

MINUTES OF THE REGULAR COUNCIL MEETING OF THE COUNTY OF STETTLER NO. 6 HELD ON WEDNESDAY, MAY 8, 2019 AT 10:05 A.M. IN THE COUNCIL CHAMBERS OF THE COUNTY OF STETTLER NO. 6 ADMINISTRATION BUILDING, STETTLER, ALBERTA

PRESENT: Reeve Larry Clarke
Councillor Ernie Gendre
Councillor Dave Grover (by teleconference call)
Councillor Cheri Neitz
Councillor James Nibourg
Councillor Wayne Nixon
Councillor Les Stulberg
Chief Administrative Officer Yvette Cassidy
Director of Communications Niki Thorsteinsson
Legislative Services Advisor Shawna Benson
Director of Technology Services Andrew Brysiuk
Executive Assistant Marlene Hanson

CALL TO ORDER

The meeting was called to order at 10:05 a.m., Wednesday, May 8, 2019 by Reeve Clarke.

AGENDA APPROVAL

- 142.05.08.19 Moved by Councillor Stulberg**
“that the agenda for the May 8, 2019 Regular County of Stettler No. 6 Council Meeting be approved with the following additions:
1. Bylaw 1613-19 – Amendment to Bylaw 1600-18 – General Traffic Bylaw
 2. Stettler Public Library
RE: Intermunicipal Library Agreement
 3. In Camera – Enforcements
 4. In Camera – Waste Management Concerns.”

Carried Unanimously

Reeve Clarke noted that Councillor Grover is recovering at home and has requested to be included in the In-Camera sessions by way of a teleconference call.

MINUTES APPROVAL

- 143.05.08.19 Moved by Councillor Nixon**
“that the April 10, 2019 Regular County of Stettler No. 6 Council Meeting minutes be approved as presented.” Carried Unanimously

NEW BUSINESS

Seniors' Week - June 2-8, 2019:

- 144.05.08.19 Moved by Councillor Nixon**
“that the County of Stettler No. 6 confirm they will join the Town of Stettler in proclaiming June 2-8, 2019 as Seniors' Week.”

Carried Unanimously

- Mental Health Week - May 6-12, 2019:
- 145.05.08.19 Moved by Councillor Nibourg**
 "that the County of Stettler No. 6 proclaim May 6-12, 2019 Mental Health Week."
 Carried Unanimously
- Lot Tenders for Nevis:
- 146.05.08.19 Moved by Councillor Nixon**
 "that the County of Stettler No. 6 accept an offer of \$10,100.00 plus G.S.T. and the cost of transferring the title at Land Titles for Plan RN68, Block 3, Lot 13-17 with the properties being sold on an "as is, where is" basis and the County of Stettler No. 6 makes no representation and gives no warranty whatsoever as to the adequacy of service, soil conditions, land use districting, building and development conditions, absence or presence of environmental contamination, or the development ability of the subject land."
 Carried Unanimously
- Battle Flag Sponsorship:
- 147.05.08.19 Moved by Councillor Nibourg**
 "that the County of Stettler No. 6 sponsors the Battle Flag for the 'Museum on Wheels' display, in the amount of \$650.00 with the funds being drawn from the Council Donations account ."
 Carried Unanimously
- Forgiveness of Tax Penalty – Roll 788101:
- 148.05.08.19 Moved by Councillor Gendre**
 "that the County of Stettler No. 6 accept the proposal for payment of \$44,448.04 for the 2016-2018 tax levies and forgive the penalty for a total amount of \$13,217.81, for Roll 788101."
 In Favour: Councillors Stulberg, Nixon, Nibourg, Neitz and Gendre
 Opposed: Reeve Clarke
 Carried
- PW 2.31 – Payment for Power Meters – Patrol Operators:
- 149.05.08.19 Moved by Councillor Neitz**
 "that the County of Stettler No. 6 rescinds County of Stettler No. 6 Council Policy Manual's PW Policy 2.31 – Payment for Power Meters – Patrol Operators."
 Carried Unanimously
- PW 2.30 – Gravel – Screened Sand and Stockpile Sites:
- 150.05.08.19 Moved by Councillor Nibourg**
 "that the County of Stettler No. 6 Council amends County of Stettler No. 6 Council Policy Manual's PW Policy 2.30 – Gravel/Screened Sand Stockpile Rent, as presented."
 Carried Unanimously
- PW 2.6 – Installation of Approaches and/or Culverts:
- 151.05.08.19 Moved by Councillor Nibourg**
 "that the County of Stettler No. 6 Council amends County of Stettler No. 6 Council Policy Manual's PW Policy 2.6 – Installation of Approaches and Culverts, as presented."
 Carried Unanimously
- Road Tour Dates:
- 152.05.08.19 Moved by Councillor Nibourg**
 "that the County of Stettler No. 6 Council schedule a Spring Road Tour on May 23 and 24, 2019."
 Carried Unanimously

