

# **Town of Drumheller COUNCIL MEETING AGENDA**

July 6, 2009 at 4:30 PM

Council Chamber, Town Hall

703-2nd Ave. West, Drumheller, Alberta



## **1.0 CALL TO ORDER**

- 1.1 Councillor S. Shoff to be sworn in as Deputy Mayor for the months of July and August, 2009

## **2.0 MAYOR'S OPENING REMARK**

- 2.1 Letter from Hon. Ray Danyluk, Minister of Municipal Affairs announcing approval of the 2009/10 unconditional municipal grant in the amount of \$23,960
- 2.2 Letter from Hon. Jack Hayden, MLA, Drumheller-Stettler announcing grant approval under the Community Initiatives Program in the amount of \$75,000 to assist with the Huntington Community Group, Playground and Multisurface Project
- 2.3 Letter from Hon. Ray Danyluk, Minister of Municipal Affairs announcing the Town's project profile submissions under the 2009 conditional operating funding component of the Municipal Sustainability Initiative (MSI) have been approved as follows: Computerized Meeting Process - \$31,000; Aquaplex Operations - \$175,784; Civic Centre Operations - \$75,200; and Library Operations - \$19,680.

## **3.0 PUBLIC HEARING**

- 3.1 The purpose of the public hearing is to consider Bylaw 15.09 to close a portion of an undeveloped public lane and roadway (part of 10th Avenue SW) to public travel and acquiring title to this land and selling and incorporating same with the adjacent lands

## **4.0 ADOPTION OF AGENDA**

## **5.0 MINUTES**

### **5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES**

- 5.1.1 Council Regular Meeting - June 22, 2009

### **5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION**

### **5.3. BUSINESS ARISING FROM THE MINUTES**

## **6.0 DELEGATIONS**

6.1 Believe Fest - Gerald Martynes

6.2 Olympic Torch Committee

## **7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS**

## **8.0 REQUEST FOR DECISION REPORTS**

### **8.1. CAO**

8.1.1 Bylaw 17.09 Short Term Borrowing for Badlands Community Facility - 3rd reading

8.1.2 RFD - 878947 Alberta Ltd.

8.1.3 RFD - Relaxation to Noise Bylaw for Believe Fest

8.1.4 Letter from John Gearhart, East Coulee regarding Clean Up Order

### **8.2. Director of Infrastructure Services**

8.2.1 RFD - Award of 2009 Cast Iron Watermain Replacement

### **8.3. Director of Corporate Services**

### **8.4. Director of Community Services**

## **9.0 PRESENTATION OF QUARTELY 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**

14.1 Fundraising Agreement

14.2 Land Matter



ALBERTA  
MUNICIPAL AFFAIRS

*Office of the Minister*  
*MLA, Lac La Biche - St. Paul*

RECEIVED

JUN 23 2009

AR42693

June 23, 2009

His Worship Bryce Nimmo, Mayor  
Town of Drumheller  
703 - 2 Avenue West  
Drumheller, Alberta T0J 0Y3

Dear Mayor Nimmo:

I am pleased to advise that I have recently approved Ministerial Order No. L:089/09 authorizing the payment of 2009/10 unconditional municipal grants to municipalities and Métis settlements.

My ministry is now processing an unconditional municipal grant in the amount of \$23,960 for the Town of Drumheller. The funds will be sent to your municipality within the next two weeks.

I would like to extend to you and your municipality my best wishes for the rest of the year.

Sincerely,

Ray Danyluk  
Minister

cc: Honourable Jack Hayden, MLA, Drumheller-Stettler  
Ray Romanetz, Chief Administrative Officer, Town of Drumheller

104 Legislature Building, Edmonton, Alberta Canada T5K 2B6 Telephone 780-427-3744 Fax 780-422-9550  
4434 - 50th Avenue, St. Paul, Alberta Canada T0A 3A2 Telephone 780-645-6999 Fax 780-645-5787  
Toll Free From All Areas 1-866-674-6999

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LEGISLATIVE ASSEMBLY  
ALBERTA

June 23, 2009

Mr. Paul Salvatore  
Town of Drumheller  
703 2<sup>nd</sup> Avenue W  
Drumheller, AB T0J 0Y3

Dear. Mr. Salvatore:

I am pleased to advise you that your Community Initiatives Program (CIP) Application No. C3013232, to assist with the Huntington Community Group, Playground and Multisurface Project, has been approved. A cheque in the amount of \$75,000.00 is attached.

