

**CLEARWATER COUNTY
COUNCIL AGENDA
November 29, 2011**

DELEGATIONS:

11:00 Alberta Health Services

1:15 Ferrier-Garth ASP Amendment – Public Hearing

A. CALL TO ORDER

B. AGENDA ADOPTION

C. CONFIRMATION OF MINUTES

1. November 8, 2011 Regular Meeting Minutes

D. PUBLIC WORKS

1. Stop and Speed Restriction Amendment

E CORPORATE SERVICES

1. County Operating and Capital Reports

2. Regional Assessment Review Board

F. MUNICIPAL

1. Christmas Greeting Advertisement

2. Community Hall Meetings

3. 11:00 Alberta Health Services

4. Brazeau County Meeting Invitation

5. Joint Council Meetings 2012

6. Caroline Community Development Committee (CCDC)

7. **INCAMERA**

a. Lagoon Update

G. PLANNING

1. 2nd & 3rd Readings of Road Closure Bylaw 942/11

2. 1:15 Ferrier Garth ASP Amendment – Public Hearing

H. INFORMATION

1. Municipal Manager's Report

2. Public Works Manager's Report

3. Accounts Payable Listing

4. Agricultural Services Manager's Report

I. COMMITTEE REPORTS

J. ADJOURNMENT

Agenda Item

Date: November 29, 2011

Item: Stop and Speed Restriction Amendment

Prepared by: Frank McBride

Background: Jack and Carol Dezall applied for subdivision (File No. 21/2723 & Dev. File) and received conditional approval dated November 20, 2008.

As part of the conditional approval the applicant was required to construct an access road as set out by the “Isolated Residential Access Roads on Right-Of-Way Policy” and “Subdivision Development Agreement”.

Subsequently John and Gail Follis of Caroline purchased the quarter section and have continued to develop the subdivision under the original “Subdivision Development Agreement” (see Schedule “A”).

A condition of the agreement is the purchase and installation of the appropriate signage including a “Stop” and “50km/h” speed signs. The signs are to be placed at the west end of the isolated residential access road between NW-7-36-5W5 and SW-18-36-5W5 as indicated on the attached map (see Schedule “B”).

The Follis’s have met these conditions of application.

Recommendation: Administration respectfully requests that Council reviews and approves by resolution of the following proposed installation:

1. Amending the Traffic Control Devices Bylaw (804/11) to include the installation of a “Stop” sign located at the west end of the isolated residential access road entering the junction of TWP Rd 36-2 and RGE Rd. 6-0 (see Schedule “B”).
2. Adopting Bylaw 952/11, creation of a 50Km/h speed zone and the installation of a “50Km/h sign (see Schedule “B”). (As per the MGA requirements, all three readings of the above proposed Bylaw 953/11 Amendment may be done within one council meeting).

BY-LAW NO. 952/11

A By-law of Clearwater County, in the Province of Alberta, to establish maximum speed limits throughout the County.

WHEREAS, provisions of Section 14 of the Highway Traffic Act, being Chapter H-7 of the Revised Statutes of Alberta, 1980, and amendments thereto, authorize the Council to establish maximum speed limits of less than eighty (80) kilometers per hour for highways under its control; and

WHEREAS, the Council of Clearwater County deems it advisable to establish a maximum speed limit for various roads within its control.

NOW, THEREFORE, the Council of Clearwater County, in the Province of Alberta, duly assembled, enacts as follows:

1. That a maximum speed limit on the Isolated Residential Access Road located on TWP Rd. 36-2 Municipal Right-Of-Way east of RGE Rd. 6-0, as outlined in orange on the attached Schedule "B", be limited to fifty (50) kilometers per hour.
2. That the proper speed limit signs be placed on the above described roads.
3. That this By-law takes effect as at the final reading of the By-law.

READ A FIRST TIME this 29th day of November A.D., 2010.

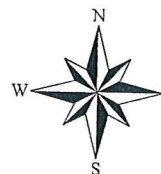
READ A SECOND TIME this 29th day of November A.D., 2010.

READ A THIRD AND FINAL TIME this 29th day of November A.D., 2010.

REEVE

MUNICIPAL MANAGER

Schedule "A" *DI*
Subdivision Development Agreement
21/2723
John & Gail Follis



Clearwater County



July 16, 2010

John Follis:

Re: Request to construct an isolated residential access road

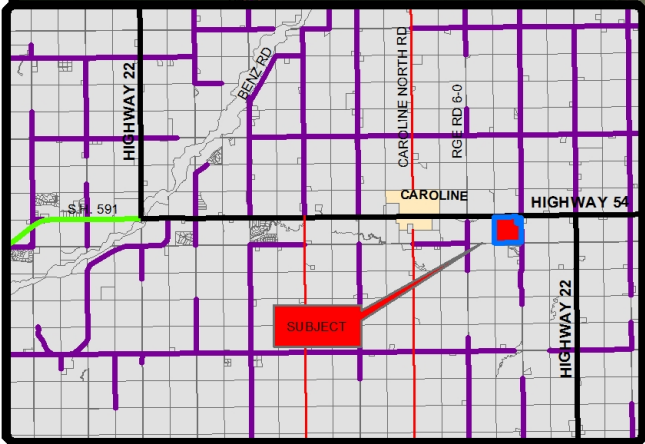
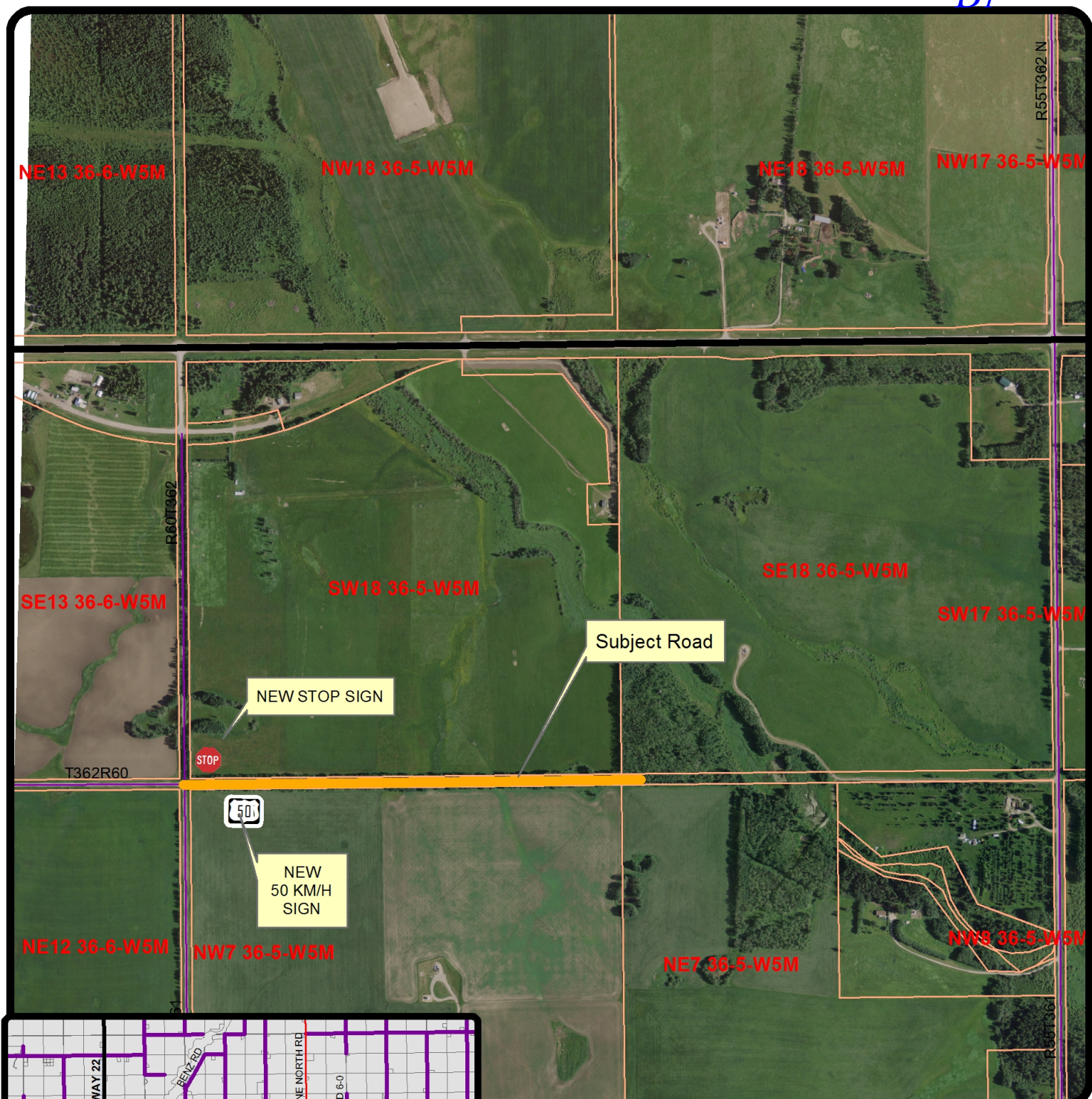
The administration presented your request to construct a reduced standard access road on County road allowance between the NW-7-36-5W5M and SW-18-36-5-W5M to Clearwater County Council on July 13, 2010. Council has approved this development under the following conditions:

- The access road must adhere to the standards set out by the Isolated Residential Access Roads on Right-Of-Way Policy and a Subdivision Development Agreement.
- The trees located on the road allowance are property of the Province of Alberta and therefore must be disposed of in accordance with their policies.
- It is the developers' responsibility to identify the road allowance boundaries and keep all construction activities within these boundaries.
- All culverts must have a minimum diameter of 500mm.
- The road must extend 20m past the East edge of the approach into the subdivision to accommodate a turn-around for traffic.
- All efforts must be made to prevent erosion and silt contamination on right-of-way and adjacent properties.
- The topsoil is to be stripped and stockpiled then replaced upon completion of the access road.
- The road is to be constructed of sound road building materials.
- A checker board sign must be installed at the end of the newly constructed access road.
- A 50 km/hr sign, a Stop sign and an Isolated Residential Access "No Municipal Maintenance sign must be installed at the beginning of the access road. All signs may be purchased from the municipality.
- Good construction practices are to be followed at all times.
- Upon completion of all requirements, Clearwater County is to be notified and a post construction inspection will be carried out.

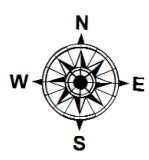
Sincerely,

Erik Hansen,
Construction Supervisor

Cc: Marshall Morton
Marilyn Sanders



November 2011
CTV



**Proposed Isolated Residential Access Road
to S.E. 18-36-5 W5
Approximately 820 Meters**



Agenda Item

Date: **November 29, 2011**

Item: **County Operating and Capital Reports**

Prepared by: **Murray Hagan**

Introduction:

Attached are the operating and capital reports for the County to October 31, 2011. The new capital report is intended to be shared with Council on a quarterly basis while the operating reports will remain monthly.

