

**CLEARWATER COUNTY  
COUNCIL AGENDA  
August 25, 2014  
9:00 A.M.  
Council Chambers  
4340 – 47 Avenue, Rocky Mountain House AB**

**11:00 A.M. Public Hearing: Bylaw 991/14 Condor Road Closure**

**11:15 A.M. In Camera: Land**

**A. CALL TO ORDER**

**B. AGENDA ADOPTION**

**C. CONFIRMATION OF MINUTES**

1. August 12, 2014 Regular Meeting Minutes
2. August 12, 2014 Public Hearing Minutes

**D. PUBLIC WORKS**

1. First Reading Bylaw 993/14 Speed Limit

**E. COMMUNITY & PROTECTIVE SERVICES**

1. Meeting Invite MP Calkins – Temporary Foreign Worker Program

**F. MUNICIPAL**

1. AAMDC Fall Resolutions *\*ITEM TO FOLLOW*
2. Caroline Legion Invitation – WWI Commemoration
3. Alberta Municipal Governance Symposium – Sept 5, 2014

**G. PLANNING**

1. Municipal Governance Reform & Land Use Planning in Alberta: Scenario Planning Workshop
2. 10:45 A.M. First Reading Bylaw 994/14 Road Closure – Applicant: Winchell
3. 11:00 A.M. Public Hearing Bylaw 991/14 Condor Road Closure – Applicant: Clearwater County

**IN CAMERA \***

1. Land 11:15 A.M.
2. Legal
3. Labour
4. Labour

\* For discussions relating to and in accordance with: a) the Municipal Government Act, Section 197 (2) and b) the Freedom of Information and Protection of Privacy Act, Sections 21 (1)(ii); 24 (1)(a)(c); 25 (1)(c)iii; and 27 (1)(a)

## **H. INFORMATION**

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

## **I. ADJOURNMENT**

### ***TABLED ITEMS***

<b><u>Date</u></b>	<b><u>Item, Reason and Status</u></b>
--------------------	---------------------------------------

04/10/12	<b>Arbutus Hall Funding Request</b> <ul style="list-style-type: none"><li>• To allow applicant to provide a complete capital projects plan.</li></ul>
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**STATUS: Pending Information, Community and Protective Services**



## Agenda Item

<b>Project:</b> First Reading Bylaw 993/14	
<b>Presentation Date:</b> August 25th, 2014	
<b>Department:</b> Public Works	<b>Author:</b> Peter Leek/Marshall Morton
<b>Budget Implication:</b> <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
<b>Strategic Area:</b> Infrastructure & Asset Management	<b>Goal:</b> To effectively manage the financial and physical assets of the County in order to support the growth and development of the County while obtaining maximum value from County owned infrastructure and structures.
<b>Legislative Direction:</b> <input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input checked="" type="checkbox"/> County Bylaw or Policy (cite) <u>993/14</u>	
<b>Recommendation:</b> Administration requests that Council reviews the information and approve BY-LAW NO. 993/14.	
<b>Attachments List:</b> By-Law 993/14 Schedule A Twp. Rd. 41-0 Segment Map	

### Background:

A new portion of Twp. Road 41-0, just west of Primary Highway 22, has been constructed and a portion of the road has become an **Isolated Access road**. Consequently, to remain consistent with policy the administration is requesting that the speed limit on this section be reduced to 50km/h.

**BYLAW NO. 993/14  
CLEARWATER COUNTY**

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

WHEREAS, provisions of Sections 13(1)(a); 108(1)(b); and 108(4)(b) of the Traffic Safety Act, being Chapter T-6 of the Revised Statutes of Alberta, 2000, and amendments thereto, authorize Council to prescribe a maximum speed limit that is higher or lower than Eighty (80) kilometres per hour for highways under its direction, control and management; and

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

WHEREAS, provisions of Section 109(a)(i) and (b) of the Traffic Safety Act, being Chapter T-6 of the Revised Statutes of Alberta, 2000, and amendments thereto, authorize a sign erected along the highway indicating the speed limit so established or prescribed.

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

1. That a maximum speed limit on the Township Road 41-0 beginning at the gate posts on T410R73 west of Provincial Highway No. 22 approximately 0.2 kilometers and continuing west for 0.6 kilometers, as outlined in brown on the attached Schedule 'A', be decreased to fifty (50) kilometers per hour.
2. That the proper speed limit signs be placed on the above described roads.
3. That this By-law takes effect as at the final reading of the By-law.

READ A FIRST TIME this                      day of                      A.D.,  
2014.

READ A SECOND TIME this                      day of                      A.D.,  
2014.

READ A THIRD AND FINAL TIME this                      day of                      A.D.,  
2014.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER



**Request for placement of 50 Km/hr Speed Sign**  
**TWP RD 41-0 - No Municipal Maintenance Rd**  
**S.E. 4-41-7 W5**





## Agenda Item

<b>Project: Meeting Invite MP Calkins – Temporary Foreign Worker Program</b>	
<b>Presentation Date: August 25, 2014</b>	
<b>Department: Community &amp; Protective Services</b>	<b>Author: Ted Hickey</b>
<b>Budget Implication:</b> <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
<b>Strategic Area: Governance and Intergovernmental Relations</b>	<b>Goal: 4.</b> Council will actively seek opportunities to enhance its relationships with officials from:
<b>Legislative Direction:</b> <input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
<b>Recommendation: County Council approves the participation of a Councilor(s) to attend the roundtable meeting on September 11, 2014.</b>	
<b>Attachments List:</b>	

### Background:

On Thursday, September 11, 2014, Mr. Blaine Calkins, Member of Parliament will be hosting a roundtable in Rocky Mountain House, Alberta. The focus of the discussion will be the Temporary Foreign Worker Program. Mr. Calkin’s office has forwarded correspondence inviting County participation to this event. There are 15 spots available for this roundtable. A RSVP is needed to ensure a reserved spot. Council approved participants may respond via email [blaine.calkins.c1@parl.gc.ca](mailto:blaine.calkins.c1@parl.gc.ca) or by contacting Shelley Boston, Constituency Assistant at 403.783.5530.