- Budget and Tax Rate Workshop:
153.05.08.19 Moved by Councillor Nibourg
“that the County of Stettler No. 6 schedule the Budget and Tax Rate Workshop for May 22, 2019 at 10:00 a.m. to discuss revisions to the budget and the options for tax rates.” Carried Unanimously

- Stettler Public Library RE: Intermunicipal Library Agreement:
154.05.08.19 Moved by Councillor Nixon
“that the County of Stettler No. 6 Council investigate and Councillor Stulberg gather information relating to the Stettler Public Library’s *Municipal Agreement to Establish an Intermunicipal Library Board Agreement* and present at a future Council Meeting.” Carried Unanimously

UNFINISHED BUSINESS

- Clearview Public Schools – Update on Joint Bussing Concerns:
Clearview Public Schools letter dated April 10, 2019 identified that East Central Catholic School Division declined entering into a joint bussing agreement.
155.05.08.19 Moved by Councillor Nibourg
“that the County of Stettler No. 6 Council schedule a meeting with the East Central Catholic School Board to discuss Rural Bussing within the County of Stettler.” Carried Unanimously

DELEGATIONS

Cal Nixon, County Ratepayer RE: Clubroot Policy:
Councillor Nixon declared a conflict of interest and left the meeting, with Cal Nixon and Quinton Beaumont joining the meeting at 11:00 a.m.

Introductions were completed.

Cal Nixon identified concerns with the Clubroot Policy. Administration will complete more research on the topic of *Weed Act Appeals* and report at a future Council Meeting.

Cal Nixon left the meeting at 11:15 a.m. and Councillor Nixon rejoined the meeting.

From the Gallery, Scott Bagshaw with Paintearth Gas identified that they do not wish to be responsible for spreading Clubroot.

Reeve Clarke noted that Paintearth Gas could request to be a delegation at a future Council meeting and that the Clubroot Policy is scheduled to be addressed in today’s meeting.

Dallas Pybus, County Ratepayer RE: Annual Road Use Agreements:
11:18 a.m. Dallas Pybus joined the meeting.

Introductions were made.

Dallas Pybus owner of North Star Trucking addressed Council in regard to Road Use Agreements and the rules.

Dallas Pybus left the meeting at 12:03 p.m. and Councillor Grover joined the meeting by teleconference.

IN-CAMERA SESSION

156.05.08.19 Moved by Councillor Nibourg

“that the County of Stettler No. 6 enter into an in-camera session at 12:04 p.m., with the Lawyer Jeneane Grundberg with Brownlee LLP joining by teleconferencing, to discuss items exempt from disclosure in the *Freedom of Information and Protection of Privacy Act* as: Section 27: Privileged Information - Enforcement.”

Carried Unanimously

Marlene Hanson left the meeting.

157.05.08.19 Moved by Councillor Nibourg

“that the County of Stettler No. 6 Council exit out of in-camera at 1:25 p.m.”

