

**CLEARWATER COUNTY
COUNCIL AGENDA
March 11, 2014
9:00 A.M.
Council Chambers
4340 – 47 Avenue, Rocky Mountain House AB**

11:00 A.M. Delegation: Nordegg Residents & Business Owners – Nordegg Lease/Rental Rates

A. CALL TO ORDER

B. OFFICIAL OATH OF COUNCILLOR & COMMITTEE/BOARD APPOINTMENTS

C. AGENDA ADOPTION

D. CONFIRMATION OF MINUTES

1. February 25, 2014 Regular Meeting Minutes

E. COMMUNITY & PROTECTIVE SERVICES

1. Policy Amendment: *Capital Grant Funding for Community Halls & Association*

F. MUNICIPAL

1. AAMDC Spring 2014 Resolutions
2. Genesis Reciprocal Insurance Exchange
3. Provincial Budget Overview – *Verbal*

G. PLANNING

1. 11:00 A.M. Delegation:
Nordegg Residents & Business Owners – Nordegg Lease/Rental Rates
2. Nordegg Chamber of Commerce Request for Funding

H. COMMITTEE REPORTS

I. INFORMATION

1. CAO's Report
2. Public Works Director's Report
3. Accounts Payable Listing

J. IN CAMERA

1. Legal –Follow-up re Brownlee LLP Workshops
2. Draft – Strategic Planning Process for 2015 - 2018
3. Draft Administrative Report – Withrow Wastewater System

K. ADJOURNMENT

TABLED ITEMS

Date **Item, Reason and Status**

04/10/12 **Arbutus Hall Funding Request**
• To allow applicant to provide a complete capital projects plan.
STATUS: Pending Information, Community and Protective Services

09/10/13 **Repair of Bridge BF01963**
• Reallocation of funds from bridge rehabilitation for the James River Bridge repair
STATUS: Pending Information, Alberta Transportation/Public Works



Agenda Item

Project: Committee and Board Appointments	
Presentation Date: March 11, 2014	
Department:	Author: Tracy Haight
Budget Implication: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area:	Goal:
Legislative Direction: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
Recommendation: That Council appoints John Vandermeer to the committees and boards as listed below, effective March 10, 2014	
Attachments List: N/A	

Background:

Committee & Board Appointments:

- Agenda and Priorities Committee
- Caroline and District Recreation and Agricultural Society (Alternate)
- Caroline Complex Development Committee
- Central Alberta Economic Partnership
- Clearwater Regional Emergency Management Agency Committee
- Clearwater Regional Fire Rescue Services Board
- Common Ground Pow Wow Committee (Alternate)
- Community Peace Officer Service Level Review Committee
- Municipal Planning Commission
- Pest and Weed Control Appeal Board
- Physician Recruitment and Retention Committee
- Rocky Mountain House Airport Commission
- Rocky Mountain House Hospital Committee
- West Central Alberta Stakeholders
- West Fraser Timber Advisory Committee (Alternate)



Agenda Item

Project: Policy Amendment: <i>Capital Grant Funding for Community Halls & Associations</i>	
Presentation Date: March 11, 2014	
Department: CPS	Author: Trevor Duley
Budget Implication: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area: Quality of Life	Goal: Continue to evaluate, plan and support the recreation, cultural and leisure needs within the Rocky/Caroline/Clearwater community.
Legislative Direction: <input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (cite) <u><i>Community Organization Property Tax Exemption Regulation</i></u> <input checked="" type="checkbox"/> County Bylaw or Policy (cite) <u><i>Capital Grant Funding for Community Halls/Associations</i></u>	
Recommendation: That Council approve the draft policy in principle, to have it brought back for final approval at the next regular Council meeting.	
Attachments List: Draft <i>Capital Grant Funding for Community Halls/Associations</i>	

Background:

Council will recall at their regular meeting on January 28, 2014, Bylaw #983/14 was approved, granting the Leslieville Elks an exemption from municipal property taxes in 2014. As discussed previously, they would still be required to pay for the provincial education component of their tax bill, which is requisitioned by the County.

Since any non-profit organization currently within the Town of Rocky Mountain House falls under *Community Organization Property Tax Exemption Regulation (COPTER)*, these organizations do not have to pay any property tax, including the education portion. Therefore, granting the Elks their education component is unrelated, as the Elks do not fall under *COPTER*.

Should Council agree in principle that the Elks should be reimbursed for the education component and Council accepts the proposed amendment, the policy will be brought back on March 25th for approval.

The recommendation is that Council approve the draft policy in principle, to have it brought back for final approval at the next regular Council meeting.

Clearwater County

CAPITAL GRANT FUNDING FOR COMMUNITY HALLS/ASSOCIATIONS

EFFECTIVE DATE: August 14, 2012

SECTION: Administration

POLICY STATEMENT:

To outline the requirements of and manner by which Clearwater County will provide capital funding to Community Halls/Associations.