Highlights:

Operating revenue has increased by \$851,984 since September. \$357,825 of this amount is represented by user fees and sales of goods and \$242,895 reflects additional oil well drilling taxes.

Total operating expenses have increased by \$1,257,265. Disaster Services increased by \$29,695. Water and Sewer includes engineering fees of approximately \$242,000 that have been moved to capital in November.

Capital revenue represents grant funding recognized to date and will likely change somewhat prior to year end as we make entries to match the funding with the stages of completion of the related capital projects.

Capital expenditures are significantly lower than anticipated. Some of the contributing factors are as follows:

- Parks & Recreation spending includes \$200,000 for the recent property purchase in Caroline. \$573,000 is expected to be spent on the SE Rec. Grounds before the end of the year.
- Anticipated work on the Martin Creek Dam in Nordegg has been deferred to 2012.
- Another \$2,600,000 in payments is expected before year end related to the construction activity in Nordegg, leaving approximately \$1,300,000 to be completed in 2012.

Capital Expenditures (cont.)

- Costs of the new plow truck will appear in November, but heavy equipment should still be less than budget due to savings on the purchase of a new loader and higher than expected sales proceeds on equipment disposed of.
- The purchase of a ¼ section for gravel has been deferred until 2013.
- Lower than anticipated bridge rehab costs resulted from fewer approvals by the provincial government.
- The Taimi Road was not paved in 2011.
- Additional invoices are anticipated in relation to the Nordegg Public Services Building which should bring the total spent to \$2,600,000 before year end. The budget for facilities also included \$810,500 for salt storage sheds which have been deferred to 2013.

Recommendation:

That Council accepts these reports for information.

**Clearwater County
Operating Actual vs Budget
For the Ten Months Ending October 31, 2011**

	Year to date 2011	Budget 2011	Variance 2011	% 2011
Operating Revenue				
Net municipal taxes	\$31,070,003	\$31,027,204	\$42,799	100%
User fees and sales of goods	1,055,239	2,741,513	(1,686,274)	38%
Government transfers for operating	687,976	1,170,574	(482,598)	59%
Investment income	299,922	362,500	(62,578)	83%
Penalties and costs of taxes	71,507	60,000	11,507	119%
Development levies	26,784	50,000	(23,216)	54%
Permits and licenses	34,650	58,600	(23,950)	59%
Oil Well Drilling Taxes	1,829,111	125,000	1,704,111	1463%
Other	277,548	277,374	174	100%
Total Operating Revenue	35,352,740	35,872,765	(520,025)	99%

Clearwater County
Operating Actual vs Budget
For the Ten Months Ending October 31, 2011

	<u>Year to date 2011</u>	<u>Budget 2011</u>	<u>Variance 2011</u>	<u>% 2011</u>
Operating Expenses by Department				
Agriculture Services				
ASB General	\$266,072	\$321,354	\$55,282	83%
ASB AESA	80,483	84,078	3,595	96%
ASB Vehicle Pool	48,296	64,500	16,204	75%
ASB Vegetation Management	235,635	466,961	231,326	50%
ASB Weed & Pest Control	121,389	111,974	(9,415)	108%
ASB Public Relations	4,704	2,200	(2,504)	214%
	<u>756,579</u>	<u>1,051,067</u>	<u>294,488</u>	<u>72%</u>
Community & Protective Services				
Airport		21,087	21,087	0%
Animal Control	15,332	20,000	4,668	77%
Cemetery		8,500	8,500	0%
Community Services	255,165	621,649	366,484	41%
Culture	229,304	238,213	8,909	96%
Disaster Services	522,579	173,215	(349,364)	302%
Economic Development	686,394	911,315	224,921	75%
FCSS	70,086	70,086		100%
Peace Officers	288,371	407,886	119,515	71%
Recreation	758,311	1,181,516	423,205	64%
Regional Fire Services	786,643	1,111,689	325,046	71%
Waste Management	7,000	410,818	403,818	2%
Other Environmental Protection	12,075	11,983	(92)	101%
	<u>3,631,260</u>	<u>5,187,957</u>	<u>1,556,697</u>	<u>70%</u>
Corporate Services				
Assessment	374,413	577,094	202,681	65%
Finance & Administration	1,002,278	1,671,944	669,666	60%
Legislative	211,307	396,054	184,747	53%
Technology & Information Services	131,570	320,800	189,230	41%
	<u>1,719,568</u>	<u>2,965,892</u>	<u>1,246,324</u>	<u>58%</u>

Clearwater County
Operating Actual vs Budget
For the Ten Months Ending October 31, 2011

	<u>Year to date 2011</u>	<u>Budget 2011</u>	<u>Variance 2011</u>	<u>% 2011</u>
Planning & Nordegg				
Planning	\$415,894	\$697,867	\$281,973	60%
Nordegg	68,320	130,979	62,659	52%
Nordegg Historic Society.	142,719	155,350	12,631	92%
	<u>626,933</u>	<u>984,196</u>	<u>357,263</u>	<u>64%</u>
PUBLIC WORKS				
General	362,244	605,975	243,731	60%
Facilities	330,103	527,850	197,747	63%
Gravel Activities	1,864,887	1,874,906	10,019	99%
GIS Mapping	213,333	347,646	134,313	61%
Road Maintenance	2,000,494	2,784,224	783,730	72%
Safety	79,103	113,380	34,277	70%
PW Shop	245,910	318,557	72,647	77%
Vehicles & Equipment	2,204,979	2,641,388	436,409	83%
Water & Sewer	307,518	227,183	(80,335)	135%
	<u>7,608,571</u>	<u>9,441,109</u>	<u>1,832,538</u>	<u>81%</u>
Contingency		<u>624,878</u>	<u>624,878</u>	<u>0%</u>
Total Operating Expenses	<u>14,342,911</u>	<u>20,255,099</u>	<u>5,912,188</u>	<u>71%</u>
Excess of Revenue over Expenses	<u>21,009,829</u>	<u>15,617,666</u>	<u>5,392,163</u>	<u>135%</u>

**Clearwater County
Capital Actual vs Budget
For the Ten Months Ending October 31, 2011**

	<u>Year to date 2011</u>	<u>Budget 2011</u>	<u>Variance 2011</u>	<u>% 2011</u>
Capital Revenue				
Grants	\$5,806,915	\$8,245,341	(\$2,438,426)	70%
Total Capital Revenue	<u>5,806,915</u>	<u>8,245,341</u>	<u>(2,438,426)</u>	<u>70%</u>

**Clearwater County
Capital Actual vs Budget
For the Ten Months Ending October 31, 2011**

	<u>Year to date 2011</u>	<u>Budget 2011</u>	<u>Variance 2011</u>	<u>% 2011</u>
Capital Expenditures by Department				
Agriculture Services				
ASB - Equipment	\$46,585	\$69,500	\$22,915	67%
	46,585	69,500	22,915	67%
Community & Protective Services				
Community Peace Officers	117,346	92,350	(24,996)	127%
Regional Fire Services	112,379	257,000	144,621	44%
Parks & Recreation	269,684	1,000,000	730,316	27%
	499,409	1,349,350	849,941	37%
Corporate Services				
General Corporate Services	39,174	33,000	(6,174)	119%
	39,174	33,000	(6,174)	119%

**Clearwater County
Capital Actual vs Budget
For the Ten Months Ending October 31, 2011**

	<u>Year to date 2011</u>	<u>Budget 2011</u>	<u>Variance 2011</u>	<u>% 2011</u>
Planning & Nordegg				
General Development	\$22,808	\$776,000	\$753,192	3%
Project Development	2,948,446	6,936,500	3,988,054	43%
	<u>2,971,254</u>	<u>7,712,500</u>	<u>4,741,246</u>	<u>39%</u>
PUBLIC WORKS				
Heavy Equipment	324,519	840,000	515,481	39%
Land	392	1,020,000	1,019,608	0%
Local Road Construction	5,691,417	7,130,242	1,438,825	80%
Asphalt Overlay	6,209,572	7,308,800	1,099,228	85%
Chip Seal Program	600,632	760,104	159,472	79%
Bridge Rehab	878,806	1,504,037	625,231	58%
Base Pave	25,129	1,305,100	1,279,971	2%
Facilities	1,682,343	3,900,500	2,218,157	43%
Sewer		235,000	235,000	0%
	<u>15,412,810</u>	<u>24,003,783</u>	<u>8,590,973</u>	<u>64%</u>
Total Capital Expenditures	<u>18,969,232</u>	<u>33,168,133</u>	<u>14,198,901</u>	<u>57%</u>
Excess of Expenditures over Revenues	<u>(13,162,317)</u>	<u>(24,922,792)</u>	<u>11,760,475</u>	<u>53%</u>

Agenda Item

Date: November 29, 2011

Item: Regional Assessment Review Board

Prepared by: Murray Hagan

Introduction:

Section 460 of the Municipal Government Act (MGA) allows ratepayers to file complaints related to property assessments. Where such a complaint is received, a council is required to set up an assessment review board to hear the complaint.

Section 456 permits two or more councils to jointly establish assessment review boards to have jurisdiction in their respective municipalities.

Background:

In 2010, Clearwater County Council made the decision to participate in the establishment of a Regional Assessment Review Board. This Board was initiated by the City of Red Deer to hear assessment complaints on behalf of member municipalities within the Central Alberta region.

Details of the Board composition, services to be provided, and fees to be levied were documented within an agreement between the County and the City of Red Deer as well as Clearwater County Bylaw 919/10. The term of this agreement was two years, ending December 31, 2011.

Management feels that the services provided under the agreement represented good value to Clearwater County, and is presenting to Council a new agreement and bylaw that would ensure the continuation of these services for the next three years. The new bylaw and agreement reflect certain enhancements to better correspond to the MGA and the Matters Relating to Assessment Complaints Regulation. There is also a change in the fee structure, but management does not believe that this change will result in significant additional costs to the County.

Recommendation:

That Council reviews, amends as necessary, and approves attached Bylaw 951/11, and authorizes the Chief Administrative Officer to sign the attached agreement with the City of Red Deer.

BYLAW NO. 951/11

Being a bylaw of Clearwater County to establish a Regional Assessment Review Board.

Background

Section 456 of the *Municipal Government Act*, permits two or more Councils to jointly establish assessment review boards to have jurisdiction in their respective municipalities;

The City of Red Deer and the Partner Municipalities jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* (MGA) in respect of assessment complaints made by their respective taxpayers of a Partner Municipality;

COUNCIL OF CLEARWATER COUNTY ENACTS AS FOLLOWS:

Short Title

- 1 The short title of this Bylaw shall be the “Regional Assessment Review Board Bylaw”.