Your organization is to be commended on its hard work in connection with this project. It will have a positive effect on the quality of life in our community.

The Community Initiatives Program assists Albertans in partnership with the Government of Alberta to enrich the quality of family and community life in our province.

Please note that you will be required to file a statement of accounting upon project completion or within two (2) years of the cheque date. If you have any inquiries, you may contact CIP program administration at 1-800-642-3855.

Best wishes and continued success with your future endeavors.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jack Hayden'.

Jack Hayden,  
MLA, Drumheller-Stettler

Attachment



ALBERTA  
MUNICIPAL AFFAIRS  
*Office of the Minister*  
MLA, Lac La Biche - St. Paul

RECEIVED

JUL - 7 2009

AR42979

June 22, 2009

His Worship Bryce Nimmo, Mayor  
Town of Drumheller  
703 - 2 Avenue West  
Drumheller, Alberta T0J 0Y3

*Bryce*

Dear Mayor Nimmo:

Thank you for your municipality's project profile submissions under the 2009 conditional operating funding component of the Municipal Sustainability Initiative (MSI).

I am pleased to inform you that the following projects have been accepted as qualifying projects under the MSI conditional operating funding guidelines. Your municipality may now proceed and apply the following amounts of your 2009 operating funding allocation to these projects:

OPE-1224	Computerized Meeting Process	\$ 31,000
OPE-1225	Aquaplex Operations	\$175,784
OPE-1226	Civic Centre Operations	\$ 75,200
OPE-1227	Library Operations	\$ 19,680

I wish you, your council, and the municipality's staff success with these projects.

Sincerely,

Ray Danyluk  
Minister

cc: Honourable Jack Hayden, MLA, Drumheller-Stettler  
Ray Romanetz, Chief Administrative Officer, Town of Drumheller

104 Legislature Building, Edmonton, Alberta Canada T5K 2B6 Telephone 780-427-3744 Fax 780-422-9550  
4434 - 50th Avenue, St. Paul, Alberta Canada T0A 3A2 Telephone 780-645-6999 Fax 780-645-5787  
Toll Free From All Areas 1-866-674-6999

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## TOWN OF DRUMHELLER BYLAW NUMBER 15-09

8.1.3

**THIS IS A BY-LAW OF THE TOWN OF DRUMHELLER**, in the Province of Alberta for the purpose of closing a portion of an undeveloped PUBLIC LANE AND ROADWAY (part of 10<sup>th</sup> Avenue S.W.) to public travel and acquiring title to this land in the name of the TOWN OF DRUMHELLER and selling and incorporating same with the adjacent lands in accordance with Section 22 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

**WHEREAS**; the certain PUBLIC LANE AND ROADWAY hereinafter described is not required for public travel and an application has been made by a developer to close a portion of the PUBLIC LANE AND ROADWAY hereinafter described and to acquire this closed portion of lane and roadway for incorporation and consolidation with adjacent lands, and;

**WHEREAS**; these PUBLIC LANE AND ROADWAY have not been developed or have ever been used for public travel nor will these lands be required for public lanes or other public purposes in the foreseeable future, and

**WHEREAS**; a notice was published in the Drumheller Mail once a week for two consecutive weeks; on June 24, 2009 and June 30, 2009 the last of such publications being at least five days before the day fixed for the passing of this By-Law, and;

**WHEREAS** the Council of the Town of Drumheller held a public meeting on the 6th day of July, 2009 at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard, and;

**WHEREAS** the Council of the TOWN OF DRUMHELLER is satisfied that closing this portion of public lanes and roadway will not adversely affect the traffic flow or prejudicially affect the public at large.

**NOW THEREFORE**; be it resolved that THE COUNCIL of THE TOWN OF DRUMHELLER, in the Province of Alberta does hereby enact to close the following described PUBLIC LANES AND ROADWAY from public use, obtain the title in the name of THE TOWN OF DRUMHELLER, a Municipal Body Corporate, of 703 - 2<sup>nd</sup> Avenue West, DRUMHELLER, Alberta, T0J 0Y3 and dispose of same for consolidation with adjacent lands.

### ROADWAY CLOSED BY THIS BY-LAW

THOSE PORTIONS OF THE PUBLIC LANES AND ROADWAY SHOWN AS AREAS A  
ON "SCHEDULE - A"

AND MORE PARTICULARLY DESCRIBED AS

All that portion of

lane as shown on Plan 8111554

lying within Subdivision Plan

, containing 0.024 hectares more or less

Page Two of Three

and

All that portion of  
10<sup>th</sup> Avenue S.E. as shown on Plan 8111554  
lying within Subdivision Plan \_\_\_\_\_, containing 0.021 hectares more or less

EXCEPTING THEREOUT ALL MINES AND MINERALS

THIS BY-LAW takes effect on the day of the final passing thereof.