PROCEDURE:

1. County staff are hereby directed to include an annual budget of thirty-five thousand dollars (\$35,000), which may be made available to community groups for capital projects, subject to Council's approval. County staff are further directed to annually reimburse the Leslieville Elks for their portion of the Alberta education component of their tax bill.
2. To the greatest extent possible, community groups should be proactive in their funding requests and submit their requests for consideration prior to October 15 for inclusion in the County's budget process.
3. Funding under this policy will be used for capital projects as defined within this Policy. Requests for program funding should be made to the respective recreation board.
4. For the purposes of this Policy, a project shall be deemed to be a capital project if it is a:
 - a. structural upgrade or expansion of the hall building;
 - b. major equipment essential to the operation of the hall (e.g. stoves, coolers, furnace) where the cost of the equipment exceeds \$2000 and has a life expectancy of more than 5 years; or,
 - c. major equipment or improvements that enhance the level of service available through the hall (e.g. playground equipment, sidewalks, parking lot paving, etc.) where the cost of the project exceeds \$2,000.00.
5. Applications for funding must be in writing, and should be on the application attached hereto as "Appendix A". Application forms must be fully completed and must include:
 - a. a description of the project;
 - b. the purpose of the project and the benefit the project will have to the Hall;

- c. a project budget outlining revenues, expenses and the sources thereof;
 - d. the amount of funding being requested from the County;
 - e. a schedule of when the work will be completed;
 - f. hall/group financial statements;
 - g. a demonstration of hall activity (i.e. – bookings list, etc);
 - h. a five year sustainability plan; and,
 - i. multiple quotations regarding the project.
6. Other than the cost of insurance (as described in the County's Community Hall and Community Groups Insurance policy) the County will not provide funding for operating costs including regular maintenance (painting, janitorial, etc).
7. The County should be viewed as a "funder of last resort". When applying for grant funding from Clearwater County, Community Hall Associations shall demonstrate that they have raised, or attempted to raise funds from other sources. Examples of funding sources that groups should consider using or applying for are, but not limited to:
 - a. funds from Hall revenues;
 - b. funds from provincial grants (e.g. Community Lottery Boards, Wildrose Foundation, Community Facility Enhancement Program (CFEP), etc.);
 - c. corporate donations, and;
 - d. donations from the community at large (donations may be either cash or gifts in kind, such as donated equipment, donated labour or services such as plumbers, carpenters, architects, etc.).
8. On approved projects the County will generally provide funding on a 50/50 cost share basis. Community Halls are expected to match County funds with cash, materials, labour, donated equipment, or other "gifts-in-kind". County funding will generally not exceed \$15,000.00 per project.
9. Donations in kind of labour and equipment will be ascribed a value based on current Provincial standards used for the Community Facility Enhancement Program.
10. Funding preference will be given to applicants that have not recently been granted funding under this policy.
11. Grant funds provided by Council should be accounted for within 60 days of the completion of the project. Failure by a community hall/association to account for the funds may result in the group being ineligible for future grants, until such time as the accounting is complete.



Agenda Item

Project: AAMDC Spring 2014 Resolution	
Presentation Date: March 11, 2014	
Department: Municipal	Author: Tracy Haight/Ron Leaf
Budget Implication: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area:	Goal:
Legislative Direction: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
Recommendation: That Council review the attached resolutions and accept as information.	
Attachments List: AAMDC Resolution Process Policy and AAMDC Spring 2014 Resolutions Package	

Background:

Ron Leaf will provide a verbal overview of the attached resolutions.

The resolutions will be presented at the AAMDC Spring 2014 Convention. The AAMDC encourages all member municipalities to review them prior to the resolution session on March 18 to ensure the process moves along smoothly.

**AAMDC Resolution Process****Policy No: 21****Date Approved: January 19, 2012****Next Review Date: Prior to January 19, 2015**

Purpose: The purpose of this policy is to formalize the parameters involved for the resolution process used by the AAMDC to gather member direction. It includes aspects of the resolution process including oversight, guidelines, resolution types, the session itself as well as amendments and the handling of endorsed resolutions.

Policy Statement: As the primary method of deriving member direction, the resolution process is fundamental to informing the AAMDC's advocacy priorities. As such, this policy formalizes all aspects of the resolution process to provide clarity and consistency.

A. Resolution Oversight

1. The board shall establish a Resolutions Committee that comprises the five district chairs, or appointed designates, and is chaired by a board representative. The board representative is determined at the organizational meeting.
2. The board reserves the right to amend committee members as needed when extraordinary circumstances arise.
3. The Resolutions Committee shall have power to sort the resolutions according to their relative importance thus determining the order paper.
4. The Resolutions Committee will also provide accurate rulings on the type and completeness of resolutions as outlined in this policy.
5. The AAMDC and/or Resolutions Committee may:
 - a. Amend the grammar, wording or format of the resolution provided it does not change the intent
 - b. Provide comments on each resolution with regard to its background
 - c. Consolidate resolutions of similar intent or subject matter provided the sponsoring municipalities involved agree to a consolidation
 - d. Inform the sponsoring municipality(ies) where the resolution will materially change or contradict a current AAMDC position.
 - e. Refer resolutions back to the sponsoring municipality(ies) for deficiencies including but not limited to:
 - i. The criteria for resolutions as outlined in this policy are not met
 - ii. Absence of endorsement by council
 - iii. Lack of clear supporting narrative regarding the intent of the resolution

B. Resolution Guidelines

1. Resolution may be submitted for consideration at the convention by:
 - a. A full member
 - b. A group of full members
 - c. The Board of Directors
2. Resolutions must be approved by a motion of the council(s) of the sponsoring municipality(ies).
3. Resolutions must include a title, preamble (whereas), operative clause (therefore be it resolved) and member background and shall be in the form:

WHEREAS ... ; and
WHEREAS ...;
THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties...(take some action)
Member Background
4. Resolutions should strive to address a topic of concern to rural municipalities throughout the province.
5. The title must provide a clear indication of the resolution's intent providing an understanding of the topic matter and desired outcome.
6. The preamble must provide clear, brief, factual context for the operative clause.
7. The operative clause must clearly set out what the resolution is meant to achieve and indicate a proposal for action. The wording should be straightforward and brief so that the intent of the resolution is clear.
8. Resolutions must be accompanied by background information outlining the following where appropriate:
 - a. the issue as it relates to the sponsoring municipality(ies)
 - b. the history of the issue
 - c. issue impacts
 - d. past or current advocacy efforts by the AAMDC or other organizations
 - e. recent incidents or developments
 - f. specific legislation linkages
 - g. other stakeholders with a vested interest
9. Resolutions must be received by the AAMDC Executive Director at least four (4) weeks prior to each convention.
10. Resolution must be submitted electronically.

