

**CLEARWATER COUNTY  
COUNCIL AGENDA  
December 13, 2011**

**DELEGATIONS:**

**10:00 Sewage Lagoon Update**

**11:15 Waiving of Tax Penalty – Roll 3907013016**

**11:30 Safety Audit**

**A. CALL TO ORDER**

**B. AGENDA ADOPTION**

**C. CONFIRMATION OF MINUTES**

1. November 29, 2011 Regular Meeting Minutes
2. November 29, 2011 Public Hearing Minutes

**D. PUBLIC WORKS**

1. Surfacing Request – Gimlet
2. 10:00 Sewage Lagoon Update

**E. CORPORATE SERVICES**

1. Waiving of Tax Penalty – Roll 3907013016

**F. MUNICIPAL**

1. Procedural Bylaw
2. 11:30 Safety Audit Results
3. RPAP Skills Day Funding Request
4. Wild Rose Public Schools Meeting Request
5. Parkland Regional Library Satisfaction Survey
6. Caroline Residential Building Disposal
7. West Country Family Services Van Agreement

**8. INCAMERA**

- a. Labour – Policy Amendment

**G. PLANNING**

1. 1<sup>st</sup> Reading of Bylaw 953/11 – Land Use Amendment

**H. INFORMATION**

1. Municipal Manager's Report
2. Public Works Manager's Report
3. Accounts Payable Listing
4. Disaster Recovery Program Resident Application Process

**I. COMMITTEE REPORTS**

**J. ADJOURNMENT**



## Agenda Item

<b>Department:</b> Public Works	<b>Date:</b> 12/08/11	<b>Author:</b> Marshall Morton
<b>Budget Implication:</b>	<input checked="" type="checkbox"/> <b>N/A</b> <input type="checkbox"/> <b>Funded by Dept.</b>	<input type="checkbox"/> <b>Reallocation</b>
<b>Strategic Area:</b> Infrastructure & Asset Management	<b>Goal:</b> N/A	<b>Project:</b> Surfacing of Gimlet Road
<b>Legislative Direction:</b> <input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
<b>Recommendation:</b>		
<p>That Council direct staff to send a response letter outlining that Council will be discussing this Road with both Ponoka County as well as Lacombe County when they meet to discuss other issues in the new year with our neighboring municipalities.</p>		
<b>Background:</b>		
<p>A request was received from a number of residents that live on or adjacent to R.R.4-3(Gimlet Road), requesting that Council consider paving this roadway from SW10-40-4-W5 North to NW27-41-4-W5.</p> <p>The reasoning provided for this request is that there is an increased level of industrial activity in the area that is creating concerns with the condition of the road and how the road conditions effect the vehicles.</p> <p>Staff is aware that Council is currently attempting to schedule a meeting with Ponoka and Lacombe County Council's and recommends that this item be an agenda item for that meeting.</p> <p>A copy of the request is attached for Council's review.</p>		

**To The Clearwater County:**

Considering the increased traffic mostly due to oilfield activity in the immediate and surrounding area, the road graders are obviously unable to keep up and road conditions wreak havoc on our vehicles.

Concerned residents and travelers in proximity of RR4-3 propose to Clearwater County the matter of paving the four mile stretch from the north borderline of NW 27 41 4 w5 to the south borderline of SW 10 40 4 w5 on RR4-3 (Gimlet Road) which lies within the NE boundary of Clearwater County.

**Eight residents** live on this four mile stretch of road on RR 4-3:

Elmer van Eaton

Bill and Lorraine Houston

Rick and Patty Fedirchuck

Stan Lethbridge

Perry and Tami Jackson

Cody Jackson

Raelyn Jackson

Joyce Stuart

There are **eleven landowners** on this same stretch of road:

van Eaton

Lawton

Lethbridge

Hutterite Colony

I. Houston

B. Houston

Fedirchuck

P. Jackson and C. Jackson

Stuart

Smale



**Well sites** owned by companies that have trucks servicing them daily or regularly on this four mile stretch of Gimlet Road on RR 4-3:

Conoco Phillips

Suncor

Bonavista

Anderson

Hard Rock

Keyera (pipeline)

Petro Canada (operating for Bonavista)

Taq North

**Gimlet Community Center** is a very busy community location for local and other events. It is rented regularly as the following log shows:

- Nov...Turkey bingo
- Dec...Christmas Concert
- Jan.-Mar...Whist parties
- Feb...Cutter Rally
- Mar...Pancake supper
- Apr...Club Supper
- Apr...Ham Bingo
- May...Horseback Rally
- May...Supper Meeting
- June...High School Reunion
- June... Rec. Bd. BBQ
- June...Annual Rodeo
- June...Annual Mules'n'Music
- July...Family Reunion (Rangen)
- July...Wedding shower (Casey)
- July...Stagette (Casey)
- Aug...Wedding Shower (Lawton)
- Aug...BD party (Siegest)
- Sept...Family Reunion (Smale)
- Sept...Ladies Club meetings monthly,  
second Weds., Sept - June
- Sept...Monthly Jam Sessions,  
Last Fri. Sept - May
- Random wedding and baby showers, birthday parties and meetings throughout  
the year
- Community meetings twice or more a year and work bees
- Random family and school reunions throughout the summer
- Stock Dog trials
- Random functions and use of corrals and grounds  
ie. 4-H, Girl Guides, Rodeo Schools etc.
- Random camping throughout the summer

**One hundred** residents within a three mile proximity of this eight mile stretch of RR 4-3 in Clearwater, Ponoka & Lacombe counties:

Weiss  
Miller  
Chalmers  
Garnick  
Robinson  
Ramsay  
Leask/Francoeur (renters)  
Misner  
D. Mannix  
W. Mannix  
van Eaton  
N. Lethbridge  
Argent  
Hutterite Colony  
I. Houston acreage (renters)  
B. Houston  
R. Fedirchuck  
P. Fedirchuck  
Arnot  
D. Dyrland  
D. Casey acreage (renters)  
D. Casey  
G. Casey  
S. Juuti acreage (renters)  
Juuti  
Brzak  
L. Clough  
J. Clough  
S. Lethbridge  
Smith  
Schultz  
Gecse  
Koenig  
Roussel  
I. Houston  
T. Houston

2 residences @ Western Front

Stuart

P. Jackson

C. Jackson

R. Jackson

J. Lawton

T. Lawton

Smale

Sibernagel

Watt

B. Dyrland

Sherba

Neufeld

Steudel

Rolfes

Soukup

Gallichan (4)

Normile

G. Sears

M. Sears

W. Sears

Lesperance/Lawrence

**Oil Companies** with holdings within the three mile radius of proposed paving on the Gimlet Road:

Conoco Phillips

Suncor

Bonavista

Anderson

Hard Rock

Keyera

Taq North

Harvest

Poplar Point

Hunt

Apache

Penn West

Trans Canada

Pembina

There are various compressor stations, gas plants and oil rigs that require heavy duty trucks and traffic on RR 4-3 regularly plus gravel trucks servicing these locations frequently.

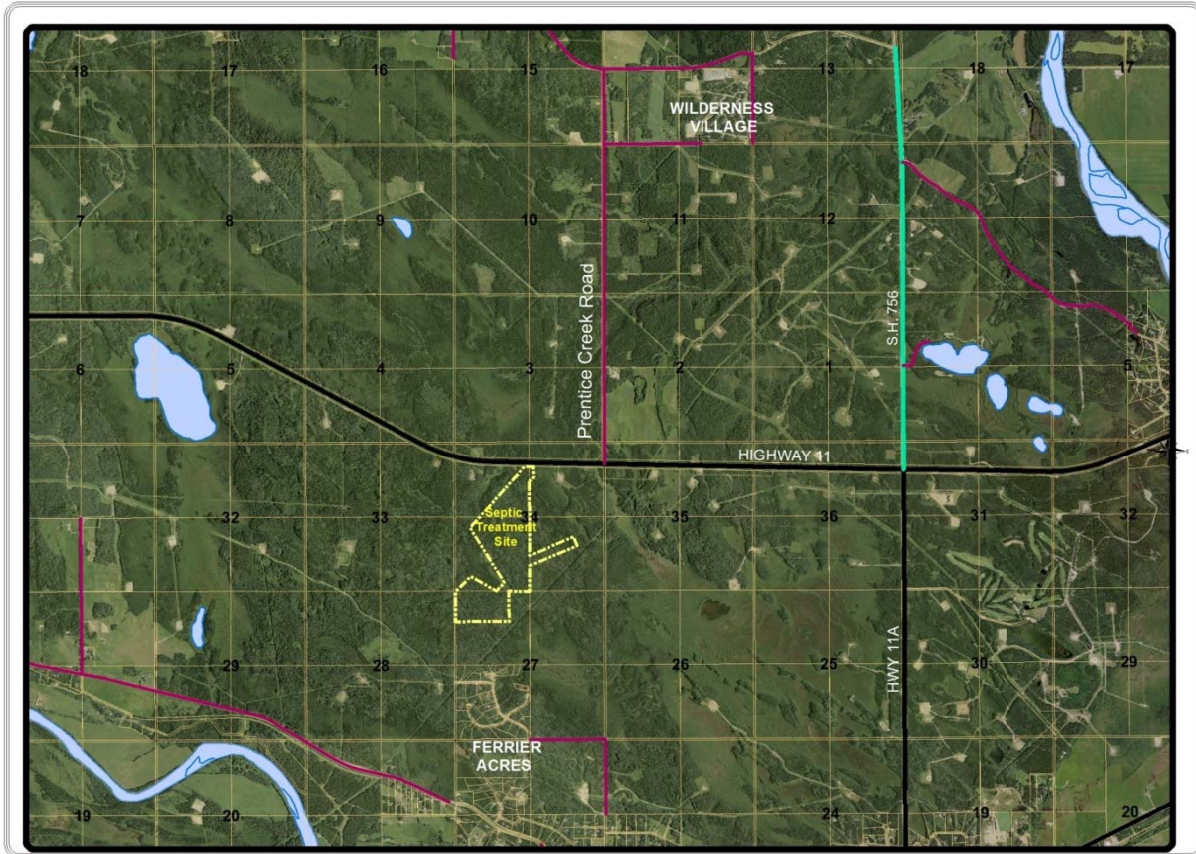
This is a school bus route on which the buses have no choice but to travel, regardless of road conditions.

The Gimlet Church is active at least five times a month bringing out of district traffic to the area.



## Agenda Item

Department: Public Works	Date:12/13/11	Author: Rick Emmons
Budget Implication: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
Strategic Area: Infrastructure & Asset Management	Goal: #3 - Ensure that County operates effective and efficient water and wastewater systems that meet or exceed Provincial requirements.	Project: New Lagoon – Strategy #1 - <i>Commissioning of a new wastewater treatment facility in 2013.</i>
Legislative Direction: <input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
<p>Recommendation: Option #5 – 1) To proceed with the new lagoon at the proposed location of 34-39-8-W5M at the estimated cost of \$6.1 million.</p> <p>2) That staff be directed to organize a public open house at the County office on January 31 from 2:00 – 8:00 p.m.</p>		
<p>Background: The location of Clearwater County’s new lagoon has been finalized (SW 34-39-8-W5M)</p>		



Septic Treatment Location Map



Progress Update:

- The required native consultation has been completed and SRD has stated that they feel it has met the requirements.
- A rough design of the lagoon facility has been completed (enough for application to ASRD).
- An application is expected to be put before Alberta Environment for their review by Feb. 2012.
- The projected cost estimate for engineering, construction and commissioning is \$6.1 million. This project will be tendered to ensure cost efficiencies.
- This lagoon is the first of its kind in Alberta and possibly Canada. Alberta Environment is not aware of another facility like it. Subsequently, there is no historical data to base any synthesis on.





- The following are some preliminary findings:

This location will provide all weather access, best serves the majority of the volume of effluents being accepted as to reduce hauling costs for the majority of citizenry and is as close to Rocky Mountain House as reasonably practical. This site also has the capability to allow for Rocky to connect into it if their future expansion should so require. Construction is expensive at this location as the natural ground is not the ideal type to accommodate this proposed development, however it is better than a lot of soil types in this immediate area. The high concentration of sludge to be treated is a concern as well, requiring larger aerators and increased equipment. Three 50 to 60 horsepower aerators are required with possible future expansion to add 2 more. An industrial grinder will be required to prevent trash from plugging the aerators. Public Works had to install a basket (4ft. high X 4ft. wide X 4ft. deep) for truckers to off load into in order to catch all the debris being discharged into the Leslieville Lagoon. This basket completely filled with trash in less than 5 weeks.

An onsite sampler is being looked at given the concerns with hydro-carbons being accepted into the site; the equipment is needed for monitoring potential contaminants.