READ AND PASSED THE FIRST TIME BY THE  
COUNCIL OF THE TOWN OF DRUMHELLER this \_\_\_\_\_ of \_\_\_\_\_ A.D., 2009.

\_\_\_\_\_  
MAYOR, BRYCE NIMMO

Seal

\_\_\_\_\_  
RAYMOND M. ROMANETZ, P.ENG.  
CHIEF ADMINISTRATIVE OFFICER

**APPROVED BY:  
ALBERTA INFRASTRUCTURE AND TRANSPORTATION**

Seal

\_\_\_\_\_  
MINISTER: HONOURABLE JACK HAYDEN

READ AND PASSED THE SECOND TIME BY THE  
COUNCIL OF THE TOWN OF DRUMHELLER this \_\_\_\_\_ of \_\_\_\_\_ A.D., 2009.

\_\_\_\_\_  
MAYOR, BRYCE NIMMO

Seal

\_\_\_\_\_  
RAYMOND M. ROMANETZ, P.ENG.  
CHIEF ADMINISTRATIVE OFFICER

## ***Agenda Item # 3.1***

Page Three of Three

READ AND PASSED THE THIRD TIME BY THE  
COUNCIL OF THE TOWN OF DRUMHELLER this      of      A.D., 2009.

\_\_\_\_\_  
MAYOR, BRYCE NIMMO

Seal

\_\_\_\_\_  
RAYMOND M. ROMANETZ, P.ENG.  
CHIEF ADMINISTRATIVE OFFICER



[illegible]

The purpose of the public hearing is to consider Bylaw 15.09...

# **Town of Drumheller**

## **COUNCIL MEETING**

### **MINUTES**



**June 22, 2009** 4:30 PM Council Chambers, Town Hall  
703 - 2nd Ave. West, Drumheller, Alberta

**PRESENT:**

**MAYOR:**

Bryce Nimmo

**COUNCIL:**

Andrew Berdahl

Karen Bertamini

Don Guidolin

Blaine McDonald

Sharel Shoff

Terry Yemen

**CHIEF ADMINISTRATIVE OFFICER/ENGINEER:**

Ray Romanetz

**DIRECTOR OF INFRASTRUCTURE SERVICES:**

Allan Kendrick

**DIRECTOR OF CORPORATE SERVICES:**

Michael Roy

**RECORDING SECRETARY:**

Linda Handy

**ABSENT:** DIRECTOR OF COMMUNITY SERVICES: Paul Salvatore

**1.0 CALL TO ORDER**

**2.0 MAYOR'S OPENING REMARKS**

2.1 Mayor B. Nimmo presented the summer schedule for Council meetings.

**MO2009.139** Bertamini, Guidolin moved to cancel the Council meetings of July 20<sup>th</sup> and August 17<sup>th</sup> and the Council Committee meetings of July 13<sup>th</sup> and August 10<sup>th</sup>. Carried unanimously.

2.2 Mayor B. Nimmo presented a letter from Hon. Peter Van Loan, Minister of Public Safety advising the Town's request for an increase of one member to the Municipal Police Service Agreement for the Royal Canadian Mounted Police has been included in the 2010/2011 Annual Reference Level Update.

2.3 Mayor B. Nimmo presented a letter from Hon. Fred Lindsay, Solicitor General and

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Minister of Public Security advising that a payment under the 2009-2010 Municipal Policing Assistance Grant Program in the amount of \$263,456 will be electronically transferred to the Town shortly.

2.4 Mayor B. Nimmo presented a letter from Hon. Jack Hayden, Minister of Infrastructure congratulating the town on receiving approval from the Building Canada Fund Program for the Badlands Community Facility. In his letter, Hon. Hayden also advised that Hon. Luke Ouellette, Minister of Transportation has approved a pedestrian activated crossing signal to be installed at St. Anthony before the new school opens.

2.5 Mayor B. Nimmo presented the Media Release dated June 17, 2009 advising that the Town of Drumheller cancelled the ski hill land sale agreement due to non compliance with conditions forming part of the agreement.