Carried Unanimously

The meeting recessed.

The meeting reconvened at 1:35 p.m. with Councillor Grover not rejoining.

PUBLIC HEARING (None)

DELEGATIONS continued . . .

Glenda Farnden, STARS RE: STARS Program Update:

Glenda Farnden joined the meeting.

Introductions were made.

Glenda Farnden explained the history of, missions flown, training, funding and gave an annual update on the STARS Program. The County of Stettler was thanked for the support that they give to the STARS Program.

158.05.08.19 Moved by Councillor Nibourg

“that the County of Stettler No. 6 Council affirm the County’s standing resolution:

11.01.10.18

“that the County of Stettler No. 6 authorize annual funding being a \$2.20 per capita payment to Alberta Shock Trauma Air Rescue Service Foundation (STARS), to be taken from the Rural Development Fund for 2018 and to be budgeted for in future years.”

and continue with funding of the STARS Ambulance Service.”

Carried Unanimously

Glenda Farnden left the meeting at 2:00 p.m.

Enterprise Fleet Solutions:

Aaron Boucher joined the meeting at 2:01 p.m. presenting passenger vehicle fleet management plan information.

Introductions were made.

Aaron Boucher left the meeting at 2:30 p.m.

COUNCIL'S REQUEST FOR INFORMATION

Stettler Trap Club RE: Request for Donation in Kind (Councillor Nibourg):

Councillor Nibourg reported that the Stettler Trap Club is seeking in kind donations.

- 159.05.08.19 Moved by Councillor Nibourg**
"that the County of Stettler No. 6 Council approve a Donation in Kind by providing on load of gravel to the Stettler Trap Club."
Carried Unanimously

- 160.05.08.19 Moved by Councillor Nibourg**
"that the County of Stettler No. 6 Council accept the addition of 'Lease Land Tenders – NE 36-35-20 W4M' as an addition to the agenda."
Carried Unanimously

Lease Land Tenders NE 36-35-20 W4M:

A Request for Decision and Minutes from the Lease Land Tender Opening held May 1, 2019 was distributed. Quinton Beaumont identified that there were two additional bids and noted that neither of them are the highest bid.

- 161.05.08.19 Moved by Councillor Nixon**
"that the County of Stettler No. 6 Council accept Brett Muhlbach's bid of \$955.00 plus property taxes for Lease Land located at NE 36-35-20 W4M, with the stipulation that the fencing must be repaired to County approved standards prior to grazing being allowed."
Carried Unanimously

NEW BUSINESS continued . . .

AG 3.3 – Control of Clubroot Disease in Canola:

- 162.05.08.19 Moved by Councillor Stulberg**
"that the County of Stettler No. 6 add an exemption clause to Agriculture Policy AG 3.3 – Control of Clubroot Disease in Canola: *"whereby the "Agricultural Fieldman" would determine an exemption area clearly defined by a rail bed, water course, road etc. This area must have clearly defined boundaries that allow for complete separation of the two parcels".*"
Carried Unanimously

PS 5.1 – Road Use Agreement:

- 163.05.08.19 Moved by Councillor Nixon**
"that the County of Stettler Council approves County of Stettler No. 6 Council Policy Manual's PS Policy 5.1 – Road Use Agreement, with the following amendments:
- Delete *"Agreements may be temporarily suspended by the applicant for a period of time to be agreed upon by both parties. An application may reinstate a previously issued Road Use Agreement (within the same calendar year) and is required to pay the reinstatement fee outlined in Schedule A"*.
- Under #13, "48" hours be changed to "24" hours
- In Schedule A:
- Delete "b. Reinstatement Fee \$450"
- In #2 insert "to a maximum of 10 occurrences"
- In #4 replace \$5,000/mile with "\$50,000"
Carried Unanimously

AGENDA ITEMS (None)

Niki Thorsteinsen left the meeting at 3:45 p.m.

