

**CLEARWATER COUNTY  
COUNCIL AGENDA  
March 8, 2011**

**DELEGATIONS:**

**11:00 Alberta Environment**

**A. CALL TO ORDER**

**B. AGENDA ADOPTION**

**C. CONFIRMATION OF MINUTES**

1. February 22, 2011 Regular Meeting Minutes
2. February 22, 2011 Public Hearing Minutes

**D. PUBLIC WORKS**

1. Public Works Manager's Report
2. Field Spreading of Septage
3. Fuel Adjustment – Rate Review
4. 11:00 Alberta Environment

**E. FINANCE**

1. Accounts Payable Listing

**F. MUNICIPAL**

1. Municipal Manager's Report
2. AADMC Resolutions
3. Council and Board Reimbursement Policy
4. Vehicle Use Policy
5. Upper Shunda Creek Recreation Area – Land Purchase Agreement
6. 2009 August Long Weekend Windstorm – Disaster Recovery Program
7. Provision of Web Space for External Organizations - Policy
8. Website Policy – Community Events Calendar
9. Bits and Spurs 4H Equine Club Request
10. Museum Agreement

**11. INCAMERA**

- a. Draft Tax Rate Bylaw
- b. Potential Land Purchase
- c. Sewage Lagoon Update
- d. Legal Opinion – Investments

**G. PLANNING**

**I. COMMITTEE REPORTS**

**J. ADJOURNMENT**

## **TABLED ITEMS**

<b><u>Date</u></b>	<b><u>Item, Reason and Status</u></b>
08/10/10	Residential Subdivision Policy <ul style="list-style-type: none"><li>• To allow more discussion between Council and Public Works.</li></ul> <b>STATUS: In progress, Public Works</b>
01/25/11	Access Roads Policy Review <ul style="list-style-type: none"><li>• To allow further policy review.</li></ul> <b>STATUS: In progress, Public Works</b>
02/08/11	Audit Committee <ul style="list-style-type: none"><li>• Council to discuss whether appropriate to develop audit committee.</li></ul> <b>STATUS: On Hold</b>
02/22/11	Taimi Road or other road projects for 2011. <ul style="list-style-type: none"><li>• Council to discuss road priorities.</li></ul> <b>STATUS: On Hold</b>

# AGENDA ITEM

**DATE:** March 8, 2011

**ITEM:** Field Spreading of Septage

**PREPARED BY:** Rick Emmons

## **BACKGROUND:**

During Council's February 8, 2011 meeting, Council discussed the amendments made by Alberta Environmental Protection in regards to the spreading of human septage on fields.

The amendments from AEP are only in effect for the Central Region at this time. The main focus of the amendments is not to permit field spreading when:

- the septage is within 50 km of a wastewater treatment facility or
- if the field is in a water run area that would feed into a lake.

A septage hauler will have to apply to Alberta Environment and obtain a Letter of Authorization (LOA) if he/she is interested in disposing the hauled septage any other way than discharging it to an approved wastewater treatment facility.

As per Council's request, Administration has invited Julian Huang and Todd Aasen with Alberta Environmental Protection to further explain the amendments that apply to the Central Region and how it will affect us as ratepayers and as a municipality.

## **QUESTIONS**

1. What initiated the changes?
2. Why does it apply to only the Central Region?
3. Are there further amendments in the future?
4. What is AEP's objective or ultimate purpose?
5. Are these amendments in effect immediately?
6. Is there a forum to oppose or make additional suggestions?
7. Is there an anticipated turnaround time to get a Letter of Authorization (LOA)?  
Can an LOA be completed and submitted online?
8. Would a site inspection be required before an LOA is granted?
9. Would one LOA (obtained by a hauler) cover more than one client (i.e. multiple clients spreading on the same field)?
10. What types of land would be considered for spreading? Stubble? Pasture?

11. Does the septage have to be worked in if on stubble?
12. Would the new regulations affect the current practices of waste water pits on crown land or drilling rigs/ pipeline camps etc?
13. What are the concerns, if any, that septage spreading is potentially a greater problem than the current manure spreading practices?

**Recommendation:**

Council receives the information as provided by Administration.

Attachments – Discussion paper

## Discussion Document

### Land application of Septage October 4, 2010

#### **Introduction:**

This document has been prepared specifically for Alberta Environment's **Central Region** as a pilot area. Once the criteria identifying areas where land application of septage would not be acceptable are finalized, it will be adopted for the Southern and Northern regions, with the necessary modification to consider their regional specific circumstances.

The purpose of this document is:

1. To identify criteria where land application of septage would NOT be allowed in Central Region.
2. To seek constructive feedback from stakeholders with the goal of continuous improvement and clarification of the proposed criteria.

In general it is proposed that, in the **Central Region**:

- a) septage shall not be applied to land inside the effective drainage area of lakes of concern up to a maximum of 10 kilometers from the lake shore; and
- b) septage collected within 50 kilometers travelling distance of an approved wastewater treatment facility must be taken to the facility for treatment and shall not be applied on land.

When the concepts presented in this document are finalized, it will then be prepared as AENV policy and will be reflected in the Letter of Authorization (LOA) for land application of septage issued to the haulers.

A septage hauler must apply to Alberta Environment and obtain a Letter of Authorization (LOA) if he/she is interested in disposing the hauled septage any other way than discharging it to an approved wastewater treatment facility. A LOA application form can be obtained from an Alberta Environment Regional Office.

The LOA is a document issued by Alberta Environment to the septage hauler, authorizing him/her to dispose septage on land according to specific condition and criteria. These criteria include, but are not limited to setback distances, application rate, method of application, and restrictive conditions (e.g. septage shall not be applied to frozen land or snow covered land) etc.

The LOA from Alberta Environment does not exempt the septage hauler from other approvals/authorizations/requirements such as municipal development permit, provincial and local transportation requirements etc.

#### **Background:**

In 2004 a Septage Management Advisory Committee (SMAC) was formed to provide advice and recommendations to Alberta Environment on septage management practices and legislative requirements: <http://environment.alberta.ca/02228.html>. Alberta Environment (AENV) has prepared this document to implement the following recommendation captured in the SMAC's final report:

"AENV should lead the development of requirements that describe specific exemptions under which land application of septage will be allowed by the LOA if access to proper disposal facilities is unavailable. These requirements would identify restrictive conditions for land disposal, ensuring that

this method is used as an exception to preferred practice. The committee notes that improved access to approved wastewater facilities is necessary and preferred”.<sup>1</sup>

### **Proposed Policy Criteria:**

Land application of septage in accordance with Letter of Authorization (LOA) **would only be allowed** provided:

1. The proposed land is **not** within the effective drainage area of lakes of concern up to a maximum of 10 Kilometer from the lake shore. To see the maps identifying the lakes of concern in the central region and their effective drainage area go to following website which will be valid for a limited time only:

<https://external.sp.environment.gov.ab.ca/CR-Lakes/Shared%20Documents/Forms/AllItems.aspx>

#### **Lakes of concern in Central Region:**

- **In the Red Deer District** - Pigeon Lake, Gull Lake, Buffalo Lake, Sylvan Lake, Pine Lake, West Dried Meat Lake, Capt. Ayre Lake, Coal Lake, Buck Lake, Battle Lake, Bittern Lake, Miquelon Lake, Glennifer Lake, **Cow Lake, Abraham Lake.**
  - **In the Spruce Grove District** - Saunders Lake, Ord Lake, Big Hay Lake, Joseph Lake, Minnistik Lake, Oliver Lake, Lessard Lake, Wizard Lake, Spinningbank Lake, Birch Lake, Brule Lake, Rock Lake, Sunset Lake, Wabamun Lake, Lac Ste. Anne, Chip Lake, Lake Isle, Lac La Marine, Oldman Lake, Majeau Lake, George Lake, Shoal Lake, Baird Lake, Beaverhill Lake, Brazeau Canal/Reservoir.
2. There is **not** a “Reasonable Access” to an approved wastewater treatment facility.  
Reasonable access is defined as:
    - a) A travel distance from last septage pick up to the approved wastewater treatment facility is less than 50 kilometers or as otherwise authorized by the Director; **and**
    - b) The owner of the wastewater treatment facility has given permission to the hauler to dispose hauled septage to their system.

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<sup>1</sup> ALBERTA ENVIRONMENT – SEPTAGE MANAGEMENT ADVISORY COMMITTEE  
Recommendations for Septage Management in Alberta

## Appendix A: Question and Answers:

### 1. Why is land application of septage not acceptable within the effective drainage area of lakes of concern?

Disposal of septage is regulated under the Environmental Protection and Enhancement Act (EPEA) and Regulations:

[http://www.gp.alberta.ca/574.cfm?page=E12.cfm&leg\\_type=Acts&isbncln=9780779745753](http://www.gp.alberta.ca/574.cfm?page=E12.cfm&leg_type=Acts&isbncln=9780779745753).

Alberta Environment will not issue a Letter of Authorization for land applications of septage within the effective drainage area of lakes of concern to avoid potential nutrient loading and environmental impacts that may result from such practices.

### 2. Can biosolid from municipal wastewater treatment facility be applied on land in the effective drainage area of lakes of concern?

Biosolid is defined as treated sludge from municipal wastewater treatment process. Biosolid has different characteristics than septage. Land application of biosolid is approved after a detailed site specific evaluation to determine site specific criteria that have to be met prior to proceeding with the practice. Therefore land application of biosolid within effective drainage area of lakes of concern will only be acceptable after detailed site specific evaluation and monitoring to prevent potential nutrient loading and environmental impact.

### 3. Can septage or biosolid be applied on frozen or snow covered land?

No, application of septage and biosolid is not allowed on frozen or snow covered land. Under these conditions the potential adverse environmental impact and human health risk resulting from nutrient and pathogen runoff are not acceptable.

### 4. What are some of the criteria that were considered to identify “Lakes of Concern”?

The following criteria were used to identify “Lakes of concerns”

- Lakes within Green Zone
- Lakes with Summer Village or development on the shorefront
- Lake is dammed or has a weir to control water level
- Lake is a water supply source
- Lakes where the First Nation land are on the shorefront
- Lakes with Provincial or Federal Park on the shorefront

### 5. What would determine if a hauler has or does not have “reasonable access” to an approved wastewater facility for disposal of septage?

“Reasonable access” is dependent on two factors:

- a) “**acceptable travel distance**” for an hauler to travel to discharge to an approved wastewater facility; and
- b) “**Written permission or rejection**” letter form the owner of the wastewater facility to accept septage from a hauler at their approved wastewater facility.

### 6. What is an “acceptable travel distance”?

It is well understood that acceptable travel distance is dependent on the road conditions, haulers expenses and customer willingness to pay for those expenses, and that these factors will be different from one region to another. However, to level the playing field, a maximum accepted traveling distance of 50 kilometers was agreed to by Alberta Environment and stakeholders. All septage collected within this traveling distance from an approved wastewater facility that accepts septage must be hauled to the approved facility. The Director may authorize a different travel distance on site-specific bases.

**7. How do haulers obtain “written permission or rejection” from the owner of the approved wastewater treatment facility?**

The hauler must contact the owner of the approved wastewater treatment facility to outline their request and work with the owner of the facility to address their concerns if any. As an outcome of this discussion, the owner of the facility and the hauler should arrive to a decision as to whether the hauler has permission or does not have permission to discharge septage at the approved wastewater facility. It is recommended that the decision is documented in writing. Some of the issues that may need to be addressed in this process are:

- a) Confirmation of type of septage that will be hauled to the facility
- b) The hours of operation when the facility can be accessed by the hauler
- c) Maintenance of septage dumping site and road access to the site
- d) Fee for access
- e) etc...



## ***AGENDA ITEM***

**DATE:** March 8, 2011

**ITEM:** Fuel Adjustment - Rate Review

**PREPARED BY:** Frank McBride / Rick Emmons

### **BACKGROUND:**

In November 2010 Clearwater County contacted every gravel truck registered with Clearwater County and invited them to participate in the 2011 Winter Gravel Program. Clearwater County had enough gravel trucks who committed to the program to facilitate two crews.

In November, when the trucks were phoned and agreed to participate in the program which was scheduled to begin in January of 2011, Clearwater County was paying \$0.779 per litre for diesel, by January 2011 diesel prices increased to \$1.02 per litre; a 23.6% increase.

Clearwater County contacted several contracted truck & pup owners and inquired into their average amount of diesel usage per day, then compared their responses with Clearwater County's average amount of diesel used per day (all based on 10 hour days) and found the usage to vary between 330 to 350 litres per day; for this exercise Administration is using the average of 340 litres per day.

A truck and pup burns an average of 340 litres per day of diesel, multiply by the cost of diesel (\$1.02/l) and this equals \$346.80. Administration then subtracted \$0.779/litre and this totaled **an increase of \$81.94 per day in fuel.**

A truck and pup has earned an average of \$858.00 per day during the 2011 Winter Gravel Program, to incorporate the \$81.94/day for the increase in fuel; that would equate to a 9.6% increase.

If Council accepts the recommendation, the impact on the 2011 budget will be approximately \$23,904.00, which can be accommodated in the winter gravel program. Administration intends on bringing an agenda forward for Council's review later this summer, which would address a long term rate review for the tonne/mile rate.

### **RECOMMENDATION:**

That Council approves a temporary fuel adjustment of 9.6% retroactive to January 1, 2011 for the gravel trucks contracted to the 2011 Winter Gravel Program.

# Agenda Item

**Date:** February 28, 2011  
**Item:** AAMDC Resolutions  
**Prepared by:** Ron Leaf

**Background:**

Attached is a copy of the AAMDC Spring resolutions. I have included comments with respect to each resolution, which are intended to provide a starting point for discussion.

Past practice has been for each Councillor to vote as he/she chooses during the convention with the resolutions being provided to allow Council the opportunity to debate the merits of the respective resolutions.

**Recommendation:**

That Council discusses the submitted resolutions.

## AAMDC Spring 2011 – Submitted Resolutions

- 1-11S **Approval of Revised AAMDC Bylaws**  
*(AAMDC Executive)*
- 2-11S **Local Authorities Election Act – Election Term**  
*(MD of Foothills)*
- 3-11S **Development of Assessors in Rural Alberta**  
*(MD of Taber)*
- 4-11S **Request for Amendment of Municipal Government Act to Expand Off-site Levies to Include Capital Costs of New Facilities for Essential Services**  
*(Rocky View County)*
- 5-11S **Restructured Support for Regional Economic Development Alliances Puts Regional Economic Development at Risk**  
*(MD of Spirit River)*
- 6-11S **Municipal Sustainability Initiative Approval Process**  
*(MD of Foothills)*
- 7-11S **Natural Resources Conservation Board Approval Process**  
*(Vulcan County)*
- 8-11S **Liability on Sustainable Resource Development Lease Lands**  
*(MD of Big Lakes)*
- 9-11S **Sale of Sustainable Resource Development Lease Lands**  
*(MD of Big Lakes)*
- 10-11S **Oppose Bill C-544 Banning the Importation of Horses for Slaughter**  
*(MD of Willow Creek)*
- 11-11S **Maintenance of Secondary Highways**  
*(Woodlands County)*
- 12-11S **Review of Duplication Between Safety Legislation**  
*(County of Thorhild)*
- 13-11S **Return the Use of Rendering Industry for Dead Livestock Removal Through Compensation** *(MD of Willow Creek)*
- 14-11S **School Bus Transportation Funding Formula**  
*(MD of Greenview)*
- 15-11S **Impacts of Mandatory Training on the Sustainability of Volunteer and Paid On-Call Fire Departments**  
*(Cypress County)*

Resolution 1-11S

## Approval of Revised AAMDC Bylaws

AAMDC Executive

Three-Fifths (3/5) Required  
*Individual Resolution*

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WHEREAS the 2010 Executive Review Committee recommended the bylaws undergo a complete review;

WHEREAS *Mapping Success: The AAMDC Strategic Plan* has an objective to update written organizational policies and procedures;

WHEREAS at the Fall 2010 convention, members endorsed both the recommendation of the 2010 Executive Review Committee and *Mapping Success: The AAMDC Strategic Plan*;

WHEREAS in demonstrating the values of responsiveness and accountability, the AAMDC Board of Directors commissioned a comprehensive legal review of the existing AAMDC bylaws;

WHEREAS the proposed new bylaws were distributed in compliance with the three-month requirement in the existing bylaws;

WHEREAS the AAMDC is unique in that the association was formalized in 1923 through the *Alberta Association of Municipal Districts and Counties Act*;

WHEREAS the AAMDC became aware through the bylaw review that it was time for further amendments to align the *Act* with current practices and operations;

WHEREAS any member-endorsed bylaws would not become effective until the related amendments to the *Alberta Association of Municipal Districts and Counties Act* are proclaimed;

**THEREFORE BE IT RESOLVED that the members approve the Alberta Association of Municipal Districts and Counties revised bylaws; and**

**FURTHER BE IT RESOLVED that the AAMDC implement the revised bylaws presented as soon as the necessary amendments to the Alberta Association of Municipal Districts and Counties Act are proclaimed.**

### Member Background

N/A

### AAMDC Background

The AAMDC has recently completed a comprehensive bylaw review in response to member direction through the 2010 Executive Review. Overall, the proposed new bylaws are succinct, clear, modern and in alignment with commonly accepted practices within this and other municipal associations.

Through our bylaw review, the AAMDC recognized the importance of our incorporating legislation and the resulting impact on bylaws. The AAMDC is unique in that the association was formalized in 1923 through the *Alberta Association of Municipal Districts and Counties Act*. As the organization continued to evolve, the *Act* was amended in 1971 and 1984. In conjunction with the bylaw review, the AAMDC became aware that it was time for further amendments to align the *Act* with current practices and operations. As such, the association has initiated the process to bring forward a bill to that effect.

**CAO comment: Recommend support. As discussed previously with Council, the proposed bylaws address changes in legislation and the complexities associated with representing rural municipalities and rural issues.**

Resolution 2-11S

## **Local Authorities Election Act - Election Term**

MD of Foothills

Three-Fifths (3/5) Majority Required  
*Endorsed by the Foothill-Little Bow District*

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WHEREAS the *Local Authorities Election Act* sets a 3-year term for municipal councillors;

WHEREAS the shortness of the term severely impedes the ability of municipalities to formulate and implement long-range planning policies, capital and operating budgets;

WHEREAS the duties and responsibilities of municipal elected officials have increased and become more complex leading to a longer orientation period;

WHEREAS the 3-year term has a negative financial impact on tax payers;

WHEREAS a 4-year term would improve the effectiveness of municipal elected officials, allow for greater efficiencies in planning and long-range programming and reduce costs;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Province of Alberta amend the *Local Authorities Election Act* to set a 4-year term for municipal elected officials.**

### **Member Background**

As all elected officials are aware elections are operationally disruptive and in addition to the costs associated with the election itself, they increase the costs of operating a municipality. Increasing the term from three years to four years would not impact negatively the rights of the voters, but the additional year would allow for the development and implementation of longer range plans as required by the Province of Alberta.

Due to the ever-increasing complexity of operating a municipality, the growing list of services provided by municipalities and the time necessary to develop positive inter-municipal and regional relationships, a 3-year term is not sufficient to set priorities and programs and implement them. The additional year would allow for a proper orientation for newly elected officials instead of the sink-or-swim method of today. This would provide additional time to develop and implement multi-year budgets, capital replacement programs, municipal development plans and growth strategies.

Elections are like traffic lights and the shorter the distance between them the more time you spend stopping and starting and little time cruising at your maximum efficiency. Every so often you need to check your vehicle, gas it up and make sure you are on the right road - that's what elections are for. In today's world, three years does not provide enough distance between the lights.

### **AAMDC Background**

Resolution 9-09S: THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to amend Section 10.1 of the *Local Authorities Election Act* to extend the term for elected officials to hold office from a three-year term to a four-year term with a general election to be held every 4th year commencing with the year 2013.