Tentative Schedule:

<input type="checkbox"/> Clearing / Logging	-	Jan / Feb.2012
<input type="checkbox"/> Access Road Construction (County)	-	Feb / March 2012
<input type="checkbox"/> AENV Application	-	Feb 2012
<input type="checkbox"/> Lagoon Contract		
<input type="checkbox"/> Tender	-	April 2012
<input type="checkbox"/> Construction	-	May – Nov. 2012
<input type="checkbox"/> Dumping allowed into cells	-	Nov. 01 2012
<input type="checkbox"/> Blower Building Contract		
<input type="checkbox"/> Tender	-	May 2012
<input type="checkbox"/> Construction	-	June – Dec 2012
<input type="checkbox"/> Aeration Installed	-	Summer 2013
Commission Date	-	Late Summe



Potential Options for Council's Consideration:

1. Require the citizenry and industry to haul to Nordegg or Sylvan Lake - for Nordegg to be considered, it would require upgrading to accommodate the anticipated volume of external haulers. Effective Nov. 1/11, the Town of Sundre have closed their facility to external haulers.
2. Upgrade the Leslieville Lagoon – although there is some potential for cost savings over constructing a new lagoon, this location is within close proximity to a hamlet and school.
3. Partner with the Town of Rocky to enhance their infrastructure – this option creates a long term sustainability issue for the Town of Rocky as it requires the expansion of a lagoon located in the centre of Rocky's future proposed expansion and limits their capability for future development. Land mass is also a restrictor, as the site Clearwater County is currently looking at is 22 hectares.
4. Purchase property closer to Rocky. Pro – this option would add two years to the process, and in administration's opinion would be extremely difficult to succeed with AEP approvals.
5. Proceed with the lagoon at the SW 34-39-8-W5M at the estimated cost of \$6.1 million.

## AGENDA ITEM

**Item:** Waiving of Tax Penalty – Roll 3907013016

**Date:** December 7, 2011

**From:** Denniece Crout, Senior Assessor

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Please find attached a letter from the owners of roll 3907013016. The owners are requesting the penalty for late payment of property taxes be waived. As you can see from the attached, there has been some miscommunication regarding change of ownership of the parcel.

For Council's information, the notice was sent in late May and received by the ratepayer following which the ratepayer initiated communications with the Tax Clerk stating a change in ownership of the parcel had occurred.

Normally, when a title change occurs it is because the parcel has sold and a new land title is issued by the Provincial Government. This is what the Tax Clerk understood to have happened, and advised the ratepayer that when the County received a new land title we would send out a combined assessment and tax notice to the new owner.

We did not receive a new title for the parcel, therefore penalties were applied. Subsequently staff discovered that not only were there new owners but the parcel no longer existed, thus no new title. Despite these changes, there were no changes to the assessed value, taxes payable or due date for the taxes.

In previous requests for waiver of penalties, Council has considered Sections 331(1) and 332 (attached) which state that the person liable to pay a property tax imposed is the assessed person. Taxes are deemed to be imposed on January 1.

The penalty percentage applied is correct as per bylaw 737/02

**Recommendation:**

That Council decline the request to waive the tax penalties.

1228405 Alberta Ltd

Box 101

Red Deer Alberta T4N 5E7

December 5, 2011

To Whom It May Concern:

This letter is in regards the penalty accessed to tax roll # 3907013016 in September 2011.

In June 2011, we received the 2011 Combined Assessment and Tax Notice in the amount of \$ 16102.73. Previous to this our property had been divided, sold to others and 1228405 Alberta Ltd was no longer the owner of this property. We called the tax office to advise that the name on the invoice should be changed and were advised at that time by [redacted] at Land Titles would be sending information to them shortly and that a new invoice would then be issued, please disregard this invoice.

October 20, 2011 we received a phone call from [redacted] inquiring about payment of this invoice. We explained the situation and we were advised to pay the amount owing immediately and the rest would get worked out later as she was unsure of what had happened and needed to ask some questions. At that time it was my understanding that no penalty would be charged as it was not that we did not want pay the invoice, it had remained unpaid as advised, awaiting a new invoice in the proper name. We couriered the money via West Country Courier the same day to make sure there was no delay as it was not our intention to not pay the invoice.

November 4, 2011 I received the following message from

Good Morning [redacted]. Typically when there is a title change a new notice is sent out. But in this case there was a subdivision with the new condo plan the original parcel is no longer in existence. The assessment is based upon the parcel status as of December 31, 2010. The taxes are based partially on the assessment. The new parcels were created January 20, 2011. The taxes of \$16,102.73 for roll #3907013016; SE 1-39-7 W5M, Lot 9. Block 2, Plan 0223136 we due September 15, 2011. And were paid October 20th. Penalties have been added to this account September 15, 2011 \$1,288.22 and September 30, 2011 \$347.82. An additional 2% penalty will be applied if paid after December 31, 2011.

I hope this addresses your concern.

If this was the case, we feel we should have been notified that we had been advised wrong. If that had been done, we would have paid it immediately. We have in the past always paid the taxes on time, and had no intentions of not doing so again this year.

We are asking that you waive the penalties in this situation due to being informed incorrectly and never advised otherwise.

I can be contacted at \_\_\_\_\_

Please call if any more information is required.

Thank you for your time

## Person liable to pay taxes

*E1*

**331(1)** Subject to the regulations, the person liable to pay a property tax imposed under this Part is the person who

- (a) at the time the assessment is prepared under Part 9, is the assessed person, or
- (b) subsequently becomes the assessed person.

**(2)** The person liable to pay any other tax imposed under this Part is the person who

- (a) at the time the tax is imposed, is liable in accordance with this Part or a regulation made under this Part to pay the tax, or
- (b) subsequently becomes liable in accordance with this Part or a regulation made under this Part to pay it.

RSA 2000 cM-26 s331;2005 c14 s11

## Taxes imposed on January 1

**332** Taxes imposed under this Part, other than a supplementary property tax and a supplementary business tax, are deemed to have been imposed on January 1.

1994 cM-26.1 s332

## Tax becomes debt to municipality

*E1*

### 348 Taxes due to a municipality

- (a) are an amount owing to the municipality,
- (b) are recoverable as a debt due to the municipality,
- (c) take priority over the claims of every person except the Crown, and
- (d) are a special lien
  - (i) on land and any improvements to the land, if the tax is a property tax, a community revitalization levy, a special tax, a local improvement tax or a community aggregate payment levy, or
  - (ii) on goods, if the tax is a business tax, a community revitalization levy, a well drilling equipment tax, a community aggregate payment levy or a property tax imposed in respect of a designated manufactured home in a manufactured home community.

# Agenda Item

Date: **December 13, 2011**  
Item: **Draft Procedural Bylaw**  
Prepared by: **Ron Leaf**

## **Background:**

Please see attached a Draft procedural bylaw which Administration has developed for Council's review and discussion.

A Procedural Bylaw provides rules for the orderly proceedings of council meetings. The Municipal Government Act (MGA) 145 (a) and (b) authorizes Council to pass a bylaw in relation to the procedure and conduct of Council, and other bodies established by Council. The County does not currently have a procedure bylaw relying rather on policy or convention to guide or direct Council meetings, hearings, etc.

The proposed bylaw incorporates a number of MGA requirements (e.g. timing of organizational meetings, appointment Reeve/Deputy Reeve) and practices (e.g. Public Hearing processes) providing a legislated basis for many of these practices. The bylaw also proposes to address other issues such as meeting attendance through electronic means or issues concerning conduct during a Council meeting.

Staff is presenting a draft document rather than a bylaw for first reading as a number of the proposed practices are new to Clearwater County Council. I would appreciate Councillor comments on the appropriateness of the various areas of the bylaw. If Council accepts the draft, staff will bring a formal draft back for 1<sup>st</sup> reading at one of Council's January meetings.

## **Recommendation:**

**That Council reviews and provides direction to staff in terms of further developing the procedural bylaw.**



**BYLAW NO. ???/??**

BEING A BYLAW OF CLEARWATER COUNTY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ORDERLY PROCEEDINGS OF COUNCIL MEETINGS AND THE TRANSACTING OF BUSINESS BY THE COUNCIL OF CLEARWATER COUNTY.

WHEREAS Section 145(a) of the *Municipal Government Act* allows a Council to pass a bylaw for the establishment and functions of Council committees and other bodies;

AND WHEREAS Section 145(b) of the *Municipal Government Act* allows a Council to pass a bylaw in relation to the procedure and conduct of Council, and other bodies established by Council, the conduct of Councillors and the conduct of members of other bodies established by Council;

NOW THEREFORE the Council of Clearwater County, duly assembled, enacts:

**1. TITLE**

1.1 This bylaw may be cited as "The Procedures Bylaw".

**2. DEFINITIONS**

In this Bylaw:

- 2.1 "Act" means the *Municipal Government Act*, R.S.A .2000, Chapter M-26.
- 2.2 "Administrative Inquiry" is a request by a Councillor to the Chief Administrative Officer for the future provision of information.
- 2.3 "Agenda" is the order of business of a meeting and the associated reports, bylaws or other documents.
- 2.4 "Chief Administrative Officer" means the Chief Administrative Officer of Clearwater County or designate.
- 2.5 "Chair" means the Reeve, Deputy Reeve or other person authorized to preside over a meeting.
- 2.6 "Council" means the municipal Council of Clearwater County.
- 2.7 "Councillor" means a member of Council who is duly elected and continues to hold office and includes the Reeve.
- 2.8 "Council Committee" means any committee, board or other body established by Council by bylaw under the Act.
- 2.9 "Deputy Reeve" means the Councillor appointed by Council to act as the Reeve when the Reeve is unable to perform the duties of the Reeve, or if the office of Reeve is vacant.
- 2.10 "General Election" means an election held in Clearwater County to elect the members of Council as described in the *Local Authorities Election Act*.
- 2.11 "In-Camera" means a meeting or portion of a meeting of Council without the presence of the public where the matter to be discussed is within one of the exceptions to disclosure in Division 2, of Part 1 of the *Freedom of Information and Protection of Privacy Act*.
- 2.12 "Inaugural Meeting" means the Organizational Meeting immediately following the General Election.
- 2.13 "Member" includes a Councillor or a member of a Council Committee who is not a Councillor.
- 2.14 "Organizational Meeting" means the meeting held as described in section 4.3 and 4.4 and includes the Inaugural Meeting.
- 2.15 "Pecuniary Interest" means a pecuniary interest with the meaning of the *Municipal Government Act*.

- 2.16 "Point of Order" means a demand that the Chair enforce the rules of procedure.
- 2.17 "Postpone" means the motion by which action on a pending question can be put off, within limits, to a definite day, meeting, or hour, or until after a certain event.
- 2.18 "Public Hearing" is a pre-advertised public hearing that Council is required to hold under the Act or other enactments or any matter at the direction of Council.
- 2.19 "Question of Privilege" means a request made to the Chair, unrelated to the business on the floor that affects the comfort, dignity, safety, or reputation of Council or individual Councillors.
- 2.20 "Quorum" is the minimum number of Members that must be present at a meeting for business to be legally transacted.
- 2.21 "Reeve" means the Chief Elected Official of the County.
- 2.22 "Resolution" can also be referred to as a motion.
- 2.23 "Table" means a motion to delay consideration of any matter, which does not set a specific time to resume consideration of the matter.
- 2.24 "Two-Thirds Vote" means a vote by at least two-thirds of Members present at the meeting and entitled to vote on the motion.

### **3.0 APPLICATION AND INTERPRETATION**

#### *General Rules*

- 3.1 The procedures contained in this bylaw shall be observed in all proceedings of Council.
- 3.2 The procedures contained in this bylaw shall be observed in Council Committee meetings with the exception of the limit of the number of times for speaking. However, no Member shall speak more than once to any question until every other Member choosing to speak shall have spoken.
- 3.3 To the extent that a procedural matter is not dealt with in the *Act* or this Bylaw, the matter will be determined by referring to the most recent version of Robert's Rules of Order Newly Revised 10<sup>th</sup> Edition. Should provision of this bylaw conflict with provisions of Robert's Rules of Order, the provisions of this bylaw shall prevail.
- 3.4 Subject to any statutory obligation to the contrary, Council or a Council Committee may temporarily suspend any provision of this Bylaw by a Two-Thirds Vote.
- 3.5 A Resolution suspending any provision of this Bylaw as provided for in Section 3.4 is only effective for the meeting during which it is passed.

### **4.0 MEETINGS**

#### *Inaugural Meeting*

- 4.1 Council must hold its Inaugural Meeting not later than two weeks after the third Monday in October following the General Election.
- 4.2 At this meeting:
- a) All Councillors must take the official oath prescribed by the *Oaths of Office Act*;
  - b) Council must confirm the Council Chambers seating arrangements of Councillors; and
  - c) All other matter required by Section 4.4 must be dealt with.

#### *Organizational Meetings*

- 4.3 An Organizational Meeting must be held not later than two weeks after the third Monday in October each year.