The event details are as follows:

**Date:** Thursday, September 11, 2014  
**Time:** 9:30am – 11:30am  
**Location:** Walking Eagle Inn – Clearwater Room  
4819 – 45<sup>th</sup> Street (Highway 11 West)



## Agenda Item

<b>Project: Invitation from Caroline Legion Branch #177</b>	
<b>Presentation Date: August 25, 2014</b>	
<b>Department: Municipal</b>	<b>Author: Tracy Haight</b>
<b>Budget Implication:</b> <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
<b>Strategic Area:</b>	<b>Goal:</b>
<b>Legislative Direction:</b> <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
<b>Recommendation: That Council authorizes all Councillors attendance, if available, at the World War One Commemoration Day on September 14, 2014</b>	
<b>Attachments List: Invitation</b>	

### Background:

Caroline Legion will host a World War One Commemoration Day on September 14, 2014 and wish to invite all of Council to attend.

Policy requires Council authorization for this event should any Councillors wish to attend.

# **THE CAROLINE LEGION**

## **BRANCH # 177**

Wishes to invite  
all Clearwater County's  
Division Councillors  
to our

# **World War One Commemoration Day**

**September 14, 2014**

**At the Caroline Legion,  
Caroline Alberta**

**Open House:  
1:00 p.m. – 5:00 p.m.**

**Ceremonies:  
1:30 p.m.**





## Agenda Item

<b>Project: Alberta Municipal Governance Symposium</b>	
<b>Presentation Date: August 25, 2014</b>	
<b>Department: Municipal</b>	<b>Author: Tracy Haight/Ron Leaf</b>
<b>Budget Implication:</b> <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
<b>Strategic Area:</b>	<b>Goal:</b>
<b>Legislative Direction:</b> <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
<b>Recommendation: That Council authorizes all Councillors attendance, if available, at the Alberta Municipal Governance Symposium on September 05, 2014</b>	
<b>Attachments List: N/A</b>	

### Background:

The following is from the AAMDC Contact – Member Bulletin August 13|Volume 2014 Issue 30

“On September 5, the City of Grande Prairie along with the City of Cold Lake and Grande Cache will be hosting the [Alberta Municipal Governance Symposium](#) which will be held in Grande Prairie. This event is free and open to reeves, councillors and municipal administrators as well as private sector and civil society organizations interested in the future of local government.

Municipal governance continues to be an important issue among Alberta’s municipalities and it is important that the rural municipal perspective is adequately represented in these discussions.

Join panellists from across Canada to discuss the realities of how communities function today and what it means for local government structures. Topics to be featured at the symposium include:

- *Being Proactive: Choosing to Lead*
- *Governing Regionally Today*
- *Are We In Alignment With Our Communities?*
- *The Challenges Of Rural And Small Communities*
- *Amalgamation Politics*
- *Building And Maintaining Community Identity*

Representatives from the AAMDC will be in attendance but we encourage members with an interest in municipal governance to attend.

To register for the symposium or to find additional information, go to [www.albertamgs.ca](http://www.albertamgs.ca)”

Policy requires Council authorization for this event should any Councillors wish to attend.



## Agenda Item

<b>Project:</b> Scenario Planning Workshop	
<b>Presentation Date:</b> August 25 <sup>th</sup> , 2014	
<b>Department:</b> Planning & Development	<b>Author:</b> Rick Emmons
<b>Budget Implication:</b> <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
<b>Strategic Area:</b> N/A	<b>Goal:</b> N/A
<b>Legislative Direction:</b> <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
<b>Recommendation:</b> For Council to approve any member of Council wishing to attend the Oct. 8 <sup>th</sup> meeting in Camrose regarding Scenario Planning be permitted.	
<b>Attachments List:</b> Scenario Planning Invitation, Scenario Planning Agenda	

### Background:

The Alberta Centre for Sustainable Rural Communities is requesting participation in the “Municipal Governance Reform and Land Use Planning in Alberta Scenario Planning Workshop”. The purpose of this workshop is to engage participants in a conversation about municipal governance and the Land-Use Framework (LUF) to identify a better governance model for municipalities. This workshop is intended to give participants the opportunity to work through various scenarios towards the goal of better governance. Participants will be encouraged to examine, critique and select, using hands-on methods, different models and pathways to desired and undesired future outcomes for their communities.

To become more familiar with the scenario planning process, please visit [http://www.well.com/~mb/scenario\\_planning/](http://www.well.com/~mb/scenario_planning/) for more information. The workshop will take place in Camrose, Alberta at the Mayer Community Hall, University of Alberta Augustana Campus from 9 am to 4 pm on Wednesday October 8, 2014. Please RSVP no later than August 29, 2014. Space is limited to 35 participants due to funding constraints. Registration will be on a first come, first serve basis.

This workshop is a part of a research project funded by the Alberta Land Institute out of the University of Alberta. The objectives of this project are to:

1. assess and describe the current governance framework for land-use planning in Alberta;
2. identify potential issues and gaps within Alberta's current land-use governance structure that could impact achieving the priorities outlined in the LUF and implementing the seven regional plans;
3. identify models that have been used in other jurisdictions to define the relationship between provincial and municipal interests and authority in land use planning;
4. identify what made these models effective or ineffective, and examine relevance to Alberta;
5. identify what type of legislation or regulatory changes are needed to clearly define roles and responsibilities of all stakeholders involved in the ongoing implementation of the LUF and identify if revisions to the MGA are required; and
6. identify what tools and processes are needed to support an effective governance framework for the LUF.

If Council or Administration has any additional questions or concerns regarding this workshop or the research being conducted please feel free to contact Naomi Finseth at (780) 679-1643 or by email at [nfinseth@ualberta.ca](mailto:nfinseth@ualberta.ca), or her advisor Lars K. Hallstrom at [lars.hallstrom@ualberta.ca](mailto:lars.hallstrom@ualberta.ca). Remember please RSVP by August 29, 2014 if you are interested in attending.

