

MINUTES OF THE REGULAR COUNCIL MEETING OF THE COUNTY OF STETTLER NO. 6 HELD ON WEDNESDAY, AUGUST 14, 2019 AT 10:00 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
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 10:00 a.m., Wednesday, August 14, 2019 by Reeve Clarke.

AGENDA APPROVAL

- 256.08.14.19 Moved by Councillor Nibourg**
"that the agenda for the August 14, 2019 Regular County of Stettler No. 6 Council Meeting be approved with the following additions:
- Range Road 19-5 Construction
 - RMA Resolution – Community Peace Officer, Primary Highways Authorization
 - Discussion: Oil Company Tax Forgiveness
 - Stettler Hospice Society." Carried Unanimously

MINUTES APPROVAL

- 257.08.14.19 Moved by Councillor Neitz**
"that the July 10, 2019 Regular County of Stettler No. 6 Council Meeting minutes be approved as amended correcting Rochon Sands 'Estates' to 'Heights'." Carried Unanimously

PUBLIC HEARING

None

COUNCIL'S REQUEST FOR INFORMATION

None

NEW BUSINESS

- 258.08.14.19 Moved by Councillor Stulberg**
Inter-Municipal Library Agreement:
"that the County of Stettler No. 6 accept the *Municipal Agreement to Establish an Intermunicipal Library Board* Memorandum of Agreement between the Town of Stettler and the County of Stettler No. 6, as presented." Carried Unanimously

- Set Tax Sale Date for 2019:
- 259.08.14.19 Moved by Councillor Neitz**
 "that the County of Stettler No. 6 set the date for the 2019 Tax Sale for December 4, 2019 at 9:00 a.m. in the County Administration Building."
 Carried Unanimously
- Kneehill County – Request for ICF Exemption:
- 260.08.14.19 Moved by Councillor Nixon**
 "that the County of Stettler No. 6 Council request that the Minister of Municipal Affairs consider granting an exemption under section 631 and 780 of the *Municipal Government Act* for the requirement for Kneehill County and Stettler County to complete an Intermunicipal Development Plan and Intermunicipal Collaborative Framework Agreement."
 Carried Unanimously
- County of Paintearth – Draft IDP and ICF:
- 261.08.14.19 Moved by Councillor Stulberg**
 "that the County of Stettler No. 6 Council review the draft copy of the Intermunicipal Development Plan (IDP) and Intermunicipal Collaboration Framework (ICF) Plan to determine if a meeting with the County of Paintearth Council is necessary."
 Carried Unanimously
- Disposal of Grader:
- 262.08.14.19 Moved by Councillor Neitz**
 "that the County of Stettler No. 6 Council direct Administration to postpone the sale of a grader."
 In Favour: Councillors Stulberg, Nixon, Grover, Neitz, Gendre and Reeve Clarke
 Opposed: Councillor Nibourg
 Carried
- Invitation to MLA Nate Horner:
- 263.08.14.19 Moved by Councillor Neitz**
 "that the County of Stettler No. 6 invite our local Drumheller-Stettler MLA Nate Horner to a Council meeting as a delegation."
 Carried Unanimously
- Range Road 19-5 Construction:
- 264.08.14.19 Moved by Councillor Grover**
 "that the County of Stettler No. 6 Council direct Administration to continue maintaining Rge. Rd. 19-5 from Twp. Rd. 37-2 north, which has been identified as a backroad as advised in the Road Study."
 Carried Unanimously
- RMA Resolution – Community Peace Officer, Primary Highways Authorization:
 Councillor Nibourg suggested that these concerns be brought to the RCMP's attention, and to advocate to the authorities that have the ability to enforce. Councillor Neitz identified that a Peace Officer is not allowed to carry fire arms to defend themselves, therefore, concerned with Peace Officer's safety.
- 265.08.14.19 Moved by Councillor Nixon**
 "that the County of Stettler No. 6 support the RMA Resolution – Community Peace Officer, Primary Highways Authorization:
- **WHEREAS** rural municipalities employ Community Peace Officers (CPO) (Level 1) under the *Peace Officer Act*; and

- **WHEREAS** Peace Officers have jurisdiction to enforce the Traffic Safety Act and Regulations on 3 digit primary highways in Alberta; and
- **WHEREAS** Peace Officers do not currently have access to enforce Traffic Safety Act and Regulations on 1 or 2 digit Primary Highways in Alberta; and
- **WHEREAS** employers are responsible for drafting policy that can allow/restrict authorization on 1 or 2 digit Primary Highways for Peace Officers as necessary.