BYLAWS

Bylaw 1611-19 – Amendments to the Land Use Bylaw:

- 164.05.08.19 Moved by Councillor Nibourg**
“that Bylaw 1611-19 being amendments to the Land Use Bylaw, be given first reading as amended and a Public Hearing be set for Bylaw 1611-19 on June 12, 2019 at 1:00 p.m.” Carried Unanimously

Bylaw 1612-19 – Parkland Community Planning Services Master Agreement:

- 165.05.08.19 Moved by Councillor Nibourg**
“that Bylaw 1612-19 – Parkland Community Planning Services Master Agreement, be given first reading.” Carried Unanimously

- 166.05.08.19 Moved by Councillor Stulberg**
“that Bylaw 1612-19 – Parkland Community Planning Services Master Agreement, be given second reading.” Carried Unanimously

- 167.05.08.19 Moved by Councillor Nixon**
“that Bylaw 1612-19 – Parkland Community Planning Services Master Agreement, be presented for third reading.” Carried (Unanimously)

- 168.05.08.19 Moved by Councillor Gendre**
“that Bylaw 1612-19 – Parkland Community Planning Services Master Agreement, be given third reading.” Carried Unanimously

Bylaw 1613-19 – Amendment to Bylaw 1600-18 – General Traffic Bylaw:

- 169.05.08.19 Moved by Councillor Nibourg**
“that Bylaw 1613-19 – Amendment to Bylaw 1600-18 – General Traffic Bylaw, reducing the speed limit on the portion of Township Road 38-4 from Range Road 19-4 to Range Road 19-3 to 60 km/hr, be given first reading.” Carried Unanimously

- 170.05.08.19 Moved by Councillor Stulberg**
“that Bylaw 1613-19 – Amendment to Bylaw 1600-18 – General Traffic Bylaw, reducing the speed limit on the portion of Township Road 38-4 from Range Road 19-4 to Range Road 19-3 to 60 km/hr, be given second reading.” Carried Unanimously

- 171.05.08.19 Moved by Councillor Nixon**
“that Bylaw 1613-19 – Amendment to Bylaw 1600-18 – General Traffic Bylaw, reducing the speed limit on the portion of Township Road 38-4 from Range Road 19-4 to Range Road 19-3 to 60 km/hr, be presented for third reading.” Carried (Unanimously)

- 172.05.08.19 Moved by Councillor Gendre**
“that Bylaw 1613-19 – Amendment to Bylaw 1600-18 – General Traffic Bylaw, reducing the speed limit on the portion of Township Road 38-4 from Range Road 19-4 to Range Road 19-3 to 60 km/hr, be given third reading.” Carried Unanimously

The meeting recessed at 4:25 p.m.

The meeting reconvened at 4:35 p.m. with Niki Thorsteinsen rejoining the meeting.

REPORTS

Chief Administrative Officer's Report:

- 173.05.08.19 Moved by Councillor Nixon**
"that the May 8, 2019 Chief Administrative Officer's Report be received for information." Carried Unanimously

Financial Reports:

- 174.05.08.19 Moved by Councillor Stulberg**
"that the Accounts Payable Cheque Register (cheque 24833 to 24889); Accounts Electronic Funds Transfer for the month of April, 2019; Accounts Visa for the month of April, 2019; the Bank Reconciliation for the period ending March 31, 2019; Reserves for the period ending March 31, 2019; and the Year To Date Budget for the month ending March 31, 2019 (all attached and forming part of these minutes) Reports to be approved as presented." Carried Unanimously

Councillor Fee Sheet Reports:

- 175.05.08.19 Moved by Councillor Neitz**
"that the Councillor Fee Sheet Reports for the month of April, 2019 be accepted for information." Carried Unanimously

Councillor Committee Reports:

1. Stettler Health Services Foundation and Stettler Hospital Facility (Cheri Neitz)

- 176.05.08.19 Moved by Councillor Gendre**
"that the County of Stettler No. 6 Committee Reports for the May 8, 2019 Council Meeting be received for information." Carried Unanimously

