

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, MARCH 16, 2010 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor Dick Richards

Councillors A. Campbell, D. Bachman, D. Dennis, D. Garbutt,
R. Peeples & L. Thorogood

CAO R. Stoutenberg
Assistant CAO G. Switenky

Press (2)

Absent: None

Call to Order: Mayor D. Richards called the meeting to order at 6:30 p.m.

1/2. **Agenda Additions/Approval:**

Motion 10:03:14 Moved by Councillor Bachman to approve the agenda as presented with the following addition:

13(a) Land Matter/Acquisition

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held March 2, 2010

Motion 10:03:15 Moved by Councillor Thorogood that the Minutes of the Regular Meeting of Council held on March 2, 2010 be approved as presented with the following amendment:

Item 12(a) – Should read “40,000” rather than “30,000” (respecting the rebalancing of populations in each electoral riding).

MOTION CARRIED
Unanimous

(b) Business Arising from the March 2, 2010 Meeting Minutes

None

(c) Minutes of the Committee Meeting of March 9, 2010

Motion 10:03:16 Moved by Councillor Peeples that the Minutes of the Committee Meeting of March 9, 2010 be approved as presented.

MOTION CARRIED
Unanimous

(d) Business Arising from the March 9, 2010 Committee Meeting Minutes

None

4. **Citizen's Forum:** (a) No one was present at the Citizen's Forum

5. **Delegations:** (a) 7:30 P.M. – Don Elliott, Alberta Animal Services

This item was dealt with later in the meeting.

6. **Administration:**

- (a) Notice re: Meeting with MLA, Jack Hayden – March 30 at 3:00 p.m.

CAO, R. Stoutenberg advised that a meeting has been scheduled on March 30th, 2010 at 3:00 p.m. with MLA, Jack Hayden.

Council members reviewed and mutually agreed upon the agenda items for discussion with the MLA.

- (b) Notice re: WTP Project Site Visit – March 30 at 1:15 p.m.

CAO, R. Stoutenberg explained that there will be a WTP project site tour on March 30th, 2010 at 1:15 p.m. Interested Town Council Members are to meet at the Town Office at 12:45 p.m.

Discussion ensued regarding which Members of Council would be able to attend

- (c) Discussion re: Electoral Boundary Changes/Existing Boundary

It was noted that the provinces is proposing to split the County of Stettler into two electoral ridings.

The area in the County north of Highway 594, including the Town of Stettler, is added to the existing electoral division (formerly called Battle River – Wainwright) and the name is changed to Stettler – Wainwright. The southern part of the County is being added to the newly created Brooks – Drumheller electoral division.

Discussion ensued regarding the pros and cons of having two MLA's representing the County. However each riding will certainly have very different and likely competing political dynamics.

It was mutually agreed that the Town of Stettler should jointly support the position of the County of Stettler. It was also agreed that it would be mutually beneficial to present a unified approach when making representation and/or a written submission to the Alberta Electoral Boundaries Commission 2009/2010 by April 2nd, 2010.

Mayor Richards will contact Reeve Marshall to discuss electoral boundaries.

- (d) Committee Recommendations

- (i) East Central Alberta Heritage Society Request for Funding

CAO, R. Stoutenberg advised the Society has been approved to receive approximately \$3.32 million in Federal Community Adjustment Funding towards the reconstruction of the rail line between Stettler to Donalda, as well as the development of seven (7) natural linear parks along the rail line.

He stated that the Society has requested that both the Town and the County assist in some manner with their need to raise/get commitments for approximately \$460,000; representing the required matching component of the Federal grant they have been approved for.

Motion 10:03:17

Moved by Councillor Campbell that the Town of Stettler Council approve providing work/equipment-in-kind to support the East Central Alberta Heritage Society's Rail Line Reconstruction and Natural Linear Park Development Project (approved for Federal funding under the Community Adjustment Fund), and that the Town's support be conditional upon timing/seasonal availability and is subject to negotiation and quantification of services to be provided by the Town at that time.

And,

The Town of Stettler Council approve supporting any provincial grant application made by the East Central Alberta Heritage Society's for their Rail Line Reconstruction and Natural Linear Park Development Project on the condition that the Town's support is secondary to the Town's own applications under the same provincial funding program.

MOTION CARRIED
Unanimous

(ii) MGB Hearing Update – Annexation Property Taxation for 2010

CAO, R. Stoutenberg advised that the Municipal Government Board (MGB) has requested that the Town and the County decide/agree upon how the 2010 property taxes associated with the lands to be annexed should be shared.

The County estimates that 2010 property taxes will generate approximately \$141,200 for municipal purposes. And further that, upon mutual acceptance of tax sharing for 2010, that the effective date of the annexation will be changed to January 1, 2011 for simplicity purposes.

It was also noted that (for simplified administrative purposes) the MGB would prefer that the parties agree to netting the amount of 2010 taxes owing to the Town against the larger infrastructure payment owing to the County.

