are up and we now face annual financial liabilities of \$15.3 million plus CPI.

SuperNet: The Way Forward



There is a need to:

1. Review the business model for SuperNet 2.0;
2. Take steps to provide the SuperNet 2.0 operator with a stable revenue stream; and
3. Identify what, if any, role the government will take in advancing the interests of Albertans by enabling rural broadband funding as part of SuperNet 2.0.

- In November 2015 Service Alberta received Social Policy Committee, and subsequent government leadership support, to proceed with a pre-qualification process for SuperNet 2.0;
- In July 2016, while the industry engagements were underway, Service Alberta received Cabinet approval to continue its dialogue with targeted stakeholders;
- On June 30th, 2018 the operating agreements with Axia will expire and a new contract will be needed to ensure that public sector entities like schools and hospitals remain connected, and rural ISPs can continue to provide internet service to their customers.

SuperNet: Analysis



- In its early years SuperNet acted as the scaffolding for the new and emerging broadband environment in Alberta.
- While there has been significant broadband investment by the private sector since 2005, there are still areas of the province where SuperNet is the best or only option for ISPs.
- SuperNet is only one piece of Alberta's internet infrastructure. ISPs can purchase the wholesale services they need for internet delivery from SuperNet, Telus, Bell, Shaw, Rogers, and other telecommunications providers in the province.
- However with telecommunications federally regulated, and in the absence of a national broadband plan, Albertans have turned to the government for solutions.

SuperNet 2.0: Priorities



Job 1 is to ensure SuperNet service continuity, improve quality and support future growth needs for our schools, hospitals, libraries, government offices, and municipalities province-wide.



At the same time we can use our buying power and other innovative mechanisms to support the continued improvement of rural internet delivery.



During these tough economic times it is also important to achieve these SuperNet priorities without the need for long-term increased funding.

Today in Alberta



- Current internet service depends how rural you are
 - Rural community – fibre/wireless
 - Rural outside community – wireless
 - Rural remote - satellite
 - Some locations find it difficult to attract service providers
 - Some locations lack competition
-
- Geography and competition impact cost
 - Areas of the province are at or over infrastructure capacity
 - Many rural locations encounter speed limitations
 - Some less than 1.5 Mbps
 - Some at 1.5 Mbps
 - Relatively few at the federal recommended 5 Mbps for residential broadband internet

Speed Matters

500 Kbps – 1.5 Mbps

- Seniors can call their family using Skype
- Students can send their teacher a simple email
- Parents can browse the internet to find a doctor

1.5 Mbps – 5 Mbps

- College students can research complex websites with fancy graphics and streaming video
- Farmers can watch their livestock with remote surveillance or manage online auctions
- Rural accountants can send large documents to their clients

5 Mbps – 10 Mbps

- Rural children can develop motor skills and keep in touch with their friends playing online games
- Families can watch a movie online

10 Mbps – 100 Mbps

- Students can interact with teachers using real-time video streaming
- Families can watch movies online in high definition
- Farmers & business can remotely monitor building alarms with high definition surveillance



Current State Continued...

- For much of the province transport infrastructure isn't an issue
- SuperNet helped to address a gap back at the start of this century
- Now multiple options are available in many locations (but not all), including



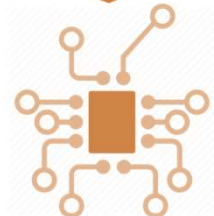
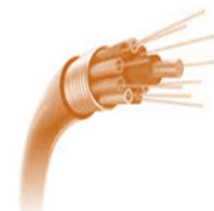
Bell
ROGERS
SHAW
TELUS

- We have 36 ISPs operating in Alberta
- BUT an outstanding problem is the middle mile and **especially** the final mile/local loop



So What Do We Need?

What Do We Need?



