

Minutes of a Regular Council Meeting of Clearwater County, Province of Alberta, held July 14, 2015 in the Clearwater County Council Chambers in Rocky Mountain House.

**CALL TO ORDER:** The Meeting was called to order at 9:02 A.M. by Reeve Alexander with the following being present:

- |                                       |                   |
|---------------------------------------|-------------------|
| Reeve:                                | Patrick Alexander |
| Councillors:                          | Earl Graham       |
|                                       | Curt Maki         |
|                                       | Jim Duncan        |
|                                       | John Vandermeer   |
|                                       | Kyle Greenwood    |
|                                       | Theresa Laing     |
| CAO:                                  | Ron Leaf          |
| Director, Ag Services & Landcare:     | Matt Martinson    |
| Director, Community & Protective Svs: | Ted Hickey        |
| Recording Secretary:                  | Tracy Haight      |
| Staff:                                | Brad Welygan      |
|                                       | Brian Bilawchuk   |
|                                       | Kurt Magnus       |
|                                       | Kate Unwin        |
|                                       | Charlene Johnson  |
| Media:                                | Christine Heggart |
|                                       | Laura Button      |
|                                       | Sylvana Crosby    |
| Public:                               | Bill Ramage       |
|                                       | Kathy Ramage      |
|                                       | Bob Bryant        |

**AGENDA  
APPROVAL:**

Ron Leaf requested the addition of Item F3 – May Long Weekend Joint Operation Report.

COUNCILLOR MAKI: That the July 14, 2015 Regular Meeting Agenda be accepted as amended.

237/15 CARRIED 7/0

**CONFIRMATION  
OF MINUTES:**

1. June 23, 2015 Regular Meeting Minutes

COUNCILLOR GRAHAM: That the Minutes of the June 23, 2015 Regular Meeting be accepted.

238/15 CARRIED 7/0

1. June 23, 2015 Public Hearing Minutes

COUNCILLOR VANDERMEER: That the Minutes of the June 23, 2015 Public Hearing be accepted.

239/15 CARRIED 7/0

**PUBLIC WORKS: 1. Ramage Delegation – Eldorado Pressure Services Ltd.: Use of Road Right-of-Way**

Kurt Magnus provided background information on an electric powered locking gate on the service road located in the SW 29 40 06 W5M. The property is owned by Bill and Kathy Ramage, operating as Eldorado Pressure Services Ltd. The service road, which runs parallel to Highway 12, provides access to Eldorado Pressure Services Ltd.'s business operations and two residences. He noted that as per the *Use of Road Right-Of-Way* policy, the control and maintenance of the service road is Clearwater County's responsibility. The installation of the gate across the service road was constructed without consultation or permission from the County and in contravention of the policy. Administration recommends the removal of the gate and that alternative security measures be used. Mr. Magnus identified that the proximity to Highway 12 any gate or security device may require a highway development permit from Alberta Transportation.

Bob Bryant, employee of Eldorado Pressure Services Ltd., provided a history of the business and explained that Eldorado Pressure Services Ltd. constructed the service road as required as a condition of the 2012 subdivision approval based on the recommendation by Alberta Transportation and that the Ramage property is the only property accessed by the road.

Mr. Bryant explained that the gate was installed for security purposes so as to meet regulatory requirements for the handling and storage of chemicals located on the property. The gate is controlled by remote controls or a keypad, is open during the day and locked at night to control public access.

Mr. Bryant stated that as per Clause 8 of the policy, Eldorado Pressure Services Ltd. asks that Council consider providing permission for the gate. He noted that the business is willing to continue maintenance of the service road at its expense, post a 24 hour emergency contact number, and provide emergency responders with an entrance code in the event that access is required after hours.

Mr. Magnus responded to questions from Council and confirmed that Clearwater County is the road authority for the service road and a copy of the 'Use of Road Right-Of-Way' policy was received by the applicant at the time of the 2012 development.

Discussion followed and Council noted that consultation with Alberta Transportation is required due to concerns with traffic and potential "truck stacking" on Highway 12 resulting from a locked gate. Dependent on Alberta Transportation's approval, Council may permit the continued use of the locking gate subject to the following conditions: 1) Eldorado Pressure Services Ltd. assumes road maintenance costs; and 2) the permit is granted to the current property owners only.

COUNCILLOR VANDERMEER: That Administration consults with Alberta Transportation and pending their response, draft an agreement for Council's consideration.

**2. Transport Canada Navigation Protection Act Changes**

Kurt Magnus provided information on *The Navigation Protection Act*, a federal regulatory statute that protects the navigation of scheduled and non-scheduled waterways in Canada.