4.4 At the Organizational Meeting, Council must:

- a) appoint a Councillor to the position of Reeve;
- b) appoint a Councillor to the position of Deputy Reeve;
- c) appoint Members to Council Committees; and
- d) conduct other business as identified within the Organizational Meetings Agenda.

#### *Regular Council Meetings*

4.5 Regular Council meetings are held every second and fourth Tuesday of each month in the Council Chambers at the Clearwater County Administration Office from 9:00 a.m. to 4:00 p.m.

4.6 Council may, by Resolution, extend a meeting past 4:00 p.m.

4.7 Council may, by Resolution, establish other regular Council meeting dates as may be required from time to time.

4.8 Council may change the date, time or place of a regularly scheduled meeting by a Two-Thirds Vote.

4.9 Notice of a change in date, time or place, of any meeting of Council will be provided at least 24 hours prior to the meeting to Councillors in accordance with the *Act* and to the public by:

- a) posting a notice in the Clearwater County Administration Office; and
- b) posting a notice on the Clearwater County website.

4.10 Council may cancel any meeting if notice is given in accordance with section 4.9.

#### *Special Meetings*

4.11 The Reeve may call a special Council meeting at any time and must do so if a majority of Councillors make a request in writing stating the purpose of the meeting.

4.12 A special Council meeting requested by Councillors must be held within 14 days after the request is received.

4.13 Notice of a special Council meeting must be given at least 24 hours in advance and in accordance with section 4.9.

4.14 A special Council meeting may be held with less than 24 hours notice to all Councillors and without notice to the public if a least Two-Thirds of the whole Council agrees to this in writing before the beginning of the meeting.

4.15 No matter other than that stated in the notice calling the special Council meeting may be transacted at the meeting unless the whole Council is present at the meeting and the Council agrees to deal with the matter in question.

#### *Electronic Recording of Proceedings*

4.16 The recording of a Council meeting by electronic or other means is allowed unless, in the sole determination of the Chair, the recording of a Council meeting or Public Hearing by electronic or other means is disruptive to the process or if the recording of a Council meeting or Public Hearing will inhibit or discourage any member of Council or the public from fully participating in the Council meeting or Public Hearing. If the Chair determines that the recording of a Council meeting or Public Hearing by electronic or other means is disruptive or will inhibit or discourage any member of Council or the public from fully participating in a Council meeting or Public Hearing the Chair may prohibit, limit or restrict the recording of a Council meeting or Public Hearing by electronic or other means.

### *Meetings through Electronic Communications*

4.17 A Councillor may participate in a meeting by means of electronic or other communication facilities if:

- a) a quorum of Council cannot be achieved by Councillors attending a Council meeting or Public Hearing in person; or
- b) there is a specific item on the agenda of interest to a Councillor and where the Councillor wishes to participate in the discussion and voting on the specific agenda item they may do so provided:
  - i) the Councillor provides 48 hours notice to the Chief Administrative Officer;
  - ii) the participation by a Councillor can be reasonably accommodated through existing technology and/or facilities;

4.18 Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.

4.19 Delegations or other persons may participate in a Council meeting or Public Hearing by electronic or other means if Council passes a resolution authorizing participation of a delegation or other persons in a Council meeting or Public Hearing by electronic or other means.

## **5.0 PUBLIC HEARINGS**

5.1 Public Hearings will be held in conjunction with a regular Council meeting. However, a special Council meeting for the purpose of holding a Public Hearing may be called.

5.2 The procedure for a Public Hearing is as follows:

- a) The Chair will call for a motion to go into Public Hearing;
- b) The Chair will introduce members of Council and staff, outline the purpose of the Public Hearing, the process to be followed in the Public Hearing and any preliminary matters;
- c) If applicable,
  - i. Clearwater County staff will present their report followed by questions for clarification by Council; or
  - ii. The proponent or their agent will be requested to present his/her application within a reasonable time period followed by questions for clarification by Council;
- d) After identifying themselves, members of the public will be invited to make a verbal presentation followed by questions for clarification by Council;
- e) Depending on the number of written submissions, Clearwater County staff may provide a report on the number of written submissions received and if appropriate a general overview of the contents of the written submissions;
- f) Verbal or written representation from the federal governments or federal agencies will be invited to make a verbal presentation followed by questions for clarification by Council;
- g) Verbal or written representation, representatives from the provincial government or provincial agencies will be invited to make a verbal presentation followed by questions for clarification by Council;
- h) After identifying themselves, representatives from municipal governments or municipal agencies will be invited to make a verbal presentation followed by questions for clarification by Council;
- i) If applicable
  - i. Clearwater County planning staff will present a closing summary and respond to any questions that may have been raised in the presentations; and
  - ii. The proponent or their agent will present a closing summary and respond to any questions that may have been raised in the presentations.

5.3 The use of slides, maps, videos and other similar materials is permitted and these along with written submissions become the property of Clearwater County as exhibits to the hearing.

- 5.4 Persons addressing Council shall give their name, location of residence, an indication as to whether they are speaking on their own behalf or for another person or a group, and address the Chair when responding to questions or providing information.
- 5.5 Individuals may speak for a maximum of five (5) minutes.
- 5.6 One spokesperson per petition or group may speak for a maximum of ten (10) minutes.
- 5.7 At the discretion of the Chair, the time limits for speaking and presentations may be extended to ensure that all interested parties have had a fair and equitable opportunity to express their views.
- 5.8 At the discretion of the Chair, after everyone has had an opportunity to speak once, those interested in speaking a further time and providing new information, may be granted further opportunity to speak.
- 5.9 The Chair is hereby authorized to make any other decisions or determinations with respect to the process or rules of order for the Public Hearing.
- 5.10 The minutes of a Council meeting during which a Public Hearing is held must contain the names of the speakers and a summary of the nature of representations made at the Public Hearing.

## **6.0 COUNCIL REVIEW HEARING**

- 6.1 In this section, the following terms have the following meanings:
  - a) "Order to Remedy" means an order issued under 545 or 546 of the *Act*;
  - b) "Review Hearing" means a review by Council of an Order to Remedy in accordance with section 547 of the *Act*;
  - c) "Staff" means a designated officer of Clearwater County or an employee of Clearwater County that has been delegated the responsibility to issue an Order to Remedy.
- 6.2 A request for a Review Hearing must meet the requirements of section 547 of the *Act* and shall include:
  - a) the name of the appellant;
  - b) the address of the property to which the Order to Remedy relates;
  - c) the reasons for the request to review the Order to Remedy;
  - d) daytime contact telephone number of the appellant; and
  - e) any address to which documents relating to the Review Hearing may be delivered.
- 6.3 The Chief Administrative Officer will schedule the Review Hearing to be heard at a regular Council Meeting as soon as practicable following receipt of the request after ensuring that all parties have sufficient time to prepare for the Review Hearing.
- 6.4 Written submissions from the appellant and Staff must be submitted not less than seven (7) days prior to the Review Hearing and will be distributed as part of the Council Agenda.
- 6.5 A Review Hearing is open to the public unless upon application of any party, Council, pursuant to section 197 of the *Act*, decides that it would be advisable to hold the hearing in private.
- 6.6 The parties to a Review Hearing are entitled to appear before Council, in person or by an authorized agent, and to be represented by counsel.
- 6.7 The rules of evidence in judicial proceedings do not apply to a Review Hearing and evidence may be given in any manner Council considers appropriate.
- 6.8 The procedure in a Review Hearing is as follows:
  - a) the Chair will open the Review Hearing, introduce members of Council, Staff and the appellant or their representative;
  - b) the Chair will describe the Review Hearing process and deal with any preliminary matters;
  - c) the appellant will be invited to make opening remarks and presentation (maximum of fifteen (15) minutes) followed by questions to the appellant by Councillors;

- d) Staff will be invited to make opening remarks and presentation (maximum of fifteen (15) minutes) followed by questions to the Staff by Councillors;
- e) the appellant will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the appellant by Councillors;
- f) Staff will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the Staff by Councillors; and
- g) The appellant will be invited to make closing remarks (maximum of five (5) minutes) followed by questions to the appellant by Councillors.

6.9 If the appellant fails to attend the Review Hearing despite having been given notice, Council may proceed with the Review Hearing in the absence of the appellant.

6.10 The Chair may establish such other rules of procedure as may be necessary to conduct the Review Hearing properly and fairly.

6.11 At the conclusion of the Review Hearing, Council may confirm, vary, substitute or cancel the Order to Remedy by passing a resolution indicating its decision and its reasons.

6.12 If Council confirms varies or substitutes the Order to Remedy, the Resolution should require the appellant to comply with the Order to Remedy (or complete the required action) by a specific date, failing which the County may rectify the problem at the appellant's cost.

6.13 Council may go In-Camera to deliberate but the Resolution embodying Council's decision must be made in public.

6.14 The Chief Administrative Officer will cause a notice of the decision of Council to be delivered or mailed to the appellant at the address provided to the Chief Administrative Officer within 15 days after the conclusion of the Review Hearing.

6.15 Service is presumed to be effective under section 6.14:

- a) Seven days from the date of mailing if the document is mailed in Alberta to an address in Alberta; or
- b) Subject to (a), fourteen days from the date of mailing if the document is mailed in Canada to an address in Canada;

unless the document is returned to the sender other than by the addressee, or the document was not received by the addressee, the proof of which lies on the addressee.

## **7.0 QUORUM**

7.1 Quorum for Council is a majority of Councillors unless specified otherwise by this or any other bylaw, or the *Act*.

### *No Quorum*

7.2 If there is no Quorum within thirty (30) minutes after the time set for the meeting, the Chief Administrative Officer will record the names of the Councillors present and the meeting will be adjourned to the time of the next regular Council meeting.

### *Lost Quorum*

7.3 If at any time during a meeting Quorum is lost, the meeting will be recessed and Quorum is not achieved again within fifteen (15) minutes, the meeting will be deemed to be adjourned.

## **8.0 COMMENCEMENT OF MEETINGS AND HEARINGS**

8.1 As soon as there is a Quorum after the time for commencement of a Council meeting:

- a) the Reeve must take the Chair and begin the meeting; or
- b) if the Reeve is absent the Deputy Reeve must take the Chair and begin the meeting; or
- c) if the Reeve and Deputy Reeve are not in attendance within fifteen minutes after the time set for the meeting and there is a Quorum, the Chief Administrative Officer must begin the meeting by calling for a motion for the appointment of a Chair.



8.2 Upon their arrival, the Reeve or Deputy Reeve will assume the Chair.

## **9.0 DUTIES OF THE REEVE**

9.1 The Reeve:

- a) opens Council meetings;
- b) chairs Council meetings;
- c) preserves order in Council meetings;
- d) decides all questions of procedure;
- e) ensures that each Councillor who wishes to speak on a debatable motion is granted the opportunity to do so; and
- f) decides who, aside from Councillors, may address Council.

## **10.0 AGENDA**

### *Preparation of Agenda*

10.1 The Agenda for each Council meeting shall be established by the Chief Administrative Officer.

### *Agenda Delivery*

10.2 The Chief Administrative Officer will distribute the Council Agenda to the regular designated address of members of Council on the Friday afternoon prior to the Council meeting. However, if a Friday falls on a holiday, the Council Agenda will be distributed on the Thursday preceding the Council meeting.

### *Late Submissions*

10.3 Reports and supplementary materials related to items on the Agenda and that are received too late to be included with the Agenda package will be made available as soon as reasonably possible.

10.4 Additional Agenda items, reports and supplementary material that are time sensitive and received too late to be included on the Agenda may be made available for consideration of Council as an additional Agenda item and will be delivered to Council members in paper or electronic format as soon as possible.

10.5 The Chief Administrative Officer will make copies of the Agenda and background information available to the public after distribution to Council.

### *Adoption of the Agenda*

10.6 Council must vote to adopt the Agenda prior to transacting other business and may add new items or delete any matter from the Agenda by a Two-Thirds Vote.

10.7 The Agenda of an adjourned meeting will be dealt with at the beginning of the next regular meeting unless a special meeting is called to deal with the business of the adjourned meeting.

## **11. ORDER OF BUSINESS**

### *Order of Business*

11.1 The Order of Business for each meeting shall be as outlined in Schedule "A"

### *Deviation from Order of Business*

11.2 The Chair, in his/her sole determination, may deviate from the Order of Business to accommodate special circumstances and ensure effective and efficient use of time.

## **12. MINUTES**

The Chief Administrative Officer will prepare minutes for all Council meetings which will include:

- a) the names of Councillors and members of Administration present at Council meetings;
- b) a brief description of the subject matter;
- c) all decisions and other proceedings;

- d) the names of staff or members of the public who speak to an item;
- e) any abstentions made under the *Act* by a Councillor and the reason for the abstention;
- f) the signatures of the Chair and the Chief Administrative Officer.