- Solutions for the final mile/local loop
 - Technologies now and future
 - Determine what role you will play
 - Where will funding come from
 - Encourage ISPs to provide services
 - Depending on model, may encourage competition
- Address transport bottlenecks
 - Upgrade equipment
 - Fibre to the tower
- The ability to access transport infrastructure outside points of presence e.g. hand holes
- In summary; we need continued investment across the province; private and public sector

Enhancing Rural Broadband

Fibre may not be the answer



Washington Post article from October 26, 2016 regarding Google Fiber

https://www.washingtonpost.com/news/the-switch/wp/2016/10/26/why-google-fiber-is-no-longer-rolling-out-to-new-cities/?hpid=hp_hp-more-top-stories_switch-google-1040pm:homepage/story

Google Fiber boxes rest on a sofa in the home of Becki Sherwood in Kansas City, Kan., in 2012. Sherwood's neighborhood was the first to receive Google Fiber. (Julie Denesha/Bloomberg News)

Enhancing Rural Broadband

“Even as Google Fiber pays lots of money to lay down cables and secure access to TV programming, a different type of technology is coming down the pike: wireless fiber. In some respects, you can think of wireless fiber as similar to the 4G LTE you get on your cellphone. But in other ways, it's a totally different ballgame.

Verizon's version claims to be 50 to 100 times faster than LTE.

AT&T is working on something called AirGig, which envisions a network of wireless hotspots mounted on utility poles that constantly beam out high-speed wireless signals.

There are signs that Google is moving in this direction, too. In June, it acquired Webpass, a provider of wireless broadband.

And in its announcement Tuesday, Google Fiber said it would be looking at new technology and deployment methods to make superfast Internet more abundant than it is today.”

Improving Services

Federal

- ISED Connect to Innovate program
 - Launched December 15, 2016
 - \$500 million rural broadband internet program to be spent by 2021
 - Priority is middle mile (1 Gbps link to within 2km of an underserved community)
 - Portion of the fund will be made available to last-mile and resiliency initiatives
 - Funding is open to both public and private sector
 - Submission intake: January 16, 2017 to noon EST on April 20, 2017
 - <https://www.canada.ca/en/innovation-science-economic-development/programs/computer-internet-access/connect-to-innovate.html>

Improving Services

Federal

- December 21, 2016 CRTC ruling
 - Internet is now considered a basic telecommunications service for all Canadians
 - Very ambitious target speeds; 50 Mbps download and 10 Mbps upload – interim steps will likely be required
 - Unlimited data options for fixed wireless broadband
 - Additional \$750 million of funding will be available; appears that any broadband service provider with \$10 million in annual Canadian telecommunications revenues will be required to contribute
 - Indications are that funding requests will need to include contributions from private sector and other levels of government
 - CRTC will meet in “early” 2017 to finalize the funding mechanism/procedures
 - CRTC didn’t set a price for basic service and isn’t regulating the ISP community

Improving Services

- There are discussions currently underway regarding work that needs to be performed to enhance the broadband file
 - I think we need a provincial broadband strategy
 - Funding will be required at all levels
- Many municipalities are considering the role they should play in broadband internet:
 - Technology owner
 - Partner – funding, tower infrastructure, anchor user
- There are multiple options and opportunities
- Not advocating one model; there is a need for tools that help municipalities decide what is right for them
 - I think REDAs will play an important role

My Advice

- If you haven't already, start thinking about your role:
 - If you chose to “build it so they will come”, make sure you build the right things in the right places; you can't always rely on one consultant's perspective
 - If you partner with an ISP be clear about roles. If the ISP is paying for the infrastructure at least make sure you have contract clauses that enable competition and give your municipality an option to buy the infrastructure, at an agreed price, should the ISP chose to leave your jurisdiction
 - Where possible look at broadband internet at a regional level; this may reduce some costs and also encourages ISPs
 - Think very carefully before entering into any long-term agreement with an ISP before the future of SuperNet is known; if in doubt contact my SuperNet Secretariat
- Consider applying for Connect to Innovate federal funding
- Don't dismiss partnering with TELUS for CRTC funding

Improving Services



ISPs

- SuperNet 2.0 will:
 - ❖ Take steps to level the playing field for ISPs
 - ❖ Look for ways to encourage the growth of ISPs
- The province is also exploring ways to assist with the creation and support for new ISPs in areas that are currently underserved

Questions

What didn't I cover?

What can I clarify?