# Save the Date

## **Municipal Governance Reform and Land Use Planning in Alberta: Scenario Planning Workshop**

**Date: October 8, 2014**

**Time: 9:00 a.m – 4:00 p.m**

**Location: Mayer Community Hall,  
University of Alberta,  
Augustana Campus, Camrose, Alberta**

**Please RSVP by August 29, 2014**



**UNIVERSITY OF ALBERTA**  
ALBERTA CENTRE FOR SUSTAINABLE  
RURAL COMMUNITIES

Alberta  
Land  
Institute





**Scenario Planning Municipal Governance and Land-Use Framework  
Alberta Land Institute  
Mayer Community Hall,  
University of Alberta, Augustana Campus | Camrose, AB  
Wednesday October 8, 2014**

<b>Item</b>	<b>Time</b>	<b>Activity</b>	<b>Person</b>	<b>Location(s)</b>
<b>1</b>	<b>9:00 – 10:00</b>	Welcome, Introduction and Background	Lars Hallström & Naomi Finseth	
<b>2</b>	<b>10:00 – 10:15</b>	<b>Break</b>		
<b>3</b>	<b>10:15 – 11:15</b>	Better Governance – What is the ideal governance model for municipalities	Lars Hallström	
<b>4</b>	<b>11:15 – 12:00</b>	Proximal and Distal Causes – How could factors (such as LUF and regional planning) affect how this ideal is reached?	Lars Hallström	
<b>5</b>	<b>12:00 – 12:30</b>	<b>Lunch</b>		
<b>6</b>	<b>12:30 – 13:20</b>	Mini Scenarios – Participants will be asked to discuss in groups 3 different scenarios and discuss what actions would need to be taken to reach the optimal outcome	Lars Hallström	
<b>8</b>	<b>13:20 – 14:10</b>	Scenario Selection	Lars Hallström	
<b>9</b>	<b>14:10 – 14:30</b>	<b>Break</b>		
<b>10</b>	<b>14:30 – 16:00</b>	Plenary Discussions – Group discussion surrounding how to reach optimal outcome based on selected scenario.	Lars Hallström	
<b>11</b>	<b>16:00 – 16:30</b>	Next Steps/ Agreement Process	Lars Hallström	



## Agenda Item

<b>Project:</b> Road Closure Application for a portion of Statutory Road Allowance 10:45 a.m. Delegation – Keith Winchell	
<b>Presentation Date:</b> August 25, 2014	
<b>Department:</b> Planning Marilyn Sanders	<b>Author:</b>
<b>Budget Implication:</b> <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
<b>Strategic Area:</b> N/A	<b>Goal:</b> N/A
<b>Legislative Direction:</b> <input type="checkbox"/> None  <input checked="" type="checkbox"/> Provincial Legislation (cite) <u>MGA s22</u>  <input checked="" type="checkbox"/> County Bylaw or Policy (cite) <u>County Road Closure Policy</u>	
<b>Recommendation:</b> Council consider granting 1 <sup>st</sup> reading to Bylaw 994/14, being a bylaw to close a portion of Statutory Road Allowance lying between NW 04 and NE 05-40-07-W5 for purpose of consolidating with adjacent lands under ownership of Keith and Elsie Winchell.	
<b>Attachments List:</b> Application, Tentative Plan, Aerial Photo, Bylaw 994/14 with Schedule "A"	

### Background:

We have received an application to close all that portion of an undeveloped statutory road allowance lying between NW 04 and NE 05-40-07-W5M. The subject land is located approximately 2 miles northwest of the Town of Rocky Mountain House.

The road allowance lies between Range Road 7-3A (Chicken Ranch Road – Road Plan 4462JY) and the North Saskatchewan River. The applicants are proposing to close and consolidate all that portion north of the quarter section line. The Winchell's have been farming across this road allowance for years and would like to consolidate it with the adjacent lands then apply for a boundary adjustment to allow a reconfiguration of the two titled areas.

In order to close this portion of road the Alberta Transportation "One Window Approach" to closures requires a bylaw process is followed. If the bylaw receives first reading, the application is referred to applicable government agencies, utility companies and to the adjacent landowners. A public hearing is then held to receive any additional comments.

Following the public hearing, if the bylaw receives second reading it is then sent to Alberta Transportation for Ministerial approval. Alberta Transportation will prepare the documentation (Notification to Registrar) necessary to transfer the road to the appropriate owner. Upon receiving Ministerial approval the bylaw would then be brought back to Council for third reading. If successful the portion of roadway to be sold to the applicants would be per policy rate of \$2,000.00 per acre plus survey, registration and transfer costs.

**Road Closure Policy:**

*“County Road Closure Policy provides direction on the closure of road right-of-way under the direction, control and management of Clearwater County. The closure of road right-of-ways shall only be considered when it is clearly evident that there is no existing and future need for the road tight-of-way. It is not the intent of the Council for Clearwater County to sell any statutory road allowances. Clearwater County will only consider requests to close or sell public roadways under its jurisdiction, management and control if there exists alternate legal access to all affected parcels of land or extenuating circumstances exist.”*

**Recommendation:**

Public Works has reviewed this application and recommend that Council does not close this portion of statutory road allowance.

That Council consider granting first reading to Bylaw 994/14 to close all that portion of statutory road allowance lying between NW 04 and NE 05-40-07-W5M.

Existing approach and access to NW 04-40-07-W5 thru NE 05-40-07-W5:



Existing undeveloped road allowance to south:



View of undeveloped road allowance to north:  
(Barn within road allowance)



Land north of barn:





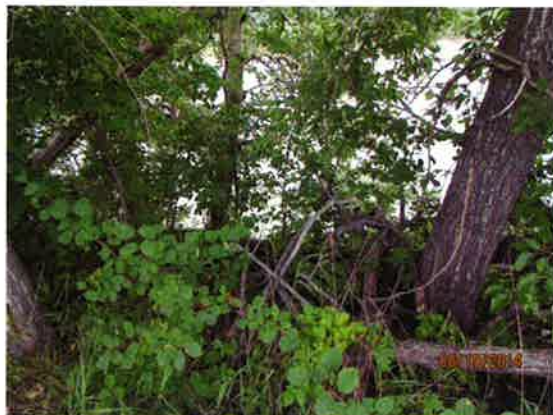
Area north of fenceline to be consolidated with NE 05:



Land south of fenceline to remain as NW 04:



Embankment to North Saskatchewan River:  
(Estimated 8' – 10' steep bank)



Chicken barn no longer in use:





# CLEARWATER COUNTY

## Road Closure Application

File # NE 05-40-07-W5  
Date Rec'd July 10/14  
Application Fee \$700.00

APPLICANT(S): Keith & Elsie Winchell  
MAILING ADDRESS: Box 22, Site 17, RR 2, RM# T4T 2A2  
CONTACT NUMBERS: 403-845-7202 Home Telephone    — Work Telephone    — Fax Number    kwinchell@ymail.com E-mail Address

### LEGAL DESCRIPTION OF ROAD TO BE CLOSED:

(Example: part of road allowance adjacent to NE 34-38-07-W5; Second Street East; or best description)

part of road allowance adj to NW 4-40-7-W5

### REASON FOR ROAD CLOSURE APPLICATION:

to allow for a boundary adjustment between two existing parcels

Please draw a sketch of the road that you wish to close below or on a separate sheet and attach to the application. Indicate any significant landmarks in the area of the proposed closure (i.e. developed roads, water bodies, buildings, etc.)