C. Resolution Types

1. Resolutions submitted by a full member or group of full members through their respective district-approved process shall be a valid resolution provided it receives endorsement at a duly constituted district meeting. These resolutions are referred to as district-endorsed.
2. Resolution submitted by a full member or group of full members directly to the AAMDC shall be a valid resolution. These resolutions are referred to as individual resolutions.
3. Resolutions submitted by a full member or group of full members after the deadline outlined in this policy will be forwarded to the Resolutions Committee for consideration as an emergent resolution.
4. Emergent resolutions are defined as one submitted to the AAMDC after the aforementioned deadline that deals with a subject or problem that has arisen subsequent to the deadlines.
5. As determined by the Resolutions Committee, any resolution not meeting the definition of emergent will not be accepted.
6. Resolutions deemed by the Resolutions Committee to be emergent in nature will come to the convention floor and must be accepted as emergent by the membership with a simple majority vote in order to come to the convention floor for debate. The sponsoring municipality(ies) must provide and distribute copies of the emergent resolution to all full members in attendance at convention.

D. Resolution Session

1. For the purposes of the resolution session only, quorum shall be defined as representation of 50% plus one of the AAMDC regular member municipalities who are eligible to vote, and are present in the room at the start of each resolution session.
2. As outlined in the AAMDC Bylaws, only elected officials of full members are eligible to vote and can only their individual vote.
3. Voting may be by electronic means or by show of voting credentials as determined by the AAMDC.
4. The resolution session shall be carried out according to Robert's Rules of Order, excepting where those rules may be in conflict with the bylaws of the AAMDC.
5. The resolution session includes the appointment of the parliamentarian, the acceptance of the order paper and the consideration of resolutions.
6. Unless directed otherwise by the majority of members, only the title, sponsor(s), resolution type, vote required and operative clause shall be read aloud during the session.
7. Each resolution requires a mover and a seconder. The spokesperson(s) for the sponsor(s) will be allowed five (5) minutes combined to present the resolution.

8. Following the initial speaker(s), the session chair will then call for persons opposing the resolution. The speaker will have a two (2) minute time limit. If no one rises to speak in opposition to a proposed resolution, the question will be immediately called.
9. Once a person has spoken in opposition of the resolution, debate will continue with each speaker having a two (2) minute time limit. When debate ends, the chair will allow the initial spokesperson(s) two (2) minutes total to present final comments.
10. A sponsoring municipality may declare its intent to withdraw a proposed resolution when the resolution is introduced. In this event the session chair shall declare the resolution withdrawn and no further debate or comments will be allowed.
11. A simple majority vote is required to pass resolutions except where changes to legislation are explicitly involved, then a three-fifths (3/5) majority shall be required.

E. Amendments

1. Amendments excepting friendly amendments will be accepted when duly moved and seconded. Submission of amendments to the session chair in writing is encouraged.
2. Discussion of amendments follows the same guidelines and timeframes as outlined for resolution debate.
3. One amendment will be accepted at a time and only one amendment to the amendment is permitted.
4. Friendly amendments must be agreed to by the mover of the main motion and there must be no objection from voting delegates to the amendment being made on a friendly basis.
5. Friendly amendments are those that are so simple or uniformly acceptable that they are able to be adopted by unanimous consent during debate. This eliminates the necessity for formal amendment including seconding, debate, voting and incorporation back into the main motion.

F. Endorsed Resolutions

1. Resolutions passed by the voting delegates shall not be amended or modified.
2. Endorsed resolutions inform the advocacy efforts of the AAMDC. As such, relevant government ministries and other organizations are sent the relevant resolutions and asked to provide responses.
3. Concurrently, the AAMDC incorporates the positions outlined in the endorsed resolutions into the organization's advocacy strategy.
4. Resolutions that receive the endorsement of the voting delegates shall be effective for three (3) years.
5. Twice yearly, typically following each convention, the AAMDC will advise members of what resolutions are expiring.

6. Resolutions may be renewed by being brought forward and receiving the endorsement of voting delegates according to the normal resolution procedure.
7. The AAMDC disseminates advocacy responses and updates on a regular basis.

AAMDC Spring 2014 Resolutions

- 1) Call to Order
- 2) Appointment of Parliamentarian
- 3) Acceptance of Order Paper
- 4) Resolution Session

- 1-14S Privatization of the Alberta Land Titles Registry System (MD of Taber)**
- 2-14S Increasing Railway Capacity for Grain Shipments (Northern Sunrise County)**
- 3-14S Wildlife Damage Compensation Program (Northern Sunrise County)**
- 4-14S Species at Risk Act (SARA) (Mackenzie County)**
- 5-14S Water/Wastewater Infrastructure Funding (MD of Big Lakes)**
- 6-14S Zoning and Development of Medical Marijuana Production Facilities (MD of Willow Creek)**
- 7-14S Amend Provincial Legislation to Provide for Placement of Automatic External Defibrillators in Public Facilities Including Schools (MD of Fairview)**
- 8-14S Timber Salvage on Recreational Areas (Mackenzie County)**
- 9-14S Hunting from Undeveloped Road Allowances (Rocky View County)**
- 10-14S Proposed Amendments to the Determination of Population Regulation to Provide Greater Flexibility for the Counting of Shadow Population (MD of Greenview)**

- 5) Acceptance of Emergent Resolutions (if needed)
- 6) Vote on Emergent Resolutions (if needed)
- 7) Closing of Resolution Session