**CAO comment: Recommend support – Alberta is one of the few provinces with 3 year municipal terms. 4 year terms does provide for more continuity in municipal planning and does not negatively impact on voters rights.**

Resolution 3-11S

## Development of Assessors in Rural Alberta

MD of Taber

Simple Majority Required

*Endorsed by the Foothill-Little Bow District*

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WHEREAS municipalities are required to prepare annual assessments on property;

WHEREAS regulatory requirements for assessor accreditation and assessment preparation continue to increase;

WHEREAS it is becoming increasingly difficult to attract and maintain assessors within rural municipalities;

WHEREAS Alberta Municipal Affairs has reduced or eliminated research, development and support for Alberta Assessment Manuals including important resources such as the Non-Residential Building Cost Manual;

WHEREAS Alberta Municipal Affairs has indicated that a reduction or elimination of funding provided to the Alberta Assessors Association (AAA) for provision of course development and training to its members is forthcoming;

WHEREAS the recruitment and retention of rural oriented assessors and the maintenance and improvement of quality assessments will result in a stable tax base for municipalities which is *critical* to municipal sustainability;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties and Alberta Municipal Affairs explore the creation of a joint committee with the Alberta Assessors Association for the purpose of pursuing the mutual interest of training, education, and retention of rural assessors including the establishment of an assessor trainee / internship / co-operative program, the development of a machinery and equipment training course, and suitable farmland training for rural assessors.**

### Member Background

Prior to 1994 Alberta Municipal Affairs (AMA) performed the assessment function for many of the rural and small urban municipalities at a greatly subsidized cost. Other municipalities hired their own assessment staff with little or no subsidy for staffing costs. AMA also provided much of the formalized training including course development and all Alberta assessment manuals.

After privatization, in 1994, some assessors left the profession completely, some took 'in-house' positions and others became contractors responsible for *several* municipalities. AMA *no longer* subsidized these assessments and these municipalities began to discover the true cost of assessment preparation.

Regulatory requirements and duties for assessors continue to increase while resources for training and development continue to decrease. AMA regularly reforms assessment methods and standards thus further increasing the workload on the existing personnel including moving assessment to a market value approach from depreciated replacement cost, established annual assessment preparation from the previous 7-year cycle general assessment, required ASSET reporting for assessment audits, and have abandoned assessment manual support.

Requirements for accreditation with the AAA have steadily increased to keep pace with statutory and regulatory changes (MGA), and other industry associations (i.e. IPPAC, AIC, IAAO). These more

stringent qualifications also reduce the recruitment of new assessors as they choose other fields requiring fewer qualifications for similar or greater compensation.

A 2004 study by AAA showed that 44% of the accredited assessors were planning on retiring within 5-10 years. There are probably already not enough accredited assessors to fill every statutory position required in the rural and small urban setting.

Assessors are choosing not to pursue assessment positions in rural areas for a variety of reasons including lifestyle, quality of life, and financial compensation. Many rural and small urban municipalities have been unable to recruit and *retain* assessors for vacant positions at any level in the past few years - a few of these positions still remain open. Most of the people entering the profession are gravitating to urban settings resulting in a further short fall of qualified rural assessors.

Vacant assessor positions tend to default to a contract assessment company which may already be under-staffed for the same reasons. Often contractors provide a training arena, and lose experienced staff to larger urban municipalities or private industry.

The development of qualified assessors through internship or co-operative programs would benefit municipalities by providing a pool of individuals required to replace retiring assessors. Alberta Municipal Affairs has indicated a reduction or elimination of funding to the Alberta Assessors Association (AAA) for provision of course development and training to its members.

Alberta Municipal Affairs has reduced or eliminated research, development and support for Alberta Assessment Manuals including important resources such as the Non-Residential Building Cost Manual.

The ability for rural municipalities to recruit and retain rural oriented assessors is necessary to maintain and improve the quality of assessment that result in a stable tax base for municipalities which is *critical* to municipal sustainability.

Assessors in rural Alberta would benefit through training and participation in leadership positions within the Alberta Assessors Association and should be supported by their employers in doing so.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue. However the AAMDC's *MGA Review: Final Assessment Recommendations* report calls for an assessor internship program.

**CAO Comment: Recommend Support. Assessment is a specialized service field and one on which municipalities are dependent. The need for development of new assessors is vitally important.**

Resolution 4-11S

## **Request for Amendment of Municipal Government Act to Expand Off-site Levies to Include Capital Costs of New Facilities for Essential Services**

Rocky View County

Three-Fifths (3/5) Majority Required

*Endorsed by the Central District*

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WHEREAS the Province of Alberta continues to enjoy growth and development rates exceeding the Canadian average;

WHEREAS all jurisdictions are placing a greater emphasis on sustainable development, smart growth, and triple bottom line analysis of proposed development;

WHEREAS new growth and development has a 'causal' effect on the need for additional, identifiable capital expenditures to expand the provision of core services such as recreational facilities, fire halls and libraries;

WHEREAS local jurisdictions have a limited scope of 'own source' revenues and continue to fund the provision of essential services largely through their tax base unless they have a private agreement with a local branch of the Urban Development Institute and/or individual developers;

WHEREAS the Government of Alberta and local municipalities both benefit from orderly and well planned growth coordinated with capital costs of public services resourced through a fair and equitable funding program mechanism that assigns a defined portion of these costs to the development industry;

WHEREAS both the Alberta Association of Municipal Districts and Counties and the Alberta Urban Municipalities have passed resolutions calling upon the provincial government to amend Section 648 of the *Municipal Government Act* beyond the current provisions for assessment and payment of levies for supplying of water, sanitary sewage, storm sewage, and roads (i.e. Resolution 6-07F, and 2008.C.ii.3, respectively);

**THEREFORE BE RESOLVED that the Alberta Association of Municipal Districts and Counties renew their request that the Government of Alberta amend Section 648 (2) of the *Municipal Government Act* to grant local municipalities the authority to apply, and collect, off-site levies to pay for all or part of the capital costs of new or expanded facilities for fire halls, recreation facilities and libraries that are required as a result of ongoing growth and development.**

### **Member Background**

See AAMDC expired Resolution 6-07F entitled "Advocating for Legislative Enactment of Expanded Municipal Authority to Access Revenues" available at [www.aamdc.com](http://www.aamdc.com). As well, see AUMA resolution 2008.C.ii.3 entitled "Authorizing Off-Site Levy to Provide Essential Services and Build Complete Communities" available at [www.auma.ca](http://www.auma.ca).

### **AAMDC Background**

The AAMDC has included expanded authority regarding off-site levies as part of its paper *MGA Review: Final Planning and Development Recommendations*. While the AAMDC does not have any active resolutions related to this issue, a similar theme was included in a recently expired resolution.



Resolution 6-07F (expired): THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Province of Alberta to advocate Legislative Enactment of Expanded Municipal Authority to access revenues as per the following:

THAT enabling legislation be passed to enact authority for Alberta Municipalities to levy an expanded scope of development levies in support of directly related local services and to assess limited split mill rates within the non-residential property class at the next sitting of the Provincial Legislative Assembly in the best interests of municipalities, the Province and taxpayers of Alberta.

**CAO Comment: Recommend support. This item was seconded by Clearwater County and supported by the Central Zone members.**

Resolution 5-11S

## **Restructured Support for Regional Economic Development Alliances Puts Regional Economic Development at Risk**

MD of Spirit River

Simple Majority Required  
*Endorsed by the Northern District*

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WHEREAS for over ten years the Alberta Government has embraced a partnership with Alberta municipalities to plan and undertake regional economic development initiatives of mutual interest. The success of this partnership has made Alberta a leader in the delivery of regional economic development and has resulted in numerous achievements.

WHEREAS after a lengthy delay of nine months and unresponsive communications with the department, Alberta Finance and Enterprise (AFE) announced:

- a new Memorandum of Understanding
- a FAQs Resulting from AFE's Restructuring of Support to REDAs
- a Synopsis of Key Changes

and delivered the news at a REDA Chairs meeting called by the Honourable Minister Snelgrove on Friday, February 4, 2011. The message delivered was:

1. the Alberta Government continues to value the partnership with REDAs and their work; and
2. in their opinion it was time for the REDAs to mature and be less dependent of provincial government support.

WHEREAS the issue for the REDAs is the dramatic unilateral change dictated by the department to the existing relationship (MOU) with no consultation with the REDA Chairs and the municipalities they represent. The changes were so significant, the province is putting many of the REDAs at risk. And the process to introduce the changes was abrupt and insensitive to what was thought to be a healthy and progressive relationship between the department and the REDAs.

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties encourages Alberta Finance and Enterprise (AFE) to enter into meaningful dialogue with Alberta municipalities through the AAMDC, AUMA and REDA Chairs, to put in place immediately a process to discuss a more achievable transition plan towards a mutually agreeable REDA Next Generation strategy.**

### **Member Background**

Rural Alberta communities rely on REDAs to help plan and undertake economic development activities. The REDAs provide a forum and mechanism for municipalities to identify common issues and solutions to problems or opportunities beyond the limited resources of individual municipalities. Examples of big problems that benefit from the collective actions of municipalities include: the response to Transport Canada's Rail Freight Service Review; medical training in the rural communities; regional infrastructure needs including the future access to water; the retention of companies in rural communities through productivity initiatives; and the importance of supporting innovation and competitiveness as a way to retain and grow our rural communities. These are just a few that our alliance (PREDA) is involved in: if we ask the other 12 REDAs for their examples and success stories, the accomplishments would be equally as impressive and of significance to Alberta municipalities.

The most recent actions of Alberta Finance and Enterprise present a a reoccurring impression (perception and reality) of 'downloading' by the province onto the municipalities and it was done in such a way that negatively impacts future relationships.

**AAMDC Background**

The AAMDC has no active resolutions related to this issue.

**CAO Comment: Recommend not support. This issue is regional in nature and as such it is more appropriate for the northern municipalities to address this matter with their local MLA or the Minister.**

Resolution 6-11S

## **Municipal Sustainability Initiative Approval Process**

MD of Foothills

Simple Majority Required

*Endorsed by the Foothills-Little Bow District*

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WHEREAS the Municipal Sustainability Initiative has allowed municipalities to undertake projects of benefit to all Albertans;

WHEREAS this program plays a major role in infrastructure renewal generating numerous jobs throughout Alberta;

WHEREAS the application, approval and reporting aspects of this program generate substantial administrative costs both for the province, Municipal Affairs and municipalities;

WHEREAS the approval process results in delaying projects and in some cases increasing costs;

WHEREAS the guideline requiring projects to be a minimum of 10% of the total eligible grant unless regional in nature prevents lower cost infrastructure projects from proceeding, especially in hamlets;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties work with Municipal Affairs to implement changes to the MSI Program in order to reduce administrative costs, provide for a lower cost threshold for projects within hamlets, and allow projects to proceed in a more timely fashion.**

### **Member Background**

Both the Province of Alberta and municipalities are committing substantial resources to the administration of this program. A results-based program where the province sets clear goals and guidelines and municipalities report on how the projects chosen have achieved those goals and meet the guidelines should reduce administrative costs. With the elimination of the application and approval portion of the process and with a clear set of rules, projects could proceed without delays and the uncertainty of whether they qualify for funding or not.

### **AAMDC Background**

1-09F: THEREFORE BE IT RESOLVED that the AAMDC urge the Provincial Government to recognize the high priority on addressing municipal infrastructure needs for safety and economy for transportation of people and commodities by maintaining MSI funding levels set in its 10 year formula.

**CAO Comment: We have not had the difficulty with the MSI funding as explained by the resolution but have not attempted to use the funding for hamlets. Suggest Council consider explanation provided by MD of Foothills.**

Resolution 7-11S

## Natural Resources Conservation Board Approval Process

Vulcan County

Simple Majority Required

*Endorsed by the Foothill-Little Bow District*

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WHEREAS in recent meetings with the Natural Resources Conservation Board (NRCB) and Alberta Environment to discuss confined feeding operations (CFO) applications, concerns have arisen over matters such as the availability of water supply;

WHEREAS confined feeding operation developments are being approved before many other critical approvals such as water licenses and access;

WHEREAS the NRCB currently gives the proposed confined feeding operations the option of proving a water source before the development is approved or they can wait until after the development is approved;

WHEREAS all other municipal developments need to ensure that there is sufficient water before applying for a development;

WHEREAS it may be correct that other government agencies approve aspects of a confined feeding operation, it is the NRCB and Alberta Environment's responsibility to ensure that all requirements of a development are in place before granting an approval;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Province of Alberta to review its approval process for confined feeding operation developments and ensure all limiting factors such as water are taken into consideration before the development is approved.**

### Member Background

Recently the NRCB approved for development a confined feeding operation within our county before the applicant had to prove that there was sufficient water for this operation. The municipality advised the operator that water is in short supply and it was recommended to either reconsider the location of this site or make alternate arrangements to pipe water into this site. The confined feeding operation has now been constructed and they have now discovered that there is not enough water to operate. This operation is currently running at a limited capacity with water being trucked in. To date the developer has been unsuccessful in negotiating easement agreements with adjacent land owners for an underground water line.

### AAMDC Background

Resolution 6-08S (set to expire): THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the provincial government to direct the NRCB to review and decide upon applications for confined feeding operations from a complete, holistic perspective, and not fragment the decision making process amongst multiple government agencies.

**CAO Comment: Recommend not support. This issue is local in nature and discussion should occur between Vulcan County and the NRCB.**

Resolution 8-11S

## **Liability on Sustainable Resource Development Lease Lands**

MD of Big Lakes

Simple Majority Required  
*Endorsed by the Northern District*

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WHEREAS the province (Alberta Sustainable Resource Development) requires that agricultural leaseholders provide access to recreational users on leased lands. This includes grazing and farm development leaseholders, who are required to provide “reasonable” access to the land for recreation;

WHEREAS the province requires that leaseholders provide an explanation of their rationale for denying access to the recreational users, and if disputed, SRD may issue an access order requiring the leaseholder to allow access;

WHEREAS leaseholders are required to provide access to recreational users, even if livestock are present, and the onus is on the leaseholder to prove the livestock are/may be impacted by the recreational users;

WHEREAS the leaseholder cannot deny access even if, in his opinion, the fire risk is too high;

WHEREAS the leaseholder cannot restrict the number of people who can access the lease;

WHEREAS the leaseholder may be held liable if recreational users become injured while engaged in activities on the leased lands;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties approach the Province of Alberta to request that Alberta Sustainable Resource Development review their policies concerning liability on leased lands, to ensure that leaseholders are not held liable for any injury or property damage resulting from the activities of recreational users while on leased land.**

**FURTHER BE IT RESOLVED that the province should hold all liability on leased land where access is granted at the discretion of the province, not the leaseholder.**

### **Member Background**

Leaseholders have legitimate concerns regarding access granted to recreational users on leased lands. Under current regulations, recreational users are not required to contact the leaseholder in advance of access, except where the land is under a grazing lease or farm development lease disposition. Even in those instances, the access is at the discretion of the local settlement officer at Alberta Sustainable Resource Development, not the landowner.

Our society is becoming more and more litigious, and the likelihood of litigation in the event of an injury or death to a recreational user on leased public lands, is increasing. Regardless of the behaviour or recklessness of others, the leaseholder may be held liable for injuries or property damages that may occur.

Recreational users have some legislated responsibilities and requirements, but often the users are unaware of their responsibilities or choose to ignore them. Penalties for failing to contact the leaseholder and request access are minimal. In addition, the responsibility for policing the lease and any infractions usually falls to the leaseholder and the penalty will likely be administered only if the individual is caught during the act of non-compliance.

The leaseholder is responsible for the expense of carrying liability insurance on property that he does not own, and cannot control access to. The province indicates that leaseholder liability is reduced unless negligence can be proven. But, in the event of injury or death to a recreational user and any subsequent litigation, the leaseholder is still obliged to expend considerable time and energy in defence of the lawsuit.

The current rules of access unfairly place responsibility for liability on the leaseholder, but restrict him from denying access to protect himself from litigation. The responsibility for liability should fall to the landowner (the Province of Alberta) who hold the power of discretion to allow access.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue.

**CAO Comment: Recommend non-support. I suggest that the request is protection from being sued. As outlined at Council's last meeting by Jubilee Insurance there is no protection from being sued and costs are determined by the degree of negligence. The Province cannot assume all liability for leaseholders.**

Resolution 9-11S

## **Sale of Sustainable Resource Development Lease Lands**

MD of Big Lakes

Simple Majority Required  
*Endorsed by the Northern District*

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WHEREAS many long-term grazing lease disposition holders have invested time and money improving Sustainable Resource Development grazing leases, based on the terms and conditions of agreements that were originally in place, or that came as a result of policies developed in the early 1980s;

WHEREAS disposition holders rightfully anticipated that these improvements would benefit their farm businesses in the long term because they would, at a future date, be allowed to purchase their leased land for a fair market price as assessed on unimproved value, and without competition;

WHEREAS disposition holders had reasonable assurance that they would have priority of purchase rights when the land was converted to farm development leases or made available for sale;

WHEREAS policy changes in the late 1980s amended / rescinded earlier public land sales criteria, and this continues to have a negative impact on a number of long-term disposition holders who made improvements (as encouraged by the province) on their leases prior to policy changes.

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties approach the Province of Alberta to request that Sustainable Resource Development review their current land lease / sale policies to ensure that long-term disposition holders be allowed to purchase leased lands at prices assessed on unimproved values; and that leaseholders are not disadvantaged by a lack of recognition for development costs and improvements on leased land by the requirement for competition in the sale process.**

### **Member Background**

Many grazing lease disposition holders have invested a considerable amount money to improve the usability and value of the leased land. Their decision to invest in the leases was based on the terms and conditions of agreements originally in place, or as a result of policies developed in the early 1980s, which were designed to encourage development of leases. Under the provincial policies of the time, the value of improvements would not be included in potential sale price to the leaseholder, because property sale prices were based on unimproved appraised value.

The rationale for policies in the mid-1980s (as described by the province) was that leaseholders would be more likely to invest in expensive improvements if they had a measure of certainty that long term benefits for their investments would be realized. From this, disposition holders anticipated improvements they made would benefit their farm business over the long term.

Leaseholders also had reasonable assurance that they would have priority of purchase rights when the land was made available for sale. Again, decisions made by leaseholders were based, in part, on information provided by the minister's office and through public notices, and news releases (eg. information for lease conversion sent to leaseholders in September 1985).

The province encouraged conversion of grazing leases to farm development leases, with or without option to purchase, in order to prevent the fragmentation of farm units that incorporated leased lands as part of the farm assets. The province encouraged the development of grazing lease lands in settled areas, particularly in northern Alberta, where only a small percentage of the lease lands had intensive development and were desirable for acquisition to farm holdings.



However; by 1990, the province made changes to the land sales criteria which dismissed the priority right to purchase for disposition holders and allowed that lands available for sale would be open to public auction or tender. Additionally, sale price minimums were raised to 85% of market value, which now included the value of improvements.

In a letter to a leaseholder in May of 2010, the minister (Sustainable Resource Development) indicated that further to the above, an option available to the grazing leaseholder would be to request conversion to a farm development lease, without the option to purchase the land. The lease would then be issued through a competitive process. The rationale for changes to the previous sale criteria (as explained by the minister) is the government's fiduciary responsibility to realize a fair return for Albertans - best achieved through the competitive process.

While the need for fiscal responsibility to all Albertans is understood, the current land sales policies disregard the expenditures of those individuals who invested their own money to improve leased land. The current policy forces disposition holders to meet the highest bid on lands available for sale, and allows outside parties to compete for land that the disposition holder has worked to improve at his own expense. In effect, the disposition holder is being penalized for the investment made improving the land, in that, if he chooses to purchase the land and is the successful bidder, he must pay a second time for the value of improvements he had previously paid for.

#### **TIMELINE**

**August 1985** The province (Public Lands and Wildlife) announced that changes had been made to the administration of public lands, granting existing grazing leaseholders the option to convert up to six quarters of leased land to farm development leases without competition from other applicants, with or without the option to purchase. It noted recently introduced tendering systems and the opportunity for public auction of land.

**September 1985** The minister's office sent letters to leaseholders advising them that the sale price of lease purchases would be based on appraised unimproved value, unless range improvement funding had been provided by the province.

**November 1985** A news release was issued indicating the waiver of previous posting requirements for saleable lands, and advising that priority would be given to grazing leaseholders to convert land they have already improved. The press release indicated that saleable land criteria had not changed and referenced an information pamphlet which indicated:

- conversion from GRL to FDL, without competition
- priority right of conversion for current leaseholders
- priority right of purchase for current leaseholders
- safeguards against land speculation
- protection of lands within the eastern slopes region.

