

Minutes of a Regular Council Meeting of Clearwater County, Province of Alberta, held December 10, 2019, in the Clearwater County Council Chambers in Rocky Mountain House.

1. CALL TO ORDER:

The Meeting was called to order at 9:00 am by Reeve Hoven with the following in attendance:

Reeve
Councillors

Tim Hoven
Jim Duncan
Cammie Laird
Daryl Lougheed
John Vandermeer
Michelle Swanson
Theresa Laing

Staff:
CAO
Recording Secretary
Director, Planning & Development
Director, Public Works Infrastructure
Senior Planner
Director, Corporate Services
Director, Emergency & Legislative Services
Director, Public Works Operations
Manager, Assessment
Economic Development Officer
Systems Administrator
Communications Coordinator

Rick Emmons
Tracy Haight
Keith McCrae
Erik Hansen
Jose Reyes
Murray Hagan

Christine Heggart
Kurt Magnus
Rob Kotchon
Jerry Pratt
Mike Bell
Djurdjica Tutic

Delegates:
Sundre Forest Products|West Fraser

Tom Daniels,
Forestry Superintendent
Bruce Alexander,
General Manager
Darren Murray,
Production
Superintendent

TC Energy

Josh Pentland,
Public Affairs Officer
Kelsey Cote,
Project Engineer

Public:

Helge Nome

Media:

Diane Spoor
Adam Ophus

2. AGENDA ADOPTION:

COUNCILLOR LOUGHEED:

That the December 10, 2019, Regular Meeting Agenda is adopted as circulated.

3. ADOPTION
OF MINUTES:

3.1 November 26, 2019 Regular Meeting of Council Minutes

COUNCILLOR LAING: That the Minutes of the November 26, 2019, Regular Meeting are adopted as circulated.

470/19

CARRIED 7/0

4.DELEGATION/
PRESENTATION:

4.1 Sundre Forest Products|West Fraser – Tom Daniels, Forestry Superintendent and Bruce Alexander, General Manger

B. Alexander presented a PowerPoint ‘Clearwater County Update - Sundre Forest Products – December 10, 2019’ that explained the state of the forestry industry, capital project updates and industry/business challenges.

D. Murray presented a PowerPoint ‘West Fraser Laminated Veneer Lumber (LVL & Our Community’ that outlined the organization’s economic impact on Rocky Mountain House and Clearwater County.

T. Daniels presented a PowerPoint ‘Forestry’ that outlined West Fraser’s commitment to shut operations down in areas experiencing heavy rainfall to limit environmental damage.

The presenters responded to questions and discussion followed.

COUNCILLOR DUNCAN: That Council receives the Sundre Forest Products|West Fraser Delegates’ presentation for information.

471/19

CARRIED 7/0

5. PLANNING &
DEVELOPMENT:

5.1 Consideration of Second and Third Readings – Bylaw 1070/19 Application No. 06/19 to Amend the Land Use Bylaw

The purpose of Bylaw 1070/19 is to amend the Land Use Bylaw 714/01 to add Nordegg Manufactured Home District ‘NMH’ and redesignate +/-7.83 acres from the Agriculture District ‘A’ to the Nordegg Manufactured Home District ‘NMH’ on a portion of land located at NW 27 40 15 W5M.

Council reviewed and considered information presented at the Public Hearing, which took place on September 10, 2019; and, feedback received from Nordegg residents at the November 29, 2019, Open House.

COUNCILLOR DUNCAN: That Council grants second reading to Bylaw 1070/19 to add a new District to the County’s land use bylaw No. 714/01, being the Nordegg Manufactured Home District “NMH”; and, to redesignate +/- 7.83 acres from the Agriculture District “A” to the Nordegg Manufactured Home District “NMH” within Pt. NW 27-40-15-W5M.