Motion 10:03:18

Moved by Councillor Garbutt that the Town of Stettler Council supports to the Municipal Government Board (MGB) the following matters with respect to the current Annexation Agreement with the County of Stettler:

- That the municipal property taxes to be levied in 2010 by the County of Stettler upon the lands approved by the Board for annexation into the Town of Stettler shall be shared equally between the Town of Stettler and the County of Stettler.
- That the Town of Stettler's equal share of 2010 municipal property taxes owing from the County of Stettler shall be netted against the infrastructure payment owing to the County of Stettler (for simplified administrative purposes).
- Changing the effective date of the Annexation Agreement and/or MGB Order to January 1, 2011.

MOTION CARRIED
Unanimous

(e) Memo re: East Central Recyclers Development Proposal

CAO, R. Stoutenberg advised that at the regular Council meeting held on March 2nd, 2010 Council was presented with a development proposal from James Nibourg. His company, East Central Recyclers, is looking for a letter of easement/consent from the Town to support his development application process with the County of Stettler.

In summary, he desires to purchase a 10 acre (yet to be subdivided) parcel of land within the County of Stettler's development jurisdiction. His intention is to acquire these lands upon which he would operate his existing automotive recycling business. Specifically, the proposed site is located on the East side of Highway 56 North. It is within the new Inter-municipal Development Plan (IDP) boundaries/scope, but immediately outside (to the North) of the Town's designated future commercial growth area.

J. Nibourg's original development application to the County has been refused once (by County Administration) based upon Town Administration's objection to development outside a designated growth area. Subsequently, J. Nibourg attended a County Council meeting where he was informed that no further consideration of his development proposal would be considered without Town support/consent, in accordance with the IDP.

CAO, R. Stoutenberg explained that the fundamental principles associated with our new IDP provide for the orderly development of new commercial ventures within both the Town's and the County's designated future growth areas/boundaries. It is Administration's opinion that allowing early commercial development within the IDP, but outside the identified growth boundaries, will erode the intent of the IDP.

Somewhat secondary to the "Leaping" or "Donut" issues and concerns that have been previously identified at Council, there is the issue of whether Council desires to support an industrial operation (automotive salvage) being located upon lands with highway frontage and immediately adjacent to an entrance to our community.

Council Members reviewed three options presented by Administration for Council's consideration; firstly object stating reasons; secondly no objection with no reasons; and thirdly no objection stating reasons and conditions.

Roundtable discussion ensued regarding individual Council members support for/or objection against the development proposal (within the IDP) presented by J. Nibourg.

Motion 10:03:19

Moved by Councillor Garbutt that the Town of Stettler Council does not support/objects to the subdivision and development proposal as presented by James Nibourg (representing East Central Recyclers) upon lands within the IDP but outside the designated growth areas.

And that the Town of Stettler Council, with respect to this specific application, supports the orderly development of commercial ventures within the designated growth areas identified in the IDP.

And therefore the Town of Stettler Council, with respect to this application, does not support development within the IDP boundaries that effectively leaps over designated growth areas identified in the IDP.

And further that the Town of Stettler Council, with respect to this application, does not support this specific mixed business development being located along highway frontage near an entrance to our community.

MOTION CARRIED (4 – 3)

Opposed: Councillors Peeples,
Campbell & Dennis

(f) April Newsletter Items

- Spring Cleanup
- HYC Awesome Auction – June 5
- Spring Plant Exchange – May 8, 2010
- Black Elk Hockey Camp – August 9 to 14, 2010

(g) Accounts Payable in the amount of \$184,758.36

Motion 10:03:20

Moved by Councillor Thorogood that Accounts Payable in the amount of \$49.59, \$3,268.00, \$99,621.90 & \$81,818.87 for the period ending March 11, 2010 for a total amount of \$184,758.36 having been paid, be accepted as presented.

MOTION CARRIED

Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Richards

- Mar 3 - MGB Hearing.
- Mar 5 - Town Office duties.
- Mar 9 - Met with CAO and Sgt. Rowland Schmidt.
- Committee of the Whole Meeting.
- Mar 12 - Met with Community Relations representative
from Encana.
- Town Office duties.
- Mar 19 - Spoke on radio re: Kin Radio Days.

(b) Councillor Bachman

- Mar 4 - Beautification Committee Meeting.
- Mar 9 - Committee of the Whole Meeting.

(c) Councillor Campbell

- Feb 19 - Special Council Meeting.
- RCMP Advisory Meeting.

(d) Councillor Dennis

- Mar 3 - MGB Hearing.
- Mar 5 - Airport Board Meeting.
- Mar 8 - Ambulance Board Meeting.
- Mar 9 - Committee of the Whole Meeting.

(e) Councillor Garbutt

- Mar 9 - Committee of the Whole Meeting.

(f) Councillor Peeples

- Mar 3 - MGB Hearing.
- Mar 4 - Beautification Committee Meeting.
- Mar 9 - Committee of the Whole Meeting.

(g) Councillor Thorogood

- Mar 3 - Stettler Health Services Foundation Meeting.
- Mar 8 - Ambulance Board Meeting.
- Mar 9 - Board of Trade Meeting.
- Committee of the Whole Meeting.
- Mar 11 - Meeting with DT Health Trust re: trust funds and equipment funding.
- Health Advisory Council in Red Deer.