**February 1986** Letters were sent to leaseholders reiterating the benefits of conversion of improved grazing leases to farm development leases, the option to purchase improved grazing leases, and stressing exclusion of public lands in the eastern slopes from conversion or sale.

**January 1990** All policies created earlier in the decade had been rescinded.

**October 1998** A public land sales information document was available to leaseholders, indicating land sale values are set at fair market value (maximizing benefits to the Crown) using appraisal standards set for private land real estate. Land will be sold at public auction or tender, except for the following:

- land under disposition (with option to purchase) - current leaseholder can apply to purchase land without competition
- land under disposition (fully developed miscellaneous / recreation lease) - current leaseholder may apply to purchase land without competition

However, in cases of land under disposition (without option to purchase) current leaseholder does not have priority right to purchase land without competition

**May 2010** The Minister responded to a leaseholder enquiry and noted the following:

- leased land, up to one section, can be purchased (1985 - 6 quarters)
- sales are by public auction / tender (1985 - without competition)
- minimum price is 85% of fair market value, and leaseholder option to meet highest bid price (1985 - assessed unimproved value)
- leaseholder may convert grazing lease to farm development lease without option to purchase (1985 - conversions with / without purchase option)

**July 2010** The Minister responded to leaseholder enquiry indicating that all policies introduced in the mid-1980s had been rescinded in the late 1980s. Attached to the letter was information About Public Lands (effective September 2007) outlining criteria regarding public lands sales.

#### **AAMDC Background**

The AAMDC has no active resolutions related to this issue.

**CAO Comment: Recommend non support. The Province's land purchase policies are ensure that public assets provide the fair market return to which Albertan's are entitled. The Province has a policy whereby it allows the leaseholder to match an offer, but the overriding principle is that land is to be sold at a fair market value.**

Resolution 10-11S

## **Oppose Bill C-544 Banning the Importation of Horses for Slaughter**

MD of Willow Creek

Three-Fifths (3/5) Majority Required  
*Endorsed by the Foothill-Little Bow District*

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WHEREAS Bill C-544, a bill to ban the importation of horses for slaughter in Canada, has been introduced to the House of Commons in the fall sitting of 2010;

WHEREAS Bill C-544 would have a negative impact on the horse slaughter business in Canada;

WHEREAS Bill C-544 would remove the right of Canadians and residents from other countries to eat horse meat;

WHEREAS Bill C-544 does not provide for the management of unwanted horses leaving them to possibly die of starvation versus being processed for food in a world where over one quarter of the earth's human population struggles to find enough to eat;

**THEREFORE BE IT RESOLVED that the AAMDC lobby the federal government and members of the opposition parties of Canada to withdraw or defeat Bill C-544 as presented by MP Alex Atmanenko.**

### **Member Background**

On October 20 several members of parliament presented petitions to the House of Commons to ban the importation of horses for slaughter for human consumption. The goal of those sponsoring these petitions is the eventual closure of existing horse slaughter plants in Canada through federal legislation.

Closure of horse slaughter plants affects employment and the right of the market place to chose the food that they wish to consume.

Closure of the horse slaughter industry will result in a massive increase of unwanted horse populations with no plan in place to manage the increase. Horses would be left to starve to death or die of disease due to over population.

Horse meat is a staple in many European countries as well as in some areas of eastern Canada. Horse meat is considered traditional by many cultures, dating back hundreds of years.

The banning of horse processing in the United States has led to the inhumane treatment of the aged equine populations and challenges pasture management requirements.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue. A copy of the bill can be found at [www.parl.gc.ca/common/bills.asp?Language=E](http://www.parl.gc.ca/common/bills.asp?Language=E).

**CAO Comment: Recommend support as per previous discussions.**

Resolution 11-11S

## **Maintenance of Secondary Highways**

Woodlands County

Simple Majority Required

*Endorsed by the Pembina River District*

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WHEREAS there are approximately 32,000 kilometres of highway which the Government of Alberta's Transportation Ministry is responsible for maintaining to ensure the safety of motorists;

WHEREAS contractors are hired to perform the function of snow removal and ice control on Alberta's highways;

WHEREAS highway conditions directly affect the safety of the travelling public;

WHEREAS it is the Government of Alberta's responsibility to inspect and ensure that highways are removed of snow and ice conditions are controlled in accordance with the levels of service specified in a third party maintenance contract;

WHEREAS municipalities throughout Alberta feel that the contractors hired by the Government of Alberta to perform highway maintenance in the province have inadequate resources to provide an acceptable service level for snow removal and ice control during periods of significant snowfall, as was experienced in January 2011;

WHEREAS municipalities throughout Alberta feel that it is unacceptable for a provincial highway to remain impassible for more than a few hours as a result of the accumulation of snow and ice;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urges the Government of Alberta to review and improve the requirements of contractors which perform the function of snow removal and ice control on highways, including secondary highways, throughout the province.**

### **Member Background**

Due to a heavy snowfall through much of Alberta in January 2011, it was evident the contractors hired by the Government of Alberta to remove snow and control ice on provincial highways did not have adequate resources to handle the situation.

For example, Secondary Highway 658 through Woodlands County was not plowed for more than 27 hours during a period of heavy snowfall on January 7 and 8, 2011. As a result, the highway had in excess of 30 centimetres (one foot) of snow on the road surface, leaving it impassible to the general public, but more importantly to emergency vehicles.

Municipalities and motorists in Alberta need assurance that the province, and subsequently, the contractors hired to maintain highways, have adequate resources to handle large snowfalls in the winter.

### **AAMDC Background**

While the AAMDC does not have any active resolutions related to this issue, a similar theme was included in a recently expired resolution.

Resolution 7-07S (expired): **THEREFORE BE IT RESOLVED** that the Alberta Association of Municipal Districts and Counties request that Alberta Infrastructure and Transportation review the minimum service guidelines and employ performance measures to ensure Alberta Highways are safe for the motoring public in winter conditions; and

BE IT FURTHER RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Infrastructure and Transportation establish and develop communication protocols to ensure all complaints and concerns are addressed in a timely manner.

**CAO Comment: Recommend not support. From the background it appears this is a single incident. A more appropriate approach is for the municipality to meet with the Regional Director of AT or the Minister to discuss their concerns.**

Resolution 12-11S

## Review of Duplication Between Safety Legislation

County of Thorhild

Simple Majority Required

*Endorsed by the Pembina River District*

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WHEREAS the *Occupational Health and Safety (OH&S) Act* requires all municipalities to have a safety program;

WHEREAS municipalities (as employers) and their employees are full partners in maintaining safe workplaces as they operate large motor vehicles;

WHEREAS municipalities fall into the jurisdiction of Carrier Services, a branch of Alberta Transportation, that is responsible for monitoring commercial carriers in adherence to the National Safety Code (NSC) requirements;

WHEREAS Alberta Transportation is randomly auditing municipalities for their compliance with requirements of the NSC and the *Commercial Vehicle Certificate and Insurance Regulation*;

WHEREAS there is a significant duplication of requirements and efforts between OH&S and NSC requirements;

WHEREAS the costs of complying with both pieces of legislation have a significant impact on Alberta municipalities, especially smaller ones;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to review both OH&S and Transportation Fleet Safety legislation to identify areas of duplication and to promote joint compliance.**

### **Member Background**

The County of Thorhild has an OH&S program. Council, management, and staff of this municipality have made a commitment to achieve the Certificate of Recognition (COR) by December 31, 2011.

In 2010, the County of Thorhild was randomly audited by Alberta Transportation Carrier Services and found deficient in some areas identified by the audit report.

Very few municipalities were aware of this issue until recently (AAMDC has since distributed a member bulletin).

The County has over 45 vehicles subject to Transportation Fleet Safety regulations as these regulations apply not only to big trucks but to emergency response vehicles and passenger vans.

The County had to increase the amount of resources budgeted to comply with the audit.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue but did release a member bulletin entitled *Information on Alberta Transportation's Safety Audit for Vehicle Operations* on January 12, 2011. Visit [www.aamdc.com](http://www.aamdc.com) for more details.

**CAO Comment: Recommend Not suport – Municipal vechiles are subject to provincial regulations the same as any other carrier.**

Resolution 13-11S

## **Return the Use of Rendering Industry for Dead Livestock Removal Through Compensation**

MD of Willow Creek

Simple Majority Required  
*Endorsed by the Foothill-Little Bow District*

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WHEREAS prior to the discovery of BSE in Canada, Alberta had a viable rendering industry that removed dead livestock from the farm gate;

WHEREAS attempts at on-farm disposal attract livestock predators such as coyotes, wolves and grizzly bears;

WHEREAS incidents of large carnivore interaction with farm families are increasing, causing real public safety concerns;

WHEREAS as the primary producer, the cow-calf operator or lamb producer once again bears the cost of regulations implemented for the entire production chain;

**THEREFORE BE IT RESOLVED that the AAMDC lobby the federal and provincial government to compensate cow-calf producers and lamb producers for dead stock pickup fees.**

### **Member Background**

Pre-BSE Alberta had viable rendering industry that removed a significant amount of the dead livestock from our rural landscape. Implementation of feed ban and specified risk material regulations has made on farm pickup unrealistic.

On farm disposal of dead livestock can be very challenging in bear country. Bears will dig up 8 feet of cover in a dead animal pit to access a dead carcass. Every bear in Southern Alberta digs a den big enough to live in, they are very efficient excavators. Alberta's predators are becoming habituated to dead livestock and predation is the next step. Burial is difficult under frozen conditions and incineration is not often practical. Research has proven that wolves will return to old dead pits on a regular basis, using them as waypoints as they travel their territories.

Albertans enjoy a healthy and expanding wildlife population. Wolves have impacted cattle in both the north and south of the province causing significant losses. Farm families and the general public are increasingly at risk as grizzly encounters become more common in the ranch country of the eastern slopes. A recent bounty on coyotes in Saskatchewan cost \$1.4 million and took out 70,000 coyotes. Saskatchewan is now implementing a compensation program for coyote predation. In Alberta money would be better spent being proactive, removing attractants and reducing scavenging of livestock to a minimum.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue. However, this has a similar theme to a recently expired resolution.

Resolution 16-07F (expired): THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the CFIA and Alberta Environment with the intent of ensuring that the policies, regulations and procedures regarding the handling, transportation and disposal of SRM's, and carcasses containing SRM's are practical and do not discourage livestock owners from using good practices in disposal of carcasses.

**CAO Comment: Recommend not support. This issue is local in nature and should be lobbied for directly by the sponsoring municipality with the Minister of Agriculture or, with other SE Slopes municipalities.**

Resolution 14-11S

## School Bus Transportation Funding Formula

MD of Greenview

Simple Majority Required  
*Endorsed by the Northern District*

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WHEREAS reasonable access to education is a component critical in providing a high quality of life for rural families;

WHEREAS access to education is a right guaranteed for all children by Section 23 of *Canadian Charter of Rights and Freedoms*;

WHEREAS accessing this right for rural students requires the transportation to and from schools within a reasonable ride time;

WHEREAS the current rural transportation funding formula results in many rural public school students riding a bus for excessive times each day;

WHEREAS requirements for a balanced budget often means that deficits in transportation may be offset by a reduction in spending in the classroom;

WHEREAS in jurisdictions with sparse population densities, the per student cost of transportation exceeds that of more heavily populated jurisdictions;

**THEREFORE BE IT RESOLVED that the AAMDC encourage the province to revisit the school bussing transportation formula to ensure an equitable distribution of transportation funding between jurisdictions.**

### Member Background

As educational transportation funding becomes increasingly tight, rural school divisions must either increase revenues or decrease expenditures. Increasing revenues can only mean transportation fees charged to parents. Decreasing expenditures usually requires larger buses picking up more students or route consolidation. Both of these alternatives result in increased ride times for students.

The current rural transportation funding model is based on a grid placement based on weighted passengers and school division area density that places a school division in a funding cell. The principle of “as density increases, fewer dollars are required for transportation” is applied. Increments across the grid are inconsistent and issues surround the calculation of density. The last time a major review of the rural transportation allocation grid was over a decade ago.

The Milne Report (2005) questions the equity of the current density grid used for the funding formula, and recommends a review of the grid as, in its words, “One may conclude (with apologies to George Orwell) that all rural school boards are funded equitably under the Rural Transportation funding formula, but some boards are more equitably funded than others.”

Some comments from rural school divisions with respect to the transportation funding are as follows:

- The funding formula does not address declining enrolments in rural jurisdictions. In rural Alberta we face a steady decline in student enrolment. We find that we lose students yet bus route distances often remain the same. As a result, we receive fewer dollars to operate the routes. Our only option is to consolidate bus routes and this often results in longer bus rides for students.



- Decrease in enrolment means decreased revenue, but expenses don't decrease proportionately. We lost over 200 students last year, but they don't disappear from the same areas so it doesn't necessarily result in less school buses. We travel greater distances for fewer students
- Due to the Alberta farming economy, children that graduate are no longer returning to the family farm. We are trying to overcome this problem by cutting routes where we can but the funding per student is impacting not only transportation but our schools as well.
- Our land base is so large and more families are moving closer to the urban areas but we still have those students in the rural areas that have to be transported from the farthest corners of the division

In some jurisdictions with very high density, excess transportation funding is being used to subsidize other needs, whereas in jurisdictions with low densities, funding is being withdrawn from other areas of school operations and being utilized to subsidize transportation costs.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue.

**CAO Comment: Recommend non-support This resolution should be promoted by the Alberta School Board Association.**

Resolution 15-11S

## **Impacts of Mandatory Training on the Sustainability of Volunteer and Paid On-Call Fire Departments**

Cypress County

Three-Fifths (3/5) Required  
*Individual Resolution*

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WHEREAS the Alberta Emergency Management Agency has been engaging working committees, including one for Fire and Emergency Services Training Initiative (FESTI) to make certain recommendations on the training of volunteer fire fighters;

WHEREAS the Stakeholder Engagement Report is recommending that there be certain mandatory requirements for volunteer fire fighters;

WHEREAS any such mandatory requirements could hasten the demise of small rural fire departments;

WHEREAS municipal councils remain committed to ensuring adequate training for the safety of both the public and fire fighters and are best positioned to determine local needs;

**THEREFORE BE IT RESOLVED that the AAMDC advocate to the Government of Alberta to consider the potential negative impacts of mandatory training requirements on the sustainability of local fire departments utilizing volunteer and paid-on call fire fighters.**

**FURTHER BE IT RESOLVED that the AAMDC urge the Government of Alberta to identify training requirements and enable municipalities to address training needs in a discretionary manner.**

### **Member Background**

Rural municipalities support the training of volunteer fire departments and appreciate the funding the provincial government has provided for training over the past few years. However this latest initiative of the Fire Commissioner's Office goes too far in that it appears that the recommendation is to make minimum training mandatory. Cypress County has been offering training courses for many years and many of the volunteers in our 7 departments have availed themselves of the training. Where the problem arises is that in certain cases the members, even though they attend the courses, and take the training, do not want to write the exams and complete the certification. This could be for a number of reasons, but the fact is that we will lose these people if the certification becomes mandatory.

The second issue here is autonomy. Rural municipalities have always advocated for local decisions and opposed unduly burdensome rules from the government. The report should recommend training levels and then elected officials should continue to be empowered to do their due diligence in making the proper decisions as each council deems appropriate.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue.

**CAO Comment: Recommend non support. OH&S guidelines legislates that employers adequately trains their employees. The FESTI initiative provides a standard by which fire fighters can be evaluated.**



# MEMBER BULLETIN

February 23, 2011

## Resolutions for the AAMDC Spring 2011 Convention

The submitted resolutions and order paper, as determined by the Resolutions Committee, are attached for your consideration. Please notify Michelle Hay at [michelle@aamdc.com](mailto:michelle@aamdc.com) of any errors or omissions as soon as possible. Also attached is the resolution process for the session at convention.

Any emergent resolutions will be reviewed by the Resolutions Committee to determine if they meet the definition of emergent as outlined in AAMDC Bylaw 6(L). If a resolution is not deemed emergent in nature, it will be referred back to the sponsor for submission through the appropriate process. If the Resolutions Committee finds the resolution is truly emergent, it will come to the convention floor. **The member bringing forward the emergent resolution must, at their own expense, provide 600 copies for all delegates.**

Enquiries may be directed to:

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Policy Analyst  
780.955.4085

Kim Heyman  
Director, Advocacy & Communications  
780.955.4079

### Attachments

## AAMDC Spring 2011 Order Paper

Resolution Session at the Spring 2011 Convention of the Alberta Association of Municipal Districts and Counties (AAMDC):

- 1) Call to Order
- 2) Appointment of Parliamentarian
- 3) Acceptance of the Rules of Procedures set out in the Resolution Process
- 4) Acceptance of Order Paper
- 5) Appointment of Parliamentarian
- 6) Resolution Session
  - 1-11S **Approval of Revised AAMDC Bylaws** (*AAMDC Executive*)
  - 2-11S **Local Authorities Election Act – Election Term** (*MD of Foothills*)
  - 3-11S **Development of Assessors in Rural Alberta** (*MD of Taber*)
  - 4-11S **Request for Amendment of Municipal Government Act to Expand Off-site Levies to Include Capital Costs of New Facilities for Essential Services** (*Rocky View County*)
  - 5-11S **Restructured Support for Regional Economic Development Alliances Puts Regional Economic Development at Risk** (*MD of Spirit River*)
  - 6-11S **Municipal Sustainability Initiative Approval Process** (*MD of Foothills*)
  - 7-11S **Natural Resources Conservation Board Approval Process** (*Vulcan County*)
  - 8-11S **Liability on Sustainable Resource Development Lease Lands** (*MD of Big Lakes*)
  - 9-11S **Sale of Sustainable Resource Development Lease Lands** (*MD of Big Lakes*)
  - 10-11S **Oppose Bill C-544 Banning the Importation of Horses for Slaughter** (*MD of Willow Creek*)
  - 11-11S **Maintenance of Secondary Highways** (*Woodlands County*)
  - 12-11S **Review of Duplication Between Safety Legislation** (*County of Thorhild*)
  - 13-11S **Return the Use of Rendering Industry for Dead Livestock Removal Through Compensation** (*MD of Willow Creek*)
  - 14-11S **School Bus Transportation Funding Formula** (*MD of Greenview*)
  - 15-11S **Impacts of Mandatory Training on the Sustainability of Volunteer and Paid On-Call Fire Departments** (*Cypress County*)
- 7) Acceptance of Emergent Resolutions
- 8) Vote on Emergent Resolutions
- 9) Closing of Resolution Session

Resolution 1-11S

**Approval of Revised AAMDC Bylaws**

AAMDC Executive

-Fifths (3/5) Required  
*Individual Resolution*

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WHEREAS the 2010 Executive Review Committee recommended the bylaws undergo a complete review;

WHEREAS *Mapping Success: The AAMDC Strategic Plan* has an objective to update written organizational policies and procedures;

WHEREAS at the Fall 2010 convention, members endorsed both the recommendation of the 2010 Executive Review Committee and *Mapping Success: The AAMDC Strategic Plan*;

WHEREAS in demonstrating the values of responsiveness and accountability, the AAMDC Board of Directors commissioned a comprehensive legal review of the existing AAMDC bylaws;

WHEREAS the proposed new bylaws were distributed in compliance with the three-month requirement in the existing bylaws;

WHEREAS the AAMDC is unique in that the association was formalized in 1923 through the *Alberta Association of Municipal Districts and Counties Act*;

WHEREAS the AAMDC became aware through the bylaw review that it was time for further amendments to align the *Act* with current practices and operations;

WHEREAS any member-endorsed bylaws would not become effective until the related amendments to the *Alberta Association of Municipal Districts and Counties Act* are proclaimed;

**THEREFORE BE IT RESOLVED that the members approve the Alberta Association of Municipal Districts and Counties revised bylaws; and**

**FURTHER BE IT RESOLVED that the AAMDC implement the revised bylaws presented as soon as the necessary amendments to the Alberta Association of Municipal Districts and Counties Act are proclaimed.**

**Member Background**

N/A

**AAMDC Background**

The AAMDC has recently completed a comprehensive bylaw review in response to member direction through the 2010 Executive Review. Overall, the proposed new

bylaws are succinct, clear, modern and in alignment with commonly accepted practices within this and other municipal associations.