Resolution 1-14S

Privatization of the Alberta Land Titles Registry System

MD of Taber

*Simple Majority Required
Endorsed by Foothills Little Bow District*

WHEREAS the Alberta Government is considering the sale of the Alberta Land Titles Registry System to the private sector; and

WHEREAS the Alberta Land Titles Registry System is a model for the protection of property rights and property interests including the principle of indefeasibility of title and management of the assurance fund which is guaranteed by a publicly owned and administered system; and

WHEREAS property rights depend upon a secure and accurate system of record keeping which guarantees through registration legal property interests by individuals and corporations; and

WHEREAS the Alberta Land Titles Registry System generates between \$50 million and \$55 million in net revenues per year to the Province of Alberta based upon cost recovery which permits the capitalization of infrastructure investment rather than for a profit motive only; and

WHEREAS the Alberta Land Titles Registry System is a repository for virtually all of the municipal non-regulated assessment and taxation information; and

WHEREAS the privatization of Alberta Land Titles Registry System would open up private personal information for access to a private corporation; and

WHEREAS a foreign controlled enterprise may purchase and control Alberta's Land Title Registry System if the Government of Alberta proceeds with a sale of the Registry;

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to retain the Alberta Land Titles Registry System status quo or as a public system as a statutory non-profit corporation.

Member Background

The land registration system used in Alberta is based on the Torrens System of land registration and operates under the legislative authority of the *Land Titles Act*. Under this system the Province of Alberta has custody of all original titles, documents and plans and has the legal responsibility for the validity and security of all registered land title information. The Government guarantees the accuracy of the title through the internal application and enforcement of laws derived from a multitude of statutes and court decisions. An assurance fund is operated by the Government to compensate any person impacted from fraudulent transactions which may occur.

All current titles as well as all titles that have been electronically cancelled by the Alberta Land Titles Registry are maintained in electronic register form. The contents of the register represent the legal, guaranteed title at all times.

The principles of the Torrens System are as follows:

1. The Mirror Principle – this refers to as the 'register' or certificate of title, which accurately and completely reflects the current facts about a person's title.
2. The Curtain Principle – this means that the current certificate of title contains all the relevant information about the title. A potential purchaser does not need to be concerned about dealings on any prior title.
3. The Insurance Principle – provision for compensation for loss of rights.

The Real Estate Council of Alberta released a report in August 2013 with respect to the Government of Alberta's review of the Alberta Land Titles Registry System in its Results-Based Budgeting process. The report is available online at:

<http://www.reca.ca/consumers/content/legislation-bulletins/PDF/Privatization-of-Land-Titles.pdf>

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 2-14S

Increasing Railway Capacity for Grain Shipments

Northern Sunrise County

*Simple Majority Required
Endorsed by Northern District*

WHEREAS Alberta 's economy depends on a reliable way of delivering grain shipments to market; and

WHEREAS there is insufficient railway capacity to ship grain products to port; and

WHEREAS the Government of Canada has committed to conducting a transportation study to find ways of addressing backlogs in grain shipments;

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta and the Government of Canada to enact a short-term and long-term strategy to increase railway capacity for grain shipments.

Member Background

Prairie farmers are reliant on railway transportation to get their crops to port. Food manufacturers also rely on rail for the delivery of farmers' crops to keep their processing facilities operating. Rail service along the entire supply chain plays a critical role in ensuring that food is available for Canadian consumers.

Farmers are frustrated because, despite harvesting the best bumper crop in history in 2013, grain is backed up due to elevators not getting enough shipping to move grain to port. Carryover stocks for several of the grains will be large, which could mean farmers are not being paid for last year's harvest until after spring seeding, translating into lost sales and a serious cash flow issue for many producers.

Reports indicate that there will be increased usage of rail for oil shipments, further exacerbating the issue of insufficient capacity. With improvements in crop genetics and farming practices, bumper crops will be the new normal. Farmers are anxious to learn if the railways are formulating plans to accommodate their immediate needs and if they are working on a long-term future plan to accommodate larger volumes of grain going forward.

Since railways do not compete, they know that they will eventually move the crop without spending more money. Ship and terminal space is sitting empty at the Vancouver port while every elevator in the prairies is full. Railways have to accommodate the increase in production.

In January 2014, the Federal Minister of Agriculture announced that the Government of Canada is providing \$1.5 million to help study the problem and come up with solutions. Once solutions are identified, further funding must be committed to enact short-term and long-term strategies that will alleviate the backlog in grain shipments and allow producers to get their product to market.

AAMDC Background

5-13S: Including Rail in Alberta's 20-Year Strategic Capital Plan

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties work with the Government of Alberta to include rail infrastructure in its 20-Year Strategic Capital Plan for the province and that the Government of Alberta seek opportunities for private-public partnerships (P3s) for additional rail infrastructure in the province.

DEVELOPMENTS: The AAMDC accepts this response from the Government of Alberta noting that railways fall under the jurisdiction of the federal government and private industry. The AAMDC is involved in a number of rail-based initiatives through FCM including proximity and crossing issues as well as safety. Updates will be provided through member bulletins as required.

Resolution 3-14S

Wildlife Damage Compensation Program

Northern Sunrise County

*Simple Majority Required
Endorsed by Northern District*

WHEREAS producers are absorbing the cost of livestock lost due to increased wolf predation occurring along Crown land; and

WHEREAS program funding varies by the amount of licenses collected, which varies from year to year; and

WHEREAS the officers doing the investigations are not left with final say on the cause of the animals' demise, or the eligibility of compensation if the carcass is found or not; and

WHEREAS the criteria of eligibility excludes a variety of livestock producers; and

WHEREAS municipalities are absorbing the cost of wolf bounties and predator control programs in the province; and

WHEREAS there are insufficient Fish and Wildlife staff to monitor and control the predator population in the Crown land bordering agricultural areas;

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that all relevant Government of Alberta ministries review the current staffing situation, program administration, budgets, and funding source of the Wildlife Damage Compensation Program to ensure its effectiveness; and

FURTHER BE IT RESOLVED that the Alberta Association of Municipal District and Counties request that all relevant Government of Alberta ministries implement a monitoring and assessment program to ensure that predators, inclusive of wolves, bears, and cougars, are dealt with proactively.