SIGNATURE OF APPLICANT(S): Keith Winchell      DATE: July 10, 2014

Note: If the road closure is successful the applicant is normally required to purchase the property at fair market value, plus title transfer costs, registration costs, survey costs, etc. if applicable. The road closure process is a very lengthy one that takes time to process.

This personal information is being collected under the authority of the Municipal Government Act, Being Chapter M-26, R.S.A. 2000 and will be used to process the road closure application. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act, Chapter F-25, RSA, 2006. If you have any questions about the collection of this personal information, please contact Clearwater County, P.O. Box 550, Rocky Mountain House AB T4T 1A4.  
Rev 2009

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

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



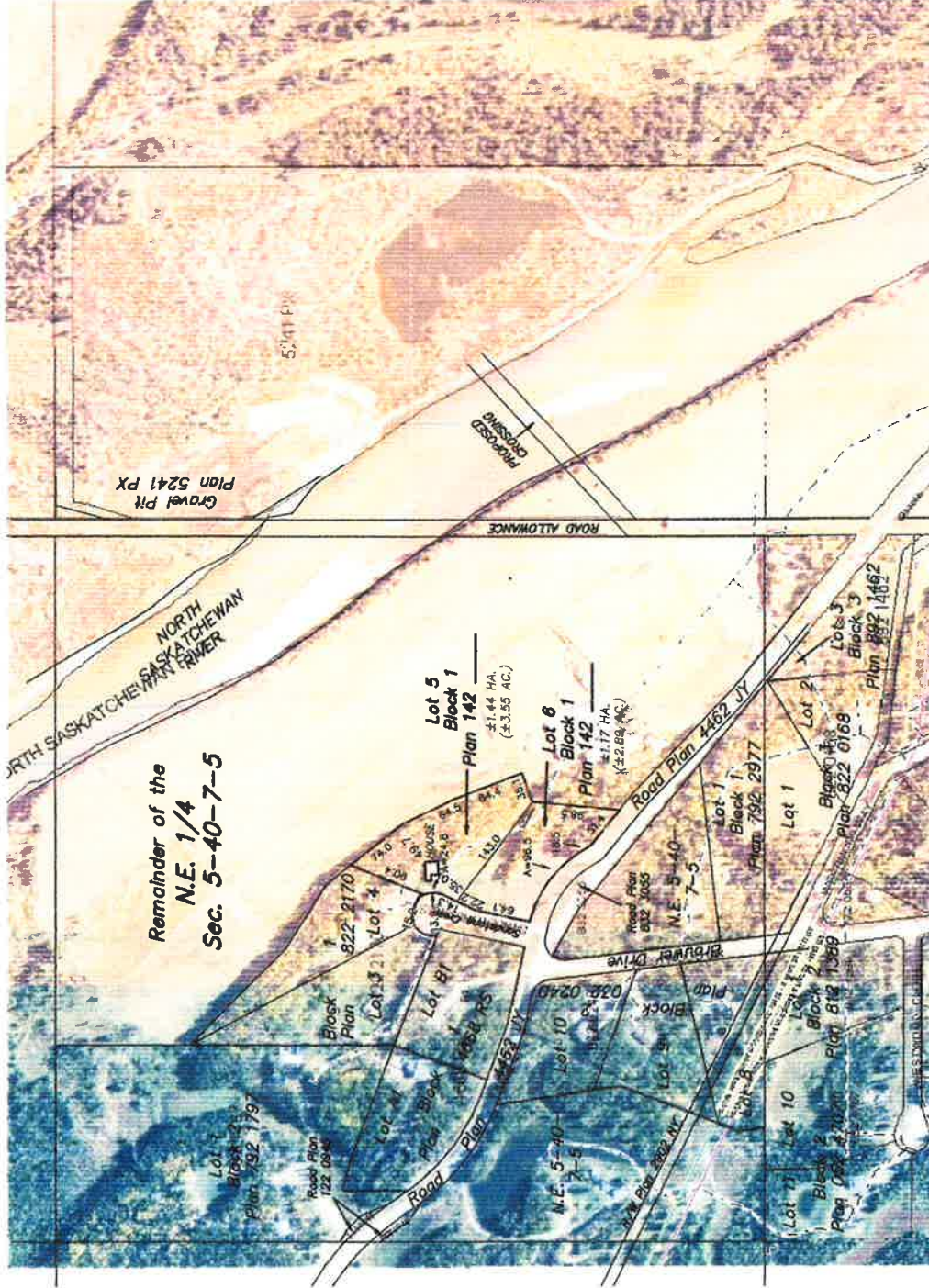
CLEARWATER COUNTY  
 TENTATIVE PLAN  
 SHOWING  
 PROPOSED SUBDIVISION  
 OF PART OF THE  
 N.E. 1/4 Sec. 5-40-7-5



SCALE = 1:5000

**NOTES:**

- Buildings are plotted from aerial photo and are approx.
- Distances shown are in metres.
- Area dealt with is bounded thus and contains ±2.61 HA. (±6.44 AC.)



