

Town of Drumheller COUNCIL MEETING AGENDA

November 23, 2009 at 4:30 PM

Council Chamber, Town Hall

703-2nd Ave. West, Drumheller, Alberta



1.0 CALL TO ORDER

2.0 MAYOR'S OPENING REMARK

- 2.1 Letter from Hon. Fred Lindsay, Solicitor General and Minister of Public Security advising that \$75,342 for the 2009-10 Police Officer New Hires Grant was transferred to the Town of Drumheller on September 30, 2009.
- 2.2 Letter from Hon. Ray Danyluk, Minister of Alberta Municipal Affairs advising that together with the Safety Codes Council and Municipal Affairs has undertaken a review of the SCA to consider a variety of possible updates and changes
- 2.3 Letter from Hon. Luke Ouellette, Minister of Transportation announcing that the 2008-09 Annual Report and Highlights are now available on their website at <http://www.transportation.alberta.ca/601.htm>.
- 2.4 Letter from Mr. John Cantafio, Inspector, RCMP District Commander Southern Alberta District providing an update on the ongoing planning for the 2010 Winter Olympics
- 2.5 Future CN Rail Continuance Recovery Plan

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

- 5.1.1 Regular Council Meeting Minutes of November 9, 2009

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

8.2. Director of Infrastructure Services

8.2.1 RFD - Solid Waste Services Agreement Extension

8.2.2 Update on the Gordon Taylor Bridge Improvements

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

14.1 Regional Water Supply Update

Agenda Item # 2.1



ALBERTA
SOLICITOR GENERAL AND MINISTER OF PUBLIC SECURITY

Honourable Fred Lindsay
Office of the Minister
MLA, Stony Plain

RECEIVED

OCT 17 2009

G/c Ray/Mike

AR 13260

October 7, 2009

Mayor Bryce Nimmo
Town of Drumheller
703 - 2 Avenue West
Drumheller AB T0J 0Y3

Dear Mr. Nimmo: *Bryce*

I am pleased to advise you that \$75,342 for the 2009-10 Police Officer New Hires Grant was recently transferred to your municipality on September 30, 2009. This is the first payment under the grant agreement dated May 22, 2009.

This payment is for one officer for the period of April 1 to December 31, 2009, and is prorated based on the date of the new hire to a maximum of 275 days. Notice of future payments under this initiative will be provided by letter directly to your Municipal Administrative Officer.

If your staff have any questions with regard to this grant payment, please have them contact Michael Michalski, Director of Financial Reporting and Operations at 780-427-0495.

Thank you for your dedication and commitment as we move forward to improving the safety and well being of Alberta communities.

Sincerely,

Fred Lindsay
Solicitor General and Minister of Public Security

Attachment

cc: Honourable Jack Hayden, MLA, Drumheller-Stettler
R.R. Knecht, Deputy Commissioner, Commanding Officer RCMP "K" Division
Ray Romanetz, CAO, Town of Drumheller

402 Legislature Building, Edmonton, Alberta, Canada T5K 2B6 Telephone 780-415-9406 Fax 780-415-9566
103, 5101 - 48 Street, Stony Plain, Alberta, Canada T7Z 1L8 Telephone 780-963-1444 Fax 780-963-1730

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ALBERTA
MUNICIPAL AFFAIRS

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

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October 2, 2009

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

Dear Mayor Nimmo:

The *Safety Codes Act (SCA)* has been in force, unchanged for the past 15 years and has served Alberta very well. Alberta has one of the strongest safety systems in the country and one of the reasons why it is so strong is because together we are constantly looking at ways to improve. Our collective experience with the SCA has identified some areas for improvements as well as a need to ensure that the SCA is able to meet Alberta's needs well into the future.

Therefore, together with the Safety Codes Council, Municipal Affairs has undertaken a review of the SCA to consider a variety of possible updates and changes. These include: options for assisting municipalities with their safety system administration responsibilities; implementing the new governance and accountability framework for the Safety Codes Council; improving the code adoption processes; ensuring flexibility so the SCA can respond to emerging trends and goals; and clarifying authority for various areas of safety system administration, including its connection to other legislation such as the Municipal Government Act, safety service delivery and enforcement mechanisms.