472/19

CARRIED 7/0

COUNCILLOR VANDERMEER: That Council grants third reading to Bylaw 1070/19 to add a new District to the County’s land use bylaw No. 714/01, being the Nordegg Manufactured Home District “NMH”; and, to redesignate +/- 7.83 acres from the Agriculture District “A” to the Nordegg Manufactured Home District “NMH” within Pt. NW 27-40-15-W5M.

473/19

CARRIED 7/0

RECESS: Reeve Hoven recessed the meeting at 9:57 am.

CALL TO ORDER: Reeve Hoven called the meeting to order at 10:03 am.

4.2 TC Energy – Josh Pentland, Public Affairs Officer and Kelsey Cote, Project Engineer

J. Pentland presented a PowerPoint, 'TC Energy Proposed NGTL West Path Deliverables 2022 – December 10, 2019'.

J. Pentland and K. Cote responded to questions and discussion followed.

COUNCILLOR LAIRD: That Council receives the TC Energy Delegates' presentation for information.

474/19 CARRIED 7/0

6. CORPORATE SERVICES:

6.1 Draft Bylaw 1082/19 – Small Business Sub-Class

The purpose of Bylaw 1082/19 is to authorize a small business property assessment sub-class for non-residential properties to allow for a separate municipal tax rate, less than the non-residential rate, for small business property owners with less than 5 employees.

R. Kotchen responded to question and confirmed that business owners who wish to have their properties taxed at the lower rate must register. Planning and Assessment Departments will work together to notify and educate the public and small business owners of the new program. Program roll-out is anticipated for February 2020 and will not require additional staff to operate.

COUNCILLOR LAIRD: That Council grants second reading of Bylaw 1082/19 to authorize a small business property assessment sub-class.

475/19 CARRIED 7/0

COUNCILLOR LAING: That Council grants third reading of Bylaw 1082/19 to authorize a small business property assessment sub-class.

476/19 CARRIED 7/0

Discussion took place on defining the tax rate for this new sub-class at this time. It was noted that Council annually considers and sets tax rates for all assessable property bylaw in the Spring.

COUNCILLOR VANDERMEER: That Council determines a lower tax rate for the small business property assessment sub-class, at this time, to be applied at a future date.

477/19 DEFEATED 3/4

7. PUBLIC
WORKS:

7.1 Rocky Mountain Regional Solid Waste Authority Budget 2020

K. Magnus presented the Rocky Mountain Regional Solid Waste Authority (RMRSWA) Board's recommendation for Council to adopt the RMRSWA's 2020 Operational Budget with an amendment to reflect increased Regional Landfill tipping fees for external haulers; and, to adopt the RMRSWA's 2020 Capital Budget as amended to only include the 2020 Landfill Cell 2 development.

K. Magnus responded to questions and explained procurement process for capital equipment purchases.

COUNCILLOR DUNCAN: That Council adopts the Rocky Mountain Regional Solid Waste Authority 2020 Operational Budget as amended to reflect increase Regional Landfill tipping fees for external haulers; and, the 2020 Rocky Mountain Regional Solid Waste Authority 2020 Capital Budget as amended to only include the 2020 Landfill Cell 2 Development.

478/19

CARRIED 7/0

7.2 Town of Rocky Mountain House Lagoon Summary Report, December 2019

K. Magnus presented the Town of Rocky Mountain House's 'Lagoon Summary Report – December 2019' for Council's review, as per the agreement between the Town and Clearwater County. The report summarizes lagoon operations, compliance, usage and capacity from September – November 2019, confirms the balance in the combined water and sewer restricted surplus account is \$2,377,496 to date however Town Council has not yet designated a specific amount for lagoon and, confirms the Town has not received any non-compliance notices from Alberta Environment or any other regulatory body.

COUNCILLOR SWANSON: That Council receives the Town of Rocky Mountain House Lagoon Summary Report December 2019 for information as presented.

479/19

CARRIED 6/1

Councillor D. Loughheed left the meeting at 11:08 am.

7.3 Taimi Road Granular Base Course, Asphalt Concrete Pavement and Other Work Tender Award

E. Hansen presented tender results for the Taimi Road project for approximately 6.4 km of granular base course, asphalt concrete pavement and other work from the junction of Highway 12 South to Township Road 40-0.