Member Background

Livestock producers believe the program should

- include all livestock including horses
- lessen the proof of burden
- increase predator population control
- ensure Fish and Wildlife staff levels reflect program needs
- increase Fish and Wildlife officers' ability to determine eligibility
- increase funding
- change or add to the funding source
- compensate for missing animals when there are indicators of predation

A link to the complete resolution background can be found at the Northern Sunrise County website at www.northernsunrise.net.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 4-14S

Species at Risk Act (SARA)

Mackenzie County

*Three-fifths Majority Required
Endorsed by Northern District*

WHEREAS the federal *Species at Risk Act* (SARA) and embedded habitat protection legislation will have long lasting negative effects on rural municipalities in Alberta by limiting the ability of people and our province to grow and prosper; and

WHEREAS the spirit and intent of the SARA legislation is desirable;

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties and the Government of Alberta lobby the federal government to repeal the current *Species at Risk Act* and rebuild it in a way that better respects the socio-economic reality, seeking a balanced approach (economic, environmental, social).

Member Background

- The *Species at Risk Act* (SARA) is important but the current wording and application limits the ability of communities (people) to grow and prosper.
- Will not do what is intended to do
- Repeal current SARA provisions and rebuild it in such a way that better respects the reality on the ground
- Habitat protection position of the *Species at Risk Act* is a problem
- Socio-economic factors are not taken into consideration
- 171 townships out of Mackenzie County have been preliminarily identified as a protection zone
- Effects: 40 year moratorium – seismic lines, 400 m buffer
- Negative effect on future growth – industrial, resource, wood, oil and gas
- The spirit and the intent of SARA can be achieved by repealing current SARA provisions and rebuilding the legislation in a way that better respects the reality of the socio-economic consequences that will be imposed by the enforcement of the legislation.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 5-14S

Water/Wastewater Infrastructure Funding

MD of Big Lakes

*Simple Majority Required
Endorsed by Northern District*

WHEREAS Alberta Environment and Sustainable Resource Development regulates municipal water codes and practices; and

WHEREAS Alberta Transportation administers funding under the Alberta Municipal Water/Wastewater Partnership for municipal water/wastewater infrastructure projects;

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to provide funding for municipal water/wastewater infrastructure projects through the department of Environment and Sustainable Resource Development so that the agency responsible for regulating water/wastewater codes and practices also administers funding for water/wastewater infrastructure.

Member Background

Alberta Environment and Sustainable Resource Development (ESRD) is the department responsible for regulating and enforcing municipal water codes and practices. However, Alberta Transportation is provided funding to allocate to municipal water/wastewater infrastructure projects through the Alberta Municipal Water/Wastewater Partnership. The MD of Big Lakes is suggesting that the same funding be provided through ESRD to better reflect the responsible authority for water/wastewater infrastructure.

AAMDC Background

ER1-13S: Funding of Approved Water for Life Projects Based on Actual Total Costs

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties advocate on the behalf of municipalities for the Government of Alberta to continue to fund "projects" through the Water for Life program at the approved percentage of the estimate rather than to the amount indicated in the approval letter to reflect actual cost; and

FURTHER BE IT RESOLVED that the Government of Alberta ensures that current approved projects are funded based on actual total costs prior to the approval of new projects under the Water for Life Program.

DEVELOPMENTS: The AAMDC deems the government response to this resolution as unsatisfactory. Though the Government of Alberta has indicated that projects approved under the Water for Life Program that have not started construction may not receive full funding in 2013-14, there is no intent indicated to fund existing projects based on actual total cost. In addition, there is no indication that changes will be made to the approval process to accommodate actual project costs instead of estimated costs moving forward. The AAMDC will continue to advocate on this issue and advise members of funding or approval process changes as applicable.

Resolution 6-14S

Zoning and Development of Medical Marijuana Production Facilities

MD of Willow Creek

Simple Majority Required

Individual Resolution

WHEREAS Health Canada has the responsibility and power to approve medical marijuana production facilities through its licencing branch; and

WHEREAS Health Canada has the responsibility for the inspection process that governs the operations, placement and reporting requirements for medical marijuana production facilities; and

WHEREAS there are concerns that Health Canada's inspection services and follow up for these facilities may be inadequate; and

WHEREAS there may be significant gaps in the administration, management and policing of these facilities that could lead to an increase in criminal activity surrounding these facilities, an increase in improper use and improper sale of products from these facilities and a growing public concern regarding the placement, regulation and inspection of these facilities;

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties through the Federation of Canadian Municipalities, lobby the Government of Canada to enact legislation allowing municipalities to control placement of medical marijuana production facilities through zoning bylaws, business licences and development permits complete with conditions to be enforced at the municipal level.

Member Background

The original process to site and licence medical marijuana production facilities, used by Health Canada, has created issues for law enforcement agencies and municipalities who have found a large number of "legal" marijuana grow-ops in residential neighbourhoods. The lack of inspection may have led to an increase in criminals using the licencing program to sell marijuana illegally. There is the matter of security when otherwise legal operations may be targeted by criminals who steal marijuana to sell on the streets. Police have found themselves in the middle of a marijuana bust only to find that the owner of the product has a licence from Health Canada but the regulations governing the operation may not be enforced by Health Canada inspectors.