The next step in our review of the SCA is to engage municipalities and other key stakeholders in a broad consultation to garner input from those who have been most directly involved in, and responsible for the effectiveness of, our safety system.

In the coming days, your municipal administration will be receiving detailed information on the upcoming consultation from Ivan Moore, Assistant Deputy Minister of the Public Safety Division, who will be leading this consultation. Details on how to participate in the web-based, core consultation process, as well as the timings for upcoming informal information sessions this fall, will be provided.

Municipal involvement in the safety system is vital to effectively managing community risks, and Alberta's safety system works well because of this involvement.

I look forward to hearing from your municipality through this consultation.

Sincerely,

Ray Danyluk
Minister

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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ALBERTA
TRANSPORTATION

Office of the Minister

C/c Ray / AL
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October 23, 2009

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

Dear Mayor Nimmo:

I am pleased to let you know that Alberta Transportation's 2008-09 Annual Report and Highlights are now available on the Alberta Transportation website at <http://www.transportation.alberta.ca/601.htm>.

In 2008-09, providing the roads and other infrastructure to meet the province's needs was a priority for the Alberta government. The ministry completed many initiatives to support economic development and enhance the quality of life in our communities.

We paved more than 1,300 kilometres of highway and preserved 78 bridges. We completed over 90% of the twinning on the North-South Trade Corridor that runs from Mexico through Alberta to Alaska. The ministry also twinned the first section of the 240 kilometres of Highway 63 that service the Fort McMurray region, and constructed a much-needed truck staging area.

The ministry rapidly pushed ahead with the construction of Calgary Stoney Trail northwest and northeast to reduce traffic congestion and provide a vital transportation link for the Calgary region. In Edmonton, we accelerated completion of the Stony Plain Road/Anthony Henday Drive Interchange and started on the 21-kilometre section of Anthony Henday Drive northwest.

Other major projects included the interchange at the junction of Highways 1, 9, and 797, upgrading of the north Innisfail interchange to a diamond design for improved traffic safety, the Athabasca River Bridge in Fort McMurray, the Smoky River Bridge near Watino, the interchange at Yankee Valley Road in Airdrie, and the Milk River bypass.

.../2

320 Legislature Building, Edmonton, Alberta Canada T5K 2B6 Telephone 780-427-2080 Fax 780-422-2722

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Agenda Item # 2.3

His Worship Bryce Nimmo
Page Two

The ministry continued to implement the strategies of the "Alberta Traffic Safety Plan: Saving Lives on Alberta's Roads". This included key actions to help prevent motor vehicle collisions, enforce traffic laws, build safer roads, and better educate all Albertans about traffic safety.

The Alberta Traffic Safety Communications Plan for 2008-10 was launched to promote safe driving habits and positive driver attitudes. The Community Mobilization Strategy engaged and supported local law enforcement, health, education, and industry groups in meeting community-based Alberta Traffic Safety Plan objectives. The ministry also continued to discourage impaired driving to make Alberta's roads safer, and introduced the new mandatory Ignition Interlock Program. The province then became the first in Canada to pass legislation enabling licence suspensions for drug impairment offences.

In response to community needs, the ministry provided \$1.4 billion in grant funding to help municipalities develop and preserve their capital infrastructure including their transportation systems, public transit and emergency services, and other municipal facilities. This included grants for water supply, water treatment, and wastewater treatment facilities to ensure Albertans have a safe supply of water for municipal uses and effective wastewater treatment.

As Minister of Transportation, I am honoured to continue working with Albertans to plan, build, and maintain a safe and sustainable provincial transportation system today and for future generations.

I invite you to browse through our Annual Report on the website or contact our planning unit Louise.Nelson@gov.ab.ca or Katlan.Holman@gov.ab.ca at 780-643-0638 for print copies. To be connected toll-free outside of Edmonton, please call 310-0000.