Administration received seven bids with Pidherney's Inc. being the low valid bidder at a total of \$2,848, 360.

COUNCILLOR LAING: That Council awards the Taimi Road Granular Base Course, Asphalt Concrete Pavement and Other Work tender in the amount of \$2,848,360 to Pidherney's Inc.

480/19

CARRIED 6/0

8. EMERGENCY &
LEGISLATIVE
SERVICES:

8.1 Bylaw 1079/19 – Summer Village of Burnstick Lake and Clearwater County Intermunicipal Collaboration Framework

The purpose of Bylaw 1079/19 is to adopt the Summer Village of Burnstick Lake and Clearwater County Intermunicipal Collaboration Framework. The Framework was developed in accordance with Municipal Government Act legislation, to identify services provided by each municipality; services that are provided on an intermunicipal basis and, how intermunicipal services are delivered and funded.

481/19

COUNCILLOR SWANSON: That Council grants second reading of Bylaw 1079/19 to adopt the Summer Village of Burnstick Lake and Clearwater County Intermunicipal Collaboration Framework.

CARRIED 6/0

482/19

COUNCILLOR VANDERMEER: That Council grants third reading of Bylaw 1079/19 to adopt the Summer Village of Burnstick Lake and Clearwater County Intermunicipal Collaboration Framework.

CARRIED 6/0

8.2 Memorandum of Understanding – Summer Village of Burnstick Lake Wildland Fire Trailer

C. Heggart presented the draft Memorandum of Understanding (MOU) between Summer Village of Burnstick Lake and Clearwater County for the support of the delivery of fire suppression, including wildland urban interface (WUI) equipment management and reciprocal sharing of WUI equipment. The MOU outlines Clearwater County's ability to request utilization of the Summer Village's WUI trailer, as well as the County's agreement to provide annual routine maintenance on the trailer and its equipment.

483/19

COUNCILLOR SWANSON: That Council endorses signing a Memorandum of Understanding with the Summer Village of Burnstick Lake regarding use and maintenance Of the Summer Village's Wildland Urban Interface Fire Trailer.

CARRIED 6/0

9. REPORTS:

9.1 CAO's Report

Discussion took place on the December 10, 2019, CAO's Report as submitted.

Councillor Laird requested authorization to attend the 2020 Emergency Management Stakeholder Summit, February 19 and 20.

484/19

COUNCILLOR VANDERMEER: That Council authorizes Councillor Laird's attendance at the 2020 Emergency Management Stakeholder Summit, February 19 and 20.

CARRIED 6/0

9.2 Public Works Report

Discussion took place on the December 10, 2019 Public Works Report, as submitted.

9.3 Councillor Reports

Reeve Hoven and Councillors Laing and Swanson reported on meetings and events they attended on behalf of Clearwater County from November 27 to December 9, 2019.

9.4 Councillor Remuneration

	COUNCILLOR DUNCAN:	That Council receives the CAO's Report, Public Works Report, Councillor Reports and Councillor Remuneration for information as presented.
485/19		CARRIED 6/0

RECESS: Reeve Hoven recessed the meeting at 11:38 am.

CALL TO ORDER: Reeve Hoven called the meeting to order 11:41 am.

CLOSED SESSION:	COUNCILLOR DUNCAN:	That Council approves meeting as a Committee of the Whole in a closed session, in accordance with Section 197(2) of the Municipal Government Act and Section 197 of the Freedom of Information and Protection of Privacy Act (FOIP), to discuss Item 10.1 Land – Third Party Interest FOIP s.16 Disclosure Harmful to Interests of a Third Party at 11:41 am.
486/19		CARRIED 6/0

Pursuant to Section 197(6) of the Municipal Government Act, the following members of Administration were in attendance in the closed session discussion on Item 10.1.:

R. Emmons (Advice), M. Hagan (Advice), C. Heggart (Advice), E. Hansen (Advice), D. Tutic (Admin Support) and T. Haight (Clerk).

