

Town of Drumheller COUNCIL MEETING MINUTES

September 27, 2010 at 4:30 PM

Council Chamber, Town Hall

703-2nd Ave. West, Drumheller, Alberta



PRESENT:

MAYOR:

Bryce Nimmo

COUNCIL:

Andrew Berdahl

Karen Bertamini

Blaine McDonald

Don Guidolin

Sharel Shoff

Terry Yemen

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Allan Kendrick

DIRECTOR OF CORPORATE SERVICES:

Michael Roy

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

1.0 CALL TO ORDER

2.0 MAYOR'S OPENING REMARK

- 2.1 Mayor Bryce Nimmo presented a letter from Hon. Frank Oberle, Solicitor General and Minister of Public Security advising that a payment of \$263,456 for the 2010-11 Municipal Policing Assistance Grant will be transferred to the Town of Drumheller.
- 2.2 Mayor B. Nimmo presented a letter from Brooke Christianson, President, Drumheller Association of Skateboarding Enthusiasts providing some insight into their intentions as they pertain to a skateboard park in Drumheller. In his letter, B. Christianson advises that the primary reason for forming the DASE as a non-profit society is to raise funds for the design and construction of a permanent concrete skateboard park somewhere within the Town of Drumheller.

2.3 Mayor B. Nimmo proclaimed October 2010 as "Breast Cancer Awareness Month".

2.4 Mayor B. Nimmo proclaimed October 2010 as "Canadian Library Month".

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

MO2010.127 Shoff, McDonald moved the adoption of the agenda as presented. Carried unanimously.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Regular Council Meeting Minutes of September 13, 2010
MO2010.128 McDonald, Guidolin moved to adopt the regular Council Meeting Minutes of September 13, 2010 as presented. Carried unanimously.

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.3. BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1. CAO

8.1.1 RFD - Municipal Sustainability Plan
R. Romanetz asked Charlene Viste, Planner - Palliser Regional Municipal Services to provide an overview of the action taken to date. C. Viste stated that the process of developing a Municipal Sustainability Plan as a regional partner through the AUMA's Municipal Sustainability Initiative started in March of 2009. At that time, Council had adopted a resolution committing to the MSP and a Citizen Advisory Group was formed. The group developed actions and identified target areas that they thought would make Drumheller more sustainable. A draft MSP was presented at the Open House held on September 8th with 25-30

people in attendance (comments from the Open House were circulated to Council). C. Viste stated that Council needs to adopt the plan in order to move forward with implementation. She explained that although the plan is being adopted today it does require an annual review to ensure that the objectives move forward. With regards to the additional comments from the Open House, Charlene recommended that they be either attached to back of the plan for reference or can be incorporated into the document. She stated that various organizations would have an active role in ensuring the objectives move forward. She further stated that the MSP is a living document, which needs to be reviewed and monitored to ensure it meets the needs of the community into the long term. Councillor S. Shoff asked if the plan can be revised in the future. R. Romanetz stated although the plan is adopted today, Council can review the plan and make changes in the future. He further explained that the adoption of the MSP fulfills requirements for a grant for municipal infrastructure projects under Federal Government's Gas Tax Fund.

MO2010.129 Bertamini, Berdahl moved that Council adopt the Municipal Sustainability Plan with the inclusion of those names who served on the Committee and other acknowledgments.

Discussion on Motion:

Councillor S. Shoff asked if the comments from the public will be included in the report. R. Romanetz stated that the comments will be included in the file as a reference. Councillor A. Berdahl stated that the MSP is a communication tool to guide Council's strategic planning. Councillor K. Bertamini stated that future Councils need to review the MSP during their Strategic Business Sessions as the regular review will provide assurance that the objectives will be met.

Vote on Motion:

Carried unanimously.

8.1.2 RFD - Kneehill County Water Supply Agreement

R. Romanetz stated that Kneehill County has taken over the operation of what was formally the Churchill Water Co-op. He stated that Administration has met with Kneehill's CAO Kevin Miner and following detailed discussions, only a few clauses have been tweaked. He referred to Clause 4(c) "*Reconciliation of the budgeted water rates to actual on an annual basis*" and explained that this is a new clause which will be included in all the Town's water supply agreements. He stated that in addition to the agreement being consistent with the Town's other water supply agreements, the boundary was expanded from the previous Churchill Agreement to extend to the boundary of Kneehill County. He explained that Kneehill County will be making an application to Alberta Environment for their own water diversion

approval. He stated that this process may take up to six months.

MO2010.130 Bertamini, Yemen that Council authorize the appropriate officers of the Town to sign the Kneehill County Water Supply Agreement. Carried unanimously.