Sincerely,



Luke Ouellette
Minister of Transportation
M.L.A., Innisfail-Sylvan Lake

Agenda Item # 2.4



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Security Classification/Designation
Classification/désignation sécuritaire

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OIC Southern Alberta District
7575 - 8th St. N.E.
Calgary Alberta
T2E 8A2

Your File Votre référence

Town of Drumheller
703 - 2nd Ave w
Drumheller, Alberta
T0J 0Y0

Our File Notre référence

2009-11-05

Dear Bryce. Nimmo

RE: Deployment of RCMP resources to the 2010 Olympic

I am writing you today in order to update you on the ongoing planning for the 2010 winter Olympics to be held in British Columbia in February of 2010. These Olympics will be one of the largest security challenges in Canadian history.

For several years now the RCMP has been planning to ensure that the Olympics will be a safe and secure experience for everyone. Experienced policing resources from across Canada will be deployed for various lengths of time beginning in January of 2010 and lasting until the end of February. There will be representatives from 119 police services working together including representation from all Alberta stand alone municipal police services as well as Alberta Sheriffs.

More than 500 "K" Division (Alberta) RCMP employees from various categories will be deployed to the Olympics. Many of these resources will come from non front line federally funded positions located throughout the province. Others will come from both the provincial and municipal RCMP complement.

As part of our strategic plan to ensure your community receives uninterrupted service during the deployment period the following steps have been implemented;

1. Annual leave has been cancelled during the Olympic time frame.
- 2) All training courses during this period have been cancelled.
- 3) We have been working with Alberta Justice to reduce the amount of trial time for police officers during this period.
- 4) Your Detachment Commander has been tasked with developing a plan and shift schedule to ensure your policing needs are met with little to no impact to your community.

Canada

Agenda Item # 2.4

To the extent possible these initiatives will ensure that your community has sufficient frontline resources available to respond to calls for service. Normally a number of detachment personnel would be away on leave, on training or attending court. The elimination of leave and training during the Olympic period should offset the members being deployed to the Olympics. In addition, the reduction of the scheduling of trials requiring the attendance of front line members will allow them to respond to calls for service.

Your Detachment Commander will keep you informed on the exact numbers of police officers being deployed from your community as the deployment date draws near. During their absence your community will be reimbursed by the Federal Government for the entire cost of your officer(s). I encourage you or your representative to speak with S/Sgt. Art Hopkins should you have any questions or concerns.

The RCMP has a long and proud history of major event policing. Within Alberta alone we have worked with our policing partners to coordinate the 1978 Commonwealth Games, 1983 Universiade Games, the 1988 Winter Olympics and the 2002 G8 Summit. During these times we were supported by other provinces and territories in ensuring security successes. 2010 will provide us with opportunities to continue that tradition.

In closing, I thank you for your continued cooperation in ensuring equal success for the 2010 Winter Olympics. Should you have any questions which can not be answered by S/Sgt. Art Hopkins please feel free to contact S/Sgt. Glen Plustwa, Southern Alberta District Olympic's Coordinator at 403.699.2412.

Yours Truly,

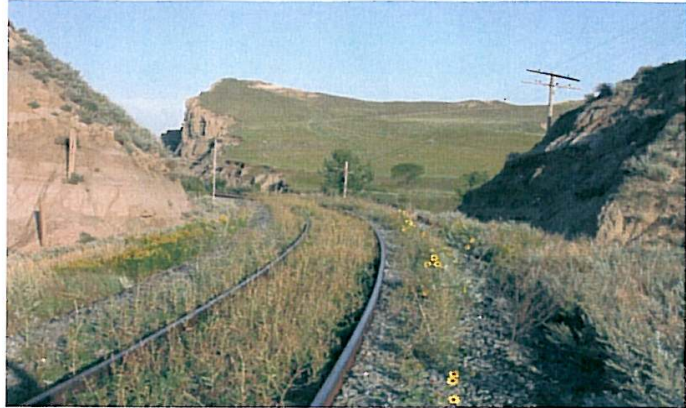

John A. Cantafio, Inspector
District Commander
Southern Alberta District

Sur



November 9, 2009
RECEIVED
NOV 13 2009

Mr. Ray Romanetz
703 - 2nd Ave. W
Drumheller, AB T0J 0Y3



Future Rail Service depends on you

The rail continuance recovery plan undertaken by Palliser Regional Municipal Services (PRMS) on behalf of its member municipalities is at the important stage of raising funds for an offer to CNR.