Definitions

- 2 (1) Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the *Municipal Government Act* (MGA).
- (2) In this bylaw the following terms shall have the meanings shown:
 - (a) “Board” means the Regional Assessment Review Board;
 - (b) “CARB” means the Composite Assessment Review Board established in accordance with the MGA;
 - (c) “Citizen-at-large” means a person who does not represent a specific organization;
 - (d) “Designated Officer” means the person appointed to carry out the duties and functions of the clerk of the assessment review boards in accordance with section 455 of the MGA;
 - (e) “LARB” means the Local Assessment Review Board established in accordance with the MGA;
 - (f) “Member” means a member of the Regional Assessment Review Board;

- (g) “Minister” means the Minister determined by the Province to be responsible for the MGA;
- (h) “Partner Municipality” means all those municipalities who enter into an agreement with The City to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw, as well as The City of Red Deer;
- (i) “Provincial Member” means a person appointed as a provincial member to a CARB by the Minister.

Member Municipalities

- 3 The Partner Municipalities hereby jointly establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board and the functions of a Composite Assessment Review Board to have jurisdiction in their municipalities.

Regional Board Review Committee

- 4 The Regional Board Review Committee will consist of 5 people appointed jointly by the Partner Municipalities.

Appointment of Board Members

- 5 The Regional Board Review Committee shall appoint not more than 20 citizens-at-large to be Members of the Regional Assessment Review Board.

Establishment of Boards

- 6 The following Central Alberta Regional Assessment Review Boards are established:
- (a) one or more LARB’s that consist of one (1) Member;
 - (b) one or more LARB’s that consist of three (3) Members;
 - (c) one or more CARB’s that consist of one (1) Provincial Member
 - (d) one or more CARB’s that consist of one (1) Provincial Member and two (2) Members.

Terms of Appointment

- 7 (1) Unless otherwise stated, all Members are appointed for three year terms except in the initial year where one-third is appointed for a three year term; one-third is appointed for a two year term and the remaining one-third are appointed for a one year term.
- (2) If a vacancy on the Board occurs at any time the Regional Board Review Committee may appoint a new person to fill the vacancy for the remainder of that term.
- (3) A Member may be re-appointed to the Board at the expiration of his/her term.
- (4) A Member may resign from the Board at any time on written notice to the Designated Officer to that effect.
- (5) The Regional Board Review Committee may remove a Member at any time on the recommendation of the Designated Officer.
- (6) Upon being appointed, the Member must successfully complete the training as prescribed by the Minister prior to participating in a hearing.

Presiding Officer

- 8 The Members of every Board established under section 6(b) of this bylaw will select a Presiding Officer from among themselves who will:
- (a) preside over and be responsible for the conduct of hearings;
- (b) vote on matters submitted to the Board unless otherwise disqualified;
- (c) sign orders, decisions and documents issued by the Board.

Jurisdiction of the Board

- 9 The Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Partner Municipality.

Regional Advisory Group

- 10 (1) Board Members will elect from among themselves a Regional Advisory Group consisting of up to 4 members, and comprised of one Chair and up to 3 Vice Chairs.
- (2) The Regional Advisory Group will report to the Designated Officer on all matters affecting the Board and will:
- (a) assist the Designated Officer in developing policies governing hearings, conduct of Members, and other Board matters;
 - (b) evaluate Member performance to identify areas where additional training may be required and prepare reports regarding performance and re-appointment of Members;
 - (c) ensure other Members are provided mentoring;
 - (d) act as a liaison between the Members, board administration and the Designated Officer;
 - (e) review draft decisions to ensure that they comply with legislation, policies and procedures;
- (3) The duties of the Chair of the Regional Advisory Group include:
- (a) chairing meetings of the Regional Assessment Review Board and the Regional Advisory Group;
 - (b) establishing agendas for the Regional Advisory Group and the Regional Assessment Review Board meetings in consultation with the Designated Officer;
 - (c) liaising with the Designated Officer, Councils, and Partner Municipalities on behalf of the Regional Assessment Review Board;
 - (d) appointing an Acting Chair from the Regional Advisory Group;
 - (e) signing correspondence on behalf of the Regional Advisory Group.
- (4) If the Chair ceases to be a Member or is unable or unwilling to fulfil the Chair's duties, the Clerk may appoint one of the Vice Chairs to serve as Acting Chair until the Chair resumes the Chair's duties or the Members elect a new Chair.

Designated Officer of the Board

- 11 (1) The Chief Administrative Officer of The City of Red Deer (CAO) shall appoint a Designated Officer of the Board, and shall prescribe any remuneration associated with the position.
- (2) The Designated Officer is authorized to enter into agreements on behalf of the Board with other non-partner municipalities to provide Assessment Review Board Services.
- (3) The Designated Officer shall assist the Board in fulfilling its mandate.
- (4) The Designated Officer may appoint an Acting Clerk to perform the Designated Officer duties and functions provided they have successfully completed the training as prescribed by the Minister.
- (5) The Designated Officer shall consult with the Regional Advisory Group to set policies, procedures and directives governing hearing processes, Member conduct and other Board matters.
- (6) The Designated Officer will consult with the Regional Advisory Group and Members on matters affecting the Boards.
- (7) The Designated Officer will make arrangements for issuing refunds of filing fees in accordance with the MGA and related regulations.
- (8) The Designated Officer will issue instructions to independent legal counsel for the Boards when required.
- (9) The Designated Officer has the authority to assign duly appointed Members to the established LARB's and CARB's as required.
- (10) The Designated Officer may, at the request of a Presiding Officer of a Board sign orders, decisions and documents issued by the Board.
- (11) The Designated Officer may, at the request of the Chair of the Regional Advisory Group, sign documents issued by the Regional Advisory Group.
- (12) The Designated Officer may set fees payable for persons to obtain copies of the Board's decisions and documents.

Hearings

- 12 (1) Hearings will be held at such time and place as determined by the Designated Officer.

- (2) The proceedings of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the *Freedom of Information and Protection of Privacy Act*.

Quorum and Voting at Hearings

- 13 (1) In accordance with section 458 of the MGA, quorum for the Boards shall be as follows:
 - (a) two Members, for LARB's established under section 6(1)(b) of this bylaw; and
 - (b) one Provincial Member and one other Member, for CARB's established under section 6(1)(d) of this bylaw.
- (2) All Members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- (3) The majority vote of those Members present and voting constitutes the decision of the Board.
- (4) Where a member of a Board absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the Designated Officer shall appoint a replacement member to the Board.

Conflict of Interest

- 14 (1) Where a Member is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the Member may absent himself or herself from board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the Member:
 - (a) declares that he or she has a conflict of interest; and
 - (b) describes in general terms the nature of the conflict of interest.
- (2) The Designated Officer shall cause a record to be made in the Record of Hearing of the Members' absence and the reasons for it.
- (3) For the purposes of this provision, a Member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:
 - (a) he or she has a personal interest in the matter which would conflict with his or her obligation as a Member to fairly consider the issue;
or

- (b) substantial doubt as to the ethical integrity of the Member would be raised in the minds of a reasonable observer, if that Member were to participate in the consideration of that matter.

Pecuniary Interest

- 15 (1) The pecuniary interest provisions of the MGA apply to hearings and meetings of the Board, as though Members were councillors attending meetings of council.
- (2) A Member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a Member of the Board.

Commencement of Complaints

- 16 In accordance with section 460 of the MGA, a taxpayer may commence an assessment complaint by:
- (a) mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the *'Matters Relating to Assessment Complaints Regulation'*, Alberta Regulation 310/2009 and within the time limits specified in the MGA; and
 - (b) paying the applicable fee.

Rules of Order

- 17 The Board will conduct hearings in accordance with:
- (1) the express provisions of the MGA and related regulations;
 - (2) principles of natural justice and procedural fairness; and
 - (3) policies and procedures approved by the Board.

Notice of Decisions & Record of Hearing

- 18 (1) After the hearing of a complaint, the Designated Officer shall:
- (a) under direction of the Presiding Officer, prepare the decision or order of the Board and the reasons for the decision in compliance with the MGA; and

Central Alberta

Regional Assessment Review Board

2012 OPERATIONS BACKGROUNDER

The Central Alberta Regional Assessment Review Board exists to provide administration and hearings of assessment complaints. We strive to provide a center of excellence for municipalities and ratepayers. Our operational plan for the future incorporates both feedback from our municipal partners and our experience over the last two years of operations.

Key changes to our operations are summarized in this document.

What can we expect as a partner?

Involvement: Regional service delivery means that you have a professional, qualified, experienced Board to hear and decide assessment complaints. You can expect to be invited to participate in Board recruitment and appointments when there is a vacancy on the Board.

Administration of Complaints: Regional service delivery includes administration of complaints that are filed. We speak with the Complainant, explain the process and answer questions. We schedule and send the Notice of Hearing, track the information disclosed, schedule the Panel Members and assist them with the hearing, the deliberations and the decision.

Administrative Support: We provide you with administrative support for your municipality. We offer in-services for your staff members who may have to respond to ratepayers' questions or concerns about filing a complaint (send as many staff members as often as you like to the in-services – the more, the better!). This will be our time to share general information about the complaint lifecycle; the function and processes of the Board as well as let you know about interesting decisions and emerging issues around the Province.

Why do we need to pass a Bylaw and enter into an Agreement?

In a nutshell, it is the Bylaw that establishes the Central Alberta Regional Assessment Review Board as your municipalities' Assessment Review Board. The Agreement sets out the terms by which that service is provided to you.

Why a new Bylaw?

A large part of the original bylaw adopted in 2009 was drafted under restrictive timelines and in the absence of the changes to the *Municipal Government Act* and the *Matters Relating to Assessment Complaints Regulation*. In several areas the bylaw has been amended to reflect the language of the legislation (ie. quorum, training). The amendments are itemized on the following pages.

Why a new Agreement?

The original agreement reflected a 2 year cost model. Going forward, each municipality will pay a membership fee which covers fixed operational costs (like board training and business travel for advocacy). If complaints are filed and hearings are needed, the cost is paid by the municipality that requires it. This is now reflected in the 'schedules' portion of the agreement which can easily be amended if required. There are a few other amendments which are itemized on the following pages.

The following information is intended to highlight changes made to the bylaw and the agreement. It is not all encompassing. Each municipality should carefully review both the bylaw and the agreement.