Operative Clause:

- **THEREFORE, BE IT RESOLVED** that the Rural Municipalities of Alberta request that Alberta Justice and Solicitor General work with the Royal Canadian Mounted Police, and any other Ministry necessary, to allow access for Community Peace Officers to enforce the Traffic Safety Act and Regulations on Primary 1 or 2 digit Highways Centre. This will allow access to Community Peace Officers for proactive and preventative level of enforcement to enhance the safety of Alberta roadways.

Member Background:

- The County of Stettler No. 6 employs 3 Community Peace Officers.
 - The County of Stettler No. 6 is a member of the Alberta Association of Community Peace Officers.
 - The Alberta Association of Community Peace Officers represents over 105 Alberta authorized employers with more than 400 Community Peace Officers.
 - There are numerous occasions where Community Peace Officers must travel on 1 and 2 digit Primary Highways, whether attending a complaint, going to court, travelling to and from work, etc.
 - While traveling on 1 and 2 digit Primary Highways Community Peace Officers frequently observe serious traffic violations that put the general public at risk and because of the limitations on their appointments are unable to intervene to stop the hazardous driving offences or prevent them from continuing to occur.
 - Community Peace Officers can currently relay information on the serious traffic violations to the police of jurisdiction to intercept the violator however the police service frequently does not have the available resources or in the area of the violation to effect timely enforcement.
 - Public perception surrounding Community Peace Officers addressing violations when occurred in front of them is the expectation that enforcement action be taken to prevent the continuation of the offence.
 - The Alberta Association of Community Peace Officers has submitted a business plan and results of a traffic study in support of expanded highway authority for Community Peace Officers to the Alberta Justice and Solicitor General in December 2016.
- References
 1. Alberta Association of Community Peace Officers (June 2016) Primary Highway Business Plan.
 2. Alberta Justice and Solicitor General (May 2019) Public Security Division response letter.

RMA Background:

- RMA has no active resolutions directly related to this issue.

Government Response:

- Alberta Justice and Solicitor General

- Requests for changes in policy that may result in significant changes to the authority of Peace Officers, that will also impact authorized employers' management of needs and liability related to their Peace Officer service, must be submitted to the Director of Law Enforcement through the associations representing the elected municipal officials, specifically the Alberta Urban Municipalities Association and the Rural Municipalities of Alberta.

Development:

- The Government of Alberta response indicates an ongoing collaborative effort between the Alberta Justice and Solicitor General to ensure that community Peace Officers have authorization to include 1 & 2 digit Primary Highways.
- The Government of Alberta requests submission through the Alberta Urban Municipalities Association and the Rural Municipalities of Alberta to commence a full review of the request.”
 In Favour: Councillors Stulberg, Nixon, Gendre and Reeve Clarke
 Opposed: Councillors Neitz, Nibourg and Grover
 Carried

Discussion: Oil Company Tax Forgiveness:

Councillor Nibourg requested discussion on Oil Company Tax Forgiveness to give representatives Council's opinion on this.

The Government of Alberta has announced a plan to offer tax relief to struggling shallow gas companies operating in rural municipalities. The program will allow the municipalities to offer impacted shallow gas companies a reduction of up to 35% in their 2019 property tax bill on wells and pipelines. Municipalities will then be reimbursed by the Government of Alberta for any reductions they provide to shallow gas companies through the forgiveness of an equivalent amount of the education tax requisition that the municipality owes to the province. The Government of Alberta expects to provide more than \$23 million in education property tax credits back to municipalities through this initiative. For this one-time solution, the Government of Alberta emphasizes that any reductions to the required amount of education property taxes that municipalities would normally collect will be supplemented from general revenues.

Shallow gas wells are predominantly found across 15 municipalities with the County of Stettler being identified. CAO Cassidy identified losses that have created a decreased tax flow. Major concern was expressed regarding the decrease in tax revenue.

