

Minutes of a Regular Council Meeting of Clearwater County, Province of Alberta, held September 22, 2014 in the Clearwater County Council Chambers in Rocky Mountain House.

**CALL TO ORDER:** The Meeting was called to order at 9:00 A.M. by Reeve Alexander with the following being present:

Reeve:	Patrick Alexander
Councillors:	Earl Graham
	Curt Maki
	Jim Duncan
	Theresa Laing
	Kyle Greenwood
	John Vandermeer
CAO:	Ron Leaf
Recording Secretary:	Tracy Haight
Director, CPS:	Ted Hickey
Director, Public Works:	Marshall Morton
Director, Corp Services:	Rudy Huisman
Director, Planning:	Rick Emmons
Staff:	Brad Welygan
	Kurt Magnus
	Katie Lutz
	Christine Heggart
Media:	Sarah Maetche
	Dania Gravelle

**AGENDA  
APPROVAL:**

COUNCILLOR GRAHAM: That the September 22, 2014 Regular Meeting Agenda be accepted.

342/14 CARRIED 7/0

**CONFIRMATION  
OF MINUTES:**

1. September 08, 2014 Regular Meeting Minutes

COUNCILLOR DUNCAN: That the Minutes of the September 8, 2014 Regular Meeting be accepted.

343/14 CARRIED 7/0

**PLANNING:**

1. Additional Members At Large for the Subdivision Development Appeal Board (SDAB)

Rick Emmons stated Administration requests that Council consider the addition of one member at large and one alternate member at large to the SDAB. Mr. Emmons explained by adding members, Administration ensures quorum and reduces scheduling issues for future meetings.

Councillor Duncan noted the SDAB has two councillors as appointed members and as the number of councillors cannot exceed the number of members at large, additional members would be prudent.

Mr. Emmons responded to questions from Council and provided information on the formation of the SDAB.

COUNCILLOR VANDERMEER: That Council approves the appointment of five members at large and two alternate members for the SDAB at the annual Organizational Meeting.

344/14

CARRIED 7/0

Rick Emmons left the meeting.

**PUBLIC WORKS: 1. Transportation Infrastructure Debt in Alberta**

Marshall Morton provided a summary of the Alberta Roadbuilders and Heavy Construction Association's (ARHCA) White Paper: *Transportation Infrastructure Debt in Alberta*.

Mr. Morton responded to questions from Council and explained the difference between Alberta Transportation's and Clearwater County's rating system for road conditions; outlined the difference between the Province's and Clearwater County's paving programs; and provided information on the funding deficit for infrastructure.

Discussion followed on the funding shortfall for infrastructure in municipalities; lack of a standardized rating system for rural roads; the Building Canada Fund program and the rapidly increasing infrastructure deficit.

Discussion continued on the significant amount of road way in the County and Mr. Morton noted the potential of partnering with AAMDC to develop a standardized rating similar to the bridge management system.

COUNCILLOR MAKI: That Council accepts the information as presented.

345/14

CARRIED 7/0

Marshall Morton and Kurt Magnus left the meeting.

**CORPORATE SERVICES: 1. Gas Tax Fund Memorandum of Agreement**

Rudy Huisman provided information on the Gas Tax Fund (GTF) program, which is funded by the federal government and administered by the Minister of Alberta Municipal Affairs. Mr. Huisman noted Clearwater County receives approximately \$700,000 per year from the program and annually applies this amount to specific projects in the County's Asphalt Overlay capital program.

Mr. Huisman stated the current Gas Tax Fund Memorandum of Agreement expired and authorized signatures are required for the new agreement.

Mr. Huisman responded to questions from Council and noted there are no significant changes to the new agreement.

COUNCILLOR VANDERMEER: That Council authorizes the Reeve and CAO to sign the Gas Tax Fund Memorandum of Agreement.

346/14

CARRIED 7/0

Christine Heggart left the meeting.

**2. Revenue Sharing Agreement: Clearwater County and Village of Caroline**

Rudy Huisman presented the new revenue sharing agreement, based on the Intermunicipal Collaboration Committee's funding model, with the Village of

Caroline. Mr. Huisman noted the agreement is for a one year term ending December 31, 2014. Payment amounts are calculated on 2014 assessments and indicate net municipal taxes levied in the designated area.

Mr. Huisman stated Clearwater County and the Town of Rocky Mountain House are currently negotiating a revenue sharing agreement.

Mr. Huisman responded to questions from Council and explained the boundary lines for the designated area.

COUNCILLOR MAKI: That Council authorizes the Reeve and CAO to sign the Revenue Sharing Agreement, as presented, with the Village of Caroline.