CHANGES TO BYLAW:

1. ESTABLISHMENT OF BOARDS (S. 6)
Section 5 allows for up to 20 members to be appointed to the Regional Board. The wording in section 6 reflects the ability to create multiple panels from the 20 members.
2. TERMS OF APPOINTMENT (S.7(6))
This has been added to reflect the training required by the Minister.
3. PRESIDING OFFICER AT HEARINGS (S. 8)
This has been clarified and complies with the legislation – only LARB's select their Presiding Officer; the Presiding Officer on a CARB hearing is the provincial member.
4. ESTABLISHMENT OF THE REGIONAL ADVISORY GROUP (S. 10)
The Regional Advisory Group was an initiative of the Board created to respond to opportunities for networking and advocacy. Their role is to assist with the development of policies & procedures; mentor new board members and act as advocates for the region. This group will be a key to building on the strong foundations of the Board. Inclusion in the Bylaw makes their role formal.
5. DESIGNATED OFFICER (S. 11)
This section is needed to provide clarity around the role of the Designated Officer (Acting Clerk). It includes reference to the training required by the Minister; the creation of policies & procedures in consultation with the Regional Advisory Group and the authority to assign panel members to hearings.
6. QUORUM AND VOTING (S. 13)
This wording has been amended to clearly reflect the legislation.
7. RULES OF ORDER (S. 17)
This wording has been amended to clearly reflect the legislation and the accepted professional standards of administrative tribunals.
8. DELEGATION OF AUTHORITY (S. 19)
The citation for the *Municipal Government Act* has been corrected.
9. REIMBURSEMENT OF COSTS (S 20)
This is an additional section that refers to the new funding model.
10. TRANSITIONAL (S. 21(2))
Each municipality will need to amend this section to reflect their own bylaw citations.

CHANGES TO AGREEMENT:

1. SECTION 3.6: COST OF LEGAL SERVICES

Change: In the event a decision of the Regional Assessment Review Board (RARB) is challenged to the Court of Queen's Bench; Partners will be responsible for legal services required for the RARB.

Purpose: Was not addressed in the prior agreement

2. SECTION 3.7: PARTNER TO PROVIDE INFORMATION ANNUALLY (by Jan 31)

Change: Partners must provide to The City the amount they will be charging for Complainants to file assessment complaints.

Purpose: This will enable The City to assemble and provide statistics regarding practices among the Partners.

Change: Partners must provide The City with contact information for their assessor appointed under s. 289 of the *Municipal Government Act* as well as the estimated deadline for complaints to be filed in that municipality.

Purpose: This will assist The City with smooth administration of complaints; Panel Member assignments and the allocation of a Board Officer.

3. SECTION 3.8: PARTNER DUTIES UPON RECEIPT OF COMPLAINT

Change: Assistant Clerks must forward a copy of all complaints to The City; advise if the complaint was received on time and if the complaint fee was paid.

Purpose: In the Bylaw, Municipalities designate the Designated Officer for The City of Red Deer as their Clerk. The Clerk is the only person authorized to receive complaints (s. 455 of the MGA). Municipalities must forward all complaints to The City – even if they may be withdrawn.

4. SECTION 4.1: COORDINATOR DUTIES

Change: Incorporate annual review of membership fee.

Purpose: To ensure partner municipalities have accurate information to prepare their operating budgets.

5. SECTION 7: TERM

Change: This has been amended for an ongoing agreement but can be changed to reflect your municipalities' needs.

6. SCHEDULE A: BYLAW

7. SCHEDULE B: FEES

8. SCHEDULE C: SERVICES

Dated this _____ day of _____, 20__.

Between:

The City of Red Deer
("Coordinator")

- and -

Clearwater County
("Partner Municipality")

AGREEMENT FOR REGIONAL ASSESSMENT REVIEW SERVICES

BACKGROUND

- A. Councils for City of Red Deer and the Partner Municipality have passed bylaws to establish a joint Regional Assessment Review Board having jurisdiction within their boundaries.
- B. The City of Red Deer is the Coordinator for property assessment complaints for the residents of Partner Municipalities who enter into this agreement and who enact a bylaw in substantially the same form as the Bylaw attached in Schedule A.
- C. As the Partner municipality wishes to join the Central Alberta Regional Assessment Review Board membership, this agreement shall establish the terms of membership and the administrative and policy framework of the Board.

The Parties agree as follows:

1. AGREEMENT

1.1. The following schedules form part of this agreement:

Schedule A – Sample Bylaw

Schedule B- Membership and Other Fees

Schedule C – Services

2. DEFINITIONS

In this Agreement, unless the context provides otherwise, the following words or phrases shall have the following meanings:

- 2.1. **“Assessor”** is the person appointed by the Partner Municipality to assess residents’ property.
- 2.2. **“Assistant Clerk”** is a staff person employed by the Partner Municipality to provide service to the Complainant;
- 2.3. **“CARB”** is Composite Assessment Review Board as defined by the Municipal Government Act and the Matters Relating to Assessment Complaints Regulation;
- 2.4. **“Clerk”** is the staff person appointed by the CAO of the City of Red Deer to act as the Designated Officer to the Central Alberta Regional Assessment Review Board;
- 2.5. **“Complainant”** is an assessed person or taxpayer of the Partner Municipality who files a complaint regarding that person’s tax or assessment notice;
- 2.6. **“Coordinator”** is The City of Red Deer.
- 2.7. **“LARB”** is Local Assessment Review Board as defined by the *Municipal Government Act* and the *Matters Relating to Assessment Complaints Regulation*;
- 2.8. **“Regional Board Review Committee”** is the committee, appointed by the Partner municipalities to appoint board members to the Central Alberta Regional Assessment Review Board;
- 2.9. **“Regional Board”** means the Central Alberta Regional Assessment Review Board appointed to hear appeals on tax and assessment notices established in accordance with section 454 of the Municipal Government Act.

3. PARTNER MUNICIPALITY RESPONSIBILITIES

- 3.1. The Partner Municipality is entitled to receive Regional Board services provided it has passed a Bylaw in the form attached as Schedule A and pays the membership fee identified in Schedule B.
- 3.2. The Partner Municipality will participate annually in establishing the Regional Board Review Committee.
- 3.3. The Partner Municipality will pay the membership fee in consideration for the services to be provided by the Coordinator. To continue participation, the membership fee is to be paid annually by January 31. The membership fee covers Services as defined in Schedule C.
- 3.4. Upon receipt of a complaint from an assessed person or taxpayer of the Partner Municipality and in addition to the membership fee, the Partner Municipality will pay additional administration and board fees identified in Schedule B. Any fees are payable 30 days upon receipt of invoice.
- 3.5. If legal services are required for general purposes to facilitate the administration of the complaint, (i.e. procedure questions) the cost of the service will be paid by the Coordinator.

- 3.6. If legal services are required for issues that relate to a specific complaint, the Coordinator will advise the Partner Municipality which has jurisdiction over the appeal and the cost of the service will be payable by the Partner Municipality, 30 days upon receipt of invoice. This includes legal services for challenges to the Court of Queen's Bench.
- 3.7. On or before January 31 in every year of the Agreement, the Partner Municipality will provide to the Coordinator the following information:
 - 3.7.1. The filing fees that will be payable by a Complainant in accordance with section 481(1) of the *Municipal Government Act (MGA)*.
 - 3.7.2. The contact information for the Assessor of the Partner Municipality.
 - 3.7.3. The estimated deadline for Complainants to file complaints in the Partner Municipality.
 - 3.7.4. Copies of Certificates evidencing the Insurance requirements referred to in Section 11 of this Agreement.
- 3.8. Immediately upon receipt of a complaint the Assistant Clerk shall:
 - 3.8.1. Forward a copy of the complaint; the tax or assessment notice that is the subject of the complaint and any supporting documents to the Clerk;
 - 3.8.2. Advise the Clerk if the complaint was received before the deadline set by the Partner Municipality and if the complaint filing fee was paid.
- 3.9. When required, the Assistant Clerk will administer withdrawn complaints in accordance with legislation and the Partner Municipality's practice.
- 3.10. Any other responsibilities as identified in Schedule C.

4. COORDINATOR RESPONSIBILITIES

- 4.1 The Coordinator will annually review the membership fee. If a change is required to the membership fee, the Coordinator will notify the Partner Municipality of same in writing to the address in Section 12 of this Agreement no later than June 30th of the calendar year.
- 4.2 The Coordinator will provide services for the Partner Municipality as identified in Schedule C.
- 4.3 The Coordinator will, at the request of the Partner Municipality, assist during discussions between the Assessor and the Complainant.
- 4.4 The Coordinator is responsible for ensuring that Regional Board members receive training in accordance with the MGA and regulations.

- 4.5 The Coordinator will keep a record of the complaints filed in accordance with the MGA and regulations.
- 4.6 The Coordinator will retain paper records such as background information, correspondence, appeal notices and withdrawn appeals for ten (10) years upon receipt of such paper records.
- 4.7 The Coordinator will obtain legal services on behalf of the Regional Board when required.

5. BOTH PARTIES' RESPONSIBILITIES

- 5.1. Both parties will make every reasonable effort to ensure that personal information that will be or is intended to be used in a complaint is both complete and accurate.

6. TERM

- 6.1. The term of this Agreement is three years, beginning January 1, 2012 and ending December 31, 2014, unless terminated by either party as follows:
 - 6.1.1. The Partner Municipality may withdraw from this Agreement at any time upon ten (10) days written notice, forfeiting the full amount of the membership paid.
 - 6.1.2. The Coordinator may terminate the agreement at any time upon six (6) months written notice to the Partner Municipality.

7. PRIVACY

- 7.1. The Coordinator is subject to the *Freedom of Information and Protection of Privacy Act (FOIP)* and will protect the confidential information provided from unauthorized access or disclosure as permitted by law.
- 7.2. The Partner Municipality shall ensure that any information of a confidential nature which it provides to the Coordinator is clearly marked as such.

8. INFORMATION SHARING

- 8.1. In order to process complaints for a property tax or assessment notice, the Coordinator is authorized to collect the following types of personal information:
 - 8.1.1. Roll number
 - 8.1.2. Legal Address

8.1.3. Civic Address

8.1.4. Registered Owner Name(s)

8.1.5. Registered Owner(s) mailing address and phone number

8.1.6. Assessed Value and Assessment Class of the property under review

8.1.7. Name, address and phone number of Registered Agent for the Owner

8.2. The specific personal information will be collected from the Partner Municipality.

8.3. The collection of personal information from a source other than the individual the information is about is authorized by FOIP Section 34(1)(b).

9. DISPUTE RESOLUTION

9.1. All claims, disputes, and other matters arising out of this Agreement or relating to a breach thereof may, upon agreement of both parties, be referred to either:

9.1.1. Mediation: a voluntary, no risk, non-binding process bringing the parties to a resolution. The mediator will be appointed upon the agreement of both parties; or

9.1.2. Arbitration: a single arbitrator under the *Arbitration Act*, RSA 2000, A-43, and if so referred, the decision of the arbitrator shall be final, conclusive and binding upon the parties. The arbitrator will be appointed upon the agreement of both parties. If the parties are not able to agree on an arbitrator, the Alberta Court of Queen's Bench shall select one. All costs associated with the appointment of the arbitrator shall be shared equally between the Coordinator and the Partner Municipality unless the arbitrator determines otherwise in accordance with the *Arbitration Act*.

10. INDEMNIFICATION

10.1. The Partner Municipality agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Coordinator, its Officers, Directors and Employees against all damages, liabilities or costs arising out of the property assessment complaints or disputes related to property assessment complaints.

10.2. The Partner Municipality is solely responsible for the property assessments and compliance with the outcome of the disputed property assessments.