The feasibility study and business plan consultants, Rail West Management Ltd.(RWM), recently completed the final business plan and the results are available at www.blrail.net or by contacting the PRMS office. The business plan depicts that a grain producer could save up to \$1,200 for each loaded producer car minus the cost to move that car from the established short line to Lyalta or Oyen where CNR would pick it up.

The Badlands Railway Company board of directors will be made up of local producers and users of the rail line. This is a great opportunity for grain producers to take back control of their loading operations. With a short line in place the producers in our area would have a much shorter haul and would not be restricted by long wait times at high-throughput elevators or the short time frames to load producer cars demanded by CNR. *"The short line railway (the producers) would be in control of when and how the producer cars are moved"* stated Barrie Hoover, Reeve of Starland County and Chairman of the Rail Recovery Project steering committee.

PRMS and RWM recently held meetings in locations along the rail line from Oyen to Lyalta to provide information to those who could benefit from the establishment of a short line railway along this track. The meetings were well attended however *"we will need the support of the majority of the grain producers in the region for a short line to be viable"* said Brad Wiebe, CEO of PRMS. *"The existing grain producers and industry are the rail activity we have to draw from right now but if the short line is established, there is the potential for future industries and opportunities that disappear if the track is removed"*.

The commercial interest stage for offers to CNR is coming up in mid November and allows any interested party 60 days from the advertisement date to produce an offer. CNR is required by the Canadian Transportation Act to negotiate in good faith with any group making an offer to continue rail operations. The rail recovery steering committee has incorporated a company, Badlands Railway Company Ltd. to establish a short line railway and to negotiate with CNR. PRMS and RWM will be holding meetings to raise funds for a deposit to accompany an offer to CNR that will be refundable if a reasonable purchase price is not resolved. These meetings will be held December 2nd and 3rd at locations along the rail line. *"The newly formed company will need to raise enough funds at this stage to at least make a reasonable deposit, 5 or 10% to let CNR know that we're serious. If the interest isn't out there to at least raise enough for a refundable deposit, the rail recovery project could come to an end and unfortunately that means the rail will be ripped out of the ground in 2010 along with a lot of potential industry"*, stated Hoover.

For anyone looking for information for specifics on how a short line could operate please check the website www.blrail.net or contact the PRMS office at 1-877-854-3371 and watch for upcoming meeting dates.

115 Palliser Trail, P.O. Drawer 1900, Hanna, Alberta T0J 1P0 tel 1-877-854-3371 fax 403-854-4684
www.palliserservices.ca



THE BADLANDS RAILWAY COMPANY

SHARE OFFERING INFORMATION MEETINGS

Wednesday December 2

10am – Rockyford Community Centre, Rockyford, AB

2pm – Rosebud Community Hall, Rosebud, AB

6pm – Palliser Regional Municipal Services Boardroom -115 Palliser Trail, Hanna, AB

Thursday December 3

10am - Oyen Senior Recreation Centre, Oyen, AB

2pm – Delia Community Centre, Delia, AB

6pm – Drumheller Civic Centre (upstairs over the library), Drumheller, AB

Speakers: RailWest Management – short line railway consultants

Art Stacey – President RailWest Management Ltd.

To explain the formation of Badlands Railway Company and share offering

Hal Koberinski – Railway Operating Specialist – RailWest Management Ltd.

To explain history and condition of rail line and short line rail advantages

Please view the website at www.blrail.net or contact our office for further information at 1-877-854-3371

Agenda Item # 2.5

Comparison of Loading Producer Car Versus Delivering to Local Elevator		
Example:	Producer Car \$\$\$\$ per Metric Tonne	Local Elevator \$\$\$\$ per Metric Tonne
(1) 1 CWAD 13.0 Instore St. Lawrence	\$261.30	\$261.30
(2) Freight – Vanguard, SK to Thunder Bay	\$33.00	\$33.00
(3) Freight Adjustment Factor	\$0.00	\$0.00
(4) Country Elevation	\$0.00	\$13.50
(5) Cleaning	\$4.50	\$5.00
(6) Weighing & Inspection/ CGC App.	\$0.58	\$0.47
(7) Administration	\$1.00	\$0.00
(8) Incentive		\$0.00
(9) Total Cost = Sum of (2) to (7) inclusive	\$39.08	\$51.97
(10) Net Revenue (1) minus (8)	\$222.22	\$209.33
(11) Savings	\$12.89	
(12) Average Tonnes per Rail Car	94	94
(13) Savings per car (10) times (11)	\$1,212	