	COUNCILLOR VANDERMEER:	That Council reverts the meeting to an open session at 12:13 pm
487/19		CARRIED 6/0

RECESS: Reeve Hoven recessed the meeting at 12:13 pm.

CALL TO ORDER: Reeve Hoven called the meeting to order 12:45 pm.

**CLOSED
SESSION:**

COUNCILLOR DUNCAN:

That Council approves meeting as a Committee of the Whole in a closed session, in accordance with Section 197(2) of the Municipal Government Act and Section 197 of the Freedom of Information and Protection of Privacy Act (FOIP), to discuss the following items:
10.2 Delegation – Light Link Technologies Inc. – Third Party Interest FOIP s.16 - Disclosure Harmful to Interests of a Third Party; 10.3 Delegation – Curtis Herzberg, CAO, Red Deer County – FOIP s. 24 Advice from Officials; 10. 4 Connect to Innovation Funding Update FOIP s.16 - Disclosure Harmful to Interests of a Third Party; and 10.5 2018 Intermunicipal Mediation Verbal Report FOIP s. 2 – Disclosure Harmful to Intergovernmental Relations at 12:45 pm.

488/19

CARRIED 6/0

Pursuant to Section 197(6) of the Municipal Government Act, the following members of Administration:

R. Emmons (Advice), M. Hagan (Advice), C. McDonald (Advice), E. Hansen (Advice), D. Tutic (Admin Support), M. Bell (Admin Support) and T. Haight (Clerk); and, Light Link Technologies Inc. representatives: Neil Ratcliffe, Rocky Bixby and Elsie Ratcliffe; were in attendance in the closed session discussion on Item 10.2.

Pursuant to Section 197(6) of the Municipal Government Act, the following members of Administration:

R. Emmons (Advice), M. Hagan (Advice), E. Hansen (Advice) C. McDonald (Advice) and T. Haight (Clerk); and, Red Deer County representatives: Curtis Herzberg, CAO and Darren Young, IT Manager; were in attendance in the closed session discussion on Item 10.3.

Pursuant to Section 197(6) of the Municipal Government Act, the following members of Administration:

R. Emmons (Advice), M. Hagan (Advice), E. Hansen (Advice) C. McDonald (Advice) and T. Haight (Clerk), were in attendance in the closed session discussion on Item 10.4.

Pursuant to Section 197(6) of the Municipal Government Act, the following members of Administration:

R. Emmons (Advice), M. Hagan (Advice), and T. Haight (Clerk), were in attendance in the closed session discussion on Item 10.5.

COUNCILLOR SWANSON:

That Council reverts the meeting to an open session at 4:54 pm.

489/19

CARRIED 6/0

RECESS:

Reeve Hoven recessed the meeting at 4:54 pm.

CALL TO ORDER:

Reeve Hoven called the meeting to order 5:00 pm.

490/19

COUNCILLOR VANDERMEER: That Council approves extending the termination date of the current Intermunicipal Regional Fire Rescue Services Agreement from December 31, 2019 to January 31, 2020 to allow for completion of a new agreement.

CARRIED 6/0

491/19

COUNCILLOR LAIRD: That Council approves an Intermunicipal Letter of Understanding and Agreement to terminate and dissolve the current Rocky Mountain Regional Solid Waste Authority Agreement; and, that a new agreement with the Town of Rocky Mountain House and Village of Caroline is completed by February 28, 2020.

CARRIED 6/0

492/19

COUNCILLOR SWANSON: That Council authorizes Councillors' attendance at the 2020 Municipal Law Seminars, on February 6, 7, 13 and 21 and the Alberta Forward Forum, on February 24, 25.

CARRIED 6/0

ADJOURNMENT:

493/19

COUNCILLOR LAIRD: That the Meeting adjourns at 5:00 pm.

CARRIED 6/0


REEVE


CHIEF ADMINISTRATIVE OFFICER