Through our bylaw review, the AAMDC recognized the importance of our incorporating legislation and the resulting impact on bylaws. The AAMDC is unique in that the association was formalized in 1923 through the *Alberta Association of Municipal Districts and Counties Act*. As the organization continued to evolve, the *Act* was amended in 1971 and 1984. In conjunction with the bylaw review, the AAMDC became aware that it was time for further amendments to align the *Act* with current practices and operations. As such, the association has initiated the process to bring forward a bill to that effect.

The proposed bylaws are as follows:

**ALBERTA ASSOCIATION OF MUNICIPAL DISTRICTS AND COUNTIES**  
(The “Association”)

**OBJECTS**

The Objects of the Association are as follows:

1. To promote the interests of Rural Municipalities throughout the Province;
2. To bring about the economical and efficient administration of the affairs of Rural Municipalities and of all duties and the execution of all works undertaken by or imposed upon Rural Municipalities;
3. To cooperate for the promotion, guidance and improvement of legislation, both Dominion and Provincial, upon municipal questions;
4. To cooperate for the purpose of protecting Rural Municipalities, from impairment in status, capacity or powers;
5. To do all acts and things which appear to the Association conducive to the good and welfare of Rural Municipalities;
6. To buy, sell, deal in, and otherwise act as mercantile agents, in respect of any goods, chattels, commodities and services, which are or may be required by any municipal district, county or any other body of authority exercising the functions of local government in connection with the carrying out of any of the functions, powers, duties, capacities or works which a municipal district, county, or any other body aforesaid is by law authorized to carry out;
7. To acquire and dispose of land to the extent required for the purposes of the Association;
8. To do and perform all acts and things incidental to and necessary for the purpose of affecting any of the aforesaid objects.

**BYLAWS**

Name of Association

**ALBERTA ASSOCIATION OF MUNICIPAL DISTRICTS AND COUNTIES****A. DEFINITIONS**

1. The following terms shall have the associated meanings set forth below:
  - (a) "Act" means the *Alberta Association of Municipal Districts and Counties Act*, S.A. 1923, c. 67, as amended from time to time;
  - (b) "Aggregated Business Services" shall mean the delivery of business services and goods to Members through entities including, but not limited to, the Trade Division, Jubilee Insurance Agencies Ltd., and Prairie Fuel Advisors;
  - (c) "Association" shall mean the Alberta Association of Municipal Districts and Counties;
  - (d) "Board of Directors" or "Directors" shall mean the board of directors of the Association;
  - (e) "Convention" shall mean the annual general meeting of the Association, which is held in the fall in each year and may include any additional meetings called from time to time by the Association;
  - (f) "Convention Chair" shall mean the individual selected by the Board to act as chair of a particular Convention;
  - (g) "District" shall mean a grouping of two or more Rural Municipalities;
  - (h) "Executive Director" shall mean the chief staff officer hired by the Board to oversee the management and operations of the Association and who shall act as the Secretary-Treasurer of the Association;
  - (i) "Member" shall mean a Full Member and an Associate Member;
  - (j) "Province" shall mean the Province of Alberta;
  - (k) "Rural Municipality" shall mean a municipal district created pursuant to the Municipal Government Act, R.S.A. 2000, c. M-26, county, or other special area or specialized municipality within the Province; and
  - (l) "Voting Delegates" shall mean within each municipality that is a Full Member, the number of elected officials within the municipality.

**B. MEMBERSHIP**

2. There shall be the following categories of membership within the Association: Full Membership and Associate Membership, with the specific characteristics set forth below:

- (a) Full Members of the Association shall consist of councils of Rural Municipalities, who have paid the applicable membership fee for the year. Ownership of the assets of the Association shall be vested exclusively with the Full Members and, upon dissolution of the Association, or at such other times as the Board may determine, distribution of assets will be made amongst the Full Members. Full Members shall be voting Members, and shall, at each Convention, have that number of votes equal to the number of Voting Delegates of the Member in attendance.
- (b) Associate Members shall consist of those organizations and institutions whose objects relate to the welfare and advancement of Rural Municipality ratepayers or residents, and without restricting the generality of the foregoing, shall include school divisions, school districts, towns, villages, cities, hospital districts, health units, senior citizens' homes, municipal, community and recreation organizations, irrigation districts and water boards, and cooperatives supplying electric power or natural gas associations comprised of the said organizations or institutions, who have paid the applicable membership fee for the year. The rights and privileges of Associate Members shall be limited to all trading privileges within the Aggregated Business Services. Associate Members are non-voting members and are not entitled to participate in a distribution of the assets of the Association.
- (c) Notwithstanding sections 2(a) and 2(b) above, the Board of Directors may, in its sole discretion, allow duly incorporated specialized municipalities Full Member or Associate Member status.
3. Any Member wishing to withdraw its membership may do so upon one year's prior written notice to the Board.
- C. MEMBERSHIP FEE**
4. Annual fees for all Members shall be as set by the Board.
5. In each year, the respective membership fee shall be paid to the Association and shall be due and payable by each Member on or before September 1st. The membership fees paid are non-refundable.
- D. CONVENTION (MEETINGS OF THE MEMBERS)**
6. The annual Convention of the Association shall be held at a location and upon dates to be selected by the Board.
7. Conventions of the Association may be called at any time by the Executive Director upon the instructions of the Board by notice in writing, at least twenty-one (21) days prior to the date of such Convention. The accidental omission to give notice of a Convention, or the non-receipt of a notice by, any of the Full Members entitled to receive notice does not invalidate proceedings at the Convention. The Full Members of the Association may petition a Convention by submitting a petition signed by at least fifty (50%) plus one (1) of the Full Members in good standing, to the President of the Association, setting forth the reasons for calling such Convention. The Convention Chair shall then call the Convention to order at the hour, time and place for which it is advertised. Included in each notice of the Convention shall be an agenda for the conduct of the Convention.
8. Fifty per cent (50%) plus one (1) Voting Delegates shall constitute a quorum at any Convention. No business other than the adjournment or termination of a Convention shall be conducted at a convention at a time while quorum is not present. All Voting Delegates shall, on request by the individual designated by the Board to verify credentials, be required to furnish their credentials



proving their election to office within their respective District, prior to the opening of the Convention.

9. If within thirty (30) minutes from the time appointed for a Convention a quorum is not present, the Convention, if convened on the requisition of Full Members shall be terminated; but in any other case, it shall stand adjourned to the day, time and place determined by the Convention Chair, and if, at the adjourned meeting, a quorum is not present within thirty (30) minutes from the time appointed for the Convention, the Members then present shall constitute a quorum.
10. The Board or its designate(s) shall present to the Convention: (i) a financial statement, properly audited, covering the transactions of the previous year; (ii) a full report of its year's work; and (iii) a summary of those items of business and/or advocacy as directed by the Full Members.

#### E. ELECTION OF DIRECTORS AND OFFICERS

11. As necessary, at the Convention, there shall be elected a President or Vice President, and/or five (5) directors, one (1) representing each of the Districts identified below (the "District Directors"). The officers and directors so elected shall form the Board, and shall serve until their successors are elected and installed.

##### District Directors

- (a) District No. 1: Foothills Little Bow
  - (b) District No. 2: Central
  - (c) District No. 3: Pembina River
  - (d) District No. 4: Northern
  - (e) District No. 5: Edmonton East
12. The Board shall, subject to the bylaws or directions given it by majority vote at any Convention meeting properly called and constituted, have full control and management of the affairs of the Association, and meetings of the Board shall be held as often as may be required, but at least three (3) times per year, and shall be called by the President. Meetings of the Board shall be called on at least three (3) days written notice to each Director. Attendance by the majority of the Board shall constitute a quorum. A Director may participate in a meeting of Directors by means of a telephone or other communication facility that permits all persons present to hear each other.
  13. Persons shall be eligible to become Directors of the Association if they meet the following eligibility requirements: the individual (i) is a duly elected official of a Full Member in good standing with the Association; (ii) has not been found by a court of competent jurisdiction to be a mentally incompetent person, or of unsound mind; (iii) does not have the status of a bankrupt; and (iv) is not currently an elected official in any federal or provincial election. In the event that a Director ceases to hold office in his/her own Rural Municipality as the result of a municipal election, he/she shall be deemed to cease being a director of the Association effective at the conclusion of the next following Convention. All resignations of Directors shall be addressed to the Association.
  14. Any Director, upon a majority vote of Full Members in good standing, may be removed from office for any cause which the Association may deem reasonable.
  15. The Full Members shall elect, by nomination and a clear majority, a President for a term of two (2) years that alternates with the two (2) year term of the Vice President. This term shall

commence at the conclusion of the Convention at which he/she is elected, and shall, unless sooner vacated, terminate at the conclusion of the fall Convention two (2) years hence.

16. The Full Members shall elect, by nomination and a clear majority, a Vice President for a term of two (2) years that alternates with the current two (2) year term of President. This term shall commence at the conclusion of the Convention at which he/she is elected, and shall, unless sooner vacated, terminate at the conclusion of the Convention two (2) years hence.
17. The District Directors are elected for a term of two (2) years. Each District shall meet as required to elect its representative Director and report the same to the Association.
18. The Directors and officers of the Association shall receive the remuneration determined by the Board.

#### **F. VACANCIES**

19. If during any year there is a vacancy in the Board is that of President, the Vice President shall assume the role of interim President until such time as an election for President can be held at the next following Convention. If a vacancy in the Board is that of Vice President, the vacancy shall remain open until the next following Convention.
20. If during any year there is a vacancy occurring on the Board at any time among the District Directors, the Board shall give notice to the affected District, which shall constitute a meeting for the purpose of electing the successor District Director. The results of such election shall be reported to the Association, and the successor District Director shall hold office until the time at which the previous Director's term of office would have expired.
21. The President shall be ex-officio a member of all Board committees. He/she shall, when present, preside at all meetings of the Board. In his/her absence, the Vice President shall preside at any such meetings. In the absence of both, a chairperson may be elected at the meeting to preside.

#### **G. FINANCIAL YEAR**

22. Unless otherwise established by the Board from time to time, the financial year of the Association shall be from the first day of August to the thirty-first day of July in the following year.

#### **H. AUDITING**

23. The books and records of the Association shall be audited at least once each year by a duly qualified accountant. A complete and proper statement of the standing of the books for the previous year shall be submitted to the Members at the Convention.
24. The books and records of the Association may be inspected by any Full Member of the Association at the Convention or at anytime upon giving reasonable notice and arranging a time satisfactory to the officer or officers having charge of same. Each Director shall at all times have access to such books and records.

#### **I. BORROWING POWERS**

25. For the purpose of carrying out its Objects, the Association may borrow or raise or secure the payment of money in such manner as it thinks fit, or issue debentures for the purpose of carrying out its objects.

#### **J. AMENDMENT OF BYLAWS**

26. These bylaws may be amended or repealed by three-fifths (3/5) of the votes of the Full Members called for that purpose provided that notice of such amendments have been circulated to the Full Members at least twenty one (21) days prior to a Convention where such vote will be held.

Resolution 2-11S

**Local Authorities Election Act - Election Term**

MD of Foothills

Three-Fifths (3/5) Majority Required

*Endorsed by the Foothill-Little Bow District*

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WHEREAS the *Local Authorities Election Act* sets a 3-year term for municipal councillors;

WHEREAS the shortness of the term severely impedes the ability of municipalities to formulate and implement long-range planning policies, capital and operating budgets;

WHEREAS the duties and responsibilities of municipal elected officials have increased and become more complex leading to a longer orientation period;

WHEREAS the 3-year term has a negative financial impact on tax payers;

WHEREAS a 4-year term would improve the effectiveness of municipal elected officials, allow for greater efficiencies in planning and long-range programming and reduce costs;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Province of Alberta amend the *Local Authorities Election Act* to set a 4-year term for municipal elected officials.**

**Member Background**

As all elected officials are aware elections are operationally disruptive and in addition to the costs associated with the election itself, they increase the costs of operating a municipality. Increasing the term from three years to four years would not impact negatively the rights of the voters, but the additional year would allow for the development and implementation of longer range plans as required by the Province of Alberta.

Due to the ever-increasing complexity of operating a municipality, the growing list of services provided by municipalities and the time necessary to develop positive inter-municipal and regional relationships, a 3-year term is not sufficient to set priorities and programs and implement them. The additional year would allow for a proper orientation for newly elected officials instead of the sink-or-swim method of today. This would provide additional time to develop and implement multi-year budgets, capital replacement programs, municipal development plans and growth strategies.

Elections are like traffic lights and the shorter the distance between them the more time you spend stopping and starting and little time cruising at your maximum efficiency. Every so often you need to check your vehicle, gas it up and make sure you are on the right road - that's what elections are for. In today's world, three years does not provide enough distance between the lights.

**AAMDC Background**

Resolution 9-09S: THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to amend Section 10.1 of the *Local Authorities Election Act* to extend the term for elected officials to hold office from a three-year term to a four-year term with a general election to be held every 4th year commencing with the year 2013.

Resolution 3-11S

**Development of Assessors in Rural Alberta**

MD of Taber

Simple Majority Required

*Endorsed by the Foothill-Little Bow District*

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WHEREAS municipalities are required to prepare annual assessments on property;

WHEREAS regulatory requirements for assessor accreditation and assessment preparation continue to increase;

WHEREAS it is becoming increasingly difficult to attract and maintain assessors within rural municipalities;

WHEREAS Alberta Municipal Affairs has reduced or eliminated research, development and support for Alberta Assessment Manuals including important resources such as the Non-Residential Building Cost Manual;

WHEREAS Alberta Municipal Affairs has indicated that a reduction or elimination of funding provided to the Alberta Assessors Association (AAA) for provision of course development and training to its members is forthcoming;

WHEREAS the recruitment and retention of rural oriented assessors and the maintenance and improvement of quality assessments will result in a stable tax base for municipalities which is *critical* to municipal sustainability;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties and Alberta Municipal Affairs explore the creation of a joint committee with the Alberta Assessors Association for the purpose of pursuing the mutual interest of training, education, and retention of rural assessors including the establishment of an assessor trainee / internship / co-operative program, the development of a machinery and equipment training course, and suitable farmland training for rural assessors.**

**Member Background**

Prior to 1994 Alberta Municipal Affairs (AMA) performed the assessment function for many of the rural and small urban municipalities at a greatly subsidized cost. Other municipalities hired their own assessment staff with little or no subsidy for staffing costs. AMA also provided much of the formalized training including course development and all Alberta assessment manuals.

After privatization, in 1994, some assessors left the profession completely, some took 'in-house' positions and others became contractors responsible for *several* municipalities. AMA *no longer* subsidized these assessments and these municipalities began to discover the true cost of assessment preparation.

Regulatory requirements and duties for assessors continue to increase while resources for training and development continue to decrease. AMA regularly reforms assessment methods and standards thus further increasing the workload on the existing personnel including moving assessment to a market value approach from depreciated replacement cost, established annual assessment preparation from the previous 7-year cycle general assessment, required ASSET reporting for assessment audits, and have abandoned assessment manual support.

Requirements for accreditation with the AAA have steadily increased to keep pace with statutory and regulatory changes (MGA), and other industry associations (i.e. IPPAC, AIC, IAAO). These more stringent qualifications also reduce the recruitment of new assessors as they choose other fields requiring fewer qualifications for similar or greater compensation.

A 2004 study by AAA showed that 44% of the accredited assessors were planning on retiring within 5-10 years. There are probably already not enough accredited assessors to fill every statutory position required in the rural and small urban setting.

Assessors are choosing not to pursue assessment positions in rural areas for a variety of reasons including lifestyle, quality of life, and financial compensation. Many rural and small urban municipalities have been unable to recruit and *retain* assessors for vacant positions at any level in the past few years - a few of these positions still remain open. Most of the people entering the profession are gravitating to urban settings resulting in a further short fall of qualified rural assessors.

Vacant assessor positions tend to default to a contract assessment company which may already be under-staffed for the same reasons. Often contractors provide a training arena, and lose experienced staff to larger urban municipalities or private industry.

The development of qualified assessors through internship or co-operative programs would benefit municipalities by providing a pool of individuals required to replace retiring assessors.

Alberta Municipal Affairs has indicated a reduction or elimination of funding to the Alberta Assessors Association (AAA) for provision of course development and training to its members.

Alberta Municipal Affairs has reduced or eliminated research, development and support for Alberta Assessment Manuals including important resources such as the Non-Residential Building Cost Manual.

The ability for rural municipalities to recruit and retain rural oriented assessors is necessary to maintain and improve the quality of assessment that result in a stable tax base for municipalities which is *critical* to municipal sustainability.

Assessors in rural Alberta would benefit through training and participation in leadership positions within the Alberta Assessors Association and should be supported by their employers in doing so.

**AAMDC Background**

The AAMDC has no active resolutions related to this issue. However the AAMDC's *MGA Review: Final Assessment Recommendations* report calls for an assessor internship program.



Resolution 4-11S

**Request for Amendment of Municipal Government Act to Expand Off-site Levies to Include Capital Costs of New Facilities for Essential Services**

Rocky View County

Three-Fifths (3/5) Majority Required

*Endorsed by the Central District*

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WHEREAS the Province of Alberta continues to enjoy growth and development rates exceeding the Canadian average;

WHEREAS all jurisdictions are placing a greater emphasis on sustainable development, smart growth, and triple bottom line analysis of proposed development;

WHEREAS new growth and development has a 'causal' effect on the need for additional, identifiable capital expenditures to expand the provision of core services such as recreational facilities, fire halls and libraries;

WHEREAS local jurisdictions have a limited scope of 'own source' revenues and continue to fund the provision of essential services largely through their tax base unless they have a private agreement with a local branch of the Urban Development Institute and/or individual developers;

WHEREAS the Government of Alberta and local municipalities both benefit from orderly and well planned growth coordinated with capital costs of public services resourced through a fair and equitable funding program mechanism that assigns a defined portion of these costs to the development industry;

WHEREAS both the Alberta Association of Municipal Districts and Counties and the Alberta Urban Municipalities have passed resolutions calling upon the provincial government to amend Section 648 of the *Municipal Government Act* beyond the current provisions for assessment and payment of levies for supplying of water, sanitary sewage, storm sewage, and roads (i.e. Resolution 6-07F, and 2008.C.ii.3, respectively);

**THEREFORE BE RESOLVED that the Alberta Association of Municipal Districts and Counties renew their request that the Government of Alberta amend Section 648 (2) of the *Municipal Government Act* to grant local municipalities the authority to apply, and collect, off-site levies to pay for all or part of the capital costs of new or expanded facilities for fire halls, recreation facilities and libraries that are required as a result of ongoing growth and development.**

**Member Background**

See AAMDC expired Resolution 6-07F entitled "Advocating for Legislative Enactment of Expanded Municipal Authority to Access Revenues" available at [www.aamdc.com](http://www.aamdc.com). As well, see AUMA resolution 2008.C.ii.3 entitled "Authorizing Off-Site Levy to Provide Essential Services and Build Complete Communities" available at [www.auma.ca](http://www.auma.ca).

## **AAMDC Background**

The AAMDC has included expanded authority regarding off-site levies as part of its paper *MGA Review: Final Planning and Development Recommendations*. While the AAMDC does not have any active resolutions related to this issue, a similar theme was included in a recently expired resolution.

Resolution 6-07F (expired): THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Province of Alberta to advocate Legislative Enactment of Expanded Municipal Authority to access revenues as per the following:

THAT enabling legislation be passed to enact authority for Alberta Municipalities to levy an expanded scope of development levies in support of directly related local services and to assess limited split mill rates within the non-residential property class at the next sitting of the Provincial Legislative Assembly in the best interests of municipalities, the Province and taxpayers of Alberta.

Resolution 5-11S

**Restructured Support for Regional Economic Development Alliances Puts  
Regional Economic Development at Risk**

MD of Spirit River

Simple Majority Required  
*Endorsed by the Northern District*

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WHEREAS for over ten years the Alberta Government has embraced a partnership with Alberta municipalities to plan and undertake regional economic development initiatives of mutual interest. The success of this partnership has made Alberta a leader in the delivery of regional economic development and has resulted in numerous achievements.