11. INSURANCE

11.1. The Partner Municipality shall maintain, in full force and effect with insurers licensed in the Province of Alberta the following insurance:

11.1.1. Professional Liability Insurance with policy limits of not less than \$1,000,000 per claim \$2,000,000 per aggregate; and

11.1.2. General Liability insurance policy of not less than \$2,000,000 per occurrence. The Coordinator must be named as additional insured.

12. NOTICES

12.1. Any notices or other correspondence required to be given to an opposite party shall be deemed to be adequately given if delivered to:

To the Partner Municipality at:
Clearwater County
4340 – 47 Avenue
Box 550
Rocky Mountain House, AB T4T 1A4

To the Coordinator at:
Legislative & Governance Services
The City of Red Deer
4914-48 Ave
Red Deer AB T4N 3T3
Phone: (403)-342-8273 Fax: (403)-341-6960

13. SUCCESSORS

13.1. This Agreement shall enure to the benefit of and be binding upon the Parties and the successors and assigns thereof.

14. ENTIRE AGREEMENT

14.1. This Agreement is the whole agreement between the parties and replaces any prior agreement existing between the parties.

14.2. This agreement may not be modified, changed, amended or waived except by signed written agreement of the parties.

15. COUNTERPART

15.1. This Agreement may be executed in any number of counterparts by the parties. All counterparts so executed shall have the same effect as if all parties actually had joined in executing one and the same document.

The parties to this Agreement have affixed their corporate seals signed by the hands of their proper officers.

Clearwater County

The City of Red Deer

Chief Administrative Officer

City Clerk

Schedule A - BYLAW

BYLAW NO. <<insert>>

Being a bylaw of The <<insert>>, Alberta to establish a Regional Assessment Review Board.

Background

Section 456 of the *Municipal Government Act*, permits two or more Councils to jointly establish assessment review boards to have jurisdiction in their respective municipalities;

The City of Red Deer and the Partner Municipalities jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* (MGA) in respect of assessment complaints made by their respective taxpayers of a Partner Municipality;

COUNCIL OF THE <<insert>> ENACTS AS FOLLOWS:

Short Title

- 1 The short title of this Bylaw shall be the “Regional Assessment Review Board Bylaw”.

Definitions

- 2 (1) Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the *Municipal Government Act* (MGA).
- (2) In this bylaw the following terms shall have the meanings shown:
 - (a) “Board” means the Regional Assessment Review Board;
 - (b) “CARB” means the Composite Assessment Review Board established in accordance with the MGA;
 - (c) “Citizen-at-large” means a person who does not represent a specific organization;
 - (d) “Designated Officer” means the person appointed to carry out the duties and functions of the clerk of the assessment review boards in accordance with section 455 of the MGA;
 - (e) “LARB” means the Local Assessment Review Board established in accordance with the MGA;

- (f) “Member” means a member of the Regional Assessment Review Board;
- (g) “Minister” means the Minister determined by the Province to be responsible for the MGA;
- (h) “Partner Municipality” means all those municipalities who enter into an agreement with The City to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw, as well as The City of Red Deer;
- (i) “Provincial Member” means a person appointed as a provincial member to a CARB by the Minister.

Member Municipalities

3 The Partner Municipalities hereby jointly establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board and the functions of a Composite Assessment Review Board to have jurisdiction in their municipalities.

Regional Board Review Committee

4 The Regional Board Review Committee will consist of 5 people appointed jointly by the Partner Municipalities.

Appointment of Board Members

5 The Regional Board Review Committee shall appoint not more than 20 citizens-at-large to be Members of the Regional Assessment Review Board.

Establishment of Boards

6 The following Central Alberta Regional Assessment Review Boards are established:

- (a) one or more LARB’s that consist of one (1) Member;
- (b) one or more LARB’s that consist of three (3) Members;
- (c) one or more CARB’s that consist of one (1) Provincial Member
- (d) one or more CARB’s that consist of one (1) Provincial Member and two (2) Members.

Terms of Appointment

- 7 (1) Unless otherwise stated, all Members are appointed for three year terms except in the initial year where one-third is appointed for a three year term; one-third is appointed for a two year term and the remaining one-third are appointed for a one year term.
- (2) If a vacancy on the Board occurs at any time the Regional Board Review Committee may appoint a new person to fill the vacancy for the remainder of that term.
- (3) A Member may be re-appointed to the Board at the expiration of his/her term.
- (4) A Member may resign from the Board at any time on written notice to the Designated Officer to that effect.
- (5) The Regional Board Review Committee may remove a Member at any time on the recommendation of the Designated Officer.
- (6) Upon being appointed, the Member must successfully complete the training as prescribed by the Minister prior to participating in a hearing.

Presiding Officer

- 8 The Members of every Board established under section 6(b) of this bylaw will select a Presiding Officer from among themselves who will:
- (a) preside over and be responsible for the conduct of hearings;
- (b) vote on matters submitted to the Board unless otherwise disqualified;
- (c) sign orders, decisions and documents issued by the Board.

Jurisdiction of the Board

- 9 The Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Partner Municipality.

Regional Advisory Group

- 10 (1) Board Members will elect from among themselves a Regional Advisory Group consisting of up to 4 members, and comprised of one Chair and up to 3 Vice Chairs.
- (2) The Regional Advisory Group will report to the Designated Officer on all matters affecting the Board and will:
- (a) assist the Designated Officer in developing policies governing hearings, conduct of Members, and other Board matters;
 - (b) evaluate Member performance to identify areas where additional training may be required and prepare reports regarding performance and re-appointment of Members;
 - (c) ensure other Members are provided mentoring;
 - (d) act as a liaison between the Members, board administration and the Designated Officer;
 - (e) review draft decisions to ensure that they comply with legislation, policies and procedures;
- (3) The duties of the Chair of the Regional Advisory Group include:
- (a) chairing meetings of the Regional Assessment Review Board and the Regional Advisory Group;
 - (b) establishing agendas for the Regional Advisory Group and the Regional Assessment Review Board meetings in consultation with the Designated Officer;
 - (c) liaising with the Designated Officer, Councils, and Partner Municipalities on behalf of the Regional Assessment Review Board;
 - (d) appointing an Acting Chair from the Regional Advisory Group;
 - (e) signing correspondence on behalf of the Regional Advisory Group.
- (4) If the Chair ceases to be a Member or is unable or unwilling to fulfil the Chair's duties, the Clerk may appoint one of the Vice Chairs to serve as Acting Chair until the Chair resumes the Chair's duties or the Members elect a new Chair.

Designated Officer of the Board

- 11 (1) The Chief Administrative Officer of The City of Red Deer (CAO) shall appoint a Designated Officer of the Board, and shall prescribe any remuneration associated with the position.
- (2) The Designated Officer is authorized to enter into agreements on behalf of the Board with other non-partner municipalities to provide Assessment Review Board Services.
- (3) The Designated Officer shall assist the Board in fulfilling its mandate.
- (4) The Designated Officer may appoint an Acting Clerk to perform the Designated Officer duties and functions provided they have successfully completed the training as prescribed by the Minister.
- (5) The Designated Officer shall consult with the Regional Advisory Group to set policies, procedures and directives governing hearing processes, Member conduct and other Board matters.
- (6) The Designated Officer will consult with the Regional Advisory Group and Members on matters affecting the Boards.
- (7) The Designated Officer will make arrangements for issuing refunds of filing fees in accordance with the MGA and related regulations.
- (8) The Designated Officer will issue instructions to independent legal counsel for the Boards when required.
- (9) The Designated Officer has the authority to assign duly appointed Members to the established LARB's and CARB's as required.
- (10) The Designated Officer may, at the request of a Presiding Officer of a Board sign orders, decisions and documents issued by the Board.
- (11) The Designated Officer may, at the request of the Chair of the Regional Advisory Group, sign documents issued by the Regional Advisory Group.
- (12) The Designated Officer may set fees payable for persons to obtain copies of the Board's decisions and documents.

Hearings

- 12 (1) Hearings will be held at such time and place as determined by the Designated Officer.

- (2) The proceedings of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the *Freedom of Information and Protection of Privacy Act*.

Quorum and Voting at Hearings

- 13 (1) In accordance with section 458 of the MGA, quorum for the Boards shall be as follows:
 - (a) two Members, for LARB's established under section 6(1)(b) of this bylaw; and
 - (b) one Provincial Member and one other Member, for CARB's established under section 6(1)(d) of this bylaw.
- (2) All Members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- (3) The majority vote of those Members present and voting constitutes the decision of the Board.
- (4) Where a member of a Board absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the Designated Officer shall appoint a replacement member to the Board.

Conflict of Interest

- 14 (1) Where a Member is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the Member may absent himself or herself from board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the Member:
 - (a) declares that he or she has a conflict of interest; and
 - (b) describes in general terms the nature of the conflict of interest.
- (2) The Designated Officer shall cause a record to be made in the Record of Hearing of the Members' absence and the reasons for it.
- (3) For the purposes of this provision, a Member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:
 - (a) he or she has a personal interest in the matter which would conflict with his or her obligation as a Member to fairly consider the issue;
or

- (b) substantial doubt as to the ethical integrity of the Member would be raised in the minds of a reasonable observer, if that Member were to participate in the consideration of that matter.

Pecuniary Interest

- 15 (1) The pecuniary interest provisions of the MGA apply to hearings and meetings of the Board, as though Members were councillors attending meetings of council.
- (2) A Member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a Member of the Board.

Commencement of Complaints

- 16 In accordance with section 460 of the MGA, a taxpayer may commence an assessment complaint by:
- (a) mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the *'Matters Relating to Assessment Complaints Regulation'*, Alberta Regulation 310/2009 and within the time limits specified in the MGA; and
 - (b) paying the applicable fee.

Rules of Order

- 17 The Board will conduct hearings in accordance with:
- (1) the express provisions of the MGA and related regulations;
 - (2) principles of natural justice and procedural fairness; and
 - (3) policies and procedures approved by the Board.

Notice of Decisions & Record of Hearing

- 18 (1) After the hearing of a complaint, the Designated Officer shall:
- (a) under direction of the Presiding Officer, prepare the decision or order of the Board and the reasons for the decision in compliance with the MGA; and

- (b) arrange for the order or decision of the Board to be signed; and distributed in accordance with the requirements under the MGA.
- (2) The Designated Officer will maintain a Record of Hearing in accordance with the MGA.

Delegation of Authority

19 In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:

- (a) to the Regional Board Review Committee, its authority under MGA s. 454.1(1)(a) & s. 454.2(1)(a) to appoint members of the Assessment Review Boards;
- (b) to the Designated Officer, its authority under MGA s.454.1(1)(c) & 454.2(1)(c) to prescribe the remuneration and expenses payable to each Member of the Assessment Review Board; and

Reimbursement of Costs

20 The City of Red Deer shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board. Recovery of costs from Partner Municipalities will be as set out in the agreements established.

Transitional

- 21 (1) This Bylaw comes into effect January 01, 2012.
- (2) Bylaw <<insert>> is repealed effective January 01, 2012.