**What are you thinking about/planning re
broadband internet?**



AGENDA ITEM

PROJECT: Letter of Support for 'Connect to Innovate' Grant Applications		
PRESENTATION DATE: March 14, 2017		
DEPARTMENT: Community & Protective Services - Economic Development	WRITTEN BY: Ted Hickey	REVIEWED BY: Rodney Boyko
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME: Managing Growth	PRIORITY AREA: Local Economy	STRATEGIES: 1.3.4
RECOMMENDATION: 1. Council directs Administration to provide a letter of support to qualifying organizations that are looking at improving connectivity in Clearwater County and are applying for the Connect to Innovate grant.		

BACKGROUND:

In Budget 2016, the Government of Canada put forward a vision to build Canada as a global centre for innovation—one that focuses on strengthening the middle class by creating jobs, driving growth across all industries and improving the lives of all Canadians.

The Connect to Innovate program will invest up to \$500 million by 2021 to help realize this vision and aim to ensure that 300 rural and remote communities in Canada are better positioned to take advantage of the opportunities afforded by the digital age.

Connect to Innovate is primarily focused on the construction of new backbone infrastructure (backbone networks are digital highways that move large amounts of data in and out of communities at high speeds) to connect institutions like schools, hospitals, First Nation band offices and libraries, as well as to improve residential, business and mobile services. A portion of the program's funding will include backbone upgrades, as well as last-mile infrastructure, to bring Internet access to households and businesses that do not have speeds of at least 5 megabits per second (Mbps).

Additional backbone capacity could provide users with access to speeds well above 5 Mbps. Communities using new backbone infrastructure will see a transformative change in the speeds and services they can access.

Eligible applicants are:

1. A corporation, either for profit or not for profit that is incorporated in Canada;
2. A Canadian provincial, territorial or municipal entity;
3. A band council within the meaning of section 2 of the Indian Act or an Indigenous government authority established by a Self - Government Agreement or a Comprehensive Land Claim Agreement;
4. A public sector body that is established by statute or by regulation or is wholly owned by a province, municipal or regional government which provides services to communities; or
5. A partnership, joint venture or consortium that is composed of parties identified in (1), (2), (3) and/or (4) above;

and that:

1. Builds, owns and operates broadband infrastructure; or
2. Enters into a contractual arrangement with an entity identified in (1), (2), (3), (4) or (5) above to build, own and operate broadband infrastructure.

The deadline for applications is April 20, 2017. The County does not have any projects that would qualify for the Connect to Innovate grant.

Administration feels that support should be given to all organizations that qualify to apply for this grant to improve connectivity within Clearwater County.

Administration has received one request for a letter of support from one organization already and suspects that there will be others.

Recommendation

1. Council directs Administration to provide a letter of support to qualifying organizations that are looking at improving connectivity in Clearwater County and are applying for the Connect to Innovate grant.



AGENDA ITEM

PROJECT: Clearwater County Hamlet Residential Chicken Bylaw		
PRESENTATION DATE: March 14, 2017		
DEPARTMENT: Planning & Development	WRITTEN BY: Dustin Bisson	REVIEWED BY: Keith McCrae / Rick Emmons/ Rodney Boyko
BUDGET IMPLICATION: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite) Bylaw:		
STRATEGIC PLAN THEME: #1 - Managing our Growth	PRIORITY AREA: 1.1 Plan for a well designed and built community.	STRATEGIES: 1.1.1 Ensure appropriate land use planning for public infrastructure, rural subdivisions, hamlets and commercial and industrial lands.
ATTACHMENT(S): Draft Bylaw and Schedule "A"		
RECOMMENDATION: For Council to provide Administration with its direction.		

BACKGROUND:

Clearwater County received a request to allow chickens on hamlet residential properties within the County. Administration has completed some research on what other municipalities such as the City of Red Deer, Town of Rocky Mountain House, and Town of Peace River have done when it comes to allowing chickens on residential properties; should Council wish to pursue this.

In consultation with Clearwater County's Ag Services Department, Planning and Development has put together a draft bylaw for the keeping of chickens on hamlet residential properties within four (4) of Clearwater County's hamlets; Alhambra, Condor, Leslieville & Withrow.