### 3.0 PUBLIC HEARING

### 4.0 ADOPTION OF AGENDA

Addition: 14.1 Councillor T. Yemen – Drumheller Chamber of Commerce Report

**MO2009.140** Berdahl, McDonald moved to adopt the agenda as amended. Carried unanimously.

### 5.0 MINUTES

#### 5.1 ADOPTION OF REGULAR COUNCIL MEETING MINUTES

##### 5.1.1 Council Regular Meeting – June 8, 2009

**MO2009.141** Shoff, Guidolin moved to adopt the regular Council meeting minutes of June 8, 2009 as presented. Carried unanimously.

#### 5.2 MINUTES OF MEETINGS 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 2008 Audit

Eric Peterson, Gitzel Krefci Dand Peterson provided an overview of the 2008 Audit as follows:

Page 2 Assets – comparison of assets with December 31, 2007 – cash and temporary investments significantly higher than 2007 due to some grants being supplied in advance of project completion. Physical assets inventory includes parks, property and equipment. In the past, the government has recorded their physical assets with no depreciation however this will change in 2009 with the introduction of the

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Tangible Capital Assets Program. Total assets \$21,517,144 (increase of about \$9M over 2007).

- Page 3 Liability / Equity - total \$121,517,144 (also increased about \$9M over 2007). If the Town receives a grant and if not spent, the amount would stay in deferred revenue until expensed. Employee benefits include accumulated vacation pay. Equity includes three fund balances – capital, operating and reserves. Operating fund includes the 2008 surplus of \$363,420 plus prior years. The reserve fund shows the dollars set aside for specific future spending. Equity in property and equipment shows the amount paid off for these assets.
- Page 4 Change in Fund Balances – Revenue Total \$19,172,683 less Expenses Total \$18,534,882 resulting in a change in fund balance of \$1,561,024. Total balance for all funds at year end is \$9,073,811.
- Page 5 Net cash increase during the year is \$2,695,648 plus cash and temporary Investments at the beginning of the year is \$11,408,188 with a total of cash and temporary investments at year end of \$14,103,836.
- Page 6 Schedule 1 Capital Fund Activities - Deficiency of Revenues over Expenditures totalled (\$1,392,265) made up of transfers from operating fund in the amount of \$1,376,382 and transfers from reserve fund in the amount of \$15,883. Capital revenues at the end of the year 2007 resulted in an over expenditure of (\$1,211,244) which has been included in the capital debt issued for a total of Capital Financing and Net Interfund Transfers of \$2,603,509.
- Page 7 Schedule 2 Operating Fund Activities – transfers to and from operating revenues total \$2,030,066. Change in fund balance (operating surplus) total \$363,420 with a closing balance of \$2,045,605.
- Page 8 Schedule 3 Reserve Fund Activities - allocations and transfer made to the reserves and put back in operations and capital. Opening balance of \$7,041,846 with a fund balance at year end of \$7,028,206.
- Page 9 Schedule 4 Equity in Property and Equipment - assets purchased in amount of \$4,680,875 and disposal of (\$84,319) which changes the equity by \$3,673,333 with an opening balance of \$93,141,684 and closing balance of \$96,815,017.
- Page 10 Schedule 5 Property Taxes Levied – 2008 taxation totalled \$8,580,538 with requisitions removed in the amount of \$2,389,593 resulting in net municipal taxes of \$6,190,945 to pay for municipal services.
- Page 11 Schedule 6 Government Transfers total \$4,613,862; Schedule 7 Expenditures by Object totalled \$18,534,882.
- Page 12 Note 1 ensures the audit has been completed in accordance with the Public Sector Accounting and the Canadian Institute of Chartered Accountants.
- Page 19 Note 8 required disclosure for Council and designated officers.
- Page 20 Note 9 debt limits – total debt limit allowed by the Town is \$24,371,057; total current debt is \$3,960,358 and the amount of debt limit unused is \$20,410,699.
- Page 23 - Note 17 requirement for Council's approval of the 2008 audited financial statements.

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Eric Peterson concluded his report by stating that the Town is in a healthy financial position, with adequate cash flow, and low debt. He stated that the Town of Drumheller is well managed financially.

Councillor K. Bertamini congratulated Administration for an excellent job with the financial records of the Town.

Eric Peterson referred to the Management Letter. He stated it is an auditor's responsibility to bring to Council's attention any matter relating to financial affairs of the municipality. He stated that the Management Letter refers to a growing trend on unused vacation. He stated that employees have either earned the benefits (and are vested) or are entitled to these benefits within the next budgetary year. He stated that although this practice is permitted under the Human Resource policy, it does indicate that employees are not taking a rest from their positions and are not allowing other employees to learn other job responsibilities.