WHEREAS after a lengthy delay of nine months and unresponsive communications with the department, Alberta Finance and Enterprise (AFE) announced:

- a new Memorandum of Understanding
- a FAQs Resulting from AFE's Restructuring of Support to REDAs
- a Synopsis of Key Changes

and delivered the news at a REDA Chairs meeting called by the Honourable Minister Snelgrove on Friday, February 4, 2011. The message delivered was:

1. the Alberta Government continues to value the partnership with REDAs and their work; and
2. in their opinion it was time for the REDAs to mature and be less dependent of provincial government support.

WHEREAS the issue for the REDAs is the dramatic unilateral change dictated by the department to the existing relationship (MOU) with no consultation with the REDA Chairs and the municipalities they represent. The changes were so significant, the province is putting many of the REDAs at risk. And the process to introduce the changes was abrupt and insensitive to what was thought to be a healthy and progressive relationship between the department and the REDAs.

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties encourages Alberta Finance and Enterprise (AFE) to enter into meaningful dialogue with Alberta municipalities through the AAMDC, AUMA and REDA Chairs, to put in place immediately a process to discuss a more achievable transition plan towards a mutually agreeable REDA Next Generation strategy.**

**Member Background**

Rural Alberta communities rely on REDAs to help plan and undertake economic development activities. The REDAs provide a forum and mechanism for municipalities to identify common issues and solutions to problems or opportunities beyond the limited resources of individual municipalities. Examples of big problems that benefit from the collective actions of municipalities include: the response to Transport Canada's Rail Freight Service Review; medical training in the rural communities; regional infrastructure needs including the future access to water; the retention of companies in rural communities through productivity initiatives; and the importance of supporting innovation and competitiveness as a way to retain and grow our rural communities. These are just a few that our alliance (PREDA) is involved in: if we ask the other 12 REDAs for their examples and success stories, the accomplishments would be equally as impressive and of significance to Alberta municipalities.

The most recent actions of Alberta Finance and Enterprise present a reoccurring impression (perception and reality) of 'downloading' by the province onto the municipalities and it was done in such a way that negatively impacts future relationships.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue.

Resolution 6-11S

**Municipal Sustainability Initiative Approval Process**

MD of Foothills

Simple Majority Required

*Endorsed by the Foothills-Little Bow District*

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WHEREAS the Municipal Sustainability Initiative has allowed municipalities to undertake projects of benefit to all Albertans;

WHEREAS this program plays a major role in infrastructure renewal generating numerous jobs throughout Alberta;

WHEREAS the application, approval and reporting aspects of this program generate substantial administrative costs both for the province, Municipal Affairs and municipalities;

WHEREAS the approval process results in delaying projects and in some cases increasing costs;

WHEREAS the guideline requiring projects to be a minimum of 10% of the total eligible grant unless regional in nature prevents lower cost infrastructure projects from proceeding, especially in hamlets;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties work with Municipal Affairs to implement changes to the MSI Program in order to reduce administrative costs, provide for a lower cost threshold for projects within hamlets, and allow projects to proceed in a more timely fashion.**

**Member Background**

Both the Province of Alberta and municipalities are committing substantial resources to the administration of this program. A results-based program where the province sets clear goals and guidelines and municipalities report on how the projects chosen have achieved those goals and meet the guidelines should reduce administrative costs. With the elimination of the application and approval portion of the process and with a clear set of rules, projects could proceed without delays and the uncertainty of whether they qualify for funding or not.

**AAMDC Background**

1-09F: THEREFORE BE IT RESOLVED that the AAMDC urge the Provincial Government to recognize the high priority on addressing municipal infrastructure needs for safety and economy for transportation of people and commodities by maintaining MSI funding levels set in its 10 year formula.

Resolution 7-11S

**Natural Resources Conservation Board Approval Process**

Vulcan County

Simple Majority Required

*Endorsed by the Foothill-Little Bow District*

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WHEREAS in recent meetings with the Natural Resources Conservation Board (NRCB) and Alberta Environment to discuss confined feeding operations (CFO) applications, concerns have arisen over matters such as the availability of water supply;

WHEREAS confined feeding operation developments are being approved before many other critical approvals such as water licenses and access;

WHEREAS the NRCB currently gives the proposed confined feeding operations the option of proving a water source before the development is approved or they can wait until after the development is approved;

WHEREAS all other municipal developments need to ensure that there is sufficient water before applying for a development;

WHEREAS it may be correct that other government agencies approve aspects of a confined feeding operation, it is the NRCB and Alberta Environment's responsibility to ensure that all requirements of a development are in place before granting an approval;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Province of Alberta to review its approval process for confined feeding operation developments and ensure all limiting factors such as water are taken into consideration before the development is approved.**

**Member Background**

Recently the NRCB approved for development a confined feeding operation within our county before the applicant had to prove that there was sufficient water for this operation. The municipality advised the operator that water is in short supply and it was recommended to either reconsider the location of this site or make alternate arrangements to pipe water into this site. The confined feeding operation has now been constructed and they have now discovered that there is not enough water to operate. This operation is currently running at a limited capacity with water being trucked in. To date the developer has been unsuccessful in negotiating easement agreements with adjacent land owners for an underground water line.

**AAMDC Background**

Resolution 6-08S (set to expire): THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the provincial government to direct the NRCB to review and decide upon applications for confined feeding operations

from a complete, holistic perspective, and not fragment the decision making process amongst multiple government agencies.

Resolution 8-11S

**Liability on Sustainable Resource Development Lease Lands**

MD of Big Lakes

Simple Majority Required

*Endorsed by the Northern District*

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WHEREAS the province (Alberta Sustainable Resource Development) requires that agricultural leaseholders provide access to recreational users on leased lands. This includes grazing and farm development leaseholders, who are required to provide “reasonable” access to the land for recreation;

WHEREAS the province requires that leaseholders provide an explanation of their rationale for denying access to the recreational users, and if disputed, SRD may issue an access order requiring the leaseholder to allow access;

WHEREAS leaseholders are required to provide access to recreational users, even if livestock are present, and the onus is on the leaseholder to prove the livestock are/may be impacted by the recreational users;

WHEREAS the leaseholder cannot deny access even if, in his opinion, the fire risk is too high;

WHEREAS the leaseholder cannot restrict the number of people who can access the lease;

WHEREAS the leaseholder may be held liable if recreational users become injured while engaged in activities on the leased lands;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties approach the Province of Alberta to request that Alberta Sustainable Resource Development review their policies concerning liability on leased lands, to ensure that leaseholders are not held liable for any injury or property damage resulting from the activities of recreational users while on leased land.**

**FURTHER BE IT RESOLVED that the province should hold all liability on leased land where access is granted at the discretion of the province, not the leaseholder.**

**Member Background**

Leaseholders have legitimate concerns regarding access granted to recreational users on leased lands. Under current regulations, recreational users are not required to contact the leaseholder in advance of access, except where the land is under a grazing lease or farm development lease disposition. Even in those instances, the access is at



the discretion of the local settlement officer at Alberta Sustainable Resource Development, not the landowner.

Our society is becoming more and more litigious, and the likelihood of litigation in the event of an injury or death to a recreational user on leased public lands, is increasing. Regardless of the behaviour or recklessness of others, the leaseholder may be held liable for injuries or property damages that may occur.

Recreational users have some legislated responsibilities and requirements, but often the users are unaware of their responsibilities or choose to ignore them. Penalties for failing to contact the leaseholder and request access are minimal. In addition, the responsibility for policing the lease and any infractions usually falls to the leaseholder and the penalty will likely be administered only if the individual is caught during the act of non-compliance.

The leaseholder is responsible for the expense of carrying liability insurance on property that he does not own, and cannot control access to. The province indicates that leaseholder liability is reduced unless negligence can be proven. But, in the event of injury or death to a recreational user and any subsequent litigation, the leaseholder is still obliged to expend considerable time and energy in defence of the lawsuit.

The current rules of access unfairly place responsibility for liability on the leaseholder, but restrict him from denying access to protect himself from litigation. The responsibility for liability should fall to the landowner (the Province of Alberta) who hold the power of discretion to allow access.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue.

Resolution 9-11S

**Sale of Sustainable Resource Development Lease Lands**

MD of Big Lakes

Simple Majority Required

*Endorsed by the Northern District*

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WHEREAS many long-term grazing lease disposition holders have invested time and money improving Sustainable Resource Development grazing leases, based on the terms and conditions of agreements that were originally in place, or that came as a result of policies developed in the early 1980s;

WHEREAS disposition holders rightfully anticipated that these improvements would benefit their farm businesses in the long term because they would, at a future date, be allowed to purchase their leased land for a fair market price as assessed on unimproved value, and without competition;

WHEREAS disposition holders had reasonable assurance that they would have priority of purchase rights when the land was converted to farm development leases or made available for sale;

WHEREAS policy changes in the late 1980s amended / rescinded earlier public land sales criteria, and this continues to have a negative impact on a number of long-term disposition holders who made improvements (as encouraged by the province) on their leases prior to policy changes.

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties approach the Province of Alberta to request that Sustainable Resource Development review their current land lease / sale policies to ensure that long-term disposition holders be allowed to purchase leased lands at prices assessed on unimproved values; and that leaseholders are not disadvantaged by a lack of recognition for development costs and improvements on leased land by the requirement for competition in the sale process.**

**Member Background**

Many grazing lease disposition holders have invested a considerable amount money to improve the usability and value of the leased land. Their decision to invest in the leases was based on the terms and conditions of agreements originally in place, or as a result of policies developed in the early 1980s, which were designed to encourage development of leases. Under the provincial policies of the time, the value of improvements would not be included in potential sale price to the leaseholder, because property sale prices were based on unimproved appraised value.

The rationale for policies in the mid-1980s (as described by the province) was that leaseholders would be more likely to invest in expensive improvements if they had a

measure of certainty that long term benefits for their investments would be realized. From this, disposition holders anticipated improvements they made would benefit their farm business over the long term.

Leaseholders also had reasonable assurance that they would have priority of purchase rights when the land was made available for sale. Again, decisions made by leaseholders were based, in part, on information provided by the minister's office and through public notices, and news releases (eg. information for lease conversion sent to leaseholders in September 1985).

The province encouraged conversion of grazing leases to farm development leases, with or without option to purchase, in order to prevent the fragmentation of farm units that incorporated leased lands as part of the farm assets. The province encouraged the development of grazing lease lands in settled areas, particularly in northern Alberta, where only a small percentage of the lease lands had intensive development and were desirable for acquisition to farm holdings.

However; by 1990, the province made changes to the land sales criteria which dismissed the priority right to purchase for disposition holders and allowed that lands available for sale would be open to public auction or tender. Additionally, sale price minimums were raised to 85% of market value, which now included the value of improvements.

In a letter to a leaseholder in May of 2010, the minister (Sustainable Resource Development) indicated that further to the above, an option available to the grazing leaseholder would be to request conversion to a farm development lease, without the option to purchase the land. The lease would then be issued through a competitive process. The rationale for changes to the previous sale criteria (as explained by the minister) is the government's fiduciary responsibility to realize a fair return for Albertans - best achieved through the competitive process.

While the need for fiscal responsibility to all Albertans is understood, the current land sales policies disregard the expenditures of those individuals who invested their own money to improve leased land. The current policy forces disposition holders to meet the highest bid on lands available for sale, and allows outside parties to compete for land that the disposition holder has worked to improve at his own expense. In effect, the disposition holder is being penalized for the investment made improving the land, in that, if he chooses to purchase the land and is the successful bidder, he must pay a second time for the value of improvements he had previously paid for.

## **TIMELINE**

**August 1985** The province (Public Lands and Wildlife) announced that changes had been made to the administration of public lands, granting existing grazing leaseholders the option to convert up to six quarters of leased land to farm development leases without competition from other applicants, with or without the option to purchase. It

noted recently introduced tendering systems and the opportunity for public auction of land.

**September 1985** The minister's office sent letters to leaseholders advising them that the sale price of lease purchases would be based on appraised unimproved value, unless range improvement funding had been provided by the province.

**November 1985** A news release was issued indicating the waiver of previous posting requirements for saleable lands, and advising that priority would be given to grazing leaseholders to convert land they have already improved. The press release indicated that saleable land criteria had not changed and referenced an information pamphlet which indicated:

- conversion from GRL to FDL, without competition
- priority right of conversion for current leaseholders
- priority right of purchase for current leaseholders
- safeguards against land speculation
- protection of lands within the eastern slopes region.

**February 1986** Letters were sent to leaseholders reiterating the benefits of conversion of improved grazing leases to farm development leases, the option to purchase improved grazing leases, and stressing exclusion of public lands in the eastern slopes from conversion or sale.

**January 1990** All policies created earlier in the decade had been rescinded.

**October 1998** A public land sales information document was available to leaseholders, indicating land sale values are set at fair market value (maximizing benefits to the Crown) using appraisal standards set for private land real estate. Land will be sold at public auction or tender, except for the following:

- land under disposition (with option to purchase) - current leaseholder can apply to purchase land without competition
- land under disposition (fully developed miscellaneous / recreation lease) - current leaseholder may apply to purchase land without competition

However, in cases of land under disposition (without option to purchase) current leaseholder does not have priority right to purchase land without competition

**May 2010** The Minister responded to a leaseholder enquiry and noted the following:

- leased land, up to one section, can be purchased (1985 - 6 quarters)
- sales are by public auction / tender (1985 - without competition)

- minimum price is 85% of fair market value, and leaseholder option to meet highest bid price (1985 - assessed unimproved value)
- leaseholder may convert grazing lease to farm development lease without option to purchase (1985 - conversions with / without purchase option)

**July 2010** The Minister responded to leaseholder enquiry indicating that all policies introduced in the mid-1980s had been rescinded in the late 1980s. Attached to the letter was information About Public Lands (effective September 2007) outlining criteria regarding public lands sales.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue.

Resolution 10-11S

**Oppose Bill C-544 Banning the Importation of Horses for Slaughter**

MD of Willow Creek

Three-Fifths (3/5) Majority Required

*Endorsed by the Foothill-Little Bow District*

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WHEREAS Bill C-544, a bill to ban the importation of horses for slaughter in Canada, has been introduced to the House of Commons in the fall sitting of 2010;

WHEREAS Bill C-544 would have a negative impact on the horse slaughter business in Canada;

WHEREAS Bill C-544 would remove the right of Canadians and residents from other countries to eat horse meat;

WHEREAS Bill C-544 does not provide for the management of unwanted horses leaving them to possibly die of starvation versus being processed for food in a world where over one quarter of the earth's human population struggles to find enough to eat;

**THEREFORE BE IT RESOLVED that the AAMDC lobby the federal government and members of the opposition parties of Canada to withdraw or defeat Bill C-544 as presented by MP Alex Atmanenko.**

**Member Background**

On October 20 several members of parliament presented petitions to the House of Commons to ban the importation of horses for slaughter for human consumption. The goal of those sponsoring these petitions is the eventual closure of existing horse slaughter plants in Canada through federal legislation.

Closure of horse slaughter plants affects employment and the right of the market place to chose the food that they wish to consume.

Closure of the horse slaughter industry will result in a massive increase of unwanted horse populations with no plan in place to manage the increase. Horses would be left to starve to death or die of disease due to over population.

Horse meat is a staple in many European countries as well as in some areas of eastern Canada. Horse meat is considered traditional by many cultures, dating back hundreds of years.

The banning of horse processing in the United States has led to the inhumane treatment of the aged equine populations and challenges pasture management requirements.

**AAMDC Background**

The AAMDC has no active resolutions related to this issue. A copy of the bill can be found at [www.parl.gc.ca/common/bills.asp?Language=E](http://www.parl.gc.ca/common/bills.asp?Language=E).

Resolution 11-11S  
**Maintenance of Secondary Highways**  
Woodlands County

Simple Majority Required  
*Endorsed by the Pembina River District*

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WHEREAS there are approximately 32,000 kilometres of highway which the Government of Alberta's Transportation Ministry is responsible for maintaining to ensure the safety of motorists;

WHEREAS contractors are hired to perform the function of snow removal and ice control on Alberta's highways;

WHEREAS highway conditions directly affect the safety of the travelling public;

WHEREAS it is the Government of Alberta's responsibility to inspect and ensure that highways are removed of snow and ice conditions are controlled in accordance with the levels of service specified in a third party maintenance contract;

WHEREAS municipalities throughout Alberta feel that the contractors hired by the Government of Alberta to perform highway maintenance in the province have inadequate resources to provide an acceptable service level for snow removal and ice control during periods of significant snowfall, as was experienced in January 2011;

WHEREAS municipalities throughout Alberta feel that it is unacceptable for a provincial highway to remain impassible for more than a few hours as a result of the accumulation of snow and ice;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urges the Government of Alberta to review and improve the requirements of contractors which perform the function of snow removal and ice control on highways, including secondary highways, throughout the province.**

**Member Background**

Due to a heavy snowfall through much of Alberta in January 2011, it was evident the contractors hired by the Government of Alberta to remove snow and control ice on provincial highways did not have adequate resources to handle the situation.

For example, Secondary Highway 658 through Woodlands County was not plowed for more than 27 hours during a period of heavy snowfall on January 7 and 8, 2011. As a result, the highway had in excess of 30 centimetres (one foot) of snow on the road surface, leaving it impassible to the general public, but more importantly to emergency vehicles.



Municipalities and motorists in Alberta need assurance that the province, and subsequently, the contractors hired to maintain highways, have adequate resources to handle large snowfalls in the winter.

### **AAMDC Background**

While the AAMDC does not have any active resolutions related to this issue, a similar theme was included in a recently expired resolution.

Resolution 7-07S (expired): THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Infrastructure and Transportation review the minimum service guidelines and employ performance measures to ensure Alberta Highways are safe for the motoring public in winter conditions; and

BE IT FURTHER RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Infrastructure and Transportation establish and develop communication protocols to ensure all complaints and concerns are addressed in a timely manner.

Resolution 12-11S  
**Review of Duplication Between Safety Legislation**  
County of Thorhild

Simple Majority Required  
*Endorsed by the Pembina River District*

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WHEREAS the *Occupational Health and Safety (OH&S) Act* requires all municipalities to have a safety program;

WHEREAS municipalities (as employers) and their employees are full partners in maintaining safe workplaces as they operate large motor vehicles;

WHEREAS municipalities fall into the jurisdiction of Carrier Services, a branch of Alberta Transportation, that is responsible for monitoring commercial carriers in adherence to the National Safety Code (NSC) requirements;

WHEREAS Alberta Transportation is randomly auditing municipalities for their compliance with requirements of the NSC and the *Commercial Vehicle Certificate and Insurance Regulation*;

WHEREAS there is a significant duplication of requirements and efforts between OH&S and NSC requirements;

WHEREAS the costs of complying with both pieces of legislation have a significant impact on Alberta municipalities, especially smaller ones;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to review both OH&S and Transportation Fleet Safety legislation to identify areas of duplication and to promote joint compliance.**

**Member Background**

The County of Thorhild has an OH&S program. Council, management, and staff of this municipality have made a commitment to achieve the Certificate of Recognition (COR) by December 31, 2011.

In 2010, the County of Thorhild was randomly audited by Alberta Transportation Carrier Services and found deficient in some areas identified by the audit report.

Very few municipalities were aware of this issue until recently (AAMDC has since distributed a member bulletin).

The County has over 45 vehicles subject to Transportation Fleet Safety regulations as these regulations apply not only to big trucks but to emergency response vehicles and passenger vans.

The County had to increase the amount of resources budgeted to comply with the audit.

**AAMDC Background**

The AAMDC has no active resolutions related to this issue but did release a member bulletin entitled *Information on Alberta Transportation's Safety Audit for Vehicle Operations* on January 12, 2011. Visit [www.aamdc.com](http://www.aamdc.com) for more details.

Resolution 13-11S

**Return the Use of Rendering Industry for Dead Livestock Removal Through Compensation**

MD of Willow Creek

Simple Majority Required

*Endorsed by the Foothill-Little Bow District*

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WHEREAS prior to the discovery of BSE in Canada, Alberta had a viable rendering industry that removed dead livestock from the farm gate;

WHEREAS attempts at on-farm disposal attract livestock predators such as coyotes, wolves and grizzly bears;

WHEREAS incidents of large carnivore interaction with farm families are increasing, causing real public safety concerns;

WHEREAS as the primary producer, the cow-calf operator or lamb producer once again bears the cost of regulations implemented for the entire production chain;

**THEREFORE BE IT RESOLVED that the AAMDC lobby the federal and provincial government to compensate cow-calf producers and lamb producers for dead stock pickup fees.**

**Member Background**

Pre-BSE Alberta had viable rendering industry that removed a significant amount of the dead livestock from our rural landscape. Implementation of feed ban and specified risk material regulations has made on farm pickup unrealistic.