### 13. PROCEEDINGS

#### *Discussion Directed through Chair*

- 13.1 All discussion at a Council meeting must be directed through the Chair who will be addressed as “Reeve” or “Mister/Madam Chair”.

#### *Absence from Proceedings*

- 13.2 When a Councillor has a Pecuniary Interest in a matter before Council or a Council Committee the Councillor must, if present, disclose the general nature of the Pecuniary Interest prior to any discussion on the matter, abstain from voting on any question relating to the matter and, subject to the *Act*, abstain from any discussion of the matter and leave Council Chambers until discussion and voting on the matter are concluded.

#### *Speaking to Motions*

- 13.3 A Councillor may not speak unless and until recognized by the Chair.
- 13.4 Unless permitted by the Chair, a Councillor may only speak twice on any motion, once in debate and once to ask questions.

#### *Time Limit*

- 13.5 Each Councillor may speak for only five (5) minutes, unless otherwise permitted by the Chair.

#### *Interruption of Speaker*

- 13.6 A Councillor who is speaking may only be interrupted by another Councillor:
- a) by a Question of Privilege; or
  - b) by a Point of Order.
- 13.7 A Councillor who is speaking when a Question of Privilege or a Point of Order is raised must cease speaking immediately.
- 13.8 The Chair may grant permission:
- a) to the Councillor raising a Question of Privilege or a Point of Order to explain the Question or Point briefly; and
  - b) to the Councillor who was speaking to respond briefly.

but otherwise a Question of Privilege or Point of Order is not debatable or amendable.

#### *Ruling on Proceedings*

- 13.9 The Chair will rule on a Question of Privilege or Point of Order.
- 13.10 The Chair may seek advice on a Question of Privilege or Point of Order to determine whether a matter is within the jurisdiction of Council.

#### *Challenging a Ruling*

- 13.11 Any ruling of the Chair may be challenged.
- 13.12 A motion to challenge may be made only at the time of the ruling, whether or not another speaker has the floor.
- 13.13 A motion to challenge is debatable unless it related to decorum, the priority of business, or an undebatable pending motion.
- 13.14 If a motion to challenge is made the Chair must state the question “Is the ruling of the Chair upheld?”, and may participate in debate on the challenge without leaving the Chair.



- 13.15 If the Chair refuses to put the question on a challenge, the person who would preside if the individual occupying the Chair were absent must put the question to Council.
- 13.16 Council will decide the challenge by voting and the decision of Council is final.

## 14. MOTIONS

### *Consideration of Motions*

- 14.1 Unless otherwise determined by the Chair, no matter may be debated or voted on by Council unless it is in the form of a motion.
- 14.2 A Councillor may move a motion whether or not the Councillor intends to support it.
- 14.3 Once a motion has been moved and stated by the Chair, it is in the possession of Council, and may only be withdrawn with the unanimous consent of the Councillors present at the meeting.
- 14.4 All motions shall be presented in a manner that will allow Council to take a positive action.
- 14.5 When required to do so by the *Act*, Council will provide reasons why a motion was defeated.
- 14.6 A motion does not require a seconder.

### *Motions to the Main Motion*

- 14.7 When a motion is made and is being considered, no Councillor may make another motion except to:
- a) amend the motion;
  - b) amend any amendment to the motion;
  - c) refer the main motion for consideration;
  - d) Table the motion;
  - e) Postpone the motion; or
  - f) move a privileged motion.

### *Privileged Motions*

- 14.8 The following motions are privileged motions:
- a) a motion to recess;
  - b) a motion to adjourn;
  - c) a motion to set the time for adjournment; and
  - d) a Question of Privilege.

### *Motion to Recess*

- 14.9 The Chair, without a motion, may recess the meeting for a specific period.
- 14.10 Any Councillor may move that Council recess for a specific period.
- 14.11 After a recess, business will be resumed at the point where it was interrupted.

### *Severing Motions*

- 14.12 The Chair may sever a motion and the original mover of the motion will remain as the mover of the severed motion.

### *Amending Motions*

- 14.13 A Councillor may not amend a motion or make an amendment which:
- a) does not relate to the subject matter of the main motion; or
  - b) is contrary to the main motion.
- 14.14 Only one amendment to the main motion and only one amendment to that amendment are allowed.

- 14.15 The main motion will not be debated until any proposed amendments to it have been debated and voted on.
- 14.16 When all proposed amendments have been voted on, the main motion, incorporating the amendment that has been adopted by Council, will be debated and voted on.

#### *Referring Motions*

- 14.17 A Councillor may move to refer any motion to the appropriate Council Committee or the administration for investigation and report, and the motion to refer:
- a) precludes all further amendments to the motion;
  - b) is debatable; and
  - c) may be amended only as to the body to which the motion is referred and the instructions on the referral.

#### *Motion to Limit or End Debate*

- 14.18 Any motion to limit or end debate:
- a) cannot be debated;
  - b) must be passed by a Two-Thirds Vote; and
  - c) may only be amended as to the limit to be placed on debate.

#### *Motion to Table*

- 14.19 A motion to Table another motion:
- a) cannot be debated;
  - b) takes precedence over any other motion connected with the motion being Tabled; and
  - c) may be raised from the Table at any time by a majority vote of Council.
- 14.20 A Tabled motion is brought back with all of the motions connected with it, exactly as it was when Tabled.

#### *Motion to Postpone*

- 14.21 A motion to Postpone:
- a) takes precedence over any other motion connected with the motion being Postponed;
  - b) can only be debated as to the time, or date; and
  - c) cannot be amended.

#### *Reconsideration of Motions*

- 14.22 If a motion is voted on by Council, the same matter dealt with in the motion cannot be reconsidered by Council unless;
- a) a General Election has been held; or
  - b) six months has passed since the date that motion was considered; or
  - c) a motion to reconsider has passed.
- 14.23 A Councillor may introduce a motion asking Council to reconsider a matter dealt with in a previous motion providing:
- a) the motion is made at the same meeting of Council at which the original matter was considered and is moved by a Councillor who voted with the prevailing result; or
  - b) a Notice of Motion is submitted by a Councillor who voted with the prevailing result, prior to the meeting at which it is to be considered, in which the Councillor sets out what special or exceptional circumstances warrant Council considering the matter again; and
  - c) the motion to which it is to apply has not already been acted upon.
- 14.24 If a motion to reconsider is passed the original motion is on the floor.

**15. IN CAMERA***Motion to go In-Camera*

- 15.1 Any Councillor may move that Council convene into In-Camera if a matter to be discussed is within one of the exceptions to disclosure in Divisions 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*.

*In-Camera Meeting*

- 15.2 All In-Camera meetings will:
- a) be chaired by the Reeve; and
  - b) be held without the presence of the public unless invited by Council.
- 15.3 No bylaw or motion will be passed at an In-Camera meeting except for a motion to revert to a meeting to be held in public.

**16. NOTICE OF MOTION**

- 16.1 A Councillor wishing to introduce a new matter for consideration must submit the motion in writing to the Chief Administrative Officer.
- 16.2 A Councillor may make a motion introducing any new matter only if:
- a) notice is given at a previous Council meeting;
  - b) notice is submitted to the Chief Administrative Officer to be included in the next Council Agenda; or
  - c) Council, by a Two-Thirds Vote, agrees to dispense with notice.

**17. VOTES OF COUNCIL***Requirement to Vote*

- 17.1 Each Councillors present must vote on every motion, unless the Councillor is required or permitted to abstain from voting under the *Act*.

*Voting Procedure*

- 17.2 Votes on all motions must be taken as follows:
- a) except for a meeting conducted through electronic or other communication facilities, Councillors must be in their designated Council seat when the motion is considered;
  - b) the Chair puts the motion to a vote;
  - c) Councillors vote by a show of hands or other method agreed to by Council; and
  - d) the Chair declares the result of the vote.
- 17.3 Unless otherwise specified in this bylaw, a motion is carried when a majority of Councillors present at a meeting vote in favor of the motion.

*Declaring Results of a Vote*

- 17.4 After the Chair declares the result of the vote, Councillors may not change their vote for any reason.
- 17.5 A question on the results of a vote may be resolved by the Chair immediately calling for a revote on the motion.

*Tie Votes*

- 17.6 A motion is lost when the vote is tied.

**18. BYLAWS***Basic Requirements*

- 18.1 All proposed bylaws must have:
- a) a bylaw number assigned by the Chief Administrative Officer; and

b) a concise title indicating the purpose of the bylaw.

18.2 Councillors will be provided the opportunity to review a copy of the proposed bylaw, in its entirety, prior to any motion for first reading.

#### *Introducing a Bylaw*

18.3 A proposed bylaw must be introduced at a Council meeting by a motion that the bylaw be read a first time. Council may hear an introduction of the proposed bylaw from the Chief Administrative Officer.

18.4 After first reading has been given, subject to the requirements of the *Act*, any Councillor may move that the bylaw be read a second time.

18.5 Council may not give a bylaw more than two readings at a meeting unless all Councillors present at the meeting vote in favor of allowing a third reading at that meeting.

#### *Amendments to Bylaws*

18.6 Any amendments to the bylaw which are carried prior to the vote on third reading will be considered to have been given first and second readings and will be incorporated into the proposed bylaw.

#### *Defeated Bylaws*

18.7 The previous readings of a proposed bylaw are rescinded if the proposed bylaw:

- a) does not receive third reading within two years after first reading; or
- b) is defeated on second or third reading.

#### *Effective Date*

18.8 A bylaw is effective from the beginning of the day it is signed unless the bylaw or any applicable statute provides for another effective date.

#### *Bylaws Signed and Sealed*

18.9 The Reeve and the Chief Administrative Officer must sign and seal the bylaw as soon as reasonably possible after third reading is given.

18.10 Once a bylaw has been passed, it may only be amended or repealed by another bylaw made in the same way as the original bylaw, unless another method is specifically authorized by the *Act* or another enactment.

## **19. ADMINISTRATIVE INQUIRIES**

#### *Verbal or Written Administrative Inquiries*

19.1 Any Councillors may make an Administrative Inquiry:

- a) verbally, if the Councillor does not require a written response; or
- b) in writing, if the request requires a written response.

#### *Submission of Administrative Inquiries*

19.2 Administrative Inquiries may be submitted:

- a) at any regular meeting of Council; or
- b) for inclusion on the Agenda of a Council meeting; or
- c) outside a regular Council meeting if the response to the Inquiry is not a substantive task.

#### *Response to Administrative Inquiries*

19.3 Administrative Inquiries made at a Council meeting will be responded to at the next meeting of Council following the meeting at which the Inquiry was submitted, unless:

- a) the financial or other resources required to answer the Inquiry are substantial and a decision of Council or the Chief Administrative Officer is required to approve such allocation of resources; or
  - b) additional time is required to prepare the response or compile the requested information.
- 19.4 Administrative Inquiries made outside a Council meeting will be responded to within two weeks from the date the inquiry was submitted, unless:
- a) the financial or other resources to answer the inquiry are substantial and a decision of Council or the Chief Administrative Officer is required to approve such allocation of resources.
  - b) additional time is required to prepare the response or compile the requested information.
- 19.5 Councillors will be advised as to when the response to an Administrative Inquiry will be provided.
- 19.6 The Chief Administrative Officer may determine if the information acquired in response to an Administrative Inquiry is of benefit to Councillors and may direct that the Administrative Inquiry and the response be distributed to all Councillors.
- 19.7 A Councillor who requested an Administrative Inquiry may request that the Inquiry be abandoned.

## **20. COMMUNICATIONS TO COUNCIL**

### *Presentations at Council Meetings*

- 20.1 Requests for an appointment to make a presentation to Council must be received by the Chief Administrative Officer and must:
- a) be in writing and received at least seven (7) days prior to the Council meeting date;
  - b) clearly identify the reason or purpose of the appointment;
  - c) identify the individual or primary contact for a group or organization; and
  - d) include contact information of the individual or organization;
- 20.2 A decision on a request from a delegation will be dealt with after all other new and unfinished business agenda items have been addressed by Council.
- 20.3 If a delegation presents a request and the Chief Administrative Officer has not presented a background report and recommendation, the matter will be referred back to administration for review, preparation of a background report and recommendation from the Chief Administrative Officer. The administrative report and recommendation from the Chief Administrative Officer shall be included on the next Council meeting agenda.
- 20.4 Presentations from sales persons will not be allowed.
- 20.5 Delegations shall not appear before Council if a member of the public has spoken at a public meeting or hearing held by Council in respect of the same matter.
- 20.6 The amount of time allocated for delegations is at the sole discretion of the Chair.

### *Criteria for Written Submissions*

- 20.7 Any communication intended for Council must be forwarded to the Chief Administrative Officer in writing and must:
- a) be legible and coherent;
  - b) be able to identify the writer and the writer's contact information;
  - c) be on paper or, in a printable format; and
  - d) not be libelous, impertinent or improper.