Mayor Nimmo thanked E. Peterson for his presentation.

Mayor Nimmo recessed the meeting at 5:10 PM.  
Mayor Nimmo reconvened the meeting at 5:13 PM

**MO2009.142** Guidolin, McDonald moved that Council approve the 2008 audited financial statements as presented. Carried unanimously.

### 8.1.2 Bylaw 14.09 Borrowing for Community Facility

R. Romanetz presented the borrowing bylaw for the community facility in the amount of \$6M. M. Roy stated that the bylaw must be advertised for two weeks. Councillor K. Bertamini asked for clarification on the borrowing limit. M. Roy stated that the Town can not exceed the borrowing amount of \$6M.

**MO2009.143** Bertamini, Guidolin for first reading of Bylaw 14.09.

In favour – McDonald, Bertamini, Nimmo, Berdahl, Guidolin

Opposed - Shoff, Yemen

Carried.

### 8.1.3 Bylaw 15.09 being a bylaw to close a portion of undeveloped public lanes and roadway

R. Romanetz advised that the applicant, Stevenson Homes, has entered into a development agreement with the Town. He explained that the attached drawing shows a replot of the subdivision and identifies the proposed closure of a thin ribbon from the road right of way along 10<sup>th</sup> Avenue SW and the closure of the lane running north and south. He noted that both areas will be consolidated into the lots as part of the new plan. He further explained that the subdivision application has been approved by Palliser Regional Municipal Services along with a reclassification approval by the Town. He stated that the road closure is required before land titles can give a new plan number. He stated that the

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June 22, 2009  
Page 5

road closure will be advertised for two weeks, following which a public hearing will be held on July 6<sup>th</sup>. He stated that following the public hearing, the road closure bylaw must be forwarded to the Minister of Transportation for his signature.

**MO2009.144** Berdahl, Shoff for first reading to Bylaw 15.09. Carried unanimously.

#### 8.1.4 Bylaw 16.09 Amendments to Policing Committee

R. Romanetz presented the amendments to the Policing Committee bylaw as recommended by the Policing Committee. He stated that the primary change deals with the composition of the Committee structure. He further explained that once the bylaw is amended, a representative from the Kneehill County will be appointed to the Committee.

**MO2009.145** Yemen, Berdahl for first reading to Bylaw 16.09. Carried unanimously.

**MO2009.146** Shoff, Guidolin for second reading to Bylaw 16.09. Carried unanimously.

**MO2009.147** Bertamini, Guidolin for no objection to third reading of Bylaw 16.09. Carried unanimously.

**MO2009.148** Shoff, Berdahl for third reading to Bylaw 16.09. Carried unanimously.

#### 8.1.5 Bylaw 17.09 Short Term Borrowing

R. Romanetz presented the short term borrowing bylaw until such time that the fundraising goal would be raised for the community facility. He further advised that if the term of five years is used there is no requirement under the Municipal Government Act to advertise. M. Roy explained that a short term borrowing bylaw is recommended if the fundraising dollars do not come in as expected. He explained that the Town has two options to consider for borrowing the dollars either through a local financial institute or Alberta Capital Financing Authority (ACFA). He noted that if the borrowing is through a local financial institute, the interest rate may be higher however there may be no penalty to pay off the loan. If borrowing is through ACFA, the interest rate may be lower however there would be obligations for full term payments. He explained that the worse case scenario would be that if the fundraising dollars came in slowly the Town would have to make payments on the dollars borrowed. He further stated that during the fundraising session held on May 28<sup>th</sup>, the fundraising consultant had advised that a long term commitment would be the preferred option to raise dollars and it is common practice to have a short term borrowing policy to cover off the commitments. In response to a question from Council, R. Romanetz advised that the additional costs for the annual principle and interest rate payment would have to come from the fundraising dollars or taxation.

**MO2009.149** Berdahl, Guidolin for first reading to Bylaw 17.09.

In favour – McDonald, Bertamini, Nimmo, Berdahl, Guidolin

Opposed - Shoff, Yemen

Carried.

**MO2009.150** Bertamini, Guidolin for second reading to Bylaw 17.09.

In favour – McDonald, Bertamini, Nimmo, Berdahl, Guidolin

Opposed - Shoff, Yemen

Carried.