The changes to the current practices used by Health Canada to licence, inspect and regulate these operations are intended to enhance the process but so far the municipality's influence and control is limited to signing a form that says it has been notified by the applicant that they are seeking a licence to grow medical marijuana.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 7-14S

Amend Provincial Legislation to Provide for Placement of Automated External Defibrillators in Public Facilities Including Schools

MD of Fairview

*Three-fifths Majority Required
Endorsed by Northern District*

WHEREAS ventricular fibrillation is the most common cause of cardiac arrest, and is treated with electrical shock using an Automated External Defibrillator (AED); and

WHEREAS approximately 40,000 people in Canada experience a Sudden Cardiac Arrest (SCA) each year, representing one SCA every 12 minutes; and

WHEREAS studies have shown that 92% of Sudden Cardiac Arrest patients may survive if shocked in the first two minutes; and

WHEREAS 75% of Sudden Cardiac Arrest deaths in children occur on school property; and

WHEREAS the Alberta Safety Code and the Alberta School Act do not legislate the placement of AED units in public facilities or schools;

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to amend the *Alberta Safety Code* to require the installation of Automated External Defibrillators in public facilities and schools.

Member Background

The Council of the Municipal District of Fairview has been presented with information regarding the importance and the lack of Automated External Defibrillators (AED) in Alberta schools. The Sudden Cardiac Arrest death of a local high school student while participating in a school sports function has prompted the establishment of The Project Brock Society. One purpose of the Society is to advocate for the placement of AED units in all schools in Alberta as well as all public facilities. A study of Sudden Cardiac Arrest events in the USA showed a 64% survival rate in schools with AEDs and training compared with the usual 5% survival rate. There are no statistics available for Canada.

The public awareness campaign of the Project Brock Society has brought the importance of the quick use of an AED to the minds of many people. A number of publicly documented incidents where the immediate availability and use of an AED has made a difference to a life have been reported. There are also reports of citizens now keeping AEDs in private residences. While some school divisions in the province have voluntarily adopted a requirement for AEDs in their schools, there is no legislation that currently exists that would ensure their placement in all schools. To implement legislation within the *Alberta Safety Code* buildings codes and in the Alberta education system would certainly benefit all Albertans, including our students.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 8-14S

Timber Salvage Fees on Recreational Areas

Mackenzie County

*Three-fifths Majority Required
Endorsed by Northern District*

WHEREAS many municipalities in Alberta operate provincial recreational areas with no financial contribution from the Province; and

WHEREAS many municipalities may choose to establish new public recreational areas for enjoyment by the general public; and

WHEREAS the provincial government applies timber damage assessment fees to all new or expanded recreational areas that locate within a forest management agreement area;

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to change its policy by waiving the timber damage assessment fees on the expansion or new construction of public recreational areas.

Member Background

Many municipalities invest in their recreational areas to improve the standard of living for their residents, to attract tourism that boosts economy, and to attract new residents and new specialists to their areas.

Many northern Alberta areas are within a forest management agreement area, therefore timber damage assessment fees have been applied to the municipalities that expand or acquire new recreational areas from the province.

Under the *Public Lands Act*, all dispositions are required to pay timber damage assessment fees. These fees represent compensation for the loss of standing timber and, if the land in question is within a forest management agreement area, the loss of annual allowable cut. It also includes a discounted payment to cover future costs that may be incurred to maintain the productive forest area through reforestation of these or other sites. Timber damage assessment fees are based on the area impacted and the volume of timber removed. Any proposed future expansion of the public recreational areas in the north will likely involve the loss of productive forested land based in the forest management agreement areas held by several timber companies. The provincial view is that this would have a notable impact on their future business activities.

As municipalities continue to struggle financially, with continued downloading by the provincial government, the timber damage assessment fees put additional financial strain on the municipalities.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 9-14S

Hunting from Undeveloped Road Allowances

Rocky View County

*Three-fifths Majority Required
Endorsed by Central District*

WHEREAS hunting from undeveloped road allowances has been identified as a matter of enforcement and public safety by concerned county residents; and

WHEREAS hunting from undeveloped road allowances within rural areas may result in trespass and conflict with adjacent landowners; and

WHEREAS hunting from undeveloped road allowances that may result in trespass on adjacent lands and other potential negative consequences needs to be addressed; and

WHEREAS hunting within the Province of Alberta is regulated through the provisions of the *Wildlife Act*; and

WHEREAS current legislation governing hunting does not prohibit access to undeveloped road allowances for hunting, or discharging of a firearm along or across an undeveloped road allowance; and

WHEREAS legislation currently does not address hunting from undeveloped road allowances and the need to obtain permission from an adjacent landowner(s);

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to amend Section 51 of the *Wildlife Act* so as to prohibit the discharge of a firearm from or cause a projectile from a firearm to pass along or across an undeveloped road allowance unless a person has consent of owner(s) and/or occupant(s) of land(s) located directly adjacent to the undeveloped road allowance.

Member Background

Municipalities are often approached by resident(s) seeking support and guidance on how to control and /or stop an issue of specific concern; in this case, that concern is the need to prohibit the discharge of firearms from or across an undeveloped road allowance. A Rocky View County resident, with support from other members of the public, has been actively advocating for legislative change restricting hunting from undeveloped road allowances; and, in doing so, has been in contact with and has received information from a variety of sources, including hunting based interest organizations. The county understands that these groups include Hunting for Tomorrow and Alberta Game Management Advisory Group (AGMAG). The county has not been in direct contact with these organizations.

Hunting within the Province of Alberta is regulated through the provisions of the *Wildlife Act* and is typically enforced by Fish and Wildlife Officers. Municipalities, through Community Peace Officers, have limited authority regarding the enforcement of hunting regulations; however, municipalities do have authority under the *Municipal Government Act* to adopt bylaws addressing firearms and no shooting zones.