CONSENT AGENDA ITEMS

- 177.05.08.19 Moved by Councillor Nibourg**
"that the following County of Stettler No. 6 Consent Agenda Items for the May 8, 2019 Council Meeting be received for information:
1. Kathy Lee
RE: Mutual Aid Agreement – Town of Bashaw
 2. Association of Communities Against Abuse
RE: AB's OneLine for Sexual Violence
 3. McDonald's Restaurants
RE: McHappy Day – May 8, 2019." Carried Unanimously

COUNCIL INFORMATION (None)

Councillor Grover joined the meeting by teleconference call.

COUNCIL'S REQUEST FOR INFORMATION continued . . .

Live Broadcast of Council Meetings (Reeve Clarke):

Reeve Clarke questioned livestreaming the Council Meetings, giving media a choice to attend Council and reporting stories or view meeting on YouTube and report the story. The Reeve reaffirmed that the public is welcome to attend meetings. Niki Thorsteinsson identified that Council Meetings have been viewed 5,500 times in the last 2 years.

178.05.08.19 Moved by Councillor Nibourg
"that the County of Stettler No. 6 Council have the Policy Committee review Policy CN 1.9 - *Broadcasting and Recording of Public Meetings* and report at a future County of Stettler No. 6 Council Meeting."
In Favour: Councillors Stulberg, Nixon, Neitz, Gendre and Reeve Clarke
Opposed: Councillor Nibourg
Carried

179.05.08.19 Moved by Councillor Nibourg
"that the County of Stettler No. 6 Council instruct Administration to have a response issued to Robert Schuett's May 2, 2019 Letter."
In Favour: Stulberg, Nixon, Nibourg, Neitz, Gendre and Reeve Clarke
Opposed: Councillor Grover
Carried

180.05.08.19 Moved by Councillor Neitz
"that the County of Stettler No. 6 Council approve the following:

Whereas 2066052 Alberta Ltd. (operating as Paradise Shores, and Paradise Shores Resort, "Paradise Shores") has repeatedly threatened litigation against the County of Stettler No. 6 (the "County")

Whereas Paradise Shores breached the request by the County to only communicate with the County through its respective legal counsel, except where:
a) For any public process where Paradise Shores is entitled to utilize as a right; and
b) For any further discussions related to scheduling and attendance by Paradise Shores before County Council, subject to such communication being in writing.

Now Therefore Council hereby directs administration to instruct legal counsel to notify legal counsel for Paradise Shores and that Paradise Shores, its principals, agents and contractors shall only communicate with the County through the County's legal counsel except:
a) For any public process which Paradise Shores is entitled to utilize as a right; and
b) As otherwise communicated in writing by the County's legal counsel."
In Favour: Councillors Stulberg, Grover, Neitz, Gendre and Reeve Clarke
Opposed: Councillor Nixon and Nibourg
Carried

IN-CAMERA SESSION

181.05.08.19 Moved by Councillor Neitz
"that the County of Stettler No. 6 enter into an in-camera session at 5:04 p.m. to discuss items exempt from disclosure in the *Freedom of Information and Protection of Privacy Act* as:
Section 19: Confidential Evaluations – Waste Management Concerns."
Carried Unanimously

Marlene Hanson left the meeting.

182.05.08.19 Moved by Councillor Stulberg
"that the County of Stettler No. 6 Council exit out of in-camera at 5:47 p.m."
Carried Unanimously

The meeting reconvened with Councillors Nixon and Nibourg not rejoining the meeting.

NEXT MEETING

The next regular Meeting of County of Stettler No. 6 Council will be held on Wednesday, June 12, 2019 at 10:00 a.m.

ADJOURNMENT

183.05.08.19

Moved by Councillor Gendre

“that the County of Stettler No. 6 Regular Meeting of Council be adjourned at 5:48 p.m.”

Carried Unanimously

Reeve

Chief Administrative Officer