On farm disposal of dead livestock can be very challenging in bear country. Bears will dig up 8 feet of cover in a dead animal pit to access a dead carcass. Every bear in Southern Alberta digs a den big enough to live in, they are very efficient excavators. Alberta's predators are becoming habituated to dead livestock and predation is the next step. Burial is difficult under frozen conditions and incineration is not often practical. Research has proven that wolves will return to old dead pits on a regular basis, using them as waypoints as they travel their territories.

Albertans enjoy a healthy and expanding wildlife population. Wolves have impacted cattle in both the north and south of the province causing significant losses. Farm families and the general public are increasingly at risk as grizzly encounters become more common in the ranch country of the eastern slopes. A recent bounty on coyotes in Saskatchewan cost \$1.4 million and took out 70,000 coyotes. Saskatchewan is now implementing a compensation program for coyote predation. In Alberta money would be better spent being proactive, removing attractants and reducing scavenging of livestock to a minimum.

**AAMDC Background**

The AAMDC has no active resolutions related to this issue. However, this has a similar theme to a recently expired resolution.

Resolution 16-07F (expired): THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the CFIA and Alberta Environment with the intent of ensuring that the policies, regulations and procedures regarding the handling, transportation and disposal of SRM's, and carcasses containing SRM's are practical and do not discourage livestock owners from using good practices in disposal of carcasses.

Resolution 14-11S

**School Bus Transportation Funding Formula**

MD of Greenview

Simple Majority Required

*Endorsed by the Northern District*

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WHEREAS reasonable access to education is a component critical in providing a high quality of life for rural families;

WHEREAS access to education is a right guaranteed for all children by Section 23 of Canadian Charter of Rights and Freedoms;

WHEREAS accessing this right for rural students requires the transportation to and from schools within a reasonable ride time;

WHEREAS the current rural transportation funding formula results in many rural public school students riding a bus for excessive times each day;

WHEREAS requirements for a balanced budget often means that deficits in transportation may be offset by a reduction in spending in the classroom;

WHEREAS in jurisdictions with sparse population densities, the per student cost of transportation exceeds that of more heavily populated jurisdictions;

**THEREFORE BE IT RESOLVED that the AAMDC encourage the province to revisit the school bussing transportation formula to ensure an equitable distribution of transportation funding between jurisdictions.**

**Member Background**

As educational transportation funding becomes increasingly tight, rural school divisions must either increase revenues or decrease expenditures. Increasing revenues can only mean transportation fees charged to parents. Decreasing expenditures usually requires larger buses picking up more students or route consolidation. Both of these alternatives result in increased ride times for students.

The current rural transportation funding model is based on a grid placement based on weighted passengers and school division area density that places a school division in a funding cell. The principle of “as density increases, fewer dollars are required for transportation” is applied. Increments across the grid are inconsistent and issues surround the calculation of density. The last time a major review of the rural transportation allocation grid was over a decade ago.

The Milne Report (2005) questions the equity of the current density grid used for the funding formula, and recommends a review of the grid as, in its words, “One may conclude (with apologies to George Orwell) that all rural school boards are funded

equitably under the Rural Transportation funding formula, but some boards are more equitably funded than others.”

Some comments from rural school divisions with respect to the transportation funding are as follows:

- The funding formula does not address declining enrolments in rural jurisdictions. In rural Alberta we face a steady decline in student enrolment. We find that we lose students yet bus route distances often remain the same. As a result, we receive fewer dollars to operate the routes. Our only option is to consolidate bus routes and this often results in longer bus rides for students.
- Decrease in enrolment means decreased revenue, but expenses don't decrease proportionately. We lost over 200 students last year, but they don't disappear from the same areas so it doesn't necessarily result in less school buses. We travel greater distances for fewer students
- Due to the Alberta farming economy, children that graduate are no longer returning to the family farm. We are trying to overcome this problem by cutting routes where we can but the funding per student is impacting not only transportation but our schools as well.
- Our land base is so large and more families are moving closer to the urban areas but we still have those students in the rural areas that have to be transported from the farthest corners of the division

In some jurisdictions with very high density, excess transportation funding is being used to subsidize other needs, whereas in jurisdictions with low densities, funding is being withdrawn from other areas of school operations and being utilized to subsidize transportation costs.

### **AAMDC Background**

The AAMDC has no active resolutions related to this issue.

Resolution 15-11S

**Impacts of Mandatory Training on the Sustainability of Volunteer and Paid On-Call Fire Departments**

Cypress County

Three-Fifths (3/5) Required

*Individual Resolution*

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WHEREAS the Alberta Emergency Management Agency has been engaging working committees, including one for Fire and Emergency Services Training Initiative (FESTI) to make certain recommendations on the training of volunteer fire fighters;

WHEREAS the Stakeholder Engagement Report is recommending that there be certain mandatory requirements for volunteer fire fighters;

Whereas any such mandatory requirements could hasten the demise of small rural fire departments;

WHEREAS municipal councils remain committed to ensuring adequate training for the safety of both the public and fire fighters and are best positioned to determine local needs;

**THEREFORE BE IT RESOLVED that the AAMDC advocate to the Government of Alberta to consider the potential negative impacts of mandatory training requirements on the sustainability of local fire departments utilizing volunteer and paid-on call fire fighters.**

**FURTHER BE IT RESOLVED that the AAMDC urge the Government of Alberta to identify training requirements and enable municipalities to address training needs in a discretionary manner.**

**Member Background**

Rural municipalities support the training of volunteer fire departments and appreciate the funding the provincial government has provided for training over the past few years. However this latest initiative of the Fire Commissioner's Office goes too far in that it appears that the recommendation is to make minimum training mandatory. Cypress County has been offering training courses for many years and many of the volunteers in our 7 departments have availed themselves of the training. Where the problem arises is that in certain cases the members, even though they attend the courses, and take the training, do not want to write the exams and complete the certification. This could be for a number of reasons, but the fact is that we will lose these people if the certification becomes mandatory.

The second issue here is autonomy. Rural municipalities have always advocated for local decisions and opposed unduly burdensome rules from the government. The report should recommend training levels and then elected officials should continue to be



empowered to do their due diligence in making the proper decisions as each council deems appropriate.

**AAMDC Background**

The AAMDC has no active resolutions related to this issue.

## RESOLUTIONS PROCESS

### Order Paper

1. The Order Paper is found in the Convention handbook and lists the order of proceedings for the resolution session.
2. The order will be as follows:
  - a. Call to order
  - b. Call to appoint the Parliamentarian
  - c. Acceptance of the Rules of Procedures set out in the
  3. Resolution Process
  - d. Acceptance of the Order Paper
  - e. Resolution session
  - f. Vote to accept emergent resolutions
  - g. Vote on emergent resolutions
  - h. Closing of the resolution session

### General Process Guidelines for Resolutions

1. Each resolution requires a mover and a seconder.
2. The mover and seconder may initially speak to the resolution for no more than five (5) minutes combined.
  - The traffic light turns to green when time begins to count down.
  - The traffic light switches to yellow once 30 seconds are left.
  - When time runs out the traffic light turns red. The speaker may complete a final sentence.
3. Once the resolution has been moved and seconded, the chair will then ask if there is anyone wishing to speak in opposition. If the chair determines that there is no one wishing to speak in opposition, the vote will be called for immediately.
4. If there is opposition to the resolution, all subsequent speakers wishing to address the resolution may speak for no more than two (2) minutes.
  - The traffic light turns to green when time begins to count down.
  - The traffic light switches to yellow once 30 seconds are left.
  - When time runs out the traffic light turns red. The speaker may complete a final sentence.
5. In the event of amendments:
  - a) friendly amendments
    - The Chair asks the mover, "Does the mover object to the friendly amendment?"
    - If no objection is raised, the "friendly" amendment is put to the assembly.
    - A "friendly" amendment must be accepted unanimously by the delegate body.
    - If the Chair perceives that there is general approval (unanimous consent), the Chair will then simply declare the friendly amendment to have affect, without the necessity of formal motion, seconding, debate and vote by the assembly.
  - b) all other amendments
    - Any other amendment requires a mover and seconder, and must be debated and either passed or defeated by the delegate body.

- The AAMDC allows only one amendment to an amendment (i.e. no third level amendments) at any one time.
6. Resolutions requesting legislative change or bylaw amendment require a 3/5 majority. All other resolutions, other than some specific parliamentary motions, require only a simple majority.
7. An emergent resolution:
- Must meet the definition of emergent as outlined in AAMDC Bylaw 6(L).
  - Must be accepted to the Order Paper by simple majority of the assembly.
  - Must be passed on the floor by a 3/5 majority if requesting a legislative change. Otherwise, only a simple majority is required.

### **If an Emergent Resolution Comes Forward**

- The Chair will ask for acceptance of the resolution as emergent by the assembly.
- Acceptance means the chair will assign a number as per the Order Paper (ex. ER1-07F).
- Each emergent resolution is subject to the same rules as contained in General Process Guidelines 1 through 4 noted above.
- The member bringing forward the resolution must provide copies for all delegates.

When requested by delegates, the Chair will administer a standing vote.



# Agenda Item

**Date:** March 4, 2011  
**Item:** Council reimbursement policy  
**Prepared by:** Ron Leaf

## Background:

Recently Council discussed attending the Federation of Canadian Municipalities (FCM) conference. As I recall Council commented on the number of national issues (e.g. federal waste regulations, navigable waters legislation) that are influencing municipal governments or municipal operations and the need for County Council and County staff to be present at this or similar conferences that are national in scope. Council also discussed the need to be conscious of the costs associated with out of Province travel and asked that I present a policy balancing these objectives.

I propose that Council amend its current Council and Board Reimbursement policy with the addition of a “Point 6” (attached). The proposed amendment provides for the Reeve and two Councilors to attend the FCM each year. The intent of the policy is to provide opportunity for all councilors to attend the FCM at least once during an election term. Council will note that the policy allows all of Council to attend the FCM, should the event be held in Alberta.

Should Council approve the amendment, I need to know if Council wishes to have members attend the 2011 FCM which is in Halifax. The conference runs from June 3 – 6. Costs/attendee are estimated as follows:

Registration	\$899	\$699 if registered prior to March 31
Flight	\$269-\$469+ tax (dependent on date and time of flight)	
Hotel	\$115 – 150/night	

The FCM conference agenda (<http://www.fcm.ca/AGM/quick-links/conference-program.asp>) covers a host of issues and topics ranging from social media to Federal Government infrastructure funding to housing to social/public safety issues such as homelessness, policing and safe communities.

The 2011 Legislative budget could accommodate three (3) Council members attending the FCM conference, should Council so choose.

## Recommendation:

- 1) That Council discusses, amends if required, and adopts the attached policy.
- 2) That Council discusses attending the 2011 FCM Conference in Halifax.

# Clearwater County

## COUNCIL AND BOARD REIMBURSEMENT

EFFECTIVE –DATE: January 1, 2011

SECTION: Administration

### POLICY STATEMENT:

To provide a fair and equitable means of reimbursing Council and Members at Large for their time, travel and subsistence while attending meetings, conferences, training seminars and other out of area municipal business events.

### DEFINITIONS:

“Meeting”: within the context of this Policy the term meeting shall include: Council meetings, Special Council meetings, Committee meetings as well as – when requested by the Municipal Manager, or a Department Head – meetings between Councillors and County staff.

### PROCEDURE:

#### Council Rates

1. Council remuneration will be, for time spent while traveling to or from meetings and while in attendance at a meeting on the basis of the following rates and time sections:
  - a) \$140.00 - First Four Hours
  - b) \$112.00 - Second Four Hours
  - c) \$112.00 - Third Four Hours
  - d) \$254.00 - Maximum payable for any regular Council Meeting.

For clarity, any meeting or number of meetings that include more than one portion of the above times sections (i.e. meetings in excess of four hours), a Councillor is entitled to combined remuneration for each time section involved. The maximum paid in any single day will therefore be \$366.00. Councillors are expected to exercise discretion when applying for remuneration for meetings that include one time section and extend into another time section in a minor fashion.

2. Other expenses associated with a Councillor’s attendance at meetings will be paid in accordance with Travel and Subsistence for Staff and Council Policy.
3. In addition to meeting, travel and subsistence fees, each councillor will be paid \$550.00 per month to compensate for time spent on such matters as meeting preparation, telephone calls and individual meetings with electors.
4. Council remuneration associated with convention attendance will be for time spent while traveling to or from a convention location and while in attendance during the formal convention sessions on the basis of the following rates and time sections:

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- a) \$140.00 - First Four Hours
- b) \$112.00 - Second Four Hours
- c) \$112.00 - Third Four Hours

For clarity, time incurred for travel to or from the convention location and attendance at the formal convention sessions that include more than one portion of the above times sections in excess of four hours, a councillor is entitled to combined remuneration for each time section involved. However, the maximum honorarium paid in any single day to a councillor or committee member will be \$366.00.

For example, a councillor drives to a seminar in Edmonton from Rocky Mountain House leaving the night before the seminar begins as the seminar starts at 8:00 the next morning. The seminar ends at 4:00 p.m. the following day. At conclusion of the seminar the councillor would be entitled to \$140.00 associated with travel the night before the seminar. The councillor would also be entitled to another \$140.00 relating to the first four hours of his/her attendance at the seminar; another \$112.00 associated with the second four hours of the seminar; and, a third four hours associated with the return travel time to Rocky Mountain House.

- 5. Councillors are authorized to attend special meetings associated with a Council appointed committee without Council approval. However, to the greatest extent possible, councillors should receive prior approval of Council for attendance at any other special meeting a councillor may wish to attend (e.g. community group meeting). However, Council recognizes that situations may preclude a councillor from advising Council of a meeting prior to his or her attendance. In such cases the Councillor is to seek Council's approval for his/her attendance prior to the councillor submitting his/her remuneration sheet.
- ~~5-6.~~ The Reeve and two Councillors are approved to attend the annual conference of the Federation of Canadian Municipalities (FCM). Councillors attending the conference will be appointed at the annual organizational meeting preceding the conference. The intention is to provide all Councillors with the opportunity to attend one FCM Conference during their term of office. All Councillors will be permitted to attend FCM when the FCM Conference is held in Alberta.
- ~~6-7.~~ Councillors and Committee members will be reimbursed for other incurred expenses in accordance with the Travel and Subsistence for Staff and Council Policy.
- ~~7-8.~~ If a spouse accompanies a councillor to a convention, the Municipality will cover the spousal registration fee, banquet tickets, and approved travel expenses.

#### Reeve Rates

- 1. In addition to the above policies, it is recognized that the Reeve will receive additional requests with respect to meetings with federal, provincial, municipal and/or community organizations, representatives or officials. The Reeve is authorized to attend such meetings at his/her discretion without Council authorization and to receive remuneration in accordance with this policy for that attendance. To the greatest extent possible, the Reeve should endeavor to inform Council of these meetings prior to his/her attendance.

2. The Reeve will be paid \$850.00 per month to allow for his extra administrative duties such as cheque signing, bylaw signing, contract signing, etc.

#### Boards and Committee Rates

1. Members at large appointed to the municipal library boards, the Caroline Family and Community Support Services Board, and the recreation boards will be paid \$490.00 per annum as compensation for mileage and out-of-pocket expenses.
2. The member at large to the Parkland Regional Library Board will be paid \$562.00 per annum as compensation for mileage and out-of-pocket expenses.
3. The member at large to the Alberta Sports Council will be paid \$842.00 per annum as compensation for mileage and out-of-pocket expenses.
4. Member at large appointees to the Agricultural Service Board, Assessment Review Board, Municipal Planning Commission and the Environmental Subdivision and Development Appeal Board, will be paid at the councillor remuneration rates established in this policy and expense rates in the Travel and Subsistence for Staff and Council policy.

#### Community Event Attendance

1. All Councillors are authorized to participate in the Rocky Rodeo Parade, Caroline Rodeo Parade and Rocky Parade of Lights. In addition to this, the Reeve or designate is authorized to participate in the Ponoka Stampede Parade and Westerner Days Parade.
2. With the exception of the aforementioned parades, attendance at any other community event will be considered by Council on a case by case basis.
3. Council remuneration associated with approved community event attendance will be for time spent while traveling to or from a convention location and while in attendance during the formal convention sessions on the basis of the following rates and time sections:
  - a) \$140.00 - First Four Hours
  - b) \$112.00 - Second Four Hours

To a maximum of eight hours (or \$252.00) per day.

#### General

1. Per Diem sheets are to be filled out monthly by each councillor and delivered to the Finance and Admin. Manager or Payroll Administrator after the end of each month and at least three working days prior to the first Council meeting. Per Diem sheets received after this date will not be processed for payment until the following month. Administration will include copies of the completed per diem sheets in the following Council Agenda.



Page 4 of 4

2. Council remuneration rate increases will correspond to the cost of living adjustments received by staff each year (rounded to the nearest dollar).
3. This policy replaces Council's policy "Meeting Rates for Council and Board Appointments"

# Agenda Item

**Date:** March 4, 2011  
**Item:** Vehicle Use Policy  
**Prepared by:** Ron Leaf

## **Background:**

Following recent discussions with Council staff undertook a review of the Vehicle Use policy. As Council will note, the current policy was last amended in 1993 and a number of changes have occurred in terms of County operations as well as the number of staff that are required to drive in the performance of their duties.

Changes to the policy are reflected as follows: Words with ~~strikethrough~~ have been removed from policy. Words that are **bolded** reflect replacement wording or new wording.

## **Recommendation:**

That Council discusses, amends if required, and adopts the attached policy.

# Clearwater County

## VEHICLE USE BY STAFF

EFFECTIVE DATE: ~~March 1993~~ March 2011

SECTION: Administration

### POLICY STATEMENT:

The Council for Clearwater County will provide a municipal vehicle for ~~certain supervisory~~ staff who are required by the nature of the job to travel extensively in the Municipality. In those instances where a vehicle is not provided the Municipality will pay mileage for approved travel. The municipality will also maintain a fleet of vehicles for the use ~~by~~ of field staff on an as required basis.

**\*\*This policy does not apply to the management and staff of the Rocky Regional Waste of Authority and Regional Fire Services, who shall be governed by their respective management committees.**

### PROCEDURE:

#### Care & Control

1. All County vehicles shall be properly maintained by the Shop Mechanic. Staff is required to cooperate with the mechanic in scheduling maintenance.
2. ~~Supervisors~~ **Staff assigned County vehicles** are responsible to ensure that all vehicles are kept in clean and presentable condition.
3. ~~Unless authorization has been provided by the supervisor,~~ **Typically,** County vehicles are not to be taken outside the ~~outer~~ boundaries of the County **unless in the performance of county business.**
4. All incidents or near incidents involving county vehicles must be reported to the staff member's supervisor immediately **and a completed incident report form submitted to the County Safety Advisor.** The supervisor **and/or Safety Advisor** is to take appropriate action which may include the preparation of an accident report for insurance purposes, or any other action which would minimize the possibility of future accidents.
5. Unless authorized by this policy, staff are not ~~permitted~~ to take vehicles home.
6. Staff must exercise extreme care in the use of the County vehicles to maintain safe operation and to ensure that ~~the best public~~ **a professional** image is displayed at all times.
7. ~~County staff are required to use seat belts while travelling in County vehicles.~~
7. Limited personal use of the County vehicles (e.g. stopping at a grocery store on the way home) is permitted providing that this use does not require extra travel or cause any disruption to operations).
8. ~~Supervisors,~~ Prior to hiring any new staff that are required to drive County vehicles; **the person in charge of the hiring** will check the prospective employee's driving records. **An abstract may be requested at any time by management at management's discretion.**

9. The Special Constables ~~Municipal Assessors, the Public Works Department Managers and Assistant Managers,~~ Agricultural Services **Supervisor**, Public Works **Supervisors**, ~~Maintenance Foreman, Grader Foreman, Oils Foreman and the Construction and~~ Foremen will be permitted to take their vehicles home, provided the staff member resides within Clearwater County, the Village of Caroline or the Town of Rocky Mountain House. This ~~privilege~~ **practice** recognizes that these staff may be called to work at unusual hours and that it is advantageous for staff to travel directly to the job site rather than going to the County office first.
10. **In cases where a staff member is on call or it can be demonstrated that taking the vehicle home is advantageous to the operations of the County** other staff may be temporarily permitted to take a County vehicle home by the ~~Public Works Department~~ **Department** Manager or the Municipal Manager. ~~This privilege may only be granted when a staff member is on call or when it can be demonstrated that taking the vehicle home is advantageous to the operations of the County.~~
11. During vacation time or any other time when the employee is off work for extended periods, the vehicle must be parked in the Clearwater County (**Rocky**) Public Works Yard and the keys left with the Shop mechanic or his staff.