Items identified to take back:

- What are the alternatives if we don't accept?
- Need to inform government of the cause and effect of this
- Government will levy education tax and then refund the 35% at the end of December (No funds will be distributed until there is a budget in place)
- Notify Government that County did not increase their taxes, due to the situation the oil and gas companies are in
- At Fall Rural Municipalities of Alberta Convention, work on meeting with specific Ministers

Stettler Hospice Society:

The Hospice Society is currently lobbying Alberta Health Services and the government to make Hospice Care assessable within the health care facilities. Councillor Nibourg noted that discussions have been

held with MLA Horner, and the Stettler Hospice Society is arranging for a meeting with the Minister of Health to show Alberta Health Services that the Hospice will save them money if they were located within the Health Care Facilities. Other municipalities are also requesting Alberta Health Services and the government to allocate assets.

- 266.08.14.19 Moved by Councillor Nibourg**
"that the County of Stettler No. 6 draft a resolution, addressing Alberta Health Services support of Hospice care in the Province of Alberta, to be presented at the Fall 2019 Rural Municipalities of Alberta (RMA) Convention."
Carried Unanimously

UNFINISHED BUSINESS

SURF Committee – Additional Funding Options:

Reeve Clarke noted that no further funding is required, as the funding goal was reach as other organizations donated funds.

Solar Upgrade – Public Works Facility:

- 267.08.14.19 Moved by Councillor Gendre**
"that the County of Stettler No. 6 postpone the Grid Connected Solar Upgrades to the County Shop project and notify proponents that the County will not be proceeding at this time."
In Favour: Councillors Stulberg, Nixon, Grover, Neitz,
Gendre and Reeve Clarke
Opposed: Councillor Nibourg
Carried

AGENDA ITEMS

Discussion: Ag Society Proposal for a Fall Fair:

Stettler Ag Society are proposing a Fall Fair on Thanksgiving Weekend coinciding with Alberta Prairie Steam Train Pumpkin Tours, to encourage participants to experience what farms have to offer (baking/large gains, etc.). They are seeking Council involvement and support.

- 268.08.14.19 Moved by Councillor Nixon**
"that the County of Stettler No. 6 support, in principle, the Ag Society's Fall Fair and consider further action upon receiving additional information."
Carried Unanimously

REPORTS

Chief Administrative Officer's Report:

- 269.08.14.19 Moved by Councillor Stulberg**
"that the August 14, 2019 Chief Administrative Officer's Report be received for information."
Carried Unanimously

The meeting recessed at 12 Noon.

The meeting reconvened at 1:00 p.m. with Jacinta Donovan and Cara McKenzie joining.

DELEGATIONS

Stacey Benjamin RE: Pheasant Festival:

Stacey Benjamin joined the meeting at 1:38 p.m. A Fact Sheet and Sponsorship Opportunities information was distributed. They did not

seek sponsorship last year, however, are seeking sponsorship this year. Approximately 40 volunteers and landowners (35 properties) assistance is a necessity. 90% of hunters in 2018 were from outside the Town and County and bring economic benefits. The Pheasant Festival requested that the County consider sponsoring the event.

Stacey Benjamin left the meeting at 1:48 p.m.

BYLAWS

Bylaw 1611-19 – Amendments to the Land Use Bylaw 1443-10:

270.08.14.19 Moved by Councillor Grover

“that Bylaw 1611-19, being amendments to the Land Use Bylaw 1443-10, be given third reading, as amended.”

271.08.14.19 Moved by Councillor Nibourg

“that resolution **270.08.14.19** be tabled until the November 6, 2019 County of Stettler No. 6 Council Meeting”

In Favour: Councillors Stulberg, Nixon, Nibourg, Neitz,
Gendre and Reeve Clarke

Opposed: Councillor Grover
Carried

Jacinta Donovan and Cara McKenzie left the meeting at 2:06 p.m.

Bylaw 1617-19 – Amendment to the Fee Bylaw

272.08.14.19 Moved by Councillor Nibourg

“that Bylaw 1617-19, being a County of Stettler No. 6 Fee Bylaw, be given first reading, by amending Schedule C under Road Inspections to identify Heavy Equipment as any vehicle exceeding the licensed Gross Vehicle Weight Rating (GVWR).” Carried Unanimously

273.08.14.19 Moved by Councillor Gendre

“that Bylaw 1617-19, being a County of Stettler No. 6 Fee Bylaw, be given second reading, as amended.” Carried Unanimously

274.08.14.19 Moved by Councillor Nixon

“that Bylaw 1617-19, being a County of Stettler No. 6 Fee Bylaw, be presented for third reading.” Carried (Unanimously)

275.08.14.19 Moved by Councillor Stulberg

“that Bylaw 1617-19, being a County of Stettler No. 6 Fee Bylaw, be given third reading, as amended.” Carried Unanimously

NEW BUSINESS continued . . .