**MO2009.151** Bertamini, Guidolin moved no objection to third reading to Bylaw 17.09.

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In favour – McDonald, Bertamini, Nimmo, Guidolin  
Opposed - Shoff, Yemen, Berdahl  
Carried.

## **8.2 Director of Infrastructure Services**

### **8.3 Director of Corporate Services**

#### **8.3.1 Detailed Assessment Audit Report**

M. Roy presented the detailed assessment audit report which purpose is to provide the Minister and the municipality with an unbiased opinion as to the quality of the 2008 assessment roll and whether the municipality adequately adheres to assessment standards. He further noted that the report identifies where opportunities exist to improve assessment performance as per the recommendations of the audit. He further noted that the assessor has been given a copy of the report and the majority of recommendations are being implemented or have been implemented by the assessor. He further noted that there will be ongoing inspections to ensure the municipality adheres to recommendations put forward by the Assessment Branch of Alberta.

#### **8.3.2 Drumheller Mail Invoices**

M. Roy presented two outstanding invoices from the Drumheller Mail which the Mayor as Co-Chair of the Steering Committee will speak to. Mayor Nimmo stated the charges resulted from the plebiscite communications and Council has set aside \$5,000.00 to cover marketing costs.

**MO2009.152** Yemen, Bertamini that Drumheller Mail Invoices #56224 and #55818 in the amount of \$3994.15 for plebiscite communications be expensed from the Communications Budget as set by Council.

In favour – Shoff, Yemen, Bertamini, Nimmo, Berdahl, Guidolin  
Opposed - McDonald  
Carried.

## **8.4 Director of Community Services**

### **9.0 PRESENTATION OF QUARTERLY AND ANNUAL REPORTS BY ADMINISTRATION (July, 2009)**

9.2 CAO

9.3 Director of Infrastructure Services

9.4 Director of Corporate Services

9.5 Director of Community Services

### **10.0 PUBLIC HEARING DECISIONS**

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Page 7

## **11.0 DELEGATION DECISIONS**

## **12.0 UNFINISHED BUSINESS**

## **13.0 NOTICES OF MOTIONS**

## **14.0 COUNCILLOR REPORTS**

14.1 Councillor T. Yemen provided an overview of the Drumheller Chamber of Commerce activities during the summer: July 11<sup>th</sup> Country – Celtic Rock festival at the Drumheller Arena; July 17 – 19 tarp sponsor for Tim Haroldson @ the WPCA wagon races in Drumheller; August 22<sup>nd</sup> King of the Valley sponsor at the first annual tractor pull and agricultural trade show. He stated that the Chamber continues to support the Atlas Coal Mine with their mine entree project.

15.0 **IN-CAMERA MATTERS MO2009.153** Guidolin, Yemen to go in camera at 5:48 PM. Carried unanimously.

15.1 Land Matter

**MO2009.154** Yemen, McDonald to revert back to regular Council meeting at 6:58 PM.

There being no further business the Mayor declared the meeting adjourned at 6:58 PM.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER



### TOWN OF DRUMHELLER BYLAW NO. 17.09

This bylaw authorizes the Town of Drumheller, in the Province of Alberta, to incur indebtedness by the issuance of debenture(s) to a maximum amount of \$6,000,000 for the purpose of borrowing to cover the donation funding portion of the construction of the Badlands Community Facility phase 1.

**WHEREAS**, the Council of the Town of Drumheller has decided to issue a bylaw pursuant to Section 257 of the *Municipal Government Act* to authorize the financing, undertaking and completion of the Badlands Community Facility.

**WHEREAS**, plans and specifications have been prepared and the total cost of the project is estimated to be \$23,000,000 and the Town of Drumheller estimates the following grants and contributions will be applied to the project:

Reserves	\$5,000,000
Provincial Grants	\$3,000,000
Federal Grants	\$3,000,000
Donations (Short Term Debenture)	\$6,000,000
Debenture(s)	\$6,000,000
Total Cost	\$23,000,000

**WHEREAS**, in order to complete the project it will be necessary for the Town of Drumheller to borrow the sum of \$6,000,000 for a period not to exceed Five (5) years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures or bank loan and on the terms and conditions referred to in this bylaw.

**WHEREAS**, the estimated lifetime of the project financed under this bylaw is equal to, or in excess of Twenty (20) years.

**WHEREAS**, the principal amount of the outstanding debt of the Town of Drumheller at December 31, 2008 is \$3,960,358 and no part of the principal or interest is in arrears and with another \$3,000,000 approved by Council for borrowing in 2009 for other projects.