#### Vehicle Identification & Color

1. **The Clearwater County logo shall be prominently displayed so as to be visible to the general public.**
2. **Every licensed vehicle owned by Clearwater County will be decaled.**
3. **Vehicle decals will be placed prominently on the side doors of the unit(s) in a manner that will be easily visible to the general public. Manager units will have the decals prominently placed on the side rear window of the extend-a-cab or SUV, in a manner so as not to impede the visibility of the driver.**
4. **Any County vehicle purchased new shall be purchased in the County color, red.**
5. **Any County vehicle purchased used will remain in its existing color.**
6. **Provincial standards regarding decaling and colour for Community Peace Officer vehicles or other emergency vehicles (e.g. County fire apparatus) takes precedence over the provisions of this policy.**

#### Implementation

1. ~~Supervisors~~ **All staff** are expected to conform with this Policy and the associated policies. Any deviation from the Policy requires the **prior** approval of ~~Council~~ **the Municipal Manager**.

# Agenda Item

Date: March 8, 2011

Item: Upper Shunda Creek Recreation Area  
Land Sale Agreement

Prepared by: Joe Baker

## **Background:**

Last August I met with Council to discuss the transfer of the Upper Shunda Creek Campground from the Province to Clearwater County. You may recall that Clearwater County had been approached by Alberta Community Development Parks and Protected Areas back in 2001 regarding taking over this campground from the Province. It had been proposed that the County would undertake the survey of the area and that the land would be transferred over following that. The survey was completed however, Parks never did come through with the transfer and at some point the disposition went over to Sustainable Resource Development and the transfer under the previous agreed upon terms was no longer available. Following our meeting last August, a letter was sent to the Minister of Sustainable Resource Development making him aware of the situation and asking that the Province honor their previous commitment to us.

Clearwater County has now been sent a Land Sale Agreement whereby we may purchase the lands for \$1.00. This land parcel consists of 45.02 hectares (111.25 acres). There are a couple of clauses in the agreement that raised a bit of concern and which I had looked into a bit further. The agreement states that these lands are to be used only for the purpose of public recreation which has been our intension all along. It also states that we are not to “sell, agree to sell, transfer, assign, mortgage, lease, encumber or grant any other interests in the Lands”. It was clarified that our current leasing arrangement would not be affected by this agreement however, that at some point if we anticipated a long term leasing arrangement or a sale of the property to a developer that we may be required to pay “fair market value” to the Province as determined by an independent appraiser or to transfer the land back to the Province.

All costs regarding transferring and registering of title and mapping fees would be the responsibility of the County.

**Recommendation:** That Council approves the purchase of the Upper Shunda Creek Recreation Area.

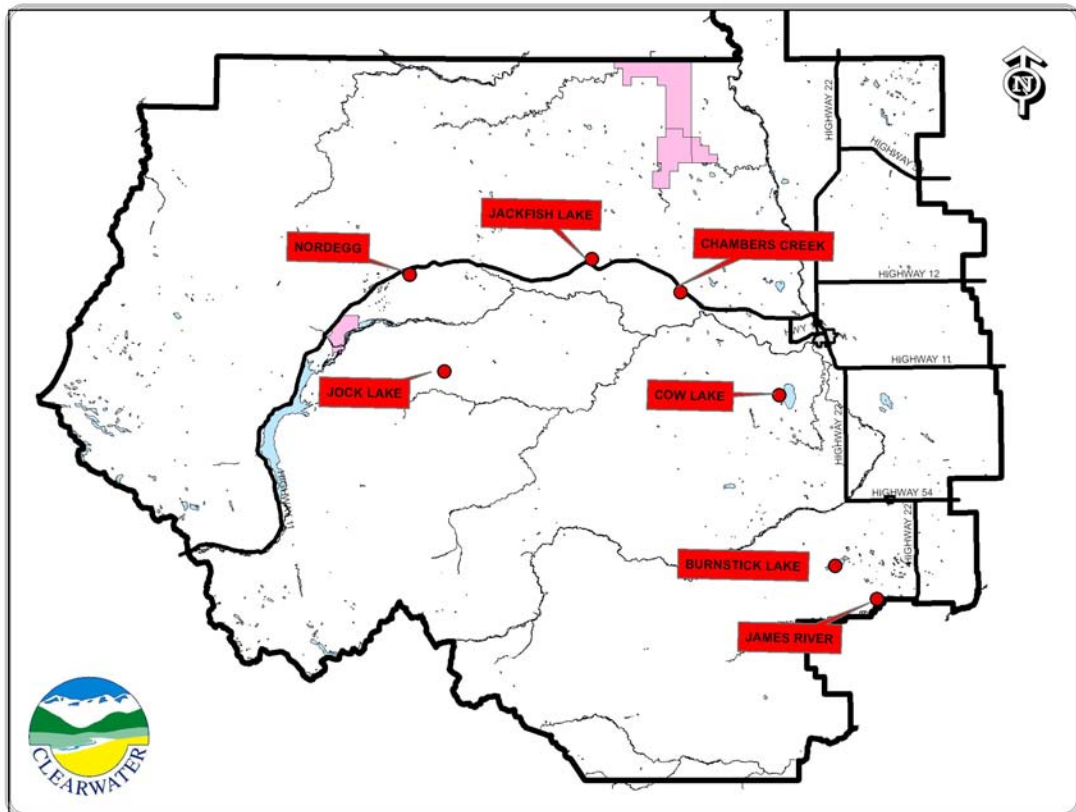
# Agenda Item

Date: March 8, 2011  
Item: 2009 August Long Weekend Windstorm – disaster Recovery Program  
Prepared by: Mike Haugen

## Background:

On February 25<sup>th</sup>, 2011 the County received the attached letter, dated February 8<sup>th</sup>, 2011, from the Alberta Emergency Management Agency. The letter is in response to the County's Disaster Recovery Program (DRP) Application submitted formally in May of last year.

The County originally made application for a DRP as a result of high intensity winds that affected a large swath of the County including the Nordegg, Jackfish, Cow Lake and James River areas, among others.



The event took place in the late hours of August 2<sup>nd</sup> and early hours of August 3<sup>rd</sup>, 2009. The weather patterns seen within the County were part of a much broader pattern that affected many areas of the province.

The County made application for a DRP and was approved for costs **incurred by the municipality**. The Province approved costs of \$102,865.96 which is roughly 91% of costs incurred. This funding was received in September of 2010.

After the County was made aware that only municipal costs would be covered, staff consulted with AEMA and, with information gathered from residents (photographs) provided by local residents made application on behalf of residents and businesses.

The Province considers DRPs when the following criteria are met:

- *The event is considered extraordinary.*
- *Insurance is not reasonably or readily available.*
- *There is evidence that the event is wide spread.*

A State of Local Emergency does not have to be declared in order to receive assistance under a DRP.

In this instance, the Province has deemed that the losses incurred by residents do not meet the criteria outlined above. Specifically, the second point regarding insurance.

The Province is the sole agency responsible for assessing Disaster Recovery Program funding. Staff has prepared this report for Council's information.

### **Recommendation**

That Council acknowledge this report as information.





February 8, 2011

Mike Haugen  
Community and Protective Services Manager  
Clearwater County  
P.O. Box 550  
4340 – 47 Avenue  
Rocky Mountain House, AB T4T 1A4

**RE: Request for Disaster Recovery Program**

Dear Mr. Haugen:

I am responding to your request for Disaster Recovery Program assistance for the residents of Clearwater County, following the severe wind event experienced from August 1 to 3, 2009.

Clearwater County was included in the 2009 Central Alberta Disaster Recovery Program approved on February 3, 2010. This program was established to assist all municipalities impacted by the August 1-3, 2009 windstorm, for emergency operations and cleanup costs related to the event.

We are unable to provide assistance to the residents and businesses of Clearwater County for damages caused by the windstorm. Damages from wind events are considered insurable and insurable damages are not eligible for assistance under the Disaster Recovery Regulation. This policy has been followed on all requests for assistance for damages caused by wind events.

Disaster Recovery Programs serve as a safety net providing financial assistance for requirements essential for day-to-day living, but are not intended to provide full compensation for all losses and damages. If you have any questions or would like additional information, please contact the Alberta Emergency Management Agency at 780-422-9000.

Thank you for your letter.

Sincerely,

A handwritten signature in black ink that reads "Barrie Brand".

Barrie Brand  
Director, Recovery and Operational Programs

cc: Bruce Mackenzie, Central Region Field Officer





# Agenda Item

Date: **March 8, 2011**  
Item: **Provision of Web Space for External Organizations**  
Prepared by: **Mike Haugen**

## **Background:**

Staff is asking Council to consider the attached policy regarding the provision of web space to external organizations. This was prompted by a recent request from a local group looking to make use of the functionality of the County's site which would be cost prohibitive for them to replicate.

Staff feels that the County's site could meet this purpose, but would require a framework by which to assess the different requests - assuming more will be received.

In developing the recommended policy staff sought to balance the ability to facilitate these requests with the amount of staff time necessary to fulfill them. As such, a mechanism to limit the number of organizations and criteria to determine eligibility are required.

This is predicated on the recommendation that the content will still be controlled by County staff. The external organizations will not be given administrative access to the County's site. This is staff's recommendation as the ability to alter web content cannot be isolated to a specific page or two. It can only be limited by department. This means that if an external recreation entity was given access, they would have the ability to make changes to any portion of the Community Services area of the website, not just to the pages specific to them.

It is recognized that many local groups play an important role with the community. However, staff have crafted the proposed policy to allow only those that have some sort of formal County representation on them to make use of the County's website. This is seen as appropriate as the County has direct involvement in these organizations and the web site is first and foremost that of Clearwater County.

While the website is broad and has a great deal of functionality, there are limitations to what can be done. This is another reason why the policy has been drafted to state that the County will determine the nature of the external organization's presence. This will help to maintain the site structure and ensure that organizations have a clear expectation about what they will be getting.

Council will note that Regional services such as Waste, Fire and FCSS are specifically excluded from this policy. While they are separate entities, they are County staff. The exclusion has been made for purposes of clarity. Each of these entities currently has administrative access to make changes to the website.

The proposed policy is intended as a starting point and it is envisioned that it will need to be reviewed again to ensure that it is working well as the website and use of online services grow.

**Recommendation**

That Council adopt the Web Space for External Organizations Policy as presented.

# Clearwater County

## Web Space Provision for External Organizations

**EFFECTIVE DATE:** March 2011

**SECTION:** Administration

### **POLICY STATEMENT:**

To establish guidelines for the provision of web space for local external organizations on the Clearwater County municipal website.

### **PROCEDURE:**

1. For the purposes of this policy a local organization is defined as any permanent non-profit group based within the borders of Clearwater County, Town of Rocky Mountain House, Village of Caroline or Summer Village of Burnstick Lake.
2. Only local organizations that have formal County council or staff representation or are a recognized community hall board or community association affiliated with a specific geographic area will be considered for inclusion on the County's website.
3. Clearwater Regional Fire Rescue Services, Rocky Mountain Regional Solid Waste Authority and Clearwater Regional FCSS are deemed to be internal organizations.
4. Organizations will not be given administrative access to the County website. All listings and updates will be conducted by County staff as time permits.
5. The scope and nature of website services offered to local organizations will be at the sole discretion of Clearwater County.
6. The County will attempt to make any requested changes on a timely basis, however, County work programs, whether related to the website or not, will take precedence.

# Agenda Item

Date: **March 8, 2011**  
Item: **Website - Community Events Calendar**  
Prepared by: **Mike Haugen**

## **Background:**

Staff is asking Council to consider the attached policy regarding the soon to be created Community Events Calendar on the County's website. This calendar is NOT the calendar found on the homepage, but will exist on its own page and highlight events within the community.

There are several purposes to such a calendar. The first is advertise local events to visitors and residents alike. It is a one-stop location that depicts the vibrancy of the community and many of the things that we have to offer. Such a calendar will also potentially increase the traffic flowing to the site, which staff feels is a good thing.

Staff have drafted the attached policy as an open and transparent means of governing the notices placed on the calendar. Essentially, the policy outlines the rules for the public looking to make use of the calendar and gives staff parameters upon which to assess any requests received.

The proposed policy is aimed at "single" events, not at regularly recurring events. As an example, the policy allows for an event such as youth soccer registration night, but does not allow for practice times and league schedules. An event occurring once each year such as Canada Day Celebrations would be allowed while something of the nature of "Discount Tuesdays" would not.

The policy also depicts the information that the County would require in order to post an event. This is aimed at insuring that people interested in finding out more information about the event have someone to contact that is actually involved with the event - as opposed to simply contacting the County.

The proposed policy is intended as a starting point and it is envisioned that it will need to be reviewed again to ensure that it is working well as the website and use of such grows.

## **Recommendation**

That Council adopt the Website Community Events Calendar Policy as presented.

# Clearwater County

## Website Community Events Calendar

**EFFECTIVE DATE:** March 2011

**SECTION:** Administration

### **POLICY STATEMENT:**

To establish guidelines for the provision of local event advertising on the Community Events Calendar located on the Clearwater County Municipal Website.

### **PROCEDURE:**

1. For the purposes of this policy a local event is defined as an event that takes place within the borders of Clearwater County, Town of Rocky Mountain House, Village of Caroline or Summer Village of Burnstick Lake;
2. The Community Events Calendar will not generally be used for the advertisement of business programs aimed solely at producing profit for a person or business.
3. The Community Events Calendar will not be used for the advertisement of schedules such as offered courses, practice times or recreation programming (ice-times, pool schedules, etc.).
4. Registration nights for sports leagues, etc. may be allowed on the Community Events calendar.
5. All listings and updates will be conducted by County staff as time permits.
6. Events submitted to the County for listing must contain:
  - a) The event name
  - b) The organization responsible for the event
  - c) Contact information for the event organizers
  - d) The date, time and location of the event
7. The County may, in its sole discretion, approve or deny listing of an event.

# Agenda Item

Date: March 8, 2011  
Item: Bits and Spurs 4H Equine Club Request  
Prepared by: Mike Haugen

## Background:

Please see the attached letter from Briana Sigouin of the Bits and Spurs 4H Equine Club. Council will note that Brianna's letter references an earlier letter received by the County. For Council's information the County's practice is, when possible, to ask groups to submit specific requests to Council regarding the support that they are asking for, as opposed to a vague request for support. Upon receipt of the original letter, I asked Ms. Sigouin for more specific details and was provided the attached letter.

The letter does not indicate the exact amount that the club is seeking, but does outline the costs that they will be incurring.

Staff have attached Council's Charitable Donations and Solicitations Policy which indicates that Council will not generally provide funding for requests of this nature.

Staff have also reviewed Council's Event Funding Policy which is also attached. This request does not appear to meet the criteria for funding under this policy either.

## Recommendation

That Council deny funding the request received from the Bits and Spurs 4H Equine Club.

***BITS AND SPURS 4H EQUINE CLUB***

***Brianna Sigouin***  
***Vice President***  
***403-833-8364***  
***sigouin@telus.net***

February 23, 2011

Clearwater County  
Mhaugen@clearwatercounty.ca

To: Mike Haugen

I would like to thank you for your time and consideration for the previous letter in which you received on behalf of the Bits and Spurs 4H club.

We are looking for a sponsorship for a horsemanship/drill team clinic, being held on March 26 and 27 at the James River arena. The cost of the clinic will be around \$1,500.00. The instructor is \$1,000.00 and the arena fees \$500.00. We are a small club with only 10 members, 9 of which will be taking the clinic, therefore the cost per member ends up being quite a bit.

If you are able to help in any way it would be greatly appreciated. You can contact me, Brianna Sigouin at 403-844-8364, or by email sigouin@telus.net.

Thank you for your time.

*Brianna Sigouin*  
Brianna Sigouin

# Clearwater County

## CHARITABLE DONATIONS AND SOLICITATIONS

**EFFECTIVE DATE:** March 2010

**SECTION:** Administration

### **POLICY STATEMENT:**

To establish guidelines for responding to requests for donations for organizations or recognize individuals within the community.

### **PROCEDURE:**

1. Funding for STARS in the amount of \$6000.00 per year will be included in the County's annual budget, subject to Council approval.
2. Clearwater County will generally encourage medical and social organizations to pursue alternate sources of funding such as Family and Community Support Services and the Community Facilities Enhancement Program, etc.
3. Where possible, groups will be encouraged to participate in the annual Municipal Roadside Clean-Up. Youth groups will be given preference for participation in this program. Council will consider other fees for service programs on a case by case basis.
4. The Municipality will give municipal pins upon request to either individuals or organizations. Where the request involves a large number of pins, the Municipal Manager has the discretion to sell them at cost. As a guideline, one free pin will be given per person per team per year.
5. Other County promotional items may be presented or donated at the discretion of a Department Head, provided that the following conditions are met:
  - a) The group requesting the item is a non-profit group;
  - b) The item is being used as a prize or silent auction item for a fundraising event open to the general public;
  - c) Any proceeds generated from the item will be used to support the operations of the requesting group; or
  - d) The item is being given in recognition or thanks for a presenter or instructor who has performed a service for the County.

Any donation of County promotional items not meeting the criteria outlined herein shall at the discretion of the Municipal Manager.



# Clearwater County

## EVENT FUNDING POLICY

**EFFECTIVE DATE:** February 2010

**SECTION:** Administration

### POLICY STATEMENT:

This policy is intended to provide direction concerning the types of events and the conditions that must be met for Clearwater County Council to assist with the funding of community, cultural or sporting events or celebrations.

### PROCEDURE:

1. Applications must be made in writing and should be submitted on the form attached hereto as Appendix "A". Applications shall include:
  - a. a description of the event, including date & time(s), and the number and age of the audience/participants that are anticipated to attend;
  - b. an explanation of the benefit of the event to the community;
  - c. the amount of funding that is being requested;
  - d. a general explanation of what activities the County's funding will be used for ;
  - e. a list of other supporting or funding agencies; and,
  - f. a projected budget highlighting anticipated revenues & expenses.
2. For an event to receive funding the following conditions must be met:
  - a. The event must be located within Clearwater County, the Town of Rocky Mountain House, or the Village of Caroline; and,
  - b. The event function(s) must have broad community appeal involving, or providing entertainment for, a variety of age groups (e.g. fireworks, community concerts, etc.).
3. Events that do not meet the above criteria and are not specifically mentioned in this policy may be reviewed and approved by Council. If provided, funding will generally be provided on a matching basis of up to \$2000.00. This does not include funding provided for dust control.
4. Events that celebrate the 25<sup>th</sup>, 50<sup>th</sup>, 75<sup>th</sup>, 100<sup>th</sup> (and so on in 25 year increments) anniversary of hamlets or community associations, and which are hosted by an incorporated community association, may receive up to \$2000.00 on a matching basis subject to the conditions contained in this policy.
5. Council hereby directs that funding in the amount of \$2500.00 be included annually in the County's budget for the Canada Day Celebrations in Rocky Mountain House.