He explained that Clearwater County must apply for government approval prior to any work projects, including new and/or replacement bridge structures, done on or near a waterway. Currently, Transport Canada is offering owners of work projects on a non-scheduled waterway two options, as follows:

1. Opting In - continue to obtain regulatory approval from Transport Canada for all work projects on non-scheduled waterways; or
2. Opting Out – the owner, at its discretion, may proceed with work projects for existing and/or replacement structures on non-scheduled waterways without obtaining regulatory approval.

Discussion followed and Council noted that Option 2 would speed up the application process.

COUNCILLOR GRAHAM:

That Council accepts Option 2 and directs staff to "Opt Out", before the April 1, 2019 deadline, so as to proceed with work projects for existing and/or replacement structures on non-scheduled waterways without obtaining regulatory approval from Transport Canada.

241/15

CARRIED 7/0

**3. First Reading Bylaw 1004/15 Road Allowance Permit between SE and SW 30 39 04 W5M**

Kurt Magnus presented a permit application for the use of the road allowance which lies south of SE 30 39 04 W5M and SW 30 39 04 (approximately 8 acres) for cattle grazing purposes.

COUNCILLOR MAKI:

That Council grants first reading to Bylaw 1004/15.

242/15

CARRIED 7/0

**4. First Reading Bylaw 1005/15 Road Allowance Permit between NE 36 37 08 W5M and SE 01 38 08 W5M**

Kurt Magnus presented a permit application for the use of the road allowance which lies between NE 36 37 08 W5M and SE 01 38 08 W5M (approximately 4 acres) for cattle grazing purposes.

COUNCILLOR GRAHAM:

That Council grants first reading to Bylaw 1005/15.

243/15

CARRIED 7/0

Kurt Magnus, Brian Bilawchuk, Charlene Johnson, and Kate Unwin left the meeting.

**AGRICULTURE  
SERVICES &  
LANDCARE:**

**1. Legal Opinion on Jurisdiction of the Weed Control Act on Railways**

Matt Martinson presented a legal opinion, obtained by the Alberta Association of Municipal Districts and Counties, regarding municipal authority under the Alberta *Weed Control Act* within federally regulated railway lands.

Mr. Martinson stated that the legal opinion validates Clearwater County's understanding that for the purpose of weed control, the County has jurisdiction on all lands within the municipality, except for First Nations Land and land owned by Parks Canada. Clearwater County conducts weed control activities in and around railways, and will continue to do so, with the knowledge that the County is liable for damages and staff's safety while operating on these lands.

Mr. Martinson responded to questions from Council and discussion followed.

COUNCILLOR DUNCAN:                      That Council accepts the information as presented.

244/15

CARRIED 7/0

**COMMUNITY &  
PROTECTIVE  
SERVICES:**

**1. Policy Review: Clearwater Regional Fire Rescue Services Fees/Rates**

Cammie Laird, Regional Fire Chief, presented the Clearwater Regional Fire Rescue Services (CRFRS) *Standard Operating Guidelines* (SOG) policy, recommended by the CRFRS Committee, for Council's review.

Fire Chief Laird stated that this policy establishes uniform fees for service within the Town of Rocky Mountain House, Village of Caroline, and Clearwater County. Fire Chief Laird stated that the policy requires approval from the respective Councils and that the Village of Caroline Council granted approval on July 13.

Fire Chief Laird explained that the SOG policy is a replacement for the Clearwater County *Fire Services Fees for Service (Invoices)* policy approved in 2004. The SOG fees, based on Alberta Transportation's reimbursement rates and service fees from other fire rescue services within Alberta, are comparable to other municipalities in Central Alberta.

Fire Chief Laird responded to questions from Council and discussion followed.

COUNCILLOR VANDERMEER:              That Council approves the CRFRS Standard Operating Guidelines Policy as presented and rescinds the Clearwater County Fire Services Fees for Service (Invoices) Policy.

245/15

CARRIED 7/0

Fire Chief Cammie Laird left the meeting.

**2. Clearwater County Highway Patrol Interim Report and May Long Weekend Task Force Report**

Sergeant (Sgt.) Terri Miller, Clearwater County Highway Patrol, presented the Clearwater County Highway Patrol January – June 2015 Interim Report to Council.

Sgt. Miller outlined the mission, goals, management of the CPO department, and officer recertification completed to date.

Reeve Alexander left the meeting at 10:20 a.m.