The draft bylaw would require landowners who wish to have chickens on their property to obtain a bi-annual chicken license. It would limit the number of chickens on a hamlet residential property to a maximum of six (6) at any given time. The draft bylaw would not allow for roosters to be raised within County hamlets. The proposal would also set

provisions on the placement and confinement while restricting the size of the chicken coops and runs.

The proposed bylaw also includes Schedule "A". Schedule "A" lists the proposed cost of a bi-annual license as well as the proposed cost of fines associated with the infractions that are listed in the bylaw. Should Council wish to allow chickens to be kept within the four (4) hamlets identified, Administration believes that this draft bylaw would control some of the nuisances associated with the raising of chickens. It is also provides Clearwater County's Ag Services an opportunity to educate landowners about current practices and issues when it comes to raising chickens.

Administration is respectfully requesting Council's direction on the following three (3) questions:

1. Is there the desire on Council's part to have Administration explore this item further?
2. If so, does Council want Administration to solicit public feedback from the residents within the four (4) hamlets and bring this item back? Or
3. Does Council wish to review the attached draft bylaw at this time and provide Administration with Council's feedback today?

Clearwater County Hamlet Residential Chicken Bylaw

1. Title:

This Bylaw may be called the “Clearwater County Hamlet Residential Chicken Bylaw”

2. Purpose:

The purpose of this bylaw is to regulate and control the keeping of up to 6 Chickens on a Hamlet residential lots in 4 of Clearwater County’s Hamlets; Alhambra Condor, Leslieville & Withrow

3. Definitions:

“**ANIMAL CONTROL OFFICER**” means a person employed under the contract between Clearwater County and its Contractor to enforce the provisions of this Bylaw;

“**BYLAW ENFORCEMENT OFFICER**” means a person appointed by the Municipality pursuant to Section 555 of the Municipal Government Act.

“**CHICKEN**” means a female chicken that is at least 16 weeks of age.

“**CHICKEN LICENSE**” means a license issued by Clearwater County pursuant to this Bylaw authorizing the license holder to keep Chickens on a specific property within a Hamlet Residential Lot

“**COOP**” means a fully enclosed weather proof structure and attached Outdoor Enclosure used for the keeping of Chickens

“**COUNCIL**” means the municipal council of Clearwater County

“**DESIGNATED OFFICER**” includes anyone employed by contracted through Clearwater County as well as any member of the Alberta Sheriffs Branch and The Royal Canadian Mounted Police;

“**HAMLET RESIDENTIAL**” Zoning specifically for residential use, found within the following Clearwater County Hamlets; Alhambra Condor, Leslieville & Withrow

“**JUDGE**” has the meaning as defined in the Provincial Offences Procedures Act (RSA 2000) and amendments thereto.

“MUNICIPALITY” means the Clearwater County.

“OFFICER” “OWNER” means a natural person or body corporate that has legal title to the chicken(s), and includes any person who has possession or custody of the chicken(s), either temporarily or permanently, or harbors the chicken(s), or allows the chicken to remain on his premises.

“PROVINCIAL COURT” means the Provincial Court of the Province of Alberta.

“ROOSTER” means a male chicken

“RUN” means an attached open area that is fenced and that chickens range in

“UNCONFINED” shall mean any chicken on the property of the Owner that is not confined to the Coop or designated portion of the property set out in the regulation of the municipality

“VIOLATION TICKET” has the same meaning as in the Provincial Offences Procedure Act;

4. Phibitions:

On a Hamlet Residential lot, no person shall:

- a) Keep a Rooster;
- b) Keep a Hen, unless a valid Chicken License has been issued.
- c) Allow the Hen(s) off of the Licensed Owner’s property.

Residential Chicken Provisions

5. A person is guilty of an offence if that person keeps or harbours chickens within any portion of a Hamlet located within Clearwater County, without the exclusive written permission of the Council, except for that provided for in this Bylaw;
6. Any Bylaw Enforcement Officer may seize and impound any Chicken(s) within any portion of a Hamlet located within Clearwater County, if the Chicken(s) are being kept without the written permission of the Council, except for that provided for in this Bylaw;
7. A Bylaw Enforcement Officer is hereby authorized to enter any land or premises (excluding dwelling houses) at any reasonable time within a Hamlet located in Clearwater County to inspect for conditions which may contravene any provisions

of this Bylaw whether or not the owner or person at the premise harbours Chicken(s) lawfully or unlawfully.