Remainder of the  
 N.E. 1/4  
 Sec. 5-40-7-5

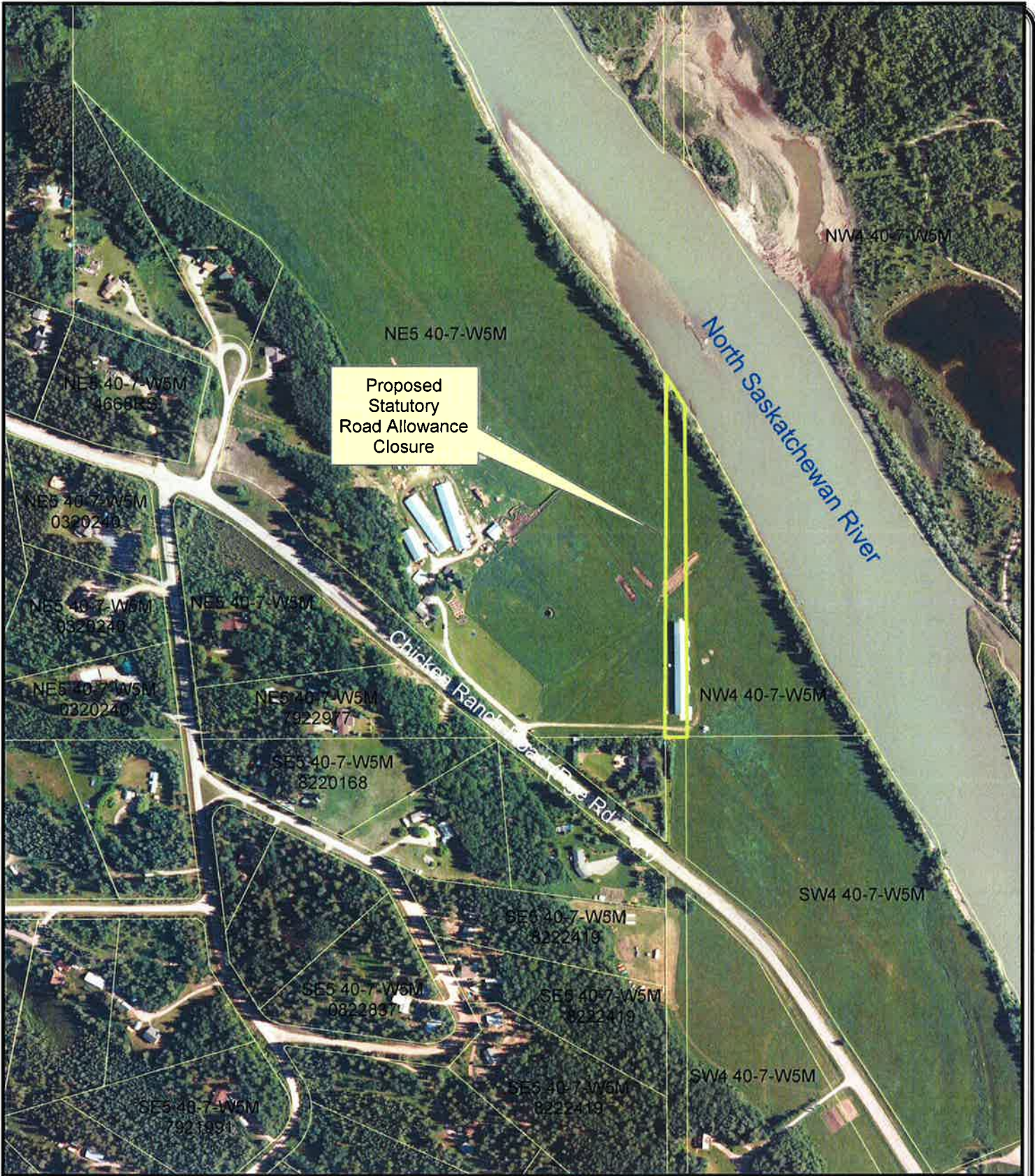


**BEMOCO LAND SURVEYING LTD.**  
 100, 6040-47th AVENUE  
 RED DEER, ALTA. PH: 342 2811

REV	DATE	DESCRIPTION
0	June 20, 2014	Issue
1	June 27, 2014	Issue

FILE No: S-050-14 tent





Application for Road Closure  
NW 04 & NE 05-40-07-W5  
Keith and Elsie Winchell





**BYLAW NO. 994/14  
CLEARWATER COUNTY**

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

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

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

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

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

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

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

**MERIDIAN 5 RANGE 7 TOWNSHIP 40  
ALL THAT PORTION OF ORIGINAL GOVERNMENT ROAD ALLOWANCE  
ADJOINING THE EAST BOUNDARY OF THE NORTH EAST QUARTER  
SEC. 05, TWP. 40, RGE. 07, W 5<sup>TH</sup> M AND LYING SOUTH OF THE LEFT  
BANK OF THE NORTH SASKATCHEWAN RIVER AS SHOWN ON  
SCHEDULE "A" ATTACHED.**

**EXCEPTING THEREOUT ALL MINES AND MINERALS.**

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2014.

\_\_\_\_\_  
REEVE

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

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2014.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