8.1.3 RFD - Appointments to Drumheller Public Library Board

R. Romanetz explained that the Drumheller Public Library Board has two vacancies on their board resulting from two resignations from Ingrid Thornton and Adrine Giles. The vacancies were advertised in the Town Page. Two applications have been received from Gary Wood and Louise Hendrickson. The Library Board members recommend approval of both applicants.

MO2010.131 Shoff McDonald that Council approve the appointments of Gary Wood and Louise Hendrickson to the Drumheller Public Library Board for a three year term. Carried unanimously.

8.1.4 RFD - Appointment to the Drumheller Housing Administration

R. Romanetz advised that the Drumheller Housing Administration had two vacancies on their board. The appointment of Gordon Clozza was recently approved at Council's Meeting of September 13th resulting in one vacancy. A second application has been received from Gerald Martynes.

MO2010.132 Bertamini, Berdahl that Council approve the appointment of Gerald Martynes to the Drumheller Housing Administration Board for a three year term. Carried unanimously.

8.1.5 Request for Municipal Support for the Oyen-Lyalta Rail Recovery Plan

R. Romanetz advised that a meeting was held on September 13, 2010 to discuss the current situation with the Oyen-Lyalta railway recovery project. The meeting was attended by Mayor Bryce Nimmo, Councillors Bertamini and Guidolin and CAO Ray Romanetz. At that time, municipalities heard that Palliser had not been able to finalize the acquisition of the rail line and they would move to the next phase in the rail discontinuance process which was to seek government interest. The Canadian Transportation Act sets out specific time frames in which CN must offer the rail assets for sale to the Province and the municipalities through which the line operates. The Province did not express an interest within the 30 day time limit. At the September 13th meeting, municipalities were informed that they would have until October 18th to express an interest. Brad Wiebe, who acts on behalf of the Badlands Railco, has provided the rationale for a business case which is included in the agenda package for Council's consideration.

R. Romanetz explained that one option which appears to be of interest to CN is that ownership for the line be transferred to the municipality and a tax certificate issued to CN. He further explained that the net salvage value of the line is \$23M depending on the fair market value. A meeting will be held on September 30th to discuss various timelines and logistics. If municipalities took on ownership of the line, municipalities must create a Corporation (Part 9 Company) to ensure any liability issues would remain with the Corporation. The Corporation would lease the line in accordance with the business plan to the Badlands Railco, who would be responsible for day to day operations.

Councillor K. Bertamini stated that she has a share in CN and asked the Mayor if it was appropriate for her to deliberate and vote on the matter. Mayor Nimmo stated that it was a Council matter and she should remain at the table.

MO2010.133 Bertamini, Yemen that Council support in principle the Badlands Railco proposal for the Oyen-Lyalta Rail Recovery Plan as per letter dated September 21, 2010.

Councillor T. Yemen stated that the potential negative impact on the environment and economic development with the loss of the rail line would be significant. R. Romanetz stated that Wheatland County went through a similar process however the rail line was sold privately in small sections and they now have a haphazard development throughout their municipality - by not getting involved they now have a planning issue. Councillor B. McDonald stated that the Municipal Government Act governs how municipalities control Corporations and he asked if the motion was appropriate in light of the legislation as it relates to the liability issues. R. Romanetz agreed to research the restrictions. R. Romanetz stated that liability issues also relate to the cleanup of the line if the Corporation fails - who is responsible for the bridges, environment cleanup, etc. The Province indicated that they would issue an order for cleanup if the line is abandoned. R. Romanetz stated that the next steps if CN is on side include a full evaluation of the line, confirmation that the tax certificate will be a benefit to CN, and the question of putting together a Municipal Corporation to ensure that municipalities are not held liable. He stated that these steps will take 3-6 months to complete. R. Romanetz advised that a motion has been prepared for Council and asked Councillor Bertamini if she would consider an amendment to her motion. Councillors Bertamini and Yemen agreed.

MO2010.133A Bertamini, Yemen that Council provide an expression of interest to participate in an investigation and negotiations with CN according to the terms as outlined in the Palliser Regional Municipal Services Report for the Oyen-Lyalta Rail Recovery Plan dated September 21, 2010. Carried unanimously.

8.2. Director of Infrastructure Services

8.3. Director of Corporate Services

8.4. Director of Community Services

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

11.0 UNFINISHED BUSINESS

12.0 NOTICES OF MOTIONS

13.0 COUNCILLOR REPORTS

14.0 IN-CAMERA MATTERS

There being no further business the Mayor declared the meeting adjourned at 5:32 PM.

Mayor

Chief Administrative Officer