### *Responsibilities of the Chief Administrative Officer*

- 20.8 If the Chief Administrative Officer determines the communication or presentation is within the governance authority of Council, the Chief Administrative Officer will:

- a) if it relates to an item already on the Agenda, deliver a copy of the communication or a summary of it to Councillors prior to or at the meeting at which the Agenda is being considered; or
- b) acquire all information necessary for the matter to be included on a future Council agenda for consideration by Council.

#### *Decisions on Communications*

- 20.9 If the Chief Administrative Officer determines the communication and/or presentation is not within the governance authority of Council, the Chief Administrative Officer will:
- a) refer the communication to administration for a report or a direct response and provide a copy of the original correspondence and the referral to the Councillors;
  - b) take any other appropriate action on the communication.
- 20.10 If a Councillor objects to the process determined by the Chief Administrative Officer, a Councillor may introduce a notice of motion requesting the item be included for Council consideration on a Council Agenda.
- 20.11 If the standards set out in section 20.5 are not met, the Chief Administrative Officer may file the communication without any action being taken.
- 20.12 The Chief Administrative Officer will respond to the person sending the communication and advise that person of the process to be followed and any action taken on the subject of the communication.

### **21. CONDUCT IN COUNCIL MEETINGS**

#### *Public Conduct*

- 21.1 During a Council meeting members of the public must:
- a) not approach or speak to Council without permission of the Chair;
  - b) not speak on any matter for longer than five (5) minutes unless permitted by the Chair;
  - c) maintain order and quiet; and
  - d) not interrupt a speech or action of Council or another person addressing Council.
- 21.2 The Chair may order a member of the public who creates a disturbance or acts improperly at a meeting to be expelled.

#### *Council Conduct*

- 21.3 During a Council meeting, Councillors must not:
- a) imply attribution of motive, speak disrespectfully, or use offensive words
  - b) address Councillors without permission;
  - c) carry on a private conversation;
  - d) break the rules of Council or disturb the proceedings;
  - e) leave their seat or make any noise or disturbance while a vote is being taken or the result declared; or
  - f) disobey the decision of the Chair on any question of order, practice or interpretation.

#### *Cell Phones and Personal Electronic Devices*

- 21.4 During a Council meeting cell phones and personal electronic devices shall be turned off or set on a mode that will not be a disruption to the meeting.

#### *Breach of Conduct*

- 21.5 A Councillor who persists in a breach of subsection 21.3 or 21.4, after having been called to order by the Chair, may, at the discretion of the Chair, be ordered to leave for the duration of the meeting.
- 21.6 At the discretion of the Chair, a Councillor may resume his or her seat after making an apology for the Councillor's offending conduct.

**EFFECTIVE DATE**

22.1 This Bylaw will come into force and effect on the final day of passing and signature thereof.

Read for a first time this    day of, 2011

Read for a second time this    day of, 2011

Read a third time and passed this    day of, 2011

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer



# CLEARWATER COUNTY 2011 EXTERNAL SAFETY AUDIT OVERVIEW



	Element	Total Points Possible	Points Awarded	Min. Points Required	%
1.	Organizational Commitment	130	<b>119</b>	65	92%
2.	Hazard Identification and Assessment	190	<b>185</b>	95	97%
3.	Hazard Control	150	<b>146</b>	75	97%
4.	Formal Workplace Inspections	130	<b>121</b>	65	93%
5.	Orientation and Training	120	<b>116</b>	60	97%
6.	Emergency Response Planning	85	<b>66</b>	43	78%
7.	Incident Investigation	115	<b>103</b>	58	90%
8.	Program Administration	80	<b>67</b>	40	84%
	<b>TOTAL</b>	<b>1000</b>	<b>923</b>	800	92%

Final Score:  $TOTAL/1000 \times 100\% =$  **92.3%**

Did the municipality achieve:

At least 80% overall?

**Yes**

A minimum score of at least 50% in each element?

**Yes**

**To pass the audit the municipality must achieve a minimum standard of at least 50% in each element AND at least 80% overall.**

Did the municipality pass the audit?

**Yes**

## Auditor quote

- ▣ “The commitment to health and safety is shown at all levels from the County CAO to all Managers, to the workers in each department and everyone recognizes their personal responsibility to keep themselves and each other safe at the workplace”
- ▣ Michelle Honeyman, Lead Auditor

# Agenda Item

Date: December 13, 2011  
Item: Funding request for Rural Physician Action Plan (RPAP)  
Skills Day - February 11, 2012  
Prepared by: Mike Haugen

## Background:

Please see the attached correspondence from the Rocky/Clearwater Physician Recruitment and Retention Society (the Society).

The Society is partnering with the Rural Physician Action Plan (RPAP) to bring 55 first year medical students to the Rocky Mountain House area for skills training. This program will expose medical students to rural medicine early in their training and the Society feels this will be a wonderful showcase of our community to future physicians.

The Rocky/Clearwater Physician Recruitment and Retention Society are requesting funding for the Skills Day being held in Clearwater County on February 12, 2012. A schedule of events and estimated costs is contained within the request letter. Councillors and Health Care Practitioners would be invited to join the medical students for dinner.

There may be other funding sources (e.g. Town of Rocky Mountain House and Village of Caroline). Staff recommends Council consider funding up to half of the estimated \$4550.00 cost of the event. Should Council choose to allocate funding this money may come from the Community Services budget. That budget area will be over budget, however this will be off-set with lower than expected spending in other areas such as Economic Development. This costs can be absorbed in the 2011 budget with no significant impact to the overall Community and Protective Services budget.

## Recommendation

That Council approve funding in the amount of \$2275.00 to the Rocky/Clearwater Physician Recruitment and Retention Society for the purpose of facilitating the RPAP Skills Day event in Clearwater County on February 11<sup>th</sup>, 2012.

Rocky/ Clearwater Physician Recruitment and Retention Society  
 c/o Tammy Burke  
 6736 61<sup>st</sup>  
 Rocky Mountain House, AB  
 T4T 1K5  
 403.845.4773

December 6, 2011

To Clearwater Councillors/Town of Rocky Mountain House Councillors

**Re: Funding request for Rural Physician Action Plan (RPAP) Skills Day – February 11, 2012**

We are writing to you to request funding to host a rural skills day for first year medical students. Our committee has been selected by RPAP to host 55 first year medical students from the University of Alberta. Local physicians, nurses, and paramedics will be helping to facilitate the skills stations. The intent of the day is to expose medical students early in their training to rural medicine. We feel that this would be a fantastic opportunity to showcase our community to these future physicians, who may consider practising in Rocky Mountain House when they graduate. RPAP will pay for the student's transportation, hotels, lunch, breakfast on departure day as well as any expenses for supplies.

The Rocky/Clearwater Physician Recruitment and Retention Society is excited to partner with RPAP on this venture. We have outlined an event plan and the estimated budget for the Society as shown below:

- 11:00 am - Students arrive. Facility orientation and refreshments
- 11:30-1:30 Skill Stations 1, 2, 3
- 1:30-2:00 Lunch
- 2:00-4:00 Skill Stations 4-9
- 4:30-6:30 Rocky Mountain House Historical Site visit. Light refreshments, snow shoeing, program and tour of the site
- 6:30–9:30 Dinner and entertainment at Pine Hills Golf Club

Funds requested for:

- |   |                 |
|---|-----------------|
| • Morning refreshments  | \$250.00        |
| • Historical Site entrance fee, program charge & light refreshments | \$500.00        |
| • Snowshoe rentals  | \$100.00        |
| • Stainless steel mugs with the Rocky/Clearwater Physician logo on  | \$1000.00       |
| • Dinner at Pine Hills  | \$2200.00       |
| • Entertainment   | <u>\$500.00</u> |

Estimated total: \$4550.00

Thank you for your consideration,  
 Sincerely,  
 Tammy Burke & Kim Rogers

# Agenda Item

Date: December 13, 2011  
Item: Wild Rose Public Schools - Meeting Invitation  
Prepared by: Christine Heggart

**Background:**

For the past two years, Council has met with the Wild Rose Public Schools Board of Trustees and senior administration to discuss matters of mutual interest.

Again this year, Wild Rose Public Schools Superintendent Brian Celli invited Council to a lunch meeting. They originally suggested a date of February 1 or 2, but as a few Councillors are away on holidays at that time and the ASB convention is in that timeframe, Staff recommended suggesting alternate dates.

Staff wishes to confirm whether the invitation for lunch meeting with Wild Rose Public Schools on Tuesday February 7, 2012 will work for Council.

**Recommendation: That Council confirms the meeting date of February 7, 2012 for a meeting with the Wild Rose Public Schools Board of Trustees and senior administration.**

**From:** Myrna Morrish [<mailto:myrna.morrish@wrsd.ca>]  
**Sent:** December 06, 2011 2:44 PM  
**To:** Ron Leaf  
**Subject:** Joint Meeting Clearwater County

Dear Ron

As has been the practice over the past two years, the Board of Trustees and senior administration of Wild Rose Public Schools would like to invite your council and administration to meet to discuss matters of mutual interest.

We would like to suggest meeting on February 1 or 2, 2012 for lunch, with venue to be determined. If this is not a convenient time, please feel free to suggest an alternate.

We look forward to hearing from you.

Sincerely,

Brian Celli

Superintendent

Myrna Morrish  
Secretary to Superintendent of Schools  
Wild Rose Public Schools  
[1-800-771-0537](tel:1-800-771-0537)  
845-3376  
[Myrna.Morrish@wrsd.ca](mailto:Myrna.Morrish@wrsd.ca)

"Creating Powerful Learning Environments"

# Agenda Item

Date: December 13, 2011  
Item: Parkland Regional Library Survey  
Prepared by: Tyler McKinnon

## **Background:**

Parkland Regional Library (PRL) has submitted their annual satisfaction survey (see attached) for Council's review. These surveys are sent out to Municipal Councils, as mandated by Alberta Municipal Affairs. PRL uses the results of this survey to assist local libraries in their service provision to the municipal population and also releases the results to member municipalities.

Council's library board representatives, Councillor Bryant and Deputy Reeve Graham, have reviewed the survey and submitted their recommended responses. The survey consists of 7 questions, most of which ask Council their level of satisfaction on a scale from 1 (strongly dissatisfied) to 4 (very satisfied).

Both respondents noted they were "satisfied" on questions 1,2 and 4. Question 3 was answered "satisfied" by one and "very satisfied" by another. One respondent noted they would like a visit from PRLs director, the other did not.

Council may wish to discuss the answers to some, or all of the questions prior to submitting them to PRL.

## **Recommendation**

That Council provide staff with direction around this survey.

## *Memo*

**To:** *Municipal Councils*

**From:** *Ron Sheppard*

**Date:** *November 15, 2011*

**RE:** *Satisfaction Survey*

---

Parkland Regional Library is always anxious to assist local libraries in providing your municipal population with the best possible library service. To assist us in that endeavour, please take a few minutes to fill out this client satisfaction survey. These surveys are mandated by Alberta Municipal Affairs and Parkland staff take your responses very seriously. Please send the completed survey by fax or mail to:

Parkland Regional Library  
5404 – 56 Avenue  
Lacombe, AB T4L 1G1  
Fax: 1-800-555-5246 or (403) 782-4650

Please return one completed copy representing your municipality to Parkland Regional Library by December 17th.

Thank you very much for your assistance in this matter.





### Municipal Council Satisfaction with Library System Survey – 2011

*Parkland Regional Library appreciates your feedback and comments about our services. Please circle the response which best describes your reactions to Parkland's service.*

1 = Strongly Dissatisfied    2 = Mildly Dissatisfied    3 = Satisfied    4 = Very Satisfied

1. Is your council satisfied with present services offered by Parkland Regional Library?

1    2    **3**    4

2. Is your council satisfied with the level of communication between Parkland Regional Library and your municipality?

1    2    **3**    4

3. Is your council satisfied with Parkland Regional Library's Strategic Plan for 2010 - 2012?

1    2    **3**    **4**

4. Is your council satisfied with Parkland's level of requisition?

1    2    **3**    4

5. Would you like copies of PRL Board minutes?

Yes \_\_\_\_\_    **No just for the council rep**

6. Do you feel that you understand both the role of regional library systems and what services they offer?

**Yes** \_\_\_\_\_    No \_\_\_\_\_    Uncertain \_\_\_\_\_

**Ron Shepard, as manager, is good about explaining this relationship and so is Cathy at our library so I have a good understanding of how this works**

7. Would your council like a visit from PRL's Director?

Yes

No

If yes, what topics would you like discussed?