READ A FIRST TIME IN OPEN COUNCIL this day of 2011.

READ A SECOND TIME IN OPEN COUNCIL this day of 2011.

READ A THIRD TIME IN OPEN COUNCIL this day of 2011.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2011.

MAYOR

CITY CLERK

Schedule B - FEES

I. ANNUAL MEMBERSHIP:

\$2,000.00

2. ADDITIONAL FEES:

- a. Withdrawn Complaints: in instances where a complaint is filed and withdrawn; the Partner Municipality will be obligated to pay a \$30.00 / hour administration fee.
- b. Board Member Honorariums: in instances where a complaint proceeds to a hearing and decision; the Partner Municipality will be obligated to pay Board Member Honorariums in accordance with the following:

	Up to 4 hours	4-8 Hours	Over 8 Hours
Presiding Officer	\$ 219.00	\$ 383.00	\$ 601.00
Panel	\$ 164.00	\$ 290.00	\$ 427.00

- c. Board Support: \$30.00 / hour for time spent by Coordinator to prepare and distribute legislated documents, receive and record disclosure, prepare the agenda, attend the hearing and assist the Board with deliberations and decision writing.
- d. Meals & Expenses: will be charged to the Partner Municipality in accordance with policies and procedures prescribed by the Coordinator. In the absence of a policy or procedure prescribed by the Clerk, The City of Red Deer policies and procedures will be applied.
- e. Office / Print Supplies: will be charged to the Partner Municipality on a cost recovery basis.
- f. Legal Services: will be charged to the Partner Municipality on a cost recovery basis.

Schedule C - SERVICES

SERVICES FOR MEMBERSHIP FEE

1. The following services are provided by the Coordinator to all Partnering Municipalities on payment of the Membership Fee:
 - (a) Training for board member(s) & clerk(s)
 - (b) In-services / Assistant Clerk Workshops
 - (c) Production of Assistant Clerk Tool Box
 - (d) Business Travel for Advocacy

SERVICES FOR ADDITIONAL FEES

2. The following services will be provided by the Coordinator at contract rates as set out in Schedule B.

AC = Assistant Clerk in Partner Municipality A = Assessor for partner municipality C = Coordinator	
	GENERAL
AC	<ul style="list-style-type: none"> • ensure complaint form(s) are available for ratepayers
C	<ul style="list-style-type: none"> • advise AC, A & Complainant regarding process; validity of complaint; Board mandate, operations, hearing procedures
	RECEIPT OF COMPLAINT
AC	<ul style="list-style-type: none"> • collect fee / verify deadline to file
AC	<ul style="list-style-type: none"> • forward complaint to Coordinator (s.5 agreement)
	INTAKE
C	<ul style="list-style-type: none"> • review of complaint for compliance with legislation
C	<ul style="list-style-type: none"> • forward copy of complaint to A
C	<ul style="list-style-type: none"> • assign file # and advise AC
A	<ul style="list-style-type: none"> • contact Complainant to determine if issues can be resolved; if so, provide and complete withdraw form
A	<ul style="list-style-type: none"> • advise C of status
	SCHEDULING
C	<ul style="list-style-type: none"> • contact AC to advise of W/D or determine hearing location
C / AC	<ul style="list-style-type: none"> • book meeting rooms and AV resources for hearing & deliberations
C	<ul style="list-style-type: none"> • issue notice of hearing / assign panel members & board support / copy to minister if CARB
C	<ul style="list-style-type: none"> • receive and record disclosure
	AGENDA
C	<ul style="list-style-type: none"> • verify disclosure against filing deadlines / verify attendance of all parties / produce agenda & packages
	HEARING / DECISION
C	<ul style="list-style-type: none"> • attend hearing, provide support for the Board, produce a Record of Hearing
C	<ul style="list-style-type: none"> • attend deliberations, assist in production and distribution of decision
	REPORTING / CLOSE OF FILE
C	<ul style="list-style-type: none"> • provide AC with reporting package (Record of Hearing, invoice for service, statistics, survey re: best practices)

OTHER

3. The Coordinator may provide other services at such rates as the parties agree from time to time.

Agenda Item

Date: November 29, 2011
Item: Council Christmas Greeting - Advertising
Prepared by: Christine Heggart

Background:

In the past, Council has opted to include a Christmas greeting from Council advertisement in the Mountaineer, Western Star and Sundre Round Up. The advertisement is printed in full colour, includes a photo of Council and Christmas greeting and runs for one week in all three papers. A sample advertisement from 2010 is attached for Council's information.

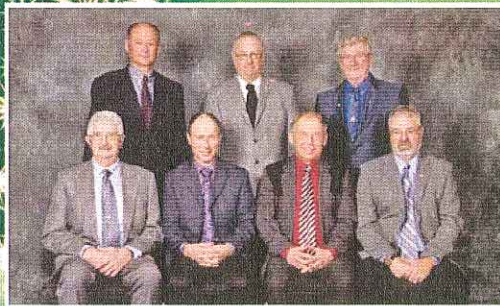
The total costs for the three Christmas Greeting advertisements in 2010 was \$754.57. Costs were equally divided amongst the seven Councillors.

Staff would like to determine Council's interest in publishing a 2011 Christmas Holiday greeting in the three papers as they have in previous years. As well, staff would like to gauge Council's interest in printing the Christmas greeting in the Eckville Echo as well.

Recommendation: That Council direct staff in terms of preparing and publishing Christmas Greeting advertisements on their behalf.

We Wish You A
Merry Christmas
... And A Happy
New Year!

from Clearwater County Council



Phone 403-845-4444 | www.county.clearwater.ab.ca

P.O. Box 550, 4340 - 47th Avenue
Rocky Mountain House, AB T4T 1A4

Agenda Item

Date: November 29, 2011
Item: Community Hall Meetings
Prepared by: Christine Heggart

Background:

Earlier this year Council directed staff to develop a Community Hall Meetings strategy and schedule in an effort to increase community engagement in municipal issues. Council also discussed hosting community open house events in all seven divisions, once per three year Council term. For discussion purposes, staff has attached a draft Community Hall schedule for the remainder of the 2010-2013 Council term.

To encourage participation in the seven open house events, Staff recommends Council consider a public invitation (advertised on website and in local papers) as well as a formal invitation to approximately 10-20 community members from each division. As well, budgeting for catering either a meal or snack is recommended as food generally encourages better attendance at open house type meetings.

At their upcoming Agenda and Priorities meeting on December 6, Staff will be asking for Council's consideration and direction in terms of three themes to discuss at each open house meeting. Staff also anticipates the need to address an additional one to two key issues brought from the floor at each Community Hall meeting.

Recommendation: That Council review, amend as appropriate and approve the Community Hall Meetings Schedule.

Proposed Community Engagement Schedule 2011-2013

DIVISION	COUNCILLOR	COMMUNITY HALL	PROPOSED DATES	STAFF TO ATTEND	COUNCIL TO ATTEND
1	Jim Duncan	Hardindell	early April 2012	CAO & to be determined	Divisional Councillor + who can attend
2	Dick Wymenga	Leslieville	March 2012	CAO & to be determined	Divisional Councillor + who can attend
3	Case Korver	Evergreen	February 2012	CAO & to be determined	Divisional Councillor + who can attend
4	John Vandermeer	Caroline	early October 2012	CAO & to be determined	Divisional Councillor + who can attend
5	Bob Bryant	Nordegg	late April 2012	CAO & to be determined	Divisional Councillor + who can attend
6	Earl Graham	Crammond	late October 2012	CAO & to be determined	Divisional Councillor + who can attend
7	Pat Alexander	Gimlet	late January 2012	CAO & to be determined	Divisional Councillor + who can attend

AGENDA ITEM

DATE: November 21, 2011
ITEM: Brazeau County Meeting invitation
PREPARED BY: Ron Leaf

BACKGROUND:

Attached is an invitation from Brazeau County Council to a meeting on Friday, January 27 at 7:00 p.m. The purpose of the meeting will be to discuss issues of mutual concern.

As of the writing of this memo, I have not been able to determine what specific items Brazeau County wishes to discuss and if other counties will attend.

If Council wishes to attend this meeting I suggest that:

- 1) Potential of joint gravel operations be discussed
- 2) Municipal bridge deficit
- 3) Lobby for continuation of MSI funding

Be forwarded as discussion topics.

Recommendation:

1. That Council discusses and confirms whether Council wishes to attend the January 27 meeting.
2. That Council discusses, amends or adds as required, and confirms the discussion topics for the meeting

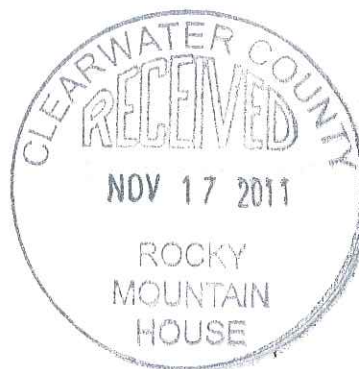


Brazeau County

5516 Industrial Road, P.O. Box 77, Drayton Valley, Alberta T7A 1R1
Phone (780) 542-7777 - Fax: (780) 542-7770
www.brazeau.ab.ca

November 2, 2011

Reeve Patrick Alexander
Clearwater County
4340 – 47 Avenue
Box 550
Rocky Mountain House, AB
T4T 1A4



Dear Patrick:

We cordially invite Clearwater County Council to joint Brazeau County Council and our neighbouring municipalities for an evening meeting on Friday, January 27, 2012 at 7:00 pm at the MacKenzie Conference Centre in Drayton Valley. The purpose of the meeting will be to discuss issues of mutual concern.

Please RSVP to Karen Robinson at 780-542-7777 or krobinson@brazeau.ab.ca.

On behalf of Council we look forward to meeting with you.

Yours truly,

Wes Tweedle,
Reeve

AGENDA ITEM

DATE: November 21, 2011
ITEM: 2012 Joint Council meetings
PREPARED BY: Ron Leaf

BACKGROUND:

I would appreciate Council's direction on joint Council meetings that Council may wish to hold in the first quarter of 2012.

Council has indicated in its Strategic Plan a desire to meet with various local and neighbouring Councils in the next three years. Depending on the number of meetings Council wishes to have in the first quarter of 2012 I recommend the following municipalities and topics:

Town of RMH:

- 1) NSRP
- 2) Hospital
- 3) Regional services philosophy

Village of Caroline (potentially could include S.V. of Burnstick Lake)

- 1) SE Rec Ground & Kurt Browning upgrade 2012 projects
- 2) Regional services philosophy
- 3) Hospital

Ponoka County/Lacombe County (joint meeting)

- 1) Gimlet Road maintenance and potential upgrade
- 2) Unconventional gas development and municipal impact
- 3) Joint gravel pit development/operation

Mountain View County

- 1) Coal Camp Road/Red Deer River Access
- 2) Unconventional gas development and municipal impact

Rimbey/Eckville/Sylvan Lake/RMH/Caroline/Sundre

- 1) RCMP HP regionalization plan and potential lobby of Provincial minister(s).