Approved

Town of Drumheller COUNCIL MEETING MINUTES

November 9, 2009 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 SERVICE

Allen Kendrick

DIRECTOR OF CORPORATE SERVICES:

Michael Roy

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

1.0 CALL TO ORDER

- 1.1 Mayor Bryce Nimmo extended appreciation to Mac Jones and Jane Danis for their service on the Police Committee. Jane Danis could not make the meeting but asked Mac Jones to pass on her comments that she appreciated the opportunity to serve in this capacity.

2.0 MAYOR'S OPENING REMARK

- 2.1 Mayor Bryce Nimmo presented a letter from Hon. Cindy Ady, Minister of Alberta Tourism, Parks and Recreation advising of a 60 - day public comment period to complete the final steps in the transfer of Hoodoos Provincial Recreation Area to the Town of Drumheller.

Approved

Council Meeting Minutes
November 9, 2009

- 2.2 Mayor Bryce Nimmo presented a letter from Hon. Hector Goudreau, Minister of Employment and Immigration advising that his department is seeking nominations for two awards: The Employer Youth Award of Distinction and The Employer of Persons with Disabilities Award of Distinction.
- 2.3 Mayor Bryce Nimmo presented a letter from Hon. Ray Danyluk, Minister of Municipal Affairs advising that the Drumheller Memorial Arena Dehumidifier will receive \$125,000 under the capital funding component of the Municipal Sustainability Initiative.
- 2.4 Mayor Bryce Nimmo extended congratulations to Karen Ann Bertamini who was chosen to receive AUMA's 2009 Distinguished Service Award (this award recognizes the dedication of Elected Officials of Urban Municipalities in Alberta, who have served twenty (20) or more years on Municipal Council and the Award of Excellence (this award recognizes outstanding civic leadership by present and past Municipal Elected Officials). The award presentation took place during the AUMA Annual General Meeting in Calgary on November 4, 2009.
- 2.5 Mayor Bryce Nimmo extended congratulations to Ray Romanetz who was chosen to receive AUMA's prestigious 2009 Dedicated Chief Administrative Officer Award. This Award recognizes the dedication to municipal government and Chief Administrative Management. He explained that this award is also voted on by Ray's peers within local government. The award presentation took place during the AUMA Annual General Meeting held in Calgary on November 4, 2009.
- 2.6 Mayor Bryce Nimmo proclaimed the week of November 15th to November 22nd as Restorative Justice Week 2009 within Canada, and throughout the world.

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

MO2009.199 Bertamini, McDonald moved to adopt the agenda as presented. Carried unanimously.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

- 5.1.1 Organizational Council Meeting Minutes of October 26, 2009
MO2009.200 Guidolin, Bertamini moved to approve the Organizational Meeting Minutes of October 26, 2009 as presented. Carried unanimously.
- 5.1.2 Regular Council Meeting Minutes of October 26, 2009
MO2009.201 Shoff, McDonald moved to approve the Regular Meeting

Approved

Council Meeting Minutes
November 9, 2009

Minutes of October 26, 2009 as presented. Carried unanimously.

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.2.1 Municipal Planning Commission Meeting Minutes of October 1, 2009

5.2.2 Municipal Planning Commission Meeting Minutes of October 15, 2009

5.3. BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

Ken Schinnour stated that there was an error in assessment for improvements on the site for the Allied building in 2007. He stated that he talked to Administration twice about the error with no correction made to the double assessment. He stated that he was advised of the proper process in a letter resulting in his request before Council to cancel taxes resulting from the assessment error.

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1. CAO

8.1.1 RFD - Community Facility Project

R. Romanetz advised further to discussion held at Council's Committee Meeting of November 2nd, there is a need for a motion of support on the community facility project as a whole.

MO2009.200 Shoff, Yemen moved that whereas, the Town of Drumheller commissioned Graham Edmunds Cartier Architects and Randall Conrad and Associates to complete a Recreational Master Plan and Interim Needs Assessment in June, 2005.