Yes – any changes coming from the province in library funding, overview of how parkland compares to other regionals

No- I think we have little extra time and many items on our plate. Last year (or year before?) the Town had Ron S come out and discuss municipal funding for their projected increases. As partners in the rocky Library this looked after our need (concern) as well

**Additional Comments:**

*Please feel free to note areas of special satisfaction or to share criticisms, concern, that you wish Parkland staff to be aware of. Also note that you can contact Parkland's Director at any time.*

**Name of Municipality:** \_\_\_\_\_

**Thank you for your help in completing this survey! Your feedback is VERY important.**

# Agenda Item

Date: **December 13, 2011**  
Item: **Disposal Options**  
Prepared by: **Tyler McKinnon**

## **Background:**

As Council is aware, Clearwater County recently purchased Lot 8 Block 3 Plan 6976ET (5215 48 Avenue) in Caroline, Alberta. There is currently a mobile home, barn and shed on the lot which the County does not have a need of. The buildings have been winterized and the mobile home has some utilities still connected to them as power and heat need to be maintained.

Options for dealing with these buildings include:

- 1) Maintain the buildings on-site, as is.
- 2) Rent the mobile home out to on-site tenants.
- 3) Sell the buildings and have the new owner remove them from the site.

Maintaining the buildings on-site has minor costs related to it for keeping the utilities active, as well as potential maintenance costs should the unoccupied buildings be vandalized or otherwise damaged. The buildings will eventually need to be removed from the property prior to recreation expansion work moving into that lot.

Renting out the mobile home would require the County to act as landlord for the property and the tenants would have to be removed from the property prior to work commencing. Should Council wish to explore renting out the property, the rates would be set according to average rates in the community. The County would likely have some on-going expenses for maintenance on the buildings, as well as some impact on staff time to fulfill the role of landlord for the site.

Selling the buildings and requiring the purchaser to remove them from the site would mean that the removal work would not have to be done at County expense prior to recreation expansion work commencing. There would also be some revenue from the sale and power and heat would not need to be maintained to the site. Should Council wish to sell the buildings, staff recommend we accept bids for the purchase of the buildings, and that each building be available for purchase separately.

The sale option requires the least maintenance from the County and clears the buildings off-site in preparation of future development. Given this, staff recommend that Council direct staff to sell the buildings with the requirement that the purchaser remove them from the lot at their own expense. Staff anticipate that the purchaser would be required to remove the buildings no later than this coming summer, so that the buildings do not remain on-site indefinitely.

**Recommendation**

That Council direct staff to sell the buildings, with the requirement that they be removed by the purchaser.

# Agenda Item

Date: December 13, 2011  
Item: Wheelchair Van Agreement  
Prepared by: Tyler McKinnon

## Background:

Clearwater County is the registered owner of a 2006 Dodge Caravan which is equipped to provide transportation for users in wheelchairs. This van was originally purchased through a partnership between Clearwater County, the Town of Rocky Mountain House and the Rotary Club. West Country Family Services (WCFS) has acted as the van operator and booking agent since it was purchased and, until recently, the Rotary Club has provided some funding for van maintenance. In addition to this, in September of 2005, Clearwater County issued a letter to WCFS offering \$7,000.00 funding annually for operating and maintenance support, \$3,000.00 funding annually for contingency spending and also funding for insurance and registration, estimated at \$1,250.00 annually.

Because of this, Council has historically included \$11,250.00 funding for this van in their annual Community Services budget. WCFS has not historically needed to access these funds because the Rotary Club was providing money for maintenance. That source of funding is no longer available

There is not currently any formal agreement in place governing the operation of this van or the responsibilities of the parties involved. Please find attached a draft agreement between Clearwater County and West Country Family Services for your review. This agreement serves to formalize the partnership with respect to the wheelchair van; it does not change the annual amount that Council currently budgets towards the wheelchair van. In February of this year, the Rotary Club discontinued their involvement with the wheelchair van so they have not been included in this agreement.

WCFS responsibilities include managing the use and operation of the van, including bookings for passengers. Clearwater County's responsibilities include providing the \$7,000.00 funding and registration costs as noted above. Should WCFS wish to access the \$3,000.00 contingency funding, those requests would be reviewed administratively on a case by case basis.

WCFS has noted that they provided 157 trips in 2009 and 21 trips in 2010. The 2010 trips were much lower as the van was not operational from August to December due to maintenance issues. WCFS notes that the number of trips in 2009 is more representational of the demand.

WCFS has also noted that they subsidize the cost of trips, to make them more affordable for users and to increase access. The estimated trip cost is \$22/hour while WCFS currently charges \$7/hour for users. Without maintenance and operation funding in place, WCFS may not be able to continue managing the wheelchair van.

WCFS staff have reviewed the draft agreement. Staff recommend that Council approve the agreement and direct the Reeve and CAO to sign it. Should Council wish to do so, the agreement will be valid until December 31, 2021.

**Recommendation**

That Council authorize the Reeve and CAO to sign the agreement between Clearwater County and West Country Family Services regarding the funding and operation of the wheelchair van as presented.

This Agreement made in duplicate this \_\_\_\_ day of \_\_\_\_\_, 2011

**BETWEEN:**

**CLEARWATER COUNTY**

Box 550  
 Rocky Mountain House  
 T4T 1A4  
 in the Province of Alberta,  
 hereinafter referred to as "**the Municipality**"

**OF THE FIRST PART**

And

**WEST COUNTRY FAMILY SERVICES ASSOCIATION**

Box 646  
 Rocky Mountain House  
 T4T 1A5  
 In the Province of Alberta

hereinafter referred to as "**the Association**"

**OF THE SECOND PART**

**WHEREAS** the Municipality is the owner of a 2006 Dodge Grand Caravan, VIN # 1D4GP24R56B575824 (hereafter referred to as "the van") which was purchased with the intent of providing transportation for users in wheelchairs;

**AND WHEREAS** the intended use of the van is to provide transportation for users in wheelchairs;

**AND WHEREAS** the Association has managed the operation of the van for numerous years, has acted as the booking agent for users accessing the van service, and is willing to continue acting in this capacity;

**NOW THEREFORE** the Municipality and the Association hereby agree that the Association will be the managing body of the van subject to the conditions set out within this agreement:

1. The term of this Agreement will be from the date hereof to December 31, 2021 unless otherwise terminated by the Municipality or the Association as set forth herein.
2. The Association is hereby authorized to manage the use of the van so as to sustain and achieve a long term availability of the van for users who may wish to access it.
3. The Association will maintain the van in a neat and orderly condition, and ensure the safe operation and maintenance of the van.

6. The Association may, from time to time, set and collect such fees from users, establish rules or regulations and expend such monies as the Association deems necessary to fulfill the terms of this Agreement.
7. The Association shall provide annually to the Municipality an accounting of the usage of the van, including maintenance and operating costs and trip statistics.
8. The Association will be responsible for the safe state and operation of the van. The Association acknowledges that it is the "prime contractor" as defined in the Occupational Health and Safety Act. The Association assumes all the responsibilities of the "prime contractor" and shall as a condition of this Agreement implement a safety plan that will ensure compliance with the Occupational Health and Safety Act and regulations by other contractors and employers, as defined under the Act.
9. The Association indemnifies the Municipality, its councillors, employees, and agents from and against any and all losses, damages, claims, costs and expenses of every kind and nature whatsoever including, without limiting the generality of the foregoing, all legal costs and expenses on a solicitor and his own client full indemnity basis and any payment made in good faith and settlement of any claim arising out of, occasioned by or in any way whatsoever related to the operation, management or the use of the van.
10. The Association shall provide the Municipality with an annual statement outlining the activity and costs associated with the van operation.
11. The Municipality shall provide adequate annual vehicle insurance for the van.
12. The Municipality shall provide the Association with \$7,000.00 annually to be used towards van operation and maintenance. The Municipality shall not be responsible for any expenses incurred by the Association over and above this amount.
13. The Municipality shall budget contingency funds of \$3,000.00 annually. The Association may request, in writing, contingency funds to cover unexpected expenses. Contingency funding shall not be guaranteed and approval of these requests shall be at the discretion of the Municipality and considered on a case by case basis.
14. The Association or the Municipality may terminate this Agreement upon thirty (30) days written notice, which notice shall be sent to:
  - a) For the Municipality:

Clearwater County  
Box 550  
Rocky Mountain House, AB  
T4T 2A4
  - b) For the Association:

West Country Family Services Association  
Box 646  
Rocky Mountain House, AB



T4T 1A5

**IN WITNESS WHEREOF** the parties hereto have hereunto set their seals under the hands of their duly authorized officers the date and year first above written.

**CLEARWATER COUNTY**

\_\_\_\_\_  
**Reeve**

\_\_\_\_\_  
**Municipal Manager**

**WEST COUNTRY FAMILY SERVICES ASSOCIATION**

\_\_\_\_\_  
**Signatory**

DRAFT

# Agenda Item

**Date:** December 13, 2011

**Item:** **First Reading of Bylaw 953/11**  
Application No. 09/11 to amend the Land Use Bylaw  
For the redesignation of 15.00 acres ± described as a portion of Plan 912-3235, Block 1, Lot 1, PT SE 24-39-08-W5  
From Country Residence Minor Industrial District "CRMI" to Country Residence Agriculture District "CRA" for the purpose of consolidating the land with Plan 102-5940  
Ron Lepard on behalf of Beverley Heimbeckner

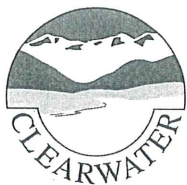
**Prepared by:** Marilyn Sanders

**Background:**

The subject lands are located approximately 5 miles west of the Town of Rocky Mountain House on Old Highway #11A.

The subject lands fall within the Ferrier-Garth Area Structure Plan, a statutory document that was adopted in 1987 and which provided long-term direction as to future development of lands that fall within the Plan area. The Plan provides direction for the development of SE 24-39-08-W5. A recent amendment to the ASP under Bylaw 949/11 adopted November 29, 2011 amended the long term direction of the Ferrier-Garth Area Structure Plan as it relates to this land. The amendment allows the westerly 15 acres to be considered for future Country Residence Agriculture District "CRA" development.

The applicants are requesting the westerly 15 acres be rezoned to the Country Residence Agriculture District "CRA". Their intent is to rezone, subdivide and consolidate this 15 acres with the Ron Lepard property to the south, being Plan 102-5940, Block 3, Lot 8. The Lepard property is zoned Country Residence Agriculture District "CRA".



# CLEARWATER COUNTY

## Application for Amendment to the Land Use Bylaw

Application No. 09/11

I / We hereby make application to amend the Land Use Bylaw.

APPLICANT: RON LEPARD

ADDRESS & PHONE: Box 994, Rocky Mtn. House, T4T 1A7 403-845-4777

REGISTERED OWNER: BEVERLEY HELMBECKNER

ADDRESS & PHONE: Box 1724, Rocky Mtn. House, T4T 1B3 403-845-6137

### AMENDMENT REQUESTED:

- CHANGE OF LAND USE DISTRICT FROM: CRMJ TO: CRA  
 LEGAL DESCRIPTION OF PROPERTY: SE 1/4 Sec. 24 Twp. 39 Rge. 8 W5M  
 OR: LOT: 1 BLOCK 1 REGISTERED PLAN NO.: 912-3235 <sup>3235</sup> only west 15 acres  
 OR: CERTIFICATE OF TITLE NO.: \_\_\_\_\_ (Site Plan is attached)  
 SIZE OF AREA TO BE REDESIGNATED: 15 (Hectares / Acres)

### 2. REVISION TO THE WORDING OF THE LAND USE BYLAW AS FOLLOWS:

AMEND FERRIER-BARTH AREA STRUCTURE PLAN  
TO ALLOW LAND USE CHANGE FOR PORTION OF  
PLAN 912-3235, BLOCK 1, LOT 1. (FROM CRMJ to CRA)

### 3. REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT:

consolidation with Lot 8 Block 3 (zoned CRA) +  
part of Lot 1 Block 1 (zoned CRMJ)

DATE: SEPTEMBER 19, 20 11 APPLICANT'S SIGNATURE \_\_\_\_\_

This personal information is being collected under the authority of the Municipal Government Act, Being Chapter M-26, R.S.A. 2000 and will be used to process the Land Use Bylaw amendment application. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act, Chapter F-25, RSA, 2006. If you have any questions about the collection of this personal information, please contact Clearwater County, P.O. Box 550, Rocky Mountain House AB T4T 1A4.

AREA STRUCTURE PLAN AMENDMENT \$250.00.