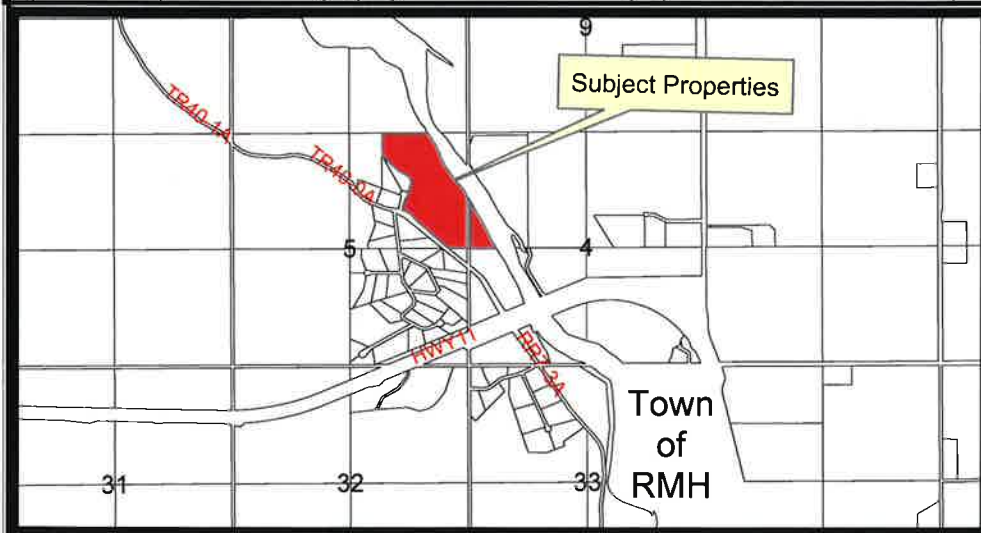
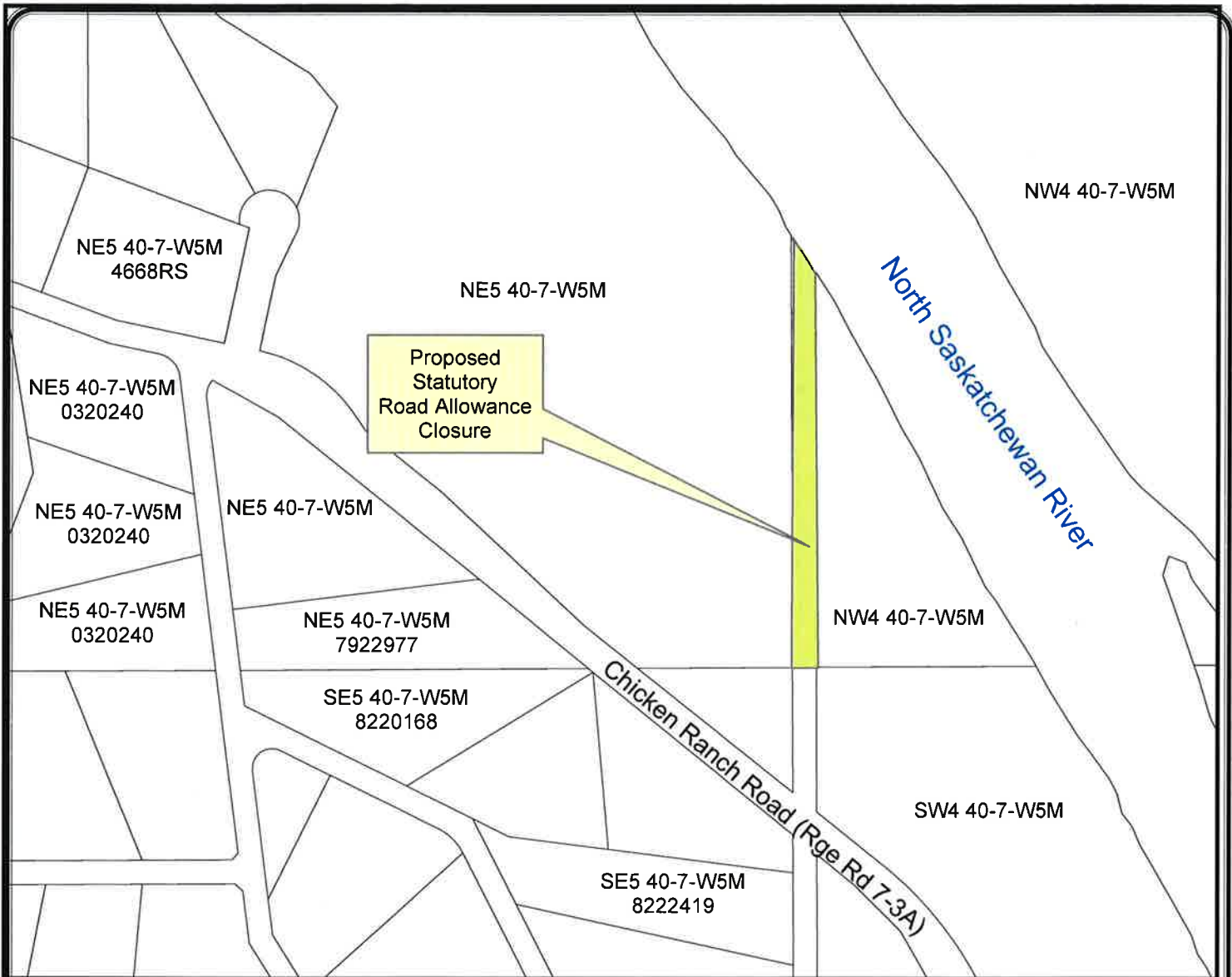
\_\_\_\_\_  
Honorable Wayne Drysdale  
Minister of Transportation

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2014.

READ A THIRD AND FINAL TIME this \_\_\_ day of \_\_\_\_\_ A.D., 2014.

\_\_\_\_\_  
REEVE

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



**Schedule "A"  
Bylaw 994/14**



Application for Road Closure  
NW 04 & NE 05-40-07-W5  
Keith and Elsie Winchell





## Agenda Item

<b>Project: Bylaw 991/14 for a Request for Road Closure in Condor, Subdivision Plan 815HW - Public Hearing 11:00 a.m. Delegation</b>	
<b>Presentation Date: August 25, 2014</b>	
<b>Department: Planning</b>	<b>Author: Kim Jakowski</b>
<b>Budget Implication:</b> <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
<b>Strategic Area: n/a</b>	<b>Goal: n/a</b>
<b>Legislative Direction:</b> <input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (cite) <u>Municipal Government Act (MGA)</u> <u>S.16, S.18, &amp; S.22 "Roads"</u> <input checked="" type="checkbox"/> County Bylaw or <b>Policy</b> (cite) <u>"Closure of County Roadway"</u>	
<b>Recommendation: Pending the results of the public hearing, Council may wish to pursue the road closure of a lane in a subdivision plan and the application may be sent to Alberta Transportation for Ministerial Approval of Bylaw 991/14</b>	
<b>Attachments List: Application, Aerial Photo, Closure of County Roadway Policy</b>	

### Background:

Clearwater County is applying to close a portion of a subdivision plan road in the Hamlet of Condor. The applicable road falls within Subdivision Plan 815HW, lying between two hamlet residential parcels in the SE 06-39-04 W5M. The subject lands are located south of old railway line and west of Condor Road.

Clearwater County presently holds title to the parcels on either side of the lane to be closed. Upon approval of the road closure, the proposal will be to consolidate the road closure portion with the existing County land and subdivide the land into equal sized Hamlet Residential lots to be sold.

Subdivision Plan 815HW is an old Subdivision Plan in the Hamlet of Condor, registered in 1948. The lane we are proposing to close was previously designated as an exit for the existing lane behind the lots. Now that the railway line is no longer in use Clearwater County would like to push the lane straight through to Railway Avenue in order to improve traffic flow through that lane. It will also aid in Fire and Rescue situations in the area. This reconfiguration will improve the shape and use of the existing parcels which



will allow the County to sell the lots which are currently not in use and are costing the County in maintenance and upkeep fees.

**Municipal Government Act (MGA), Division 2, Roads:**

Section 16(1)

*“The title to all roads in a municipality, other than a city, is vested in the Crown in right of Alberta.”*

Section 18(1)

*“Subject to this or any other Act, a municipality has the direction, control and management of all roads within the municipality.”*

Section 22

- (1) *“No road in a municipality that is subject to the direction, control and management of the municipality may be closed except by bylaw.”*
- (2) *“A bylaw closing a road must be advertised.”*
- (3) *“A bylaw closing a road made by the council of a municipality that is not a city has no effect unless it is approved by the Minister of Infrastructure and Transportation before the bylaw received second reading.*
- (4) *“Before passing a bylaw closing a road, a person who claims to be affected prejudicially by the bylaw or the person’s agent must be given an opportunity to be heard by the council.*

First reading to Bylaw 991/14 was granted by Council on June 24, 2014. As required by legislation, notice of today’s Public Hearing was advertised in the local newspapers and comments were invited from the adjacent landowners and referral agencies.