Whereas, Council in October, 2006 passed a resolution committing to hold a plebiscite regarding the question of facility location before the project would proceed.

Whereas, In the summer of 2008, a Community Facility Survey was conducted in Drumheller in connection with a municipal census and on August 12, 2008 RC Strategies Inc. presented the Community Facility Census Survey Report confirming 78% support for the construction of a facility.

Whereas, Council approved the Plebiscite Vote to be held on November 3, 2008 with the question being "Are you in favour of constructing a Community Facility on the location that includes the lands known as John Anderson Park?" and the vote results were 67% yes and 33% no.

Approved

Council Meeting Minutes
November 9, 2009

Whereas, On December 8, 2008, Council approved their 2009 Strategic Business Plan with one of their corporate priorities being the construction of a Community Facility.

Whereas, In June, 2009 Canada Alberta Building Canada Fund announced that the Badlands Community Facility – Library Project had been approved in the amount of \$3M from Federal Government and \$3M from the Province.

Whereas, At a Special Council Meeting held on July 13, 2009, Council agreed to retain the firm of GEC for architectural services as outlined in their proposal dated June 29, 2009.

Whereas, On August 24, 2009 Council adopted Bylaw 14.09 being a borrowing bylaw for the construction of the Community Facility in the amount of \$6M over twenty years.

Whereas, On August 31, 2009 Council approved an initial budget with funding sourced from debentures, reserves, grants and donations.

Whereas, the construction of the Badlands Community Facility is progressing on schedule with the architect firm of Graham Edmunds Cartier currently working on the design and the preliminary site work scheduled for late 2009.

Whereas, Council having reviewed all decisions, resolutions and actions taken by it, the Community Facility Steering Committee and the Fundraising Sub Committee.

THEREFORE, BE IT RESOLVED THAT Council supports the construction of the Badlands Community Facility as outlined in the Recreation Master Plan to be located at John Anderson Park starting with a field house, running track, fitness centre, meeting facilities and a public library followed by a second ice surface and curling rink as funding becomes available.

Carried unanimously.

8.1.2 RFD - 2010 Funding Request for Red Deer River Watershed Alliance

R. Romanetz presented the Red Deer River Watershed Alliance funding request for 2010 in the amount of 50 cents per capita which equates to \$3,996.00 for Drumheller (based on a population of 7932). He further stated that the Red Deer River Municipal Users Group serves as an effective municipal lobbying group and works in cooperation with the Watershed Alliance.

MO2009.201 Bertamini, Berdahl that Council agree to participate in the Red Deer River Municipal Watershed Alliance and approve a contribution of \$0.50 per capita for their 2010 year. Carried unanimously.

8.2. Director of Infrastructure Services

8.2.1 RFD - Approval of Parking for CB District

A. Kendrick advised that Town Administration has been working with iTRANS Consulting to update the Transportation Study and other related transportation issues. He further advised that the Central Business District Study identified alternate solutions which have been presented to Council as well as several Public Forums. He explained that Council has already

Approved

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purchased several properties for more off street parking in the core. These parking areas would be developed prior to the other changes required to implement Alternate #1 (removal of angle parking on both sides of 3rd Avenue West from 2nd Street West to Centre Street to be replaced with parallel parking). Administration feels that by making this decision well in advance it would give the local businesses some time to plan on making any adjustments to how they operate (eg. access off the back lane, etc) if they wished to do so. He further explained that the earlier decision would also allow the staff to include the changes into the line painting contract and ensure all the changes are well planned out in advance. He stated that the changes would be made before the long weekend in May 2010.

MO2009.202 Yemen, Shoff that Council approve the implementation of Alternative #1 as presented in the Central Business Study.

Discussion on Motion:

Councillor A. Berdahl stated that the decision should be postponed until the Drumheller Chamber of Commerce or the Downtown Business District has had an opportunity to respond to Alternative #1. Councillor D. Guidolin asked the process for removal of the line markings. A. Kendrick explained that the current markings will be sandblasted to allow for the new markings. Councillor K. Bertamini asked if the dinosaur islands would be removed. A. Kendrick advised that some of the islands may require modification or reduction prior to the implementation of parallel parking by early next spring. Councillor B. McDonald stated that although public consultations were held there could be a short extension to allow further input from the stakeholders. R. Romanetz stated that the Town through the sustainability planning process will be holding further public consultations to discuss opportunities for downtown revitalization, transportation, standards, etc. He further explained that Council needs to provide direction so that staff can move forward with the improvements and capital planning for 2010. Councillor S. Shoff stated that the Town has shown leadership in the process and has addressed concerns expressed by the business owners regarding new parking that will be available for their patrons and employees. Councillor T. Yemen stated that Council should postpone a decision for two more weeks to have one more meeting with the major users.