347/14

CARRIED 7/0

**3. Municipal Auditor Appointment for Fiscal Year 2014**

Rhonda Serhan stated the accounting firm Hawkings Epp Dumont was appointed as municipal auditor for the fiscal years 2010 to 2012 by a Request For Proposal (RFP). The RFP with Hawkings Epp Dumont includes a clause for two possible one-year extensions with a mutually agreed on price. Hawkings Epp Dumont submitted a quote for \$2,000 above 2013 fees. Ms. Serhan stated staff recommends offering a one-year extension at the quoted amount.

Ms. Serhan responded to questions from Council and noted Hawkings Epp Dumont will present 2013 audited statements to Council by November.

COUNCILLOR GRAHAM: That Council appoints Hawkings Epp Dumont as municipal auditor for the 2014 fiscal year.

348/14

CARRIED 7/0

**COMMUNITY &  
PROTECTIVE  
SERVICES:**

**1. Scholarship Awards Ceremonies**

Katie Lutz stated Council budgets \$4,000 annually to provide \$1000 scholarships for post-secondary education to one student from each of the four high schools in the county. As per policy, a county councillor shall attend the high school award ceremony to present the award.

Council noted West Central High School awards ceremony would require attendance by staff as it conflicts with the District Two Central Alberta Association of Municipal Districts and Counties (CAAMDC) meeting.

COUNCILLOR GREENWOOD: That Council authorizes Councillors Graham and Vandermeer to attend Caroline School on October 09; Councillor Maki to attend David Thompson High School on October 09; Councillor Duncan to attend St. Dominic's High School on October 10; and Staff to attend West Central High School on October 17.

349/14

CARRIED 7/0

Katie Lutz and Rhonda Serhan left the meeting.

MUNICIPAL:

1. MGA Review and Building Canada Fund Program Review

Ron Leaf reported on the Alberta Rural Administrators of Alberta Association Conference he attended and noted Kim Heyman, Director of Advocacy and Communications for the Alberta Association of Municipal Districts and Counties (AAMDC) outlined several issues with the federal Building Canada Fund (BCF) program. Ms. Heyman noted the following:

- The lack of timeliness for agreement approvals
- BCF allocation structure needs to allow small communities access to funds
- Local roads must be included in the small communities components
- The “national significance” requirement eliminates most municipal projects
- The BCF should assist municipalities not the Province
- Complexity of application forms should coincide with funds received

Mr. Leaf stated AAMDC believes the BCF program requires reworking in order to provide better possibilities for municipal infrastructure and suggests councils raise concerns with their member(s) of parliament and lobby for changes to the BCF program.

Ms. Heyman also provided an update and an overview of work completed on the MGA review. The Deputy Minister indicated the Province intends to table the new MGA in the 2015 spring session of the Legislature and that while new regulations are developed and existing regulations are amended over the next two years, adoption of the new MGA may not occur.

Mr. Leaf responded to questions from Council and noted municipal charters were discussed at the conference. Discussion followed on the purpose of charters, legislation required to initiate charters, and the political process involved to approve the MGA.

Discussion continued on the BCF program and lobby strategies by municipalities to effect changes to the program.

Rudy Huisman and Ted Hickey left the meeting.

350/14

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| COUNCILLOR MAKI:   | That Council accepts the information as presented.   |
|                    | CARRIED 7/0  |
| COUNCILLOR DUNCAN: | That Council discusses the BCF program at their next annual meeting with Members of Parliament for Wildrose and Wetaskiwin constituencies. |

351/14

CARRIED 7/0

2. Canadian Union of Postal Workers Request for Support

Ron Leaf stated the Canadian Union of Postal Workers (CUPW) requests that Council support their concern with Canada Post Corporation’s proposed changes. Mr. Leaf noted this request is similar to one received in December 2013, at which time Council resolved to discuss postal service issues with members of parliament.

Discussion followed on changes to postal service over the last several years and the effect on residents in the area.