Upon closure of the public hearing the bylaw and information presented at the public hearing will be sent to Alberta Transportation for Ministerial approval. If the Minister consents to the closure of Bylaw 991/14, being a bylaw to close a portion of a lane in Subdivision Plan 815HW, PT SE 06-39-04-W5M in the Hamlet of Condor, as shown on Schedule “A” forming part of the Bylaw, will then be presented to Council for consideration of second and third readings.



**BYLAW NO. 991/14**

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

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

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

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

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

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

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

***All that portion of the east/west lane, Plan 815HW being Part of the Southeast Quarter of Section Six, Township Thirty-Nine, Range Four, West of the Fifth Meridian (SE 06-39-04-W5M) as shown on the attached Schedule "A".***

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2014.

\_\_\_\_\_  
REEVE

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

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2014.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

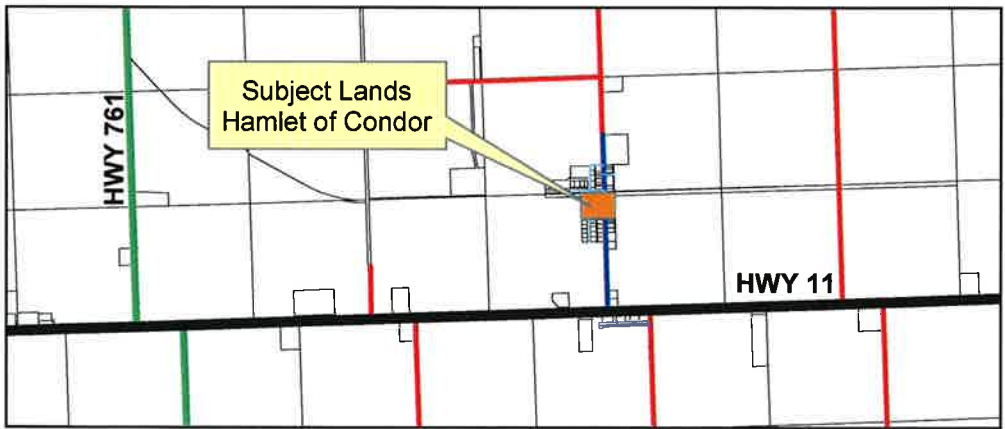
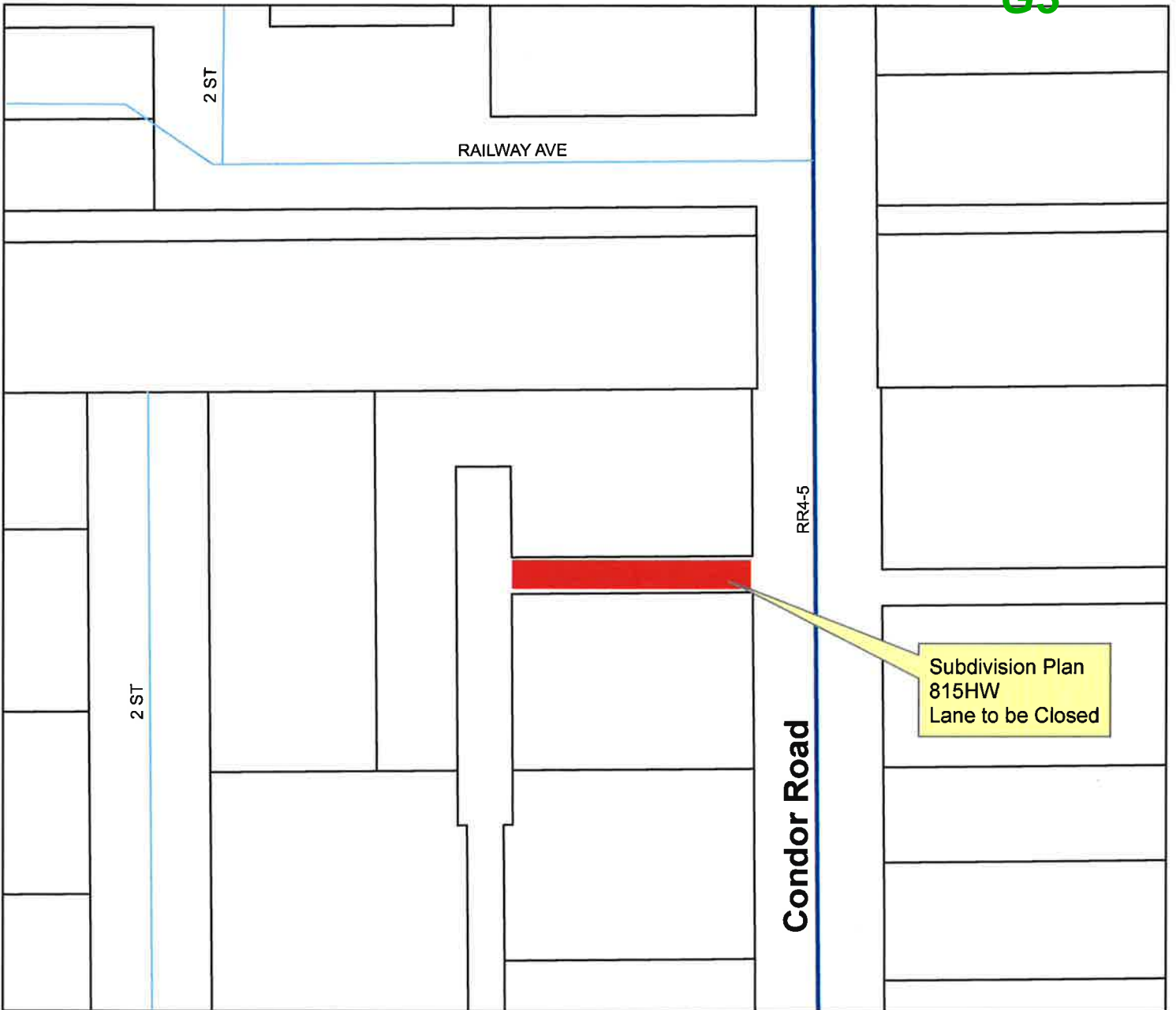
\_\_\_\_\_  
**Minister of Transportation**

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2014.