8. Any person, whether or not he or she is the Owner of any Chicken(s) which is being or has been pursued and/or captured, is guilty of an offence if he or she:
 - 8.1 Interferes with, or attempts to obstruct, a Designated Officer who is attempting to capture, or who has captured, any Chicken(s);
 - 8.2 Removes, or attempts to remove, any Chicken(s) from the possession of a Designated Officer;
 - 8.3 Refuses to provide identification (name, address, and date of birth) and proof thereof to a Designated Officer upon request;
 - 8.4 Provides false or misleading information to a Designated Officer.
9. A Designated Officer, including an Animal Control Officer, is hereby authorized to use live traps, nets or any other similar means to effect capture of chickens. The County or its Contractor shall not be held liable for the death or injury of any Chickens.

Keeping of Chickens

10. Every Owner who wishes to participate in the "Keeping of Chickens" on a Hamlet Residential Lot "HR" shall pay to Clearwater County a License fee every two years as set out in Schedule "A".
11. Where a License is required, and has been paid for by the tender of an uncertified cheque, the License is automatically revoked if the cheque is not accepted and cashed by the bank in which it was issued.
12. Any Owner who fails to renew their License on or before the last day in the month that their license expires, shall be guilty of an offence and subject to the penalties provided for in this Bylaw.
13. Clearwater County has the right, at its sole discretion, to rescind a License if offences continue to be committed by the license holder or if a Designated Officer determines that the wellbeing of the chicken is in danger.

14. An Owner is guilty of an offence if the Owner harbours Rooster(s) on a Hamlet Residential lot “HR” within Clearwater County;
15. An Owner is guilty of an offence if the Owner harbours more than six (6) Chickens per Hamlet Residential lot, as defined by the Land Use Bylaw;
16. A person is guilty of an offence if that person slaughters any Livestock on a Hamlet Residential lot ;
17. An Owner is guilty of an offence if the Owner or a person on behalf of the owner buries a dead Hen on a Hamlet Residential lot. Dead Chickens shall be disposed by delivering it to a farm, abattoir, veterinarian, mobile slaughter unit, or other facility that has the ability to dispose of Chickens lawfully;
18. The maximum size of a Coop (including Henhouse and Run area) is 9.2 square meters (100 square feet.), and the minimum size of a Coop is 4.34 square meters (50 square feet). The Coop can be no more than 2.0 m (6.56 ft.) in height. Both the Henhouse and Run area are required to be fully enclosed in a secure fence and structure.
19. An Owner is guilty of an offence if the Owner or a person on behalf of the Owner fails to locate a Coop in the rear and side yards of a Hamlet Residential property with an existing Detached Dwelling, or a side by side Duplex unit on a parcel. Further, the Owner is guilty of an offence if the Coop is not placed in accordance to the Ancillary Buildings regulations of the Land Use Bylaw (6.3);
20. An Owner is guilty of an offence if the Owner fails to keep a Coop in good repair, maintained in a clean and sanitary condition, free of vermin, obnoxious smells and substances limited so as not to create a nuisance or disturbance to neighboring residents due to noise, odor, damage or threats to public health.
21. The Owner is guilty of an offence if all Chicken waste is not stored in a fully enclosed structure or container. A Designated Officer and/or their designate, is hereby authorized to enter onto private property to remove chicken waste at the expense of the landowner.
22. The Owner and any person are guilty of an offence if any eggs produced in conjunction with the “Hamlet Residential Chicken Bylaw” within Clearwater County are sold commercially.