5. **Delegations:**

(a) 7:30 P.M. – Don Elliott, Alberta Animal Services

Don Elliott, Alberta Animal Services entered the meeting at 7:35 p.m.

Mayor Richards welcomed D. Elliott to the meeting and initiated Council introductions.

D. Elliott reviewed bylaw enforcement communication initiatives for 2010; the number of dog and cat licenses issued to February 25, 2010; and contract bylaw enforcement priorities for 2010.

Discussion ensued regarding additional Council identified priorities for 2010, if any. It was noted that sandwich board type signage being put out daily in the middle of Main Street by businesses was identified as a Council concern requiring some soft education. However it was mutually agreed that Council should review the appropriate bylaw (for signage) prior to any action.

Discussion continued regarding Council's intentions respecting issuing warnings (educational) verses issuing tickets (punitive). It was mutually agreed that attempts at education continue to be the primary/preferred focus on many violations; however ticketing is justified where warnings are impractical because time delays on some violations make them an ineffective and therefore a waste of limited enforcement time.

Mayor Richards thanked D. Elliott for his informative report and presentation.

D. Elliott departed the meeting at 8:15 p.m.

8. **Minutes:**

(a) Heartland Beautification Committee Meeting of March 4, 2010

(b) Airport Board Meeting of March 5, 2010

Motion 10:03:21

Moved by Councillor Thorogood that the Minutes, items 8(a) & 8(b) be accepted for information.

MOTION CARRIED
Unanimous

9. **Public Hearing:**

(a) None

10. **Bylaws:** (a) 1995-10 re: Borrowing Bylaw

CAO, R. Stoutenberg explained that Bylaw 1995-10 is to establish temporary borrowing authority for the purpose of financing operating expenses such as electronic payroll transfer and administrative/corporate credit cards (VISA).

Motion 10:03:22

Moved by Councillor Garbutt that the Town of Stettler Council give first reading to Bylaw 1995-10.

MOTION CARRIED
Unanimous

Motion 10:03:23

Moved by Councillor Dennis that the Town of Stettler Council give second reading to Bylaw 1995-10.

MOTION CARRIED
Unanimous

Motion 10:03:24

Moved by Councillor Bachman that the Town of Stettler Council give permission for third and final reading to Bylaw 1995-10.

MOTION CARRIED
Unanimous

Motion 10:03:25

Moved by Councillor Campbell that the Town of Stettler Council give third and final reading to Bylaw 1995-10.

MOTION CARRIED
Unanimous

11. **Correspondence:** (a) Alberta Capital Finance Authority (ACFA)

Mayor Richards advised that the Town has received the agenda for the Annual General Meeting of the Alberta Capital Finance Authority to be held on Thursday, April 8th, 2010 in Edmonton.

The Alberta Capital Finance Authority requires a resolution of Council appointing a person to represent and vote the Town's shares, if necessary.

It is customary practice to authorize CAO, R. Stoutenberg to attend the Annual General Meeting of the Alberta Capital Finance Authority. It was stated that the meeting usually includes a very topical, relevant and knowledgeable guest speaker. The luncheon also provides a worthwhile administrative networking opportunity.

Motion 10:03:26

Moved by Councillor Thorogood that CAO, R. Stoutenberg, or designee, be appointed to represent and vote the shares of the Town of Stettler at the Annual General Meeting of the Alberta Capital Finance Authority to be held on April 8, 2010 in Edmonton.

MOTION CARRIED
Unanimous

(b) Tagish Engineering re: 2009 Engineering Fees

(c) AUMA Water Conservation

(d) Central Alberta Economic Partnership (CAEP)

(e) Letter of Support – Village of Consort

Council mutually agreed to provide a letter of support respecting the email request from the Village of Consort. This letter will add value to their lobbying effort to get Saskatchewan Highway 51 upgraded sooner than later.

(f) Employers Warned: Labour Shortage Still Impending

(g) Provincial Network of Welcoming and Inclusive Communities

(h) Functional Councils Value Advice

Motion 10:03:27

Moved by Councillor Peeples that correspondence items 11(a) to 11(h) inclusive be accepted for information.

MOTION CARRIED
Unanimous

12. **Items Added:** (a) None

13. **In-Camera Session:** (a) Land Matter/Acquisition – Added to Agenda

Motion 10:03:28

Moved by Councillor Thorogood that the Town of Stettler Council proceed into an In-Camera Session with the CAO and Assistant CAO present to discuss the added In-Camera item.

MOTION CARRIED
Unanimous at 8:35 p.m.

Councillor Thorogood upon identification of the property owner involved declared a possible conflict of interest and by departing the meeting at 8:38 p.m. excused herself from discussion on this item.

Motion 10:03:29

Moved by Councillor Bachman that the Town of Stettler Council return to the regular meeting.

MOTION CARRIED
Unanimous at 8:47 p.m.

14. **Adjournment:**

Motion 10:03:30

Moved by Councillor Campbell that this regular meeting of the Town of Stettler Council be adjourned.

MOTION CARRIED
Unanimous at 8:47 p.m.

Mayor

Assistant CAO