READ A THIRD AND FINAL TIME this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2014.

\_\_\_\_\_  
REEVE

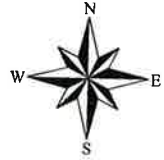
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MUNICIPAL MANAGER



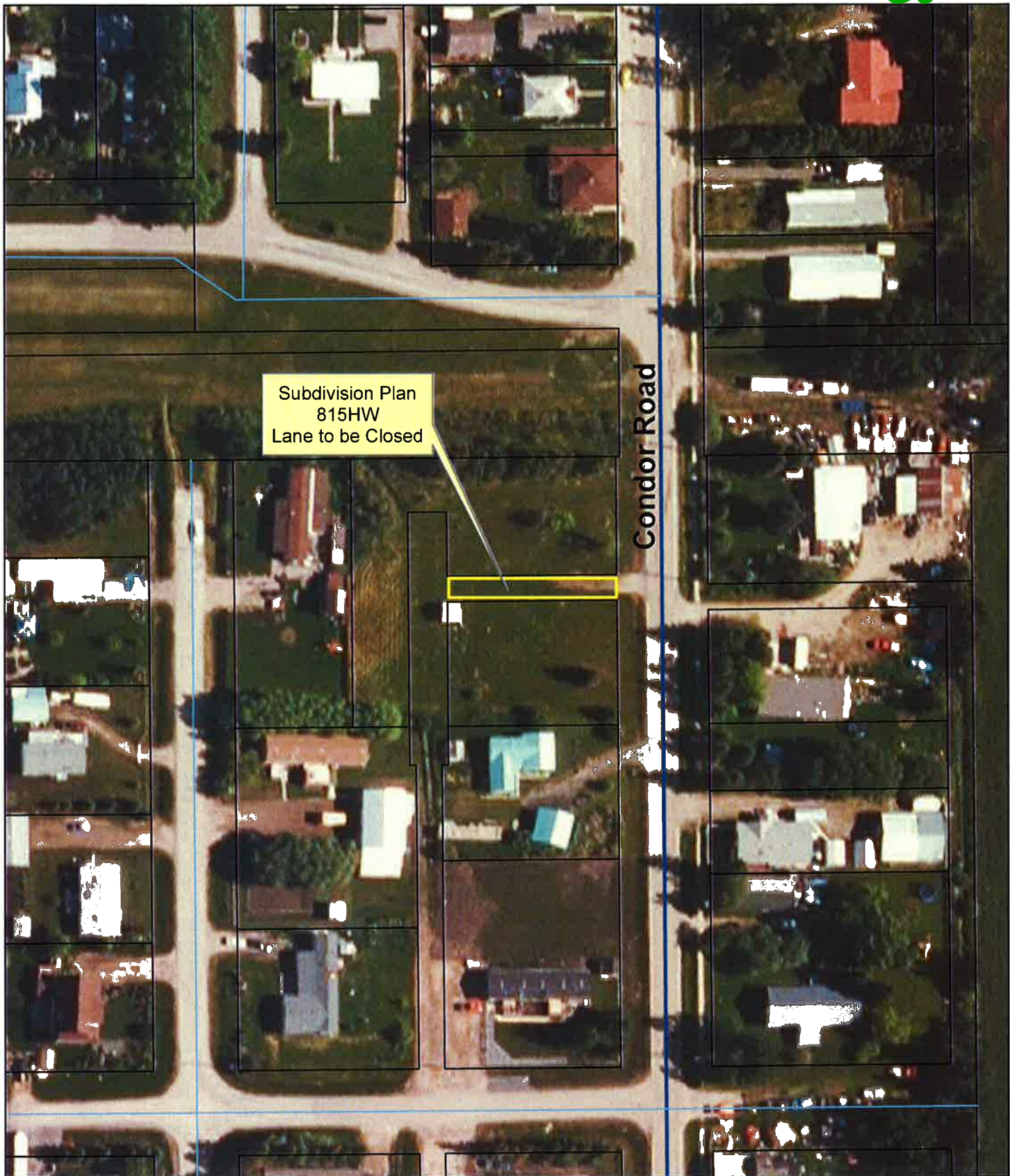
**Bylaw No. 991/14  
Schedule "A"**



**Bylaw 991/14 - Road Closure  
Subdivision Plan 815HW  
in SE 06-39-04 W5M  
Hamlet of Condor  
Clearwater County**







Subdivision Plan  
815HW  
Lane to be Closed

Condor Road



Road Closure Application  
Subdivision Plan 815HW  
SE 06-39-04-W5  
Hamlet of Condor





# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2014.....

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

Payment Periods

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

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

Date	Type of Meeting Attended	First 4 Hours \$152.00	Next 4 Hours \$121.00	Next 4 Hours \$121.00	Regular Council Meeting \$276.00	Lunch \$16.00	Mileage @ \$0.54 / km
July 2	Sasquatch -Brazeau Council Presentation	X					40
July 3	ASB- Everdell Community Weeds	X					40
July 4	Sasquatch and Partners	X					40
July 4	O'Chiese Pow Wow	X				X	117
July 8	Council				X		40
July 8	Pow wow Committee	X					40
July 9	FCSS	X					40
July 21	Clearwater Trails Initiative	X					216
July 22	Regular Council				X		40
July 22	Pow wow	X					40
July 23	Ag Rec Facility	X					40
July 25	North Sask. Headwaters	X	X				176
July 29	SDAB Hearing	X	X				40
July 31	Clearwater Trails Initiative	X					40

{more Space on Back of Page}

### Remuneration Calculation

<u>12</u>	Meetings @ \$152.00=	<u>1824.00</u>	<u>949</u>	Kms @ \$0.54=	<u>512.46</u>
<u>2</u>	Meetings @ \$121.00=	<u>242.00</u>	<u>1</u>	Lunch @ \$16.00=	<u>16.00</u>
<u>2</u>	Meetings @ \$276.00=	<u>552.00</u>			
	Supervision=	<u>\$550.00</u>			
	<b>Sub Total=</b>	<u>3168.00</u>		<b>Sub Total=</b>	<u>528.46</u>
	<b>TOTAL=</b>	<u>                    </u>		<b>TOTAL=</b>	<u>                    </u>
$3168.00 + 528.46 = 3696.46$					

*Jim Duncan*