23. The Owner of a Hen is guilty of an offence if the Hen is Running at Large;
24. The Owner of a Hen is guilty of an offence if the Hen is unconfined on the Owner's Property.
25. Any Designated Officer with the County may seize and impound any Chicken(s).
26. Upon receiving any chicken(s) for impound, an Animal Control Officer, Contractor, or its staff, shall make reasonable efforts to identify and contact the Owner of the chicken(s).
27. The Contractor shall not sell, euthanize, or otherwise dispose of any impounded Chicken(s) until the Chicken(s) is retained in the Contractor's impound facility for seventy - two (72) hours, not including the day of impounding, Sundays or Statutory Holidays. The Contractor may retain Chickens for a longer period if in the opinion of the Contractor the circumstances warrant the expense.
28. Any healthy Chicken(s) may be returned to the Owner during the 72-hour period of impoundment upon payment to the Contractor the costs of impoundment and boarding.
29. Any person claiming impounded Chickens shall present government issued identification to the Contractor or its staff.
30. Where any impounded Chickens have not been claimed by an Owner within 72 hours of impoundment, the Contractor is authorized to sell, euthanize, or otherwise dispose of any impounded Chicken(s).

Violation Tickets and Continuing Offences

31. Where a Designated Officer has reasonable grounds to believe that a person has contravened any provision of this Bylaw:
 - 31.1. He or she may serve upon the person a Municipal Ticket allowing payment of the specified fine as set out in Schedule "A" of this Bylaw, which payment will be accepted by the County or the Designated Officer on behalf of the County in lieu of prosecution for the offence if paid within 21 days of the date of service; or Clearwater County's Residential Chicken Bylaw, he or she may issue and serve a violation ticket in accordance with the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34 and amendments

thereto, allowing a voluntary payment or requiring a person to appear in court, without the alternative of making a voluntary payment.

32. A Municipal Ticket shall be deemed to be sufficiently served if:

- 32.1. Served personally on the Owner of any chickens, or left at the Owner's residence; or
- 32.2. Mailed to the address of the Owner of any Chicken(s).
- 32.3. Penalties for a second, third and subsequent offences will be applicable, where those offences occur within one (1) year of the first or most recent offence.
- 32.4. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in the amount not less than that established by this Bylaw for each such day.
- 32.5. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to the specified penalty set out in Schedule "A" and in default of payment of any fine imposed, to imprisonment for not more than six (6) months. Any person who contravenes any provision of this Bylaw for which there is either "Court" or no penalty specified in Schedule "A", is guilty of an offence and is liable on summary conviction to a fine of not less than five hundred dollars (\$500.00) and not more than ten thousand dollars (\$10,000.00) and in default of payment of any fine imposed, to imprisonment for not more than six (6) months. Severability of Bylaw Provisions 31 Each separate provision of this Bylaw shall be deemed independent of all provisions, and if in any provision of this Bylaw be declared invalid, all other provisions shall remain valid and enforceable.

SCHEDULE "A"

LICENSE FEES

		Amount		
1. Two Year Chicken License fee		\$25.00		
Section	Offence	First	Second	Third & Subsequent
s.5	Harbouring Chickens	\$200.00	\$400.00	\$800.00
s.8(1)	Interfere with an Officer	\$500.00	\$1000.00	\$1500.00
s.8(2)	Remove/attempt to remove chickens from Officer	\$500.00	\$1000.00	\$1500.00
s.8(3)	Refuse to provide identification to Officer	\$500.00	\$1000.00	\$1500.00
s.8(4)	Providing false or misleading information to Officer	\$500.00	\$1000.00	\$1500.00
s.13	Fail to License Chickens	\$200.00	\$400.00	\$800.00
s.14	Rooster on a Hamlet Residential lot	\$100.00	\$200.00	\$300.00
s.15	Have more than 6 Hens	\$100.00	\$200.00	\$300.00
s.16	Slaughter of Livestock on property	\$100.00	\$200.00	\$300.00
s.17	Unlawful disposal of dead Hens	\$100.00	\$200.00	\$300.00
s.18	Coop fails to meet size / enclosure requirements	\$100.00	\$200.00	\$300.00
s.19	Coop not located properly	\$100.00	\$200.00	\$300.00
s.20	Fail to maintain Coop in a sanitary condition/ good repair	\$100.00	\$200.00	\$300.00
s.21	Waste not stored in an enclosed structure or container	\$100.00	\$200.00	\$300.00
s.22	Eggs produced from the Keeping of Hens sold commercially	\$200.00	\$400.00	\$800.00
s.23	Hens Running at Large	\$100.00	\$200.00	\$300.00