Sgt. Miller provided information on activities undertaken by the department for the period of January 1 to June 30, 2015 relating to infrastructure protection, public safety, and education for industry and the public. She noted that the new and uniquely Clearwater County “Positive Ride” program, that encourages off-highway vehicle safety, is very successful.

Reeve Alexander joined the meeting at 10:29 a.m.

Sgt. Miller provided statistics on files/incidents, complaints, and traffic violations for the interim period and noted comparisons between the previous year. She noted that excessive speeding on the Rainy Creek and Sunchild roads is of concern and that Highway Patrol staff have increased CPO presence to act as a deterrent.

Reeve Alexander left the meeting at 10:33 a.m.

Sgt. Miller reviewed the Nordegg Joint Forces Traffic Operation, conducted in June, and noted that the successful event was well received by residents and motorists. RCMP service units from Blackfalds, Stettler, Rocky Mountain House, and the Sheriff’s Department attended thus allowing the CPO’s authority for enforcement. She noted that comments received from K-Division indicated they are very impressed with the collaborative efforts.

Sgt. Miller informed Council that the Clearwater County Highway Patrol now participates in social media thru *Facebook* and *Twitter*.

Reeve Alexander joined the meeting at 10:37 a.m.

Rudy Huisman joined the meeting.

COUNCILLOR GREENWOOD: That Council accepts the information as presented.

246/15

CARRIED 7/0

Derry Armstrong, Rick Emmons, Keith McCrae, Dustin Bisson joined the meeting.

**3. May Long Weekend Joint Operation Report**

Sgt. Terri Miller presented the May Long Weekend Joint Operation Report to Council. She noted that the number and size of vehicles, such as monster trucks and four-seater side-by-side OHV’s are increasing and there is concern with the damage that vehicles of this size can cause.

Sgt. Miller provided information on the various provincial and municipal participants involved in the operation and stated that the operation met all

objectives. She provided a summary of the educational programs that were delivered prior to the May long weekend and noted Sasquatch Initiative and Checkstop programs received positive responses from the public.

Sgt. Miller reviewed various statistics, which included the amount of vehicles checked, type of vehicles, tickets issued, and additional man-hours worked for 2015. She noted the lack of statistics on accident/medical issues as Alberta Health Services (AHS) does not allow the release of that information.

Discussion followed and Council noted that information from AHS would be useful to ensure the proper use of resources and in lobby efforts for a new hospital. Sgt. Miller responded to questions from Council and explained that additional man-hours worked does not include regular scheduled shifts for officers. Council noted that statistics on total man-hours worked would be beneficial for Council's lobby efforts for additional government resources.

Sgt. Miller provided information on waste disposal services provided during the weekend. Council noted the need to discuss with Alberta Environment and Parks cost of waste disposal related to random camping being borne by the County.

Sgt. Miller stated that, overall, the joint operation is successful due to collaborative efforts and the support received from local government and provincial agencies.

Discussion followed on the coordination of efforts with agencies for future long weekends. It was suggested that the use of traffic counters for all summer long weekends would be beneficial.

COUNCILLOR GREENWOOD: That Council accepts the information as presented.

247/15

CARRIED 7/0

Sgt. Miller left the meeting.

**PLANNING:**

**1. West Country Trail System**

Rick Emmons stated that the next step in the concept planning for the West Country multi-use trail systems around Nordegg is to begin a public consultation process.

Derry Armstrong, Armstrong Consulting Services, retained by Clearwater County as Trails Consultant, presented a Power-Point outlining the Nordegg Trail proposal for Council's review.

Mr. Emmons responded to questions from Council and confirmed that the County can designate trails within the town site. He noted that the proposed trails are designed to link existing pathways within the town, areas to the North, and to the mountain ranges. Council noted that official designation of trail systems provides opportunity for management control and a revenue source.

Discussion followed and Mr. Armstrong and Mr. Emmons responded to questions from Council on the proposed development phases, mapping and identification of trails, and funding options available from provincial and federal resources.

Mr. Emmons explained the proposed public engagement plan and noted next steps as follows:

- Post draft trail plan along with request for public comment on County website;

- Request comments from Alberta Environment and Parks and various community associations;
- Invite Nordegg residents and the Nordegg Community Association to attend an information/public engagement session on August 1

Discussion followed and Council noted the potential for increased tourism with established trail systems; alternative sources of funding may be required for the trail systems development; and local involvement and community/engagement support is also required.

COUNCILLOR LAING: That Council approves the proposed Nordegg Trails Concept Plan as presented.

248/15

CARRIED 7/0

RECESS:

Reeve Alexander recessed the meeting at 12:10 P.M.