Amendments proposed by this resolution are not intended to address the merits of hunting from undeveloped road allowances, or to restrict hunting from undeveloped road allowances, but rather to address one of the key issues associated with hunting from an undeveloped road allowance, the matter of trespass onto adjacent lands, which is a matter of public safety. Of concern for many agricultural landowners is trespass by hunters onto adjacent private land, where permission to hunt has not been obtained. Specific concerns include hunters trespassing onto agricultural lands to retrieve a wounded or dead animal. This could result in many forms of conflict, including but not limited to scaring or injuring livestock, and damage to fences. Trespass onto private lands by hunters may result in conflict between a

private landowner and a hunter when the hunter is retrieving a dead animal from private lands and permission has not been obtained from that landowner to be on the land. Amendments to the *Wildlife Act* addressing the need to obtain consent from a landowner(s) or occupant(s) of lands adjacent to an undeveloped road allowance would enable an enforcement action to be taken, when or if conflict occurs.

Other sections of the *Wildlife Act* address hunting in proximity to residences and buildings (Section 52), protection of livestock (Section 29) and hunting at night (Section 28), in addition of other matters. Amendments to the *Wildlife Act* have been limited to Section 51, addressing hunting from undeveloped road allowances and the need to obtain permission from adjacent landowners.

The definition of a "road" for purposes of hunting is contained within Section 51 of the *Wildlife Act*, as follows:

51 (1) A person shall not discharge a firearm from, or cause a projectile from a firearm to pass along or across,

(a) a highway designated as a provincial highway under the *Highways Development and Protection Act*, or

(b) any other road that is paved, oiled, graded or regularly maintained in a municipal district or prescribed area.

(2) In subsection (1), "highway" or "road" includes, as well as the travelled portion of it, a width of land on either side of the travelled portion, including the inner two sides of a divided highway, that extends,

(a) if there is a fence parallelling the travelled portion that separates the adjacent lands from the travelled portion, to the fence,

(b) if there is an identifiable ditch alongside the travelled portion and there is no fence separating the travelled portion from the adjacent lands, to the edge of the ditch that is further from the travelled portion, or

(c) if there is no such fence or ditch, to a distance of 20 feet from the edge of the travelled portion, and also includes the whole of the remaining area between the 2 travelled portions of a divided highway at any location where the distance between the 2 nearest points on the innermost edges of the 2 travelled portions is less than 200 yards.

(3) Subsection (1)(b) does not apply to a person hunting game birds with a shotgun under the authority of a licence authorizing the hunting of game birds.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 10-14S

Proposed Amendments to the *Determination of Population Regulation* to Provide Greater Flexibility for the Counting of Shadow Population

MD of Greenview

*Three-Fifths Majority Required
Endorsed by Northern District*

WHEREAS amendments were made to the *Determination of Population Regulation* to provide for the counting of the shadow population of a municipality (with the Minister's approval); and

WHEREAS these amendments are a positive step towards considering the inclusion of this significant body of people which seasonally live within many Alberta municipalities; and

WHEREAS the Regulation currently allows for the counting of a shadow population using the same census date as for the remainder of that municipality's census; and

WHEREAS only dates between April 1 and June 30 may be used by a municipality as a census date; and

WHEREAS many municipalities have shadow populations which exist outside the April 1 to June 30 window; and

WHEREAS the Regulation also allows a municipality to only count those persons in the shadow population that both live and work within the same municipality to be counted; and

WHEREAS many people reside temporarily within one municipality and work in an adjacent municipality and neither municipality can, at this point, count those workers within their respective shadow population counts;

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties requests that the Government of Alberta amend the *Determination of Population Regulation* to allow municipalities to use a shadow population count date outside of the current restriction of April 1 to June 30; and

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta amend the *Determination of Population Regulation* to allow municipalities to count all shadow population residents living within their municipality that otherwise qualify, regardless of whether or not they work within that municipality.

Member Background

In February 2013, changes were made to the *Determination of Population Regulation* to allow a municipality, with ministerial approval, to count the shadow population within the municipality. Doing so potentially provides that municipality with access to additional, per capita-based grant funding.

In April 2013, the MD of Greenview (Greenview) requested the Minister's approval to conduct a shadow population count. In doing so, Greenview requested that the Minister consider allowing the MD to use a different date for the shadow population count than for the regular count as the shadow population is only prevalent during the winter months. The Minister did not approve this request and Greenview was required to use the same date in May as was used for the regular census. This resulted in a very low shadow population count as the vast majority of temporary residents were not counted.

As well, in the process of conducting a census on behalf of the town of Fox Creek, it was noted that a large number of temporary residents were residing within Fox Creek but could not be used for their shadow population count as the shadow population did not work in the same municipality in which it resided. This, in effect, meant that those temporary residents could not be qualified as shadow population residents for either municipality.

Should the Honourable Minister agree to make the requested changes to the regulation, we believe there will be a much more accurate picture of the shadow populations encountered by Alberta municipalities.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.



Agenda Item

Item: Genesis Reciprocal Insurance Exchange	
Presentation Date: March 11, 2014	
Department: CAO	Author: Ron Leaf
Budget Implication: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area: Intergovernmental Relations	Goal:
Legislative Direction: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
Recommendation: That Council discusses the attached items, amends if appropriate, and accepts for information.	
Attachments List: Actuarial Valuation Report and Financial Statement	

Background:

Genesis Reciprocal Insurance – AGM – February 17, 4:30 p.m. Salon 4, Shaw Conference Centre

Council has received a copy of the actuarial and financial reports from Genesis and I asked Rudy to provide comment on these documents. Rudy's comments are:

- The audit opinion is without reservation.
- Net income is down in 2013 compared to 2012 but still healthy.
- The actuarial report indicates no premium deficiency which means there will be no assessment for 2013 based on current known claims.
- I would say the whole picture is quite positive.