**WHEREAS**, all required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

## Agenda Item # 8.1.1

Town of Drumheller  
Bylaw 17.09  
Page 2

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF DRUMHELLER,  
DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. That for the purpose of completing the Badlands Community Facility project phase 1, the sum of six million dollars (\$6,000,000.00) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debentures on the credit and security of the Town of Drumheller at large, of which amount the full sum of six million dollars (\$6,000,000) is to be paid by the municipality at large.
2. The proper officers of the Town of Drumheller are hereby authorized to issue debenture(s) on behalf of the Town of Drumheller for the amount and purpose as authorized by this bylaw, namely the Badlands Community Facility phase 1.
4. The Town of Drumheller shall repay the indebtedness according to the repayment structure in effect, namely monthly, semi-annual or annual equal payments of combined principal and interest instalments not to exceed Five (5) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed Ten (10) percent.
5. The indebtedness shall be contracted on the credit and security of the Town of Drumheller.
6. The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.
8. This bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS 22nd DAY OF JUNE 2009.  
READ A SECOND TIME THIS 22nd DAY OF JUNE 2009.  
READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2009.

\_\_\_\_\_  
MAYOR

SEAL

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

## Agenda Item # 8.1.4

June 26, 2009

Town of Drumheller  
Office of the Chief Administrative Officer  
703 – 2<sup>nd</sup> Street West  
Drumheller, Alberta  
T0J 0Y3

*via FedEx Courier*

ATTENTION: DON URLACHER  
BY-LAW ENFORCEMENT

WITHOUT PREDIJUICE

Dear Sir:

**Re: John Gearhart  
Plan 4128EQ; Block 10; Lot 4  
232 – 6 Street East Coulee ("the lands")**

With respect to the Drumheller Community Services ORDER dated June 24, 2009; registered mail; I hereby provide written notice within the required seven (7) day timeframe requesting Council to review the above noted ORDER. I further request to be present when said ORDER is under review. Please advise me of the subject review date and time and I will make myself available at your convenience.

Yours truly,



John Gearhart

cc: Ray Romanetz; CAO  
Paul Salvatore; Director of Community Services  
Kate Lima; Development Officer  
Council: Mayor Bryce Nimmo  
Councillor Andrew Berdahl  
Councillor Karen Ann Bertamini  
Councillor Don Guidolin  
Councillor Blaine McDonald  
Councillor Sharel Shoff  
Councillor Terry Yemen



# DRUMHELLER

## COMMUNITY SERVICES



### ORDER

#### REGISTERED MAIL

June 24 2009

John Gearhart  
P.O. Box 591  
East Coulee, AB  
T0J 1B0

**FILE COPY**

Dear Mr. Gearhart:

**RE: PLAN 4128EQ; BLOCK 10; LOT 4  
232 – 6 Street, East Coulee ("the Lands")**

In my capacity as Enforcement Officer pursuant to Section 6 of the Town of Drumheller Nuisance Abatement Bylaw #24-98, I am hereby issuing an Order pursuant to Part 13, Division 4, Section 546 of the Municipal Government Act, with respect to the aforementioned lands.

As per Part 13, Division 4, Section 546(0.1)(b)(i)(ii) of the Municipal Government Act the above-mentioned property is in an unsightly condition.

Further, Part 13, Division 4, Section 546(0.1)(1) of the Municipal Government Act allows an Enforcement Officer to issue an Order to remedy a property that is in an unsightly condition and detrimental to the surrounding area.

At present, the condition of the Land shows signs of serious disregard for general maintenance and upkeep. Accordingly, pursuant to Part 13, Division 4, and Section 546(0.1)(1)(c)(i)(ii) you are hereby ordered to:

- **Remove all debris and garbage from the property and dispose of it in an appropriate manner**
- **Remove Derelict vehicles from the land**
- **Demolish the structure and dispose of it in an appropriate manner**

Within **fourteen (14) days** of having received this Order or the Town will take whatever action or measure is necessary to remedy the contraventions **at the expense of the Owner.**

You are hereby advised that any person who receives a written order under Section 546 of the Municipal Government Act may by written notice request Council to review the Order within seven (7) days of the date the order is received.