CALL TO  
ORDER:

Reeve Alexander called the meeting to order at 12:19 P.M. with the following people present: Councillors Graham, Maki, Duncan, Vandermeer, Greenwood, and Laing; Ron Leaf, Keith McCrae, Rick Emmons, and Tracy Haight.

## **2. Nordegg Lot Sales**

Rick Emmons presented amendments to the *Nordegg Residential Phase 1, Stage 1, Lot Purchasing* policy to Council. He explained the rationale for the amendments and reviewed the procedures for a Request For Proposal (RFP). He noted that the amendments allow for the inclusion of commercial and industrial lots rather than just residential. The amendments will also eliminate the risk of favouritism of any one real estate agency.

Discussion followed and Mr. Emmons responded to questions from Council.

COUNCILLOR GRAHAM: That Council approves the Nordegg Lot Purchasing Policy as presented.

249/15

CARRIED 7/0

## **Request for Letter of Support**

Rick Emmons presented a request from Darrell and Jackie Marchbank for a letter of support in their efforts to encourage Telus to improve wireless cellular service in the West County.

Discussion followed and Council noted inadequate cellular service is not unique to just the Nordegg area within Clearwater County. Council noted that the letter of support should refer to the County as a whole.

COUNCILLOR DUNCAN: That Council authorizes a letter of support on behalf of Darrell and Jackie Marchbank.

250/15

CARRIED 7/0

CORPORATE  
SERVICES:

**1. 2015 Operating Budget Six Month Performance**

Reeve Alexander suggested tabling Item H1 - 2015 Operating Budget Six Month Performance report until the July 28, 2015 Regular Council Meeting due to time constraints.

COUNCILLOR DUNCAN: That Council tables Agenda Item H1 – 2015 operating Budget Six Month Performance until July 28, 2015 Regular Council Meeting.

251/15

CARRIED 7/0

MUNICIPAL:

**1. Strategic Plan FAQ Series**

Christine Heggart presented the draft *Strategic Plan Frequently Asked Questions (FAQ)* article series for Council’s review.

Ms. Heggart stated that, as per Council’s direction, the draft article series is in response to the public comment and feedback regarding the 2015-2018 Strategic Plan. The series intends to address the various comments and questions that arose during the open house/feedback process. Upon Council’s approval, the series will be included on the County’s website, as well as upcoming *County Highlights* newsletters.

Ms. Heggart responded to questions from Council and discussion followed.

COUNCILLOR VANDERMEER: That Council approves the Strategic Plan FAQ series.

252/15

CARRIED 7/0

**2. Ministerial Staff and Cabinet Committee Membership**

Reeve Alexander suggested tabling Item F2 – Ministerial Staff and Cabinet Committee Membership until the July 28, 2015 Regular Council Meeting due to time constraints.

COUNCILLOR VANDERMEER: That Council That Council tables Agenda Item F2 – Ministerial Staff and Cabinet Committee Membership until July 28, 2015 Regular Council Meeting.

253/15

CARRIED 7/0

**3. Tri-Council Meeting with MLA Jason Nixon**

Council discussed the proposed Tri-Council meeting with MLA Jason Nixon, tentatively scheduled for October 5, 2015.

Councillor Graham proposed scheduling the meeting at an earlier date.

COUNCILLOR GRAHAM: That Administration schedule a meeting between MLA Jason Nixon and Councils as soon as practicable.

254/15

CARRIED 7/0



**4. AUMA Convention Invitation**

Ron Leaf requested direction on who will attend the 2015 AUMA Convention, September 22 – 25 in Calgary, as a guest of the Town of Rocky Mountain House Council and as a County delegate.

Discussion followed and Councillor Vandermeer indicated his interest in attending. Reeve Alexander indicated his interest in attending if no other Councillor is available to attend.

COUNCILLOR DUNCAN:                      That Council authorizes Councillor Vandermeer's attendance, as the guest of the Town of Rocky Mountain House at the 2014 AUMA Convention.

255/15

CARRIED 7/0

**INFORMATION:**

**1. CAO's Report**

COUNCILLOR MAKI:                      That Council receives the CAO Report, Public Works Director's Report, Accounts Payable Listing, Councillor Remuneration, and Councillors' Verbal Reports as information.

256/15

CARRIED 7/0

**ADJOURNMENT:  
12:54 P.M.**

COUNCILLOR VANDERMEER:      That the Meeting adjourns.

257/15

CARRIED 7/0

  
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REEVE

  
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ADMINISTRATIVE OFFICER