Recommendation:

1. That Council discusses and confirms whether Council wishes to host various municipalities in the first quarter of 2012 and, if so, which municipalities it wishes to meet with.

Agenda Item

Date: **November 29, 2011**
Item: **Caroline Community Development Committee (CCDC)**
Prepared by: **Mike Haugen**

Background:

Councillor Graham and myself attended a meeting at Caroline School on the evening of November 24th. The meeting was facilitated by Alberta Culture and Community Services at the request of Caroline School Principal Nathan Moore. Councillor Graham and myself were joined by representatives from the Village of Caroline, the Caroline and District Athletic and Agriculture Society and from Caroline School.

The purpose of the meeting was to gauge interest and feasibility of forming a structured collaborative planning process for community development occurring in and around Caroline. At this point in time, this is focusing primarily on recreation, although it was acknowledged that there may be potential to grow into other areas in the future.

This committee would work to identify and align projects among the parties and to have those parties jointly move them forward, both in concept and potentially funding for the benefit of all. Staff believe that it may also present a forum in which community priorities can be identified for all parties and the general public, bearing in mind the constraints of all organizations involved.

A group of this form is not common and it is believed that a committee of this nature would be something new, particularly given the involvement of the school. The provincial representative indicated that he had not seen a community development collaboration of this sort before and if it worked would likely look to export it to other communities.

All present were supportive of formally creating the committee and are taking it to their respective boards for formal endorsement. At this time staff is recommending that the County take part in this endeavour. It is not expected that involvement would be a large burden or require the allocation of significant resources on the part of the County. Some cost for meeting attendance and mileage (meetings would likely be in Caroline) would be incurred.

Given the nature of the Community and Protective Services portfolio it is recommended that the County's Community and Protective Services Manager, or their designate, be appointed to the Committee.

Recommendation

That Council appoint one Councillor and one staff member to the Caroline Community Development Committee.

Agenda Item

Date: November 29, 2011

Item: 2nd & 3rd Readings of Road Closure Bylaw 942/11
PT NE 14-36-07-W5M, Peter and Jean Smith

Prepared by: Marilyn Sanders

Background:

Peter and Jean Smith hold title to 74.64 acres within NE 14-36-07-W5M. An application to redistrict a portion of their land and an application to subdivide the final phase of the Macklen Estates subdivision has been approved. As part of the process an undeveloped portion of a cul-de-sac has been requested to be closed and consolidated back into the subject land.

On May 10, 2011 at Council's regular meeting, a motion to approve first reading of Bylaw 942/11 was approved. A public hearing was held regarding the matter on June 28, 2011. No comments or opposition to the closure were received at that time. Council then passed a motion to send the bylaw to the Minister of Transportation for approval.

On October 31, 2011 the Minister of Transportation granted approval to close the portion of cul-de-sac as identified in the bylaw. We are now before Council to consider second and third readings to Bylaw 942/11 to complete this portion of the process.

Recommendation:

That Council consider second and third readings to Bylaw 942/11, being a bylaw to close a portion of cul-de-sac on Macklen Drive, Plan 812-2452, PT NE 14-36-07-W5M.

BYLAW NO. 942/11

A Bylaw of Clearwater County, in the Province of Alberta, for the purpose of closing to public travel and disposing of portions of a public highway in accordance with Section 22 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel, and

WHEREAS, application has been made to Council to have the highway closed and consolidated with adjoining lands, and

WHEREAS, the Council of Clearwater County deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads, or portions thereof, situated in the said municipality, and thereafter disposing of same, and

WHEREAS, notice of the intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and

WHEREAS, Council was not petitioned for an opportunity to be heard by any person prejudicially affected by the bylaw,

NOW THEREFORE, be it resolved that the Council of Clearwater County, Province of Alberta, duly assembled, does hereby close to public travel and dispose of the following described highways:

All that portion of Macklen Drive, Plan 812-2452 lying within the limits of Plan 112 _____ being Part of the Northeast Quarter of Section Fourteen, Township Thirty-Six, Range Seven, West of the Fifth Meridian (NE 14-36-07-W5M) as outlined on the attached Schedule "A".

READ A FIRST TIME this _____ 10th day of _____ May _____, 2011.



REEVE



MUNICIPAL MANAGER

PUBLIC HEARING HELD this _____ 28th day of _____ June _____, 2011.

APPROVED this _____ 31ST day of _____ OCTOBER _____, 2011.



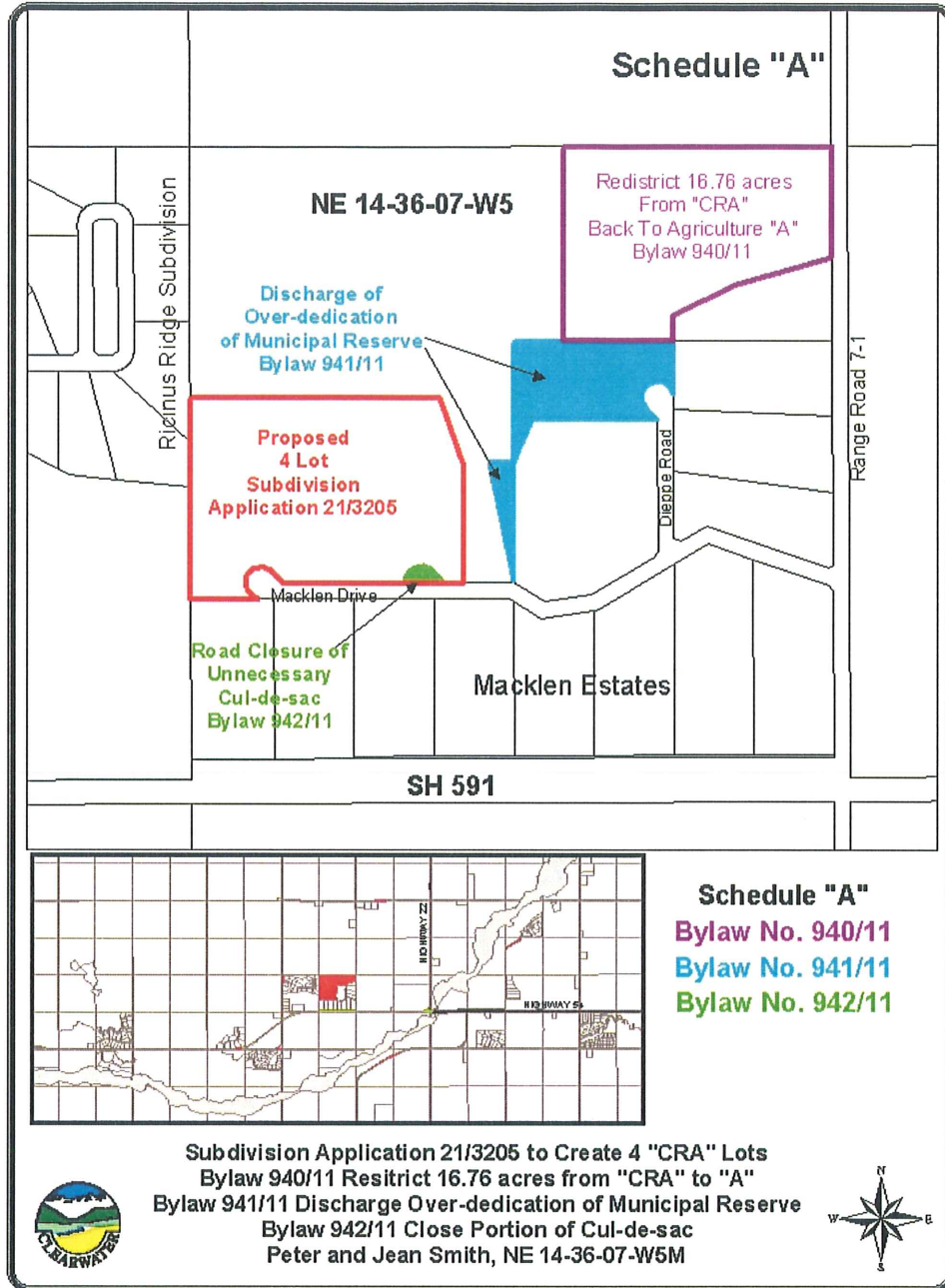
Minister of Transportation

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD AND FINAL TIME this _____ day of _____, 2011.

REEVE

MUNICIPAL MANAGER



Agenda Item

Date: November 29, 2011

Item: **Public Hearing 1:15 P.M.**

Bylaw 949/11 to amend the Ferrier-Garth Area Structure Plan

Request to amend the Ferrier-Garth Area Structure Plan in respect to direction regarding Figure 1 Future Land Use mapping from Country Residence Minor Industrial "CRMI" to Country Residence Agriculture "CRA" for a portion of Plan 912-3255, Block 1, Lot 1 containing 15.0 acres +/- for the purpose of consolidating with adjacent land
Ron Lepard on behalf of Beverly 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 area obtains legal and physical access via Pine Ridge Drive off of Hwy 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. The area to the south of the pipelines is scheduled for conversion to country residential subdivision with minor agricultural pursuits accepted. The ASP identified the gravel pit that extends over a large portion of the northwest part of the quarter section. The Plan calls for the continued removal of industrial gravels from the quarter section, followed by effective rehabilitation of the disturbed area. After all commercially usable gravels are removed, rehabilitation should be done. Reclamation may include development of ponds and other landscaping features for aesthetic purposes. The development of a country residential minor industrial district is preferable north of the pipelines.

The commercially viable gravel on the Heimbeckner property would appear to be exhausted. The subject land contains the building site in the northeast corner, the driveway access to Pine Ridge Drive, wet excavated areas, a pipeline and a mixture of muskeg and higher ridges west of the pipeline. Bev Heimbeckner and Ron Lepard have made joint application to amend the long term direction of the Ferrier-Garth Area Structure Plan as it relates to this land. They request to allow the west portion of the Heimbeckner property to be rezoned to the Country Residence Agriculture District "CRA". Their intent is to rezone, subdivide and

consolidate this 15 acres with the Leopard land to the south, being Plan 102-5940, Block 3, Lot 8. The Leopard property was the subject of an earlier consolidation with a strip of municipal reserve land that was closed and sold to Mr. Leopard. The Leopard property is zoned Country Residence Agriculture District "CRA".

Prior to bringing an application for a land use amendment and subsequent subdivision application forward, there is a legal requirement to amend the Area Structure Plan accordingly.

The intent of this amendment to the ASP would be to consolidate the westerly 15 acres with land to the south. While this consolidation proposal does not appear to have any negative impact on the future development of these lands as outlined in the ASP, we would recommend to Council that no applications for subdivision be entertained without a complete comprehensive plan for the entire consolidated parcel being brought forth.