APPLICATION FEE OF \$700.00 DATE PAID: SEPTEMBER 19, 2011 RECEIPT NO. 76150  
COMBINED LUA + SUD Fee.  
400.00 300.00

Mr. Sandus  
SIGNATURE OF DEVELOPMENT OFFICER  
IF APPLICATION COMPLETE

IMPORTANT NOTES ON REVERSE SIDE

ASP - Bylaw 949/11  
LUA - Bylaw 953/11



# CLEARWATER COUNTY

## Application for Subdivision Approval - Bc 11.

FOR OFFICE USE ONLY	
Date of receipt of	File No. <u>21/3223</u>
Completed Application: <u>Sept 19, 2011</u>	
Fees Submitted: <u>Cons 70000</u>	Receipt No. <u>76150</u>
Combined with Land Use Amendment #	<u>09/11</u>

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND, OR BY AN AUTHORIZED PERSON ACTING ON THE OWNER'S BEHALF.

1. Name of Registered Owner of the Land to be Subdivided: RON LEAPARD AND BEVERLEY HEIMBECKNER  
 Address Box 1724 Postal Code T4T 1B3  
 Home Phone 403-845-6135 Business Phone \_\_\_\_\_

2. Authorized Person Acting on Behalf of the Registered Owner: RON LEAPARD  
 Address Box 994 Rocky Mountain House Postal Code T4T 1A7  
 Home Phone 403-844-0750 Business Phone 403-845-4777

3. Legal Description and Area of the Land to be Subdivided:  
 All (part) of the 51E 1/4, Section 24 Township 39, Range 2, West of the 5th Meridian.  
 Being all (parts) of Lot 1, Block 1, Registered Plan No. 917 3235 + 102-5940  
 Size of parcel prior to subdivision: 33 Acres. (HEIMBECKNER) Blk 3, Lot 8  
 Total number of parcels being created: 0 Size of parcel(s) being created: (LEAPARD)  
BOUNDARY ADJUSTMENT

4. Location of the Land to be Subdivided:

a) Is the land situated immediately adjacent to another municipality? Yes \_\_\_\_\_ No ✓

b) Is the land situated within 1/2 mile of the right-of-way of a Highway? Yes ✓ No \_\_\_\_\_  
 If "yes", the Highway No. is 11A, the Secondary Road No. is \_\_\_\_\_

c) Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or a canal or drainage ditch? Yes \_\_\_\_\_ No ✓  
 If "yes" state its name \_\_\_\_\_

d) Is the proposed parcel within 1.5 km (1 mile) of a sour gas facility? Yes \_\_\_\_\_ No ✓

5. Existing and Proposed Use of the Land to be Subdivided:

a) Existing use of the land residential property

b) Existing land use district under the County's Land Use Bylaw CRMI

c) Proposed use of the land CRA residential

d) Proposed land use classification CRA

6. Physical Characteristics of the Land to be Subdivided:

a) Describe the nature of the topography of the land (flat, rolling, steep, mixed) flat (mostly muskeg)

b) Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc. - sloughs, creeks, etc.) muskeg, small amount of higher ground has shrubs, trees, willows

c) Describe the kind of soil on the land (sandy, loam, clay, etc.) muskeg with peat moss (gravel underneath)

7. Existing Buildings and Services on the Land to be Subdivided:  
 Describe any buildings and other structures on the land and whether or not they are to be demolished or moved NONE

List the existing and/or proposed manner of providing water and sewage disposal: WELL / SEPTIC

PLEASE INDICATE if the land that is the subject of the subdivision application is situated within 1,000 feet of land which is used or authorized for use as:

	Yes	No
a) a landfill for the disposal of garbage or refuse	_____	<u>✓</u>
b) a sewage treatment plant or sewage lagoon	_____	<u>✓</u>
c) a confined feeding operation	_____	<u>✓</u>



FURTHER INFORMATION TO BE PROVIDED:

Reasons for the proposed subdivision: consolidation of part of Lot 1 Block 1 (west 15 acres only) with Lot 8 Block 3 PLAN 102-5940.

Name the local paper circulating in the area in which the proposed subdivision is located: The MOUNTAINIZER & WESTERN STAR  
(Subdivision approvals must be advertised in local newspapers)

RIGHT OF ENTRY - I hereby authorize Clearwater County to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision approval.

Bob Idem  
Owner's Signature

SEPTEMBER 19, 2011  
Date

AUTHORIZATION, if applicable, to act on behalf of the registered landowner:

I (We) hereby authorize RON LEARD or CAROL FALK to act on my (our) behalf on matters pertaining to this application for subdivision approval.

Bob Idem  
Owner's Signature

SEPT. 19th, 2011  
Date

Registered Owner or person Acting on Behalf of the Owner:

I, RON LEARD, hereby certify that:  I am the registered owner; or  
(full name in capitals)  I am authorized to act on the behalf of the registered owner; and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

[Signature]  
Signature

SEPTEMBER 19, 2011  
Date

This personal information is being collected under the authority of the Municipal Government Act, Being Chapter M-26, R.S.A. 2000 and will be used to process the subdivision application. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act, Chapter F25, RSA, 2006. If you have any questions about the collection of this personal information, please contact Clearwater County, P.O. Box 550, Rocky Mountain House AB T4T 1A4.

**INFORMATION REQUIRED TO ACCOMPANY AN APPLICATION FOR SUBDIVISION APPROVAL**

**APPLICATION FEE:** Basic fee of \$400 plus \$100 for each parcel to be created (excluding the remaining lands in title and any reserve or utility lots) payable to Clearwater County. This fee is non-refundable (except on a combined application for subdivision and Land Use Bylaw amendment where the amendment is denied.)

**SKETCH or SITE PLAN:** Drawn to scale showing:

- a) the present boundaries of the property to be subdivided;
- b) the location, size, and dimensions of each proposed lot;
- c) the location of existing buildings and their distance from property lines;
- d) the location of proposed and existing roadways, driveways, and road approaches;
- e) the location of coulees, steep slopes, water bodies or courses, woodlots, fence lines, distinctive tree lines, wells and septic systems.

*Note: A surveyor's sketch/plan showing the exact location of existing buildings, utilities and shelterbelts in relation to the proposed parcel boundaries must be provided for all applications dealing with the first developed building site to be subdivided from an unsubdivided quarter section. A surveyor's sketch/plan may also be requested for other applications involving existing buildings or utilities.*

**LETTER OF AUTHORIZATION:** From the landowner(s) named on the property title if a person is acting as an agent for or applying on behalf of the landowner (may complete the authorization portion of this form or submit a similar letter of authorization signed by the landowner).

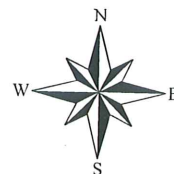
The signed and fully completed application form, as well as the information and fee outlined above must be submitted to:

Planning and Development Department  
**CLEARWATER COUNTY**  
 BOX 550  
 4340 47 Avenue  
 ROCKY MOUNTAIN HOUSE, AB  
 T4T 1A4  
 Telephone: (403) 845-4444





**Application #09/11 to Amend Land Use Bylaw  
 Combined with Subdivision Application 21/3223  
 PT Plan 912-3235, Blk 1, Lot 1 PT SE 24-39-08-W5  
 Ron Lepard on behalf of Beverley Heimbeckner**





BYLAW NO. 953/11

A Bylaw of Clearwater County, in the Province of Alberta, for the purpose of amending the Land Use Bylaw, being Bylaw No. 714/01.

PURSUANT to the Authority conferred upon it by the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26.1 and amendments thereto, and;

WHEREAS, a Council is authorized to prepare, to adopt, and to amend a Land Use Bylaw to regulate and control the use and development of land and buildings within the Municipality;

WHEREAS, the general purpose of the Country Residence Agriculture District "CRA" is to accommodate country residences with minor agricultural pursuits;

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:

That +/- 15.00 acres of Plan 912-3235, Block 1, Lot 1, PT SE 24-39-08-W5M as outlined in red on the attached Schedule "A" be redesignated from the Country Residence Minor Industrial District "CRMI" to the Country Residence Agriculture District "CRA".

READ A FIRST TIME this \_\_\_\_ day of \_\_\_\_\_ A.D., 2011.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
MUNICIPAL MANAGER

PUBLIC HEARING held this \_\_\_\_ day of \_\_\_\_\_ A.D., 2012.

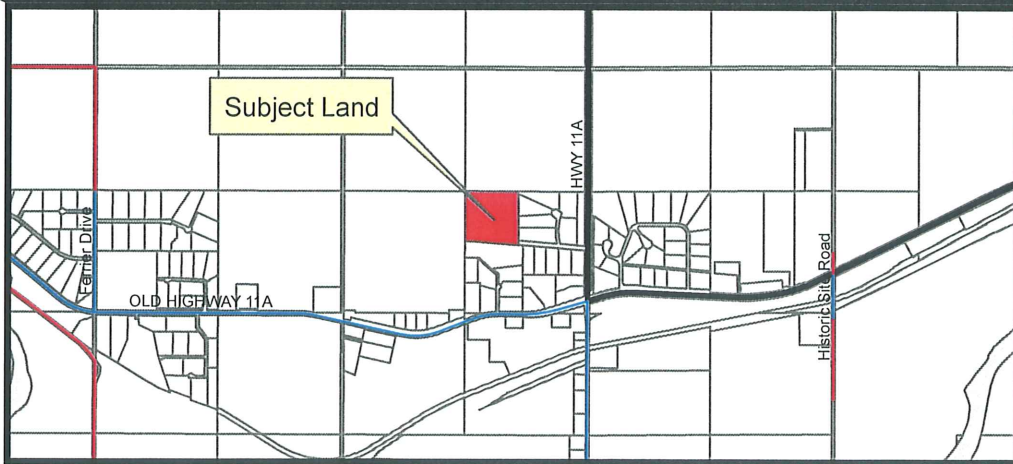
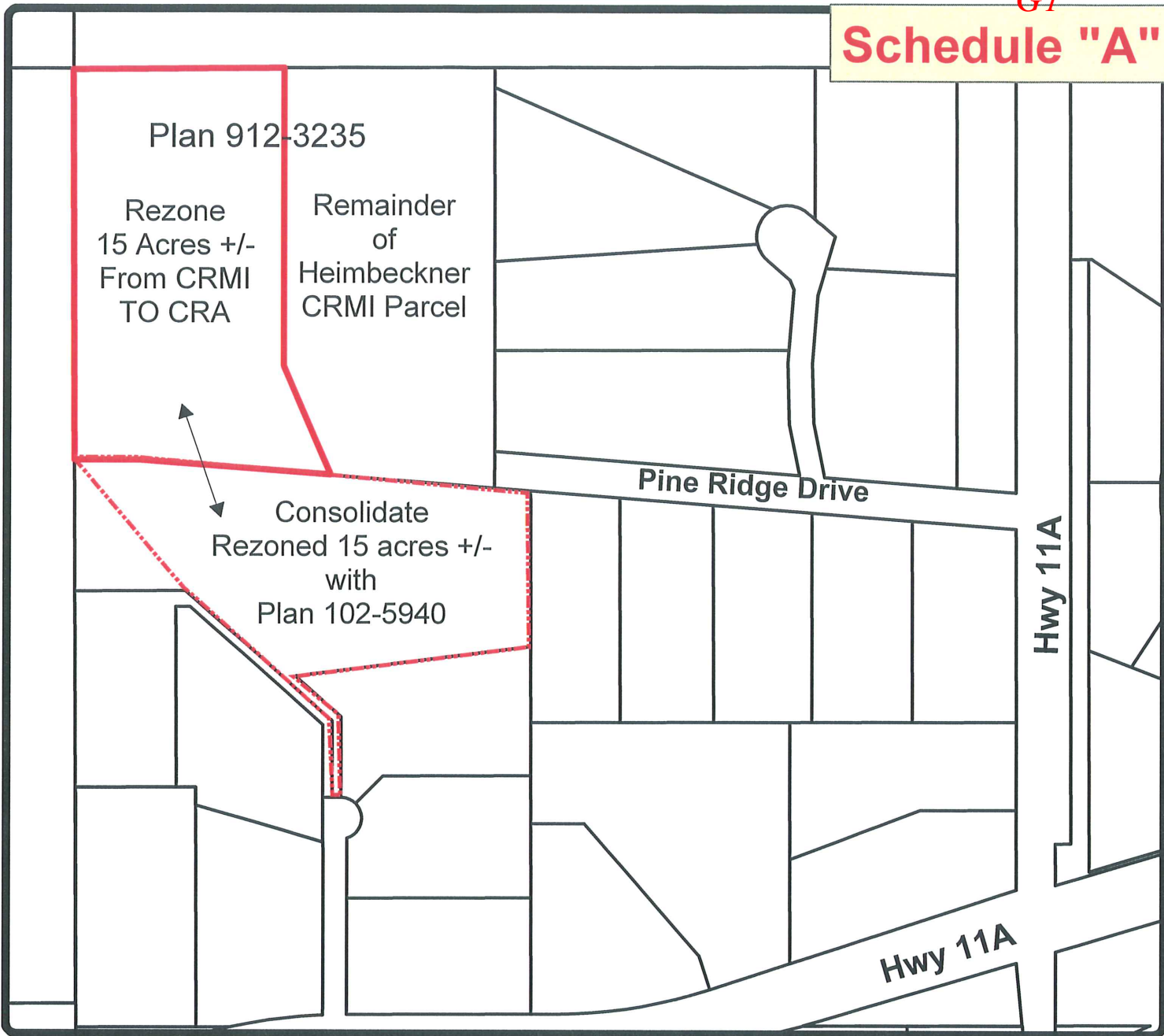
READ A SECOND TIME this \_\_\_\_ day of \_\_\_\_\_ A.D., 2012.