One question I suggest be posed during the AGM concerns the perspective the insurance industry holds with respect to Alberta. My understanding is that due to the numerous hailstorms of the past 5-10 years, coupled with the Slave Lake fire and the southern Alberta Floods, Alberta has been classified as a "catastrophic loss" area. I suggest that the Genesis Executive Director or Board be questioned as to this standing and what, if any, impact this may have on municipal premiums. While Genesis underwrites approximately, 95% of municipal claims, there are 4-5 other "umbrella" policies that could be impacted if insurance rates increase.



Agenda Item - Delegation: Residents and Business Owners from Nordegg

Project: Delegation: Nordegg Residents & Business Owners - Nordegg Lease / Rental Rates	
Presentation Date: March 11/14	
Department: Planning & Development	Author: Rick Emmons
Budget Implication: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Loss of Revenue <input type="checkbox"/> Reallocation	
Strategic Area #1: <i>Council will develop and market the community of Nordegg, as financial resources permit and in accordance with the Nordegg Development Plan and Design Guidelines.</i>	Goal #2: Council will encourage development in and around Hamlets that is complementary to the function and character of the community with a view to encouraging economic and residential development.
Legislative Direction: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
Recommendation: For Council to consider the information as presented.	
Attachments List: provided	

Background:

As Council is currently reviewing the lease and rental rates within the hamlet of Nordegg, members of that community have expressed a desire to approach council in an effort to provide various perspectives. The citizens of Nordegg have expressed their gratitude for the opportunity to voice their opinion to Council, that Council may consider all the perspectives prior to changing the rental/lease rates.

In an effort to provide Council with information, Administration conducted a survey through the website, mail, and email. The following opinions were received from the citizen engagement strategy:

1. One business owner states that with no natural gas or solid waste services in the hamlet, the rates should stay as status quo.

2. One resident stated the commercial rates should increase to \$300/month, but give longer term leases to allow lease holders more opportunity and security to invest.
3. Another resident reiterates the above statement, “Commercial rates should increase to \$300/month, but give longer term leases to allow lease holders more opportunity and security to invest.”
4. A business owner states the rates should increase to market value and further states that given the low rates currently charged, existing lease holders operate more as a hobby than a business.
5. A resident stated that given the “non-profit” status, he would appreciate maintaining the status quo.
6. A resident suggested that the County should keep the existing rates and further explains that they are too high now, due to the lack of amenities and the lots not being surveyed. The resident states that with the amount of disturbance (construction activity), dust, no garbage services, no EMS, and no school – it should be difficult for the county to justify an increase.
7. A resident stated that the rates should decrease as the water and sewer rates have already been increased substantially. The resident adds to the statement that there is no police presence, solid waste services, they pay high insurance and the leases are short term.
8. A resident expressed their opinion stating with the lack of amenities and the amount of disruption the residents have endured; the rates should stay the same.
9. A business person/resident submitted the rates should stay the same or decrease.

As with any subject, there are differing opinions. A synopsis of the letters and emails are as follows:

In favour of increasing the rates:

3 – For

6 – Against



Agenda Item

Project: Nordegg Chamber of Commerce Request for Funding	
Presentation Date: March 11/14	
Department: Planning & Development	Author: Rick Emmons
Budget Implication: <input type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input checked="" type="checkbox"/> Reallocation	
Strategic Area #1: <i>Council will develop and market the community of Nordegg, as financial resources permit and in accordance with the Nordegg Development Plan and Design Guidelines.</i>	Goal #2: Council will encourage development in and around Hamlets that is complementary to the function and character of the community with a view to encouraging economic and residential development.
Legislative Direction: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
Recommendation: For Council to consider the information as presented and provide Administration with direction.	
Attachments List: N/A	

Background:

Mr. Ron Killick (representing the Nordegg Chamber of Commerce) contacted Clearwater County with the following request:

"Dear County of Clearwater Council,

We the Nordegg Chamber of Commerce are requesting funding to help in the distribution of reprinted brochures that we successfully did as a first effort of our Chamber in 2013. We designed and printed over 30,000 brochures and distributed approx. 25,000.

It has been decided by our Chamber to reprint another 30,000, and distribute them and we are requesting the County's involvement to further distribute them into the Northern part of the province.

Our cost breakdown is as follows:

<i>Printing</i>	<i>\$4,300.00</i>
<i>Province wide distribution</i>	<i>\$4,000.00</i>
<i>Total cost</i>	<u><i>\$8,300.00</i></u>

*Requested funds from County **\$4,500.00***

It was pointed out by Mr. Emmons that we should submit our request prior to your 2014 budget and we understand that, which is certainly reasonable. We would ask that the county plan for that same amount each year being requested, keeping in mind that the \$4,500.00 is for 2014. Last year we were wrongfully advised that we could request the county to participate and then of course were rejected when our request was sent in.

We think the brochures are doing some good and are looking forward to the 2014 season, and do appreciate the County's consideration of this Chambers Nordegg program."

Ron Killick

Nordegg Chambers of Commerce / Brochure Chairman

Administration would require direction for the following scenarios:

- a) Council approves the request from the Nordegg Chamber of Commerce as an annual budget item for \$4,500.00; or
- b) Council approves this request from the Nordegg Chamber of Commerce with the expectation that if the Nordegg Chambers would seek future funding, a future request would have to be submitted; or
- c) Council approves funding the Chambers initiative, but to a lesser amount; or
- d) Council denies the request.

If Council approves the funding, Administration would require a reallocation from contingency into the Community and Protective Service's budget.