Planning Direction:

Section 633 of the Municipal Government Act allows for the adoption of an area structure plan by bylaw. Similarly, any amendments to an area structure plan must also be by bylaw process.

The bylaw subject to this amendment states:

Firstly,

That the section of the Plan, entitled
SPECIFIC DIRECTIONS AND POLICIES, S.E. 24-39-8-5,
be amended by adding the following:

- *"The development of the west portion of Plan 912-3235, Block 1, Lot 1, allows for future country residential subdivision with minor agricultural pursuits. Access to this land would be via internal roadway connecting to existing County roadway."*

Secondly,

That Figure 1 of the Plan, entitled "FUTURE LAND USE", be amended to depict those lands legally described as "All that portion of the S.E. 24-39-08-W5, described as the western portion of Plan 912-3235, Block 1, Lot 1 containing 6.07 hectares (15.0 acres) more or less", be shown as Country Residence Agriculture District "CRA".

First Reading:

At the regular Council meeting held on October 11, 2011, Council reviewed and gave first reading to Bylaw 949/11.

As required by legislation, notice of today's Public Hearing was advertised in the local newspapers and comments were invited from the adjacent landowners and referral agencies.

Upon consideration of the representations made at the Public Hearing, Council will consider whether or not to grant second and third readings to Bylaw 949/11. If second and third readings are granted, the landowners would then be able to apply for the redistricting and the subsequent subdivision and consolidation of the 15 acre parcel.



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:

1. 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 3255 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-GARTH 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 _____

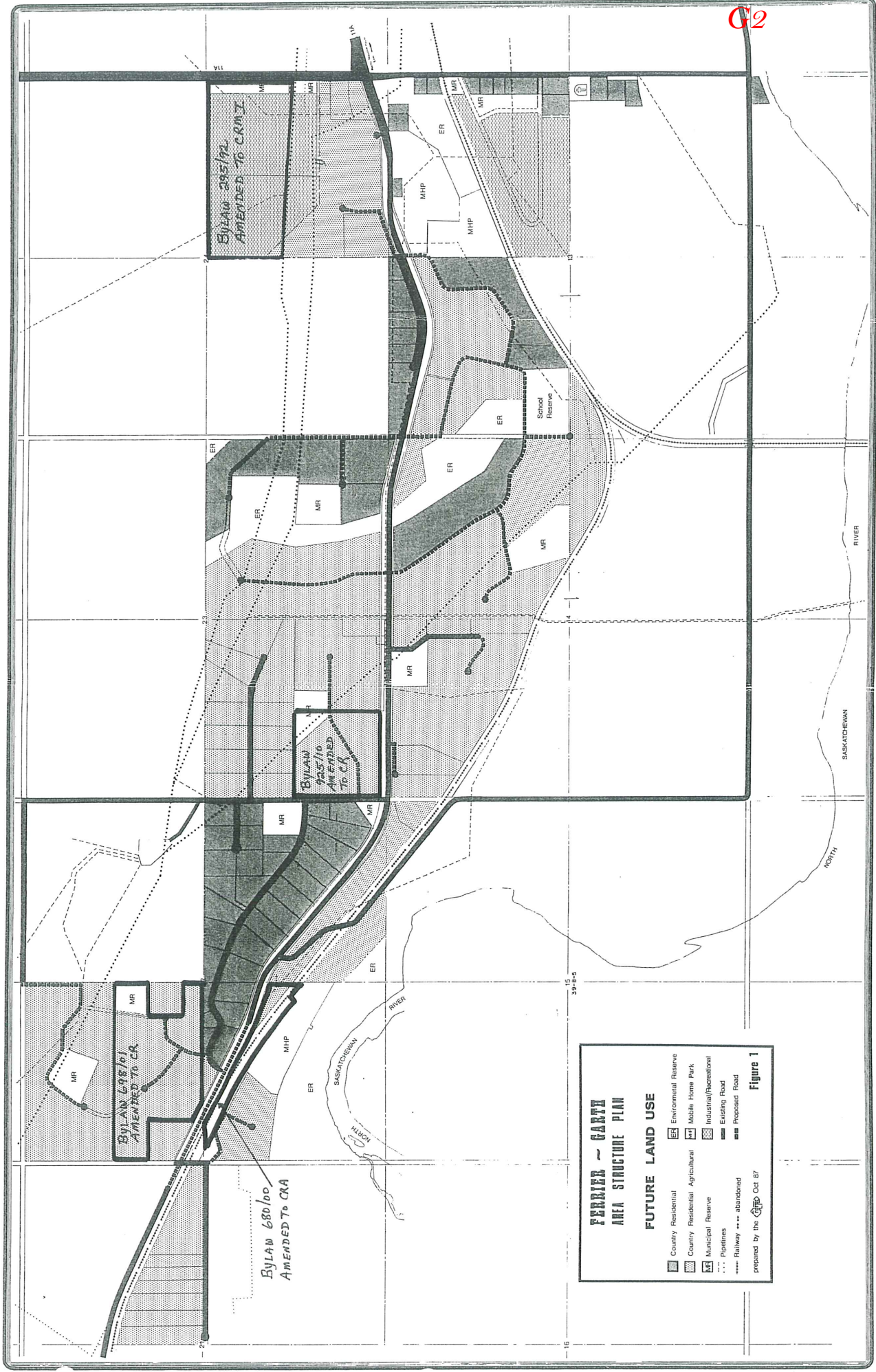
This personal information is being collected under the authority of the Municipal Government Act, Being Chapter M-26, R.S.A. 2000 and will be used to process the Land Use Bylaw amendment application. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act, 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 + SUBD Fee.
400.00 300.00

Mr. Sandus
SIGNATURE OF DEVELOPMENT OFFICER
IF APPLICATION COMPLETE

IMPORTANT NOTES ON REVERSE SIDE



**FERRIER - GARTY
AREA STRUCTURE PLAN**

FUTURE LAND USE

	Country Residential		Environmental Reserve
	Country Residential Agricultural		Mobile Home Park
	Municipal Reserve		Industrial/Recreational
	Pipelines		Existing Road
	Railway		Proposed Road
	abandoned		

prepared by the City of Regina Oct 87

Figure 1

BYLAW NO. 949/11

A Bylaw of Clearwater County, in the Province of Alberta, for the purpose of amending the Ferrier-Garth Area Structure Plan, being Bylaw No. 107.

PURSUANT to the Authority conferred upon it by the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1 and amendments thereto;

NOW THEREFORE, upon compliance with the relevant requirements of the Municipal Government Act, the Council of Clearwater County, Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

Firstly,

That the section of the Plan, entitled SPECIFIC DIRECTIONS AND POLICIES, S.E. 24-39-8-5, be amended by adding the following:

- *"The development of the west portion of Plan 912-3235, Block 1, Lot 1, allows for future country residential subdivision with minor agricultural pursuits. Access to this land would be via internal roadway connecting to existing County roadway."*

Secondly,

That Figure 1 of the Plan, entitled "FUTURE LAND USE", be amended to depict those lands legally described as "All that portion of the S.E. 24-39-08-W5, described as the western portion of Plan 912-3235, Block 1, Lot 1 containing 6.07 hectares (15.0 acres) more or less", be shown as 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., 2011.

READ A SECOND TIME this ____ day of _____ A.D., 2011.

READ A THIRD AND FINAL TIME this ____ day of _____ A.D., 2011.

REEVE

MUNICIPAL MANAGER

Schedule "A"

Change
15 Acres +/-
From CRMI
To CRA

Remainder
of
Heimbeckner
CRMI Parcel

Pine Ridge Drive

SE24-39-8-W5M

Hwy 11A

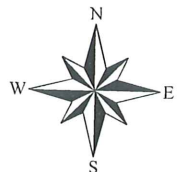
Hwy 11A

Subject Land

**Bylaw No. 949/11
Schedule "A"**

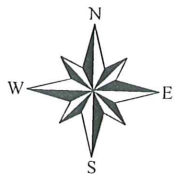


**Application to Amend
Ferrier-Garth Area Structure Plan
PT Plan 912-3235, Blk 1, Lot 1 PT SE 24-39-08-W5
Ron Lepard on behalf of Beverley Heimbeckner**





**Application to Amend
Ferrier-Garth Area Structure Plan
PT Plan 912-3235, Blk 1, Lot 1 PT SE 24-39-08-W5
Ron Lepard on behalf of Beverley Heimbeckner**



Agricultural Services Update
Respectfully Submitted By Matt Martinson

Brushing

The roadside brushing program is progressing with three contracted mowers, our own skid steer mower and side arm, as well as contract chainsaws and track hoes when needed. We have completed projects on the Oras road 598 to highway 12, Oras to Laursguard pit gravel road, North South adjacent to Bellview Ranch, Cougar Ridge Access, 5-0 near Evergreen, Caroline South to James River Road, west of Dovercourt, Everdell Path, Beaverflats north of 12 to Oras, Prentice Creek Road, Medicine Lake Road, Alhambra West Road, RR 4-4 south of Hwy 11, Caroline Dump road, Hahmo no exit, Leslieville Cemetery access road, Murphy Greenhouse road, and RR 6-4 no exit north of Highway 12.

Weed Free Hay Program

I was asked by the Saskatchewan Forage Council to take part in meetings in Saskatoon aimed at gauging the feasibility of a Weed Free Hay Program in Saskatchewan. Producer groups, government / non-government agencies, and rural municipalities made up the bulk of organizations that were brought in to hear about the Alberta Program and to discuss the feasibility of a similar program in Saskatchewan. The benefits to Alberta and Clearwater County is an increased uptake and awareness of the program may increase markets for weed free Hay. Also participation by Saskatchewan will make future tenders for twine more cost effective because of a bulk purchasing position. The Saskatchewan Forage Council paid for all travel and accommodation costs associated with the trip.

Clear Water Landcare

Recently the Clear Water Landcare board has gone through the initial process of developing a strategic plan for this newly elected board. As a subcommittee of the Agricultural Services Board the strategic direction of this board was developed in conjunction with the current A.S.B. and Council Strategic Plan in mind and will dovetail nicely with these plans.

Age Verification

Requests for age verification services have been at their peak throughout October and November. Currently we have provided this service to approximately 100 producers so far this fall. AG Services again has signed an Age Verification Service Contract with Alberta Agriculture providing this department with \$50 for every producer we age verify calves for. We will continue to have producers access this service between now and April, we expect another 100 producers to take advantage. This will be consistent with past years of providing this service to approximately 200 producers whom are age verifying around 10 000 head of cattle with us. This will likely again make us the largest Third Party Age Verification Agency in Canada this year.

Ag. Services Has Recently Organized/Participated in the following Events

Central Region Agricultural Service Board Conference - October 26 Leslieville Hall

Lawrence Pengelly Farm Family Award – November 9th Northlands Edmonton

Celebrating Environmental Stewardship Clear Water Landcare Event - November 17 Lou Sopit Center

8th Annual Clearwater County Cattlemen's Day – November 24th Lazy M Lodge