READ A THIRD AND FINAL TIME this \_\_\_ day of \_\_\_\_\_ A.D., 2012.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
MUNICIPAL MANAGER

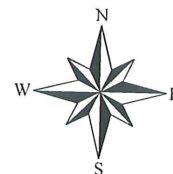
**Schedule "A"**



**Bylaw No. 953/11  
Schedule "A"**



**Application #09/11 to Amend Land Use Bylaw  
Combined with Subdivision Application 21/3223  
PT Plan 912-3235, Blk 1, Lot 1 PT SE 24-39-08-W5  
Ron Lepard on behalf of Beverley Heimbeckner**





# Agenda Item

Date: December 13, 2011  
Item: Disaster Recovery Program Application  
Prepared by: Tyler McKinnon

## **Background:**

For Council's information, staff have recently met with Rory Badger, the Senior Recovery Program Coordinator with the Alberta Emergency Management Agency to discuss the Province's Disaster Recovery Program (DRP) with respect to the flooding experienced in our area July 11 and 12, 2011.

Residents affected by this event may be eligible to apply for funding through this program though it is important to note that this is not an insurance program. The intent is to assist applicants in returning to a basic standard of living and does not necessarily cover all losses at their actual replacement value.

Mr. Badger has provided County staff with copies of the DRP application forms, which will be made available to ratepayers upon request. Clearwater County is not evaluating or making decisions on the applications, our function in this instance is to facilitate our ratepayer's applications to the Province.

We will be putting out advertising around this shortly, both in the local papers and on the radio. Ratepayers will be able to pick up the forms at the office, and information on the program will be available on the County website as well. The Province has noted that they generally accept applications for up to a year and estimate that they will be able to receive applications until September, 2012. Completed forms can be submitted directly to the Province.

## **Recommendation**

That Council accept this item for information

# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ....2011.....

Name of Councilor / Board Member ..... Bob Bryant .....

Payment Periods

January                      February                      May                      June  
 March                      April                      July                      August  
 September                      October                      November                      December

Supervision Rate -- \$550.00 Monthly  
 Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
Nov 1/11	PAMZ Exec. Sp. Review	✓					144km
Nov 2/11	West Country Devel. Coalition	✓					4km
Nov 3/11	Medic. Training	✓					4km
	Agenda and Priorities		✓				
Nov 8/11	Regular Council				✓		4km
Nov 15/11	R PAP Physician Recruitment	✓					4km
Nov 16/11	Rocky Senior Housing						
Nov 17/11	MPC	✓	✓			✓	4km
Nov 16/11	Red Deer Alto. Health Services Meet	✓					172km
Nov 18/11	RDRWA	✓					172km
Nov 21/11	AAMDC Convention	✓					438km
Nov 22/11	AAMDC Convention	✓	✓				
Nov 23/11	AAMDC Convention	✓					
Nov 23/11	PAMZ Board		✓				
Nov 24/11	AAMDC Convention	✓	✓				

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### Remuneration Calculation

1	Westview @ \$60	60.00				
11	Meetings @ \$140.00=	1540.00	950		Kms @ \$0.52=	494.00
5	Meetings @ \$112.00=	560.00	1		Lunch @ \$16.00=	16.00
2	Meetings @ \$254.00=	508.00			FALL CONV. HOTEL	508.86
	Supervision=	550.00			* RECEIPT ON FILE	
	Sub Total=				Sub Total=	
	<b>TOTAL=</b>	<b>3218.00</b>			<b>TOTAL=</b>	<b>1018.86</b>

Signature {Councilor / Board Member} ..... R. G. Bryant .....



# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2011.....

Name of Councilor / Board Member ...Jim Duncan.....

### Payment Periods

**January**                      **February**                      **May**                      **June**  
**March**                      **April**                      **July**                      **August**  
**September**                      **October**                      **November**                      **December**

**Supervision Rate – \$550.00 Monthly**  
**Reeve Supervision Rate - \$850.00 Monthly**

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
Nov. 2	I.C.S. training	X					40
Nov 3	Media training	X					20
Nov. 3	Agenda and Priorities	X					20
Nov 8	Regular Council	X	X				40
Nov 8	Pow-wow Committee	X					40
Nov 9	ASB- Landcare Strategic Plan	X					40
Nov 9	FCSS 1hour no charge						
Nov 15	FCSS ACE Communities	X	X				40
Nov 17	ASB- Landcare event	X	X				40
Nov 21	AAMDC Conference Provincial ASB Committee	X	X				225
Nov 22	AAMDC Conference	X	X				
Nov 23	AAMDC Conference	X	X				
Nov 24	AAMDC Conference	X	X				225
Nov 29	Regular Council	X	X				40
Nov 29	Pow-wow Committee	X					0

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### Remuneration Calculation

<u>14</u>	Meetings @ \$140.00=	<u>1960.00</u>	<u>770.00</u>	Kms @ \$0.52=	<u>400.40</u>
<u>8</u>	Meetings @ \$112.00=	<u>896.00</u>		Lunch @ \$16.00=	
	Meetings @ \$254.00=				
	Supervision=	<u>550.00</u>			
	Sub Total=				
	<b>TOTAL=</b>	<b><u>3406.00</u></b>			
				FALL CONV. - HOTEL (Receipt on File)	<u>493.11</u>
				Sub Total=	
				<b>TOTAL=</b>	<b><u>893.51</u></b>



# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2011.....

Name of Councilor / Board Member ..... Case Kervey .....

Payment Periods

January	February	May	June
March	April	July	August
September	October	<u>November</u>	December

Supervision Rate – \$550.00 Monthly  
Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
2	ICS Training	✓					26
3	Media Training	✓					26
8	Council Mtg				✓		26
17	Clearwater Landcare						
	Synergy Mtg	✓					26
21	AAMDC	✓					
22	CONF.	✓	✓				
23		✓	✓				
24		✓	✓				452

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### Remuneration Calculation

7	Meetings @ \$140.00=	980.00	556	Kms @ \$0.52=	289.12
3	Meetings @ \$112.00=	336.00	—	Lunch @ \$16.00=	—
1	Meetings @ \$254.00=	254.00	FALL CONV. HOTEL (RECEIPT ON FILE) 553.92		
	Supervision=	550.00			
	Sub Total=	—		Sub Total=	—
	<b>TOTAL=</b>	<b>2120.00</b>		<b>TOTAL=</b>	<b>843.04</b>

Signature {Councilor / Board Member} ..... Case Kervey .....

# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2011.....

Name of Councilor / Board Member ..... EARL GRAHAM .....

Payment Periods

January                      February                      May                      June  
 March                      April                      July                      August  
 September                      October                      November                      December

Supervision Rate - \$550.00 Monthly  
Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
Nov 1/11	SPIRT	✓					92
Nov 2/11	ICS 402	✓					92
Nov 4/11	SPOG / WDC	✓					46.
Nov 7/11	LIBRARY	✓					22
Nov 8/11	COUNCIL				✓		92
Nov 8/11	AG SOCIETY			✓			22
Nov 9/11	CAROLINE SCHOOL (Am)	Day ✓					22
Nov 16/11	Westview Lodge	*✓					
Nov 16/11	AHS Red Deer		✓	✓			220
Nov 17/11	MPC	✓	✓			✓	92
Nov 21/11	AAMD+C	✓	✓				550
Nov 22/11	AAMD+C	✓	✓				
Nov 23/11	AAMD+e	✓	✓				
Nov 24/11	AAMD+e	✓	✓				
Nov 24/11	CAROLINE SCHOOL				✓		22

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### HOTEL - a Hacked Remuneration Calculation

1	Westview @ \$60.00	60.00			
10	Meetings @ \$140.00=	1400.00	1386	Kms @ \$0.52=	720.72
10	Meetings @ \$112.00=	1120.00		Lunch @ \$16.00=	16.00
2	Meetings @ \$254.00=	508.00		FULL CONV. - HOTEL	493.11
	Supervision=	550.00		(Receipt on file)	
	Sub Total=			Sub Total=	
	<b>TOTAL=</b>	<b>3638.00</b>		<b>TOTAL=</b>	<b>1229.83</b>

Signature {Councilor / Board Member}







# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2011.....

Name of Councilor / Board Member ..... Dick Wynne .....

Payment Periods

January                      February                      May                      June  
 March                      April                      July                      August  
 September                      October                      November                      December

Supervision Rate – \$550.00 Monthly  
 Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
3	Media Training + Priority <sup>either</sup>	✓	✓				53
8	Council				✓		53
15	FCSS ignite ACE	✓	✓				54
16	AHS Red Deer	✓					160
17	Community Futures	✓					160
18	ASB	✓	✓				53
21	AAMOC Education	✓	✓				429
22	AAMOC Education	✓	✓				
23	AAMOC Education	✓	✓				
24	AAMOC Education	✓	✓				
28	West County, <sup>Whitehorse</sup>	✓					53
29	Council				✓		53

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### Remuneration Calculation

10	Meetings @ \$140.00=	1400.00	1068	Kms @ \$0.52=	555.36
7	Meetings @ \$112.00=	784.00		Lunch @ \$16.00=	
2	Meetings @ \$254.00=	508.00			
	Supervision=	550.00		FALL CONV. HOTEL	
	Sub Total=	3242.00		* RECEIPT ON FILE 493-11	
	<b>TOTAL=</b>	<b>3242.00</b>		Sub Total=	
				<b>TOTAL=</b>	<b>1048.47</b>

Signature {Councilor / Board Member} ..... Dick Wynne .....

# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2011.....

Name of Councilor / Board Member .....**Pat Alexander**.....

Payment Periods

January	February	May	June
March	April	July	August
September	<b>October</b>	November	December

Supervision Rate – \$550.00 Monthly  
Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
Oct 3	Airport	X					76
Oct 5	RPAP	X					76
Oct 6	Stat Plan	X	X				76
Oct 7	Stat Plan + MDP	X	X				76
Oct 11	Council				X		76
Oct13	Sunchild Road	X					116
Oct 13	Sundre Meeting		X				
Oct 14	Zone Meeting	X	X				
Oct 19	NSWA	X	X	X		X	392
Oct 20	Regional Fire	X					
Oct25	Council				X		76
Oct 26	RPAP Confr.			X			184
Oct 27	RPAP Confr.	X	X	X			184
Oct 31	Road Tour	X	X				76
Oct 26	ASB Confr.	X	X				

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### Remuneration Calculation

11	Meetings @ \$140.00=	1540.00 ✓	1408	Kms @ \$0.52=	732.16 ✓
11	Meetings @ \$112.00=	1232.00 ✓	1	Lunch @ \$16.00=	16.00 ✓
2	Meetings @ \$254.00=	508.00 ✓			
	Supervision=	850.00 ✓			
	Sub Total=	/		Sub Total=	/
	<b>TOTAL=</b>	<b>4130.00</b>		<b>TOTAL=</b>	<b>748.16</b>

# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2011.....

Name of Councilor / Board Member ..Jim Duncan.....

Payment Periods

January	February	May	June
March	April	July	August
September	<u>October</u>	November	December

**Supervision Rate – \$550.00 Monthly**  
**Reeve Supervision Rate - \$850.00 Monthly**

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
Oct 3	Bighorn Back Country	X					40✓
Oct 6	Strategic Planning	X	X				20
Oct 6	ASB- Land care	X					20✓
Oct 7	MDP Review	X					40✓
Oct 11	Regular Council				X		20
Oct 11	Pow-wow Committee	X					20✓
Oct 14	AAMDC Zone Meeting	X	X				40✓
Oct 19	FCSS	X					40✓
Oct 25	Regular council				X		40✓
Oct 26	ASB Regional Conference	X	X				50✓
Oct 26	Rec Board budget	X					40
Oct 28	ASB regular meeting	X					40
Oct 31	Public Works Road Tour	X	X				40✓

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### Remuneration Calculation

11	Meetings @ \$140.00=	1540.00✓	450	Kms @ \$0.52=	234.00✓
4	Meetings @ \$112.00=	448.00✓	—	Lunch @ \$16.00=	0
2	Meetings @ \$254.00=	508.00✓			
	Supervision=	550.00✓			
	<b>Sub Total=</b>	_____		<b>Sub Total=</b>	_____
	<b>TOTAL=</b>	3046.00		<b>TOTAL=</b>	_____

Signature {Councilor / Board Member} .....

*Jim Duncan*