2019 Stettler Pheasant Festival:

276.08.14.19 Moved by Councillor Nixon

“that the County of Stettler No. 6 support the 2019 Stettler Pheasant Festival event scheduled for October 18-20, 2019 through a Platinum \$1,500 Sponsorship, being drawn from the Rural Development Fund.”

In Favour: Councillors Nixon and Nibourg
Opposed: Councillors Stulberg, Grover, Neitz, Gendre
and Reeve Clarke
Motion Defeated

- 277.08.14.19 Moved by Councillor Grover**
“that the County of Stettler No. 6 support the 2019 Stettler Pheasant Festival event scheduled for October 18-20, 2019 through a \$500 Gold Sponsorship, being drawn from the Rural Development Fund.”
In Favour: Councillors Stulberg, Grover, Nibourg, Neitz, Gendre and Reeve Clarke
Opposed: Councillor Nixon
Carried

REPORTS continued . . .

Financial Reports:

- 278.08.14.19 Moved by Councillor Gendre**
“that the Accounts Payable Cheque Register (cheque 25057 to 25092; 25095 to 25138; and 25140); Accounts Electronic Funds Transfer for the period ending July 31, 2019; Accounts Visa for the period ended of July 31, 2019; the Bank Reconciliation for the period ending June 30, 2019; Reserves for the period ending June 30, 2019; and the Year To Date Budget for the month ending June 30, 2019 (all attached and forming part of these minutes) Reports to be approved as presented.”
Carried Unanimously

Councillor Fee Sheet Reports:

- 279.08.14.19 Moved by Councillor Stulberg**
“that the Councillor Fee Sheet Reports for the month of July, 2019 be amended by removing Councillor Neitz's July 6, 2019 mileage claim for Rochon Sands Heights AGM, then be received for information.”
Carried Unanimously

Councillor Committee Reports:

1. Stettler Town and Country Museum: (Wayne Nixon)

- 280.08.14.19 Moved by Councillor Nibourg**
“that the County of Stettler No. 6 Committee Reports for the August 14, 2019 Council Meeting be received for information.”
Carried Unanimously

CONSENT AGENDA ITEMS

Henry Heuver RE: Illegal Advertising Along Alberta Highways:

- 281.08.14.19 Moved by Councillor Nixon**
“that the County of Stettler No. 6 Council receive the Henry Heuver RE: Illegal Advertising Along Alberta Highways item for information.”
Carried Unanimously

COUNCIL INFORMATION

None

IN-CAMERA SESSION

- 282.08.14.19 Moved by Councillor Neitz**
“that the County of Stettler No. 6 enter into an in-camera session at 2:37 p.m. to discuss items exempt from disclosure in the *Freedom of Information and Protection of Privacy Act* as:
Section 27: Privileged Information – Road Closure.”
Carried Unanimously

Those in the gallery left the meeting.

- 283.08.14.19 Moved by Councillor Grover**
“that the County of Stettler No. 6 Council exit out of in-camera at 2:45 p.m.” Carried Unanimously

The meeting reconvened.

- 284.08.14.19 Moved by Councillor Nixon**
“that the County of Stettler No. 6 Council instruct Administration to follow legal advice regarding road closure and receive for information.” Carried Unanimously

- 285.08.14.19 Moved by Councillor Grover**
“that the County of Stettler No. 6 enter into a monthly based lease to rent the Botha Church to Rochelle Hughes at a rate of \$300 per month, not including utilities.”
In Favour: Councillors Stulberg, Nixon, Nibourg, Neitz, Gendre, and Reeve Clarke
Opposed: Councillor Grover
Carried

NEXT MEETING

The next regular Meeting of County of Stettler No. 6 Council will be held on Wednesday, September 11, 2019 at 10:00 a.m.

ADJOURNMENT

- 286.08.14.19 Moved by Councillor Grover**
“that the County of Stettler No. 6 Regular Meeting of Council be adjourned at 2:49 p.m.” Carried Unanimously

Reeve

Chief Administrative Officer