Vote on Motion:

4 in favor - Guidolin, Shoff, Nimmo, Bertamini

3 against - Yemen, McDonald, Berdahl

Motion carried.

8.2.2 RFD - Award of Tender for Groundworks (Community Facility Project)

A. Kendrick advised that tenders for the site grading at the Badlands Community Facility closed on November 5, 2009 with 12 bids received. He stated that the low bidder was 303554 Alta Ltd. with a tender amount of \$251,774.25 including GST. He explained that after the tender was opened

Approved

Council Meeting Minutes
November 9, 2009

the bidder advised that he had made an error in the amount of approximately \$100,000.00. After reviewing this matter with the Town's Solicitor and MPE, Administration instructed MPE to discuss options with the low bidder to either honor their bid or to withdraw their bid. They will be required to provide a letter acknowledging that they will have no recourse to the Town and allowing the Town to pursue other options. He further explained that as a result Administration is recommending that the second lowest bidder Foran Equipment Ltd. be awarded the contract in the amount of \$363,076.46. The engineering estimate for this project was approximately \$305,434.50.

MO2009.203 Berdahl, Bertamini moved that Council award the tender for the grading of the site for the Badlands Community Facility to Foran Equipment Ltd in the amount of \$363,076.46 (including GST).

Discussion on Motion:

Councillor A. Berdahl asked if the letter of withdrawal has not been received as of yet would there be any liability issues with proceeding with the award to another contractor. R. Romanetz stated that the motion should be subject to receiving a release from the low bidder.

Berdahl, Bertamini agreed to a friendly amendment:

MO2009.203A Berdahl, Bertamini moved Council award the tender for the grading of the site for the Badlands Community Facility to Foran Equipment Ltd. in the amount of \$363,076.46 (including GST) subject to a release from the low bidder. Carried unanimously.

8.3. Director of Corporate Services

8.3.1 RFD - Request to Correct the 2007 Tax for Legal Portion of NE 2-29-20-W4M and Plan 0312690 Block 60 Lot 2

M. Roy stated that a letter has been received regarding an error to the assessment record for a property located at Portion of NE 2-29-20-W4M and Plan 0312690 Block 60 Lot 2. The error in the assessment records were subsequently corrected in the 2008 assessment records. He explained that on an annual basis all property owners or parties with interest in the property receive assessment notices and are given 30 days to appeal their assessment. He further explained that no appeal of assessment was made for the properties in question. He stated that regardless of the assessment appeal process if there is an error in the assessment record the record can be correct in the current year only. He further stated that Council has the options as stated under Section 347 of the MGA if it considers it equitable to do so, they can a) cancel or reduce tax arrears; b) cancel or refund all or part of a tax; and c) defer the collection of a tax. He stated that the amount of dollars in question is \$2453.04 with \$1,663.15 being the municipal portion and \$789.89 being the school requisition.

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MO2009.204 Bertamini, Shoff that Council direct Administration to refund the total amount \$2453.04 which includes both the municipal and school requisition.

6 in favor - Guidolin, Shoff, Nimmo, Bertamini, McDonald, Yemen
1 against - Berdahl
Motion carried.

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

MO2009.205 Bertamini, Shoff moved to go in camera at 5:10 PM. Carried unanimously.

14.1 Land Matter- Legal Description Plan 3946ET Portion of Lot 1

MO2009.206 Yemen, Bertamini moved to go into regular Council meeting at 5:20 PM. Carried unanimously.

There being no further business, the Mayor declared the meeting adjourned at 5:20 PM.

MAYOR

Agenda Item # 5.1.1

Approved

Council Meeting Minutes
November 9, 2009

CHIEF ADMINISTRATIVE
OFFICER