6. Council hereby directs that funding in the amount of \$2500.00 be included annually in the County's budget for the Caroline Volunteer Recognition Event. This funding is to be provided on a matching basis.
7. Council hereby directs that funding in the amount of \$2000.00 be included annually in the County's budget for the Bighorn Stampede & Parade in Caroline.
8. Generally, the County will not provide grants or subsidies to individuals or organizations for hosting, traveling to, or participating in sporting or cultural events.
9. The County should be considered a "funder of last resort", that is, other funding sources should be approached prior to considering the use of County funds.
10. The County will not provide retroactive event funding.
11. Events that incorporate liquor and/or gambling may still be eligible for County funding, however the County will not provide funding that is intended to be used directly towards the purchase/provision or subsidization of liquor or for direct use in or subsidization of gambling activities.
12. A report shall be submitted to the County office within six (6) weeks of the conclusion of the event and should describe the highlights of the event and provide an accounting of how the funding provided was spent.
13. County funding will not be used to pay event organizers or participants.
14. Council may fund requests for dust control associated with an event provided that the following conditions are met:
  - a. The subject road is a public roadway;
  - b. The event has not already occurred; and,
  - c. The method of dust control has been approved by the Clearwater County Public Works department.
15. Generally, the applicant will be responsible for organizing dust control subject to the conditions outlined above and will submit a receipt to the County for reimbursement of up to \$2000.00.

**APPENDIX A**

<b>EVENT GRANT APPLICATION</b>	
Event Name:	
Organization:	
Mailing Address:	
Contact Name:	
Contact Number:	
	Email: <span style="border-bottom: 1px solid black;"></span>
<b>Event Description:</b>	
Date of event:	
What is the proposed event? What types of activities will take place?	
<b>Project Budget:</b>	
<b>Revenues</b> (Do not include County funding):	
Source	Amount
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
<b>Total Revenues:</b>	\$

**Expenses** (Please indicate which expenses County funding will be used to cover):

Item	Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

**Total Expenses:**

**Total Deficit** (Amount Requested):

(Please note that County funding will generally not exceed \$2000.00)

Do you have any other resources/donations dedicated to this event?

**Agreement**

(To be signed by an authorized representative of your organization)

On behalf of \_\_\_\_\_ I, \_\_\_\_\_  
agree that, should Clearwater County provide funding for this event that:

- 1) The funds will be used only for the project outlined above; and,
- 2) An accounting of the funding will be provided to Clearwater County within six (6) weeks following the event.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# Agenda Item

Date: **March 8, 2011**  
Item: **Museum Agreement**  
Prepared by: **Tyler McKinnon**

## **Background:**

The Rocky Mountain House Reunion Historical Society operates the Rocky Mountain House Museum. Clearwater County and the Town of Rocky Mountain House provide funding to the Society, towards the Museum operations. Reeve Pat Alexander and Councillor Dick Wymenga currently sit on the Museum Board as Clearwater County Council representatives.

The agreement between the Town, County and Historical Society needs to be renewed. The proposed agreement has been attached for Council's perusal. This agreement formalizes the status quo, with the exception of a few key changes:

- 1) The term of the agreement has been extended from one year to three years.
- 2) An item has been included which allows the museum to put any surplus amount into a reserve fund, provided that the reserve is shown on the museum's financial statement.

This draft agreement has been reviewed and approved by the Town of Rocky Mountain House Council and the Rocky Mountain House Reunion Historical Society. Should Council wish to approve the agreement as proposed, it will be in effect until December 31, 2012.

## **Recommendation**

That Council authorize the Reeve and Municipal Manager to sign the agreement

**ROCKY MOUNTAIN HOUSE MUSEUM OPERATIONS BOARD**

This agreement made in triplicate this \_\_\_\_ day of \_\_\_\_ A.D. 20\_\_.

Between

The Rocky Mountain House Reunion Historical Society

In the Province of Alberta

(Hereinafter referred to as “the Museum”)

-and-

The Clearwater County

In the Province of Alberta

(Hereinafter referred to as “the County”)

-and-

The Town of Rocky Mountain House

In the Province of Alberta

(Hereinafter referred to as “the Town”)

WHEREAS the Town is the owner of the property described as follows:

**Part of the SW1/4 27 – 39 – 7 W5TH**

**All that Portion of the South East Quarter of Section Twenty-seven (27)**

**Township Thirty-nine (39)**

**Range Seven (7)**

**West of the Fifth Meridian**

**Which lies East of a Line Described as Follows:**

**Commencing at a Point on the South Boundary of the said Quarter Section Three Hundred and Forty (340) Feet.**

**Easterly from the South East Corner of Block F as Show on Subdivision Plan 5273 C.L.;**

**Thence Northerly and Parallel to the East Boundary of the said Quarter Section Five Hundred and Sixty-two (562) Feet Thence Northerly and Parallel to the West Boundary of the Said Quarter Section to Intersection with North Boundary of the said Quarter Section, containing 44.1 Hectares (109.09) Acres, More or Less.**

(which land is hereinafter called “the Property”)

AND WHEREAS the Museum has constructed upon the said lands certain improvements, including a Museum Building (hereinafter called the “Museum Building”);

AND WHEREAS the parties wish to enter into an agreement for the operation of the Museum Building and Pioneer Park;

NOW THEREFORE, in consideration of the foregoing, it is understood and agreed between the parties as follows.

**1. Museum Operations Board**

**a)** The Operations Board will be advisory to the Rocky Mountain House Reunion Historical Society regarding the overall operation of the Museum building.

The present Operations Board will not be involved in programming or displays for the Museum.

**2. Board Membership**

- a) The Board shall be comprised of seven (7) voting members appointed as follows:
  - (i) 2 Board members will be appointed by the Museum
  - (ii) 2 Board members will be appointed by the County
  - (iii) 2 Board members will be appointed by the Town
  - (iv) 1 Board member-at-large will be appointed by the Operations Board yearly, this member may not be affiliated with the Museum, County or Town.
- b) Councilor appointments will be for a term of one (1) year to expire at the organizational meetings of the Town and the County. The County and the Town will be allowed to appoint alternate Members who will have voting privileges in the absence of their respective Board Members.
- c) The Museum shall appoint members annually at their Executive Organizational meeting held each year. The Museum will be allowed to appoint alternate members who will have voting privileges in the absence of their respective Board Members.
- d) The Museum, Town and County shall each appoint one non-voting staff member to the Museum Operations Board. This member may be the municipal manager, executive director or designate.
- e) The County and Town appointments will be made at their annual organizational meetings held in October of each year.
- f) All vacancies on the Operations Board shall be filled as soon as reasonably possible by any of the respective participating parties as the case may be, and each person appointed to fill a vacancy shall hold office for the remainder of the term of the vacated Board Member.
- g) Staff members of the above parties shall not hold office or vote on any issues relating to this Board.



### **3. Administrative Support**

- a) Administrative Support & Orientation for this Board is to be provided by the Town, or County or Museum. Resource staff may be provided as needed by any of the parties to this agreement as required by the Board.

### **4. Conduct of Meetings**

The Board and each member shall be governed and subject to the following:

- (a) Any member of the Operations Board who is absent from three (3) consecutive meetings (unless such absence is through illness or is authorized by resolution of the Board, entered upon its Minutes) shall forfeit their office, and the vacancy shall be filled by the respective party.
- (b) A Chairperson and a Vice-Chairperson shall be chosen by the membership attending the first meetings of the Board following the organizational meeting of the County and the Town. The Chairperson shall preside over all meetings of the Board and the Vice-Chairperson shall act as Chairperson only in the absence of the Chairperson.
- (c) The Recording Secretary shall be resource staff from the Town or County and shall be responsible for attending all regular and special meetings of the Board. Further the Recording Secretary's duties shall include the distribution of all proceedings as directed by the Board.
- (d) Regular meetings of the Operations Board shall be held at least quarterly. Meetings shall not be scheduled during the months of July and August. The time and the place of such meetings are to be determined by the Board at its first meeting each year following the organizational meeting. This meeting may be changed by the Board from time to time, as the Board deems necessary.
- (e) Special meetings may be called on twenty-four (24) hours notice by the Chairperson or at the request of any three (3) Members of the Board.

- (f) A Minute Book shall be kept and minutes of all regular and special meetings shall be recorded therein by the Recording Secretary. Copies of all minutes shall be filed with the Museum, County and the Town.
- (g) A majority of the Operations Board is necessary to form a quorum. This majority must include, minimally, one representative each from the Museum, Town and County.
- (h) The Chairperson must vote on any questions. In the event of a tie, a motion shall be declared defeated.

## 5. **Power and Duties**

- (a) The Operations Board will be advisory to the Museum regarding the overall operations and maintenance of the Museum building.
- (b) The Operations Board is not to be involved in the programs or displays of the Museum.
- (c) Neither the Operations Board nor any member shall have the power to pledge credit of the Museum, County or the Town in connection with any matter whatsoever; nor shall the Operations Board nor any member have any authority to act for or to incur any obligation on behalf of the Museum, County or the Town; nor shall the Board or any member have the power to authorize any expenditure to be charged against the Museum, County or the Town.
- (d) Supply the Town and County a financial statement in a manner and form as agreed to by the County and Town.

## 6. **Budget and Finances – Museum**

- (a) This agreement will direct the County and the Town to contribute funding to the Museum as outlined in Schedule A as reviewed annually to the Museum for the operating and maintenance costs. The Museum agrees to conduct all necessary repairs of the four side-walls, roof, foundation, floors and bearing structures of the premises with the funds received.

- (b) The amount depicted in Schedule A is to be paid in the amount of 40% on or before February 1<sup>st</sup> and the remaining 60% will be paid after the Museum's financial statements are provided to the Town and County.
- (c) In the event of a surplus the Museum will be allowed to put this into a reserve account. This account must be shown on the financial statement with a definition.
- (d) It is understood that the Museum will continue to develop the facility and rent space and undertake other activities for the purpose of reducing the annual operating funds necessary from the County and the Town.
- (e) The Museum shall supply in March of each year to the County and Town a financial statement as provided by the accountants to the museum.

## 7. **Insurance**

- a) The Museum will obtain and maintain for the benefit of the Museum, Town and County, at the Museum's expense, commercial general liability insurance in an amount of not less than \$5,000,000 in respect of claims arising out of the death of or injury to any person, and in an amount of not less than \$5,000,000 in respect of property damage, in relation to any one occurrence. All insurance shall be effected upon terms and conditions satisfactory to the Town and County. The Museum shall produce evidence of the existence of such insurance from time to time as requested by the Town or County.

## 8. **Dissolution of the Rocky Mountain Historical Society**

- a) If the term of the Land and Building Agreement between the Town of Rocky Mountain House and the Rocky Mountain House Historical Reunion Society is at any time seized or taken in execution or in attachment by any failure of the Museum, or if the Museum makes any assignment for the benefit of creditors, or, becomes bankrupt or insolvent and takes the benefit of any such act that may be enforced against bankrupt or insolvent to the solvent debtors, or, should the Museum cease to carry on the normal conduct of the Museum, or should the

society dissolve or become defunct or should the lease between the Town and the Rocky Mountain House Historical Society otherwise be terminated by the Town, the Town, shall, pursuant to the lease, have full possession of and title to the improvements placed upon the property. In the event that the Town takes possession of the property, the Town will endeavor to operate the Museum.

- b) In the event the Town takes possession of and title to the lands and Museum building, the Town agrees to consult with the County concerning the use to which the facility will be put. If the Town decides, in its sole discretion, to sell the leasehold premises, the County shall be entitled to receive 1/5 of the proceeds of the sale of the building. Said share of the County of the proceeds of sale shall be compensation in full to the County for its contribution to the initial capital budget of the Museum.

## 9. Janitorial

- a) The Museum will provide cleaning services for the Visitor's Information Centre. Through their agreement with the Chamber of Commerce, the Town and County requires the Chamber will be responsible to maintain the Visitor's Information Centre area of the building in a neat and clean condition daily over and above the janitorial service provided by the Museum. The Chamber will be responsible to check washrooms when visitor load is heavy.

## 10. Visitors Information Centre Area

- a) Insofar as the Museum has received significant capital contribution from the County and the Town, the Museum shall contribute at no cost 923 square feet of space annually (Schedule "A") to the County and the Town for use as Visitor Information Centre. In the event that and for so long as the Town and the County continue their contribution to the Museum annually in accordance with Clause 6 (a) & (d), the Museum shall continue to contribute the 923 square feet of space

referred to in Clause 10 at no cost. If the Town and the County do not, in a given year, continue their contribution in accordance with Clauses 6 (a) & (d) the Museum shall have the discretion to charge a yearly rental for the 923 feet of space, provided that the Town and County continue to occupy the space, for a sum equivalent to the Museum's cost of operations per square foot multiplied by 923 square feet.

- b)** The Museum's cost of operations per square foot shall be determined yearly by the Museum's accountants. In the event that the Town and the County do not agree with the Museum's accountants with respect to the Museum's cost of operations per square foot, the rental shall be determined by arbitration to be conducted in the following manner:
- c)** The Museum may appoint one arbitrator and shall thereupon serve written notice upon the Town & County advising of the fact that it has appointed an arbitrator and giving the name and address of such arbitrator and the Town & County, upon receiving such notice shall within 15 days of the date of service of such notice, appoint the same arbitrator, or, if they so desire, one further arbitrator and serve notice upon the Museum setting forth the name and address of such arbitrator. In the event that the Town & County selects a different arbitrator than that chosen by the Museum, the two arbitrators so appointed shall select a third arbitrator. The third arbitrator so appointed and selected (or in the event of the failure on the part of the Town & County to appoint an Arbitrator, then the first appointed arbitrator alone) shall obtain such information, make such investigations and hear such representations as he may deem necessary and shall thereupon determine and fix a rental payable by the Town & County for the duration of the lease and the said rental so fixed shall be binding upon the Town & County and upon the Museum. The costs incurred in this arbitration proceeding shall be borne equally by the (Town & County) and the Museum.

**11. Utilities**

- a) The Museum is responsible to pay all charges for utilities and maintenance including but not limited to heat, water, electrical, air conditioning, garbage collection and entrance snow removal as well as any property taxes on the building.
- b) The Museum further agrees to ensure that the plumbing, sewage and electrical systems are maintained, in good repair and operating condition, including those within the 923 square feet provided to the Visitor Information Centre.

**12. Regulations**

- a) Through their agreement with the Chamber of Commerce, the Town and County requires that the Chamber will strictly comply with all municipal, provincial and federal laws, by-laws and regulations as well as any directives from its insurers for the operation of the Visitors Information Centre.

**13. Improvements**

- a) Through their agreement with the Chamber of Commerce, the Town and County requires that the Chamber is responsible to maintain at its own expense, the interior of the Visiting Centre area and every part thereof in good order and condition and to make promptly all needed repairs and replacements except repairs and replacements of the four side-walls, roof, foundation, floors and bearing structure of the premises.
- b) Through their agreement with the Chamber of Commerce, the Town and County requires that the Chamber may make any changes, alterations and improvements to the premises that it may deem necessary, without being obliged to restore the premises to their original condition at the expiration or termination of the term, provided that no structural changes, alterations or improvements shall be made without the consent in writing of the Museum, and provided that no changes,

alterations or improvements of any kind shall be made which will diminish the value of the premises.

**14. Indemnity**

- a) That without limiting the Museum's liability the Museum shall at all times indemnify the Town and the County against any and all manner of claims, demands, losses, costs, charges, actions and other proceedings, including claims, actions and awards for compensation under the Workers' Compensation Act or any similar act (whatsoever) made or brought against, suffered by, or imposed upon the Town and County or their property in respect of any loss, damage or injury (including injury resulting in death) to any person or property (including, without limiting the generality of the foregoing, servants, agents and property of the Town, County and the Museum) directly or indirectly arising out of, resulting from or sustained by reason of the Museum's occupancy or use of or any operation connected with the land and building or any buildings, fixtures or chattels thereon and in respect of any loss, damage or injury (including injury resulting in death) sustained by any person while on other lands or buildings of the Town in the course of ingress to or egress from the land and building for the purpose of doing business with the Museum.

**15. Term of Agreement**

- a) This agreement shall be in effect from January 1<sup>st</sup>, 2010 and shall expire December 31<sup>st</sup>, 2012.

**16. Termination of Agreement**

- b) Notice of Termination may be given in writing by either party to the other party not later than January 30<sup>th</sup> in any year. Termination will be effective on December 31<sup>st</sup> of that year.

- b) This agreement may be amended upon the joint written agreement of the Museum, the County and the Town.

IN WITNESS WHEREOF, the authorized officers of the County and the Town and of the other parties hereto have hereunto affixed their signatures and corporate seals on the day and the year first above written.

\_\_\_\_\_  
Rocky Mountain House Historical Reunion Society

\_\_\_\_\_  
Rocky Mountain House Historical Reunion Society **Dated this \_\_\_\_ day of \_\_\_\_\_, 2011**

\_\_\_\_\_  
The County of Clearwater

\_\_\_\_\_  
The County of Clearwater **Dated this \_\_\_\_ day of \_\_\_\_\_, 2011**

\_\_\_\_\_  
The Town of Rocky Mountain House

\_\_\_\_\_  
The Town of Rocky Mountain House **Dated this \_\_\_\_ day of \_\_\_\_\_, 2011**



Museum Operations Board  
Schedule A  
2011

The Town of Rocky Mountain House and Clearwater County will contribute \$25,000.00 each to the Museum for 2010 as per the attached budget provided by the Museum. Schedule A will be reviewed annually.

# Clearwater County

## Councilor and Board Member Remuneration Statement

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

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

Payment Periods

January  
March  
September

February

May

June

March

April

July

August

September

October

November

December

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

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
Jan 5	Strategic Planning	X	X				105
Jan 6	Budget	X	X				76
Jan 7	SDAB	X					76
Jan 10	ASB Strategic	X	X				76
Jan 11	Council				X		76
Jan 12	Lagoon Committee	X					76
Jan 17	Athabasca prep.	X					76
Jan 19	NSWA	X	X	X		X	194
Jan 20	Keeping it Real	X	X	X			
Jan 21	Keeping it Real	X	X	X			215
Jan 24	Med. River Water	X					60
Jan 25	Chamber Breakfast			X			
Jan 25	Council				X		76
Jan 31	Caroline chamber	X					126

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### Remuneration Calculation

$\begin{array}{r} 11 \\ 10 \\ 2 \\ \hline \end{array}$	Meetings @ \$140.00=	$\begin{array}{r} 1540.00 \\ \hline \end{array}$	$\begin{array}{r} 1232 \\ 1 \\ \hline \end{array}$	Kms @ \$0.52=	$\begin{array}{r} 640.64 \\ \hline \end{array}$
	Meetings @ \$112.00=	$\begin{array}{r} 1120.00 \\ \hline \end{array}$		Lunch @ \$16.00=	$\begin{array}{r} 16.00 \\ \hline \end{array}$
	Meetings @ \$254.00=	$\begin{array}{r} 508.00 \\ \hline \end{array}$		Less Christmas AD	$\begin{array}{r} 102.67 \\ \hline \end{array}$
	Supervision=	$\begin{array}{r} 850.00 \\ \hline \end{array}$			
	Sub Total=	$\begin{array}{r} \hline \end{array}$		Sub Total=	$\begin{array}{r} \hline \end{array}$
	<b>TOTAL=</b>	$\begin{array}{r} 4018.00 \\ \hline \end{array}$		<b>TOTAL=</b>	$\begin{array}{r} 553.97 \\ \hline \end{array}$

Signature {Councilor / Board Member}

# Clearwater County Councilor and Board Member Remuneration Statement

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

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

### Payment Periods

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

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

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
5	Planning @ Prairie Creek				✓		35
6	David Thompson Rec Bld	short meeting	no	charge			34
10	ASB Planning				✓		26
11	Council				✓		26
11	West Country Stakeholders	✓					
19	Red Deer College Brkfst	✓					130
19	Travel to Edmonton	✓					
20	Keeping it Real @ Edmonton				✓		470
24	Hordegg Hist Soc.	✓					26
25	Chamber of Com. Brkfst						
25	Council				✓		
24	Medicine River Watershed		no	charge			
31	Caroline Meet and Greet	✓					32

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## Remuneration Calculation

<u>5</u>	Meetings @ \$140.00=	<u>700.00</u>	<u>779</u>	Kms @ \$0.52=	<u>405.08</u>
<u>—</u>	Meetings @ \$112.00=	<u>—</u>	<u>—</u>	Lunch @ \$16.00=	<u>—</u>
<u>5</u>	Meetings @ \$254.00=	<u>1270.00</u>	LESS CHRISTMAS AD <102.67>		
	Supervision=	<u>550.00</u>			
	<b>Sub Total=</b>	<u>—</u>		<b>Sub Total=</b>	<u>—</u>
	<b>TOTAL=</b>	<u>2520.00</u>		<b>TOTAL=</b>	<u>302.41</u>

Signature {Councilor / Board Member}