If you wish to exercise this right, then written notice must be received at the:

**Town of Drumheller  
Office of the Chief Administrative Officer  
703 – 2 Avenue West  
Drumheller, AB  
T0J 0Y3**

**Within seven (7) days of receiving the Order.**

Town of Drumheller  
703 2 Avenue West  
Drumheller, AB T0J 0Y3

[www.dinosaurvalley.com](http://www.dinosaurvalley.com)

Telephone: (403) 820-1579  
Fax: (403) 823-7739  
E-mail: [durlacher@dinosaurvalley.com](mailto:durlacher@dinosaurvalley.com)

## Agenda Item # 8.1.4

-2-

Please be advised that the Municipality has the authority to put the costs and expenses for carrying out this Order on the tax roll for the lands (Municipal Government Act s.553(1)(h.1)).

Yours truly,  
Town of Drumheller  
Per:

  
Don Urlacher  
Bylaw Enforcement

CC: Ray Romanetz, CAO  
Paul Salvatore, Director of Community Services  
Kate Lima, Development Officer  
Council

Town of Drumheller  
703 2 Avenue West  
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# DRUMHELLER

## COMMUNITY SERVICES



### ORDER

#### REGISTERED MAIL

June 3, 2009

John Gearhart  
P.O. Box 591  
East Coulee, AB  
T0J 1B0

Dear Mr. Gearhart:

**RE: PLAN 4128EQ; BLOCK 10; LOT 4**  
**232 – 6 Street, East Coulee ("the Lands")**

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Office of the Chief Administrative Officer  
703 – 2 Avenue West  
Drumheller, AB  
T0J 0Y3**

**Within seven (7) days of receiving the Order.**

Town of Drumheller  
703 2 Avenue West  
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[www.dinosaurvalley.com](http://www.dinosaurvalley.com)

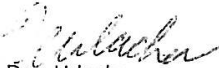
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## Agenda Item # 8.1.4

-2-

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Yours truly,  
Town of Drumheller  
Per:



Don Urlacher  
Bylaw Enforcement

CC: Ray Romanetz, CAO  
Paul Salvatore, Director of Community Services  
Kate Lima, Development Officer  
Council

Town of Drumheller  
703 2 Avenue West  
Drumheller, AB T0J 0Y3

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# DRUMHELLER

COMMUNITY SERVICES



May 5, 2009

**COPY**

John Gerhart  
P.O. Box 591  
East Coulee, Alberta  
T0J 1B0

Dear Mr. Gearhart:

**RE: Plan 4128EQ; Block 10; Lot 4 ("the Lands")**  
**232 – 6 Street, East Coulee**

The Town of Drumheller is aware that a fire occurred at the above-mentioned location on February 10, 2009. It is our understanding that a demolition permit has been issued for the demolition of your manufactured home. I must advise you that the Town feels that an appropriate amount of time has passed since the fire occurred however your property remains in an unsightly state.

As Development Authority for the Town of Drumheller, I advise that you are in contravention of Section 3 (b) of the Town's Nuisance By-law #24-98 and Part VII, Section 55 (c) of the Land Use By-law #10-08. For your reference I have attached a copy of the Nuisance By-law and Part VII, Section 55 (c) of the Land Use By-law.

A recent inspection showed that the property is untidy or in an unsightly condition. The Town of Drumheller's Nuisance By-law #24-98, Section 3 (b) states that "No person, being the owner, lessee, tenant, agent, manager, or occupant of any land or premises within the Town, shall permit the land or premises of which such a person is the owner, lessee, tenant, agent, manager, or occupant to be or remain in an untidy or unsightly condition". As well, the Town of Drumheller's Land use By-law 10-08, Part VII, Section 55 (c) states "No person shall keep or permit in any part of a yard in any residential district any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district.

Therefore, you are advised to remove the outside storage of materials from the Lands **within fourteen (14) days of receipt of this letter.**

Failure to comply with the above may result in legal action being taken by the Municipality.

.../2

Town of Drumheller  
703 2 Avenue West  
Drumheller, AB T0J 0Y3

## DEVELOPMENT CONTROL

[www.dinosaurvalley.com](http://www.dinosaurvalley.com)

Telephone: (403) 823-1310  
Fax: (403) 823-7739  
E-mail: [klima@dinosaurvalley.com](mailto:klima@dinosaurvalley.com)



-2-

For further information or clarification, please contact the undersigned as (403) 823-1310.

Yours truly,  
Town of Drumheller  
Per:



Kate Lima, Development Officer

Cc Ray Romanetz, CAO  
Paul Salvatore, Director of Community Services  
Bylaw Officers

Town of Drumheller  
703 2 Avenue West  
Drumheller, AB T0J 0Y3

### DEVELOPMENT CONTROL

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