	<p>COUNCILLOR DUNCAN:</p> <p>That Council discusses postal service issues at their next annual meeting with Members of Parliament for Wildrose and Wetaskiwin constituencies.</p>
352/14	<p>CARRIED 7/0</p>
	<p><b><u>3. ARPA 2014 Conference Attendance</u></b></p> <p>Councillor Graham indicated his interest in attending the Alberta Recreation and Parks Association (ARPA) conference.</p> <p>COUNCILLOR DUNCAN:</p> <p>That Council authorizes Councillor Graham's attendance at the ARPA Conference October 23 – 25, 2014.</p>
353/14	<p>CARRIED 7/0</p>
	<p><b><u>4. Scheduling 2014 Organizational Meeting and November/December Regular Council Meetings</u></b></p> <p>Tracy Haight stated as per MGA legislation, Administration recommends scheduling the 2014 Organizational Meeting on October 28, 2014 at 9:00 a.m., prior to Council's regular meeting.</p> <p>COUNCILLOR GRAHAM:</p> <p>That Council sets the 2014 Organizational Meeting date as October 28, 2014 at 9:00 a.m.</p>
354/14	<p>CARRIED 7/0</p>
	<p>Ms. Haight stated Council's November 11 regular meeting conflicts with the Remembrance Day statutory holiday and Administration recommends changing the meeting date to November 12.</p> <p>Discussion followed on potential scheduling conflicts.</p> <p>COUNCILLOR VANDERMEER:</p> <p>That Council tables the rescheduling of the November 11 regular meeting to address any scheduling conflicts.</p>
355/14	<p>CARRIED 7/0</p>
	<p>Ms. Haight stated Council typically cancels the second regular meeting in December as it falls during the Christmas holiday schedule, and Administration recommends Council continues this practice.</p> <p>COUNCILLOR LAING:</p> <p>That Council cancels the December 23, 2014 regular meeting and directs staff to advertise the change.</p>
356/14	<p>CARRIED 7/0</p>
INFORMATION:	<p>Council discussed potential dates for the West Frasier Tour and noted October 29 and October 30 as possible.</p> <p>COUNCILLOR VANDERMEER:</p> <p>That Council accepts the invitation from West Frasier, and accepts the CAO Report, Public Works Director's Report, Accounts Payable Listing and Councillors Remuneration as information.</p>
357/14	<p>CARRIED 7/0</p>

Keith McCrae, Rick Emmons, and Katie Lutz joined the meeting.

**IN CAMERA:** Councillor John Vandermeer declared a pecuniary interest regarding In Camera Item 4. Legal – Controverted Election Costs.

Sarah Maetche and Dania Gravelle left the meeting.

COUNCILLOR LAING: That Council meets as a Committee of the Whole to discuss Legal, Land, and Labour issues at 10:08 A.M.

**358/14** CARRIED 7/0

COUNCILLOR MAKI: That the meeting reverts to an Open Meeting at 10:55 A.M.

**359/14** CARRIED 7/0

Kurt Magnus, Sarah Maetche, Dania Gravelle, Chuck Shipley, Marilyn Sanders, Dustin Bisson, Holly Bily, Christine Heggart, and Joanne Klauer joined the meeting.

**MUNICIPAL:** **5. Public Hearing Procedural Fairness – Joanne Klauer, MacPherson Leslie & Tyerman (MLT) LLP**

Councillor Graham left the meeting.  
Councillor Graham joined the meeting.

Joanne Klauer, MacPherson Leslie & Tyerman (MLT) LLP, presented legal information to Council on public hearing procedural fairness; identified the appropriate level of procedural fairness required; outlined the primary rules of procedural fairness and natural justice; and provided suggestions to achieve procedural fairness.

Ms. Klauer provided examples of case laws and responded to questions from Council on the role and responsibilities of councillors outside of, and during, public hearings.

Dania Gravelle left the meeting.

COUNCILLOR VANDERMEER: That Council accepts the information as presented.

**360/14** CARRIED 7/0

**IN CAMERA:** Councillor John Vandermeer declared a pecuniary interest regarding In Camera Item 4. Legal – Controverted Election Costs.

Kurt Magnus, Sarah Maetche, Marilyn Sanders, Dustin Bisson, Holly Bily, Christine Heggart, and Tracy Haight left the meeting.

COUNCILLOR MAKI: That Council meets as a Committee of the Whole to discuss Legal and Labour issues at 12:09 P.M.

**361/14** CARRIED 7/0

COUNCILLOR GRAHAM: That the meeting reverts to an Open Meeting at 12:25 P.M.

**362/14** CARRIED 7/0

Reeve Alexander recessed the Council meeting for lunch at 12:25 P.M.

Reeve Alexander reconvened the Council meeting at 12:55 P.M. with the following present: Councillors Graham, Maki, Duncan, Laing, Vandermeer, and Greenwood; Ron Leaf, and Joanne Klauer.

**IN CAMERA:** Councillor John Vandermeer declared a pecuniary interest regarding In Camera Item 4. Legal – Controverted Election Costs.

COUNCILLOR MAKI: That Council meets as a Committee of the Whole to discuss Legal and Labour issues at 12:55 P.M.

**363/14** CARRIED 7/0

Joanne Klauer left the meeting.

COUNCILLOR DUNCAN: That the meeting reverts to an Open Meeting at 2:40P.M.

**364/14** CARRIED 7/0

COUNCILLOR MAKI: That Council accepts the CAO Evaluation as presented.


**365/14** CARRIED 7/0

COUNCILLOR GRAHAM: That Council authorizes the Reeve and Deputy Reeve to sign the CAO Evaluation.

**366/14** CARRIED 7/0

**ADJOURNMENT:** COUNCILLOR DUNCAN: That the Meeting adjourns.  
**2:45P.M.**

**367/14** CARRIED 7/0

  
REEVE

  
CHIEF ADMINISTRATIVE OFFICER