

Town of Drumheller COUNCIL MEETING AGENDA

June 21, 2010 at 4:30 PM
Council Chamber, Town Hall
703-2nd Ave. West, Drumheller, Alberta



Page

1.0 CALL TO ORDER

- 1.1 Councillor Sharel Shoff to be sworn in as Deputy Mayor for the months of July and August, 2010

2.0 MAYOR'S OPENING REMARK

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 June 7, 2010

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.3. BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

- 6.1 Presentation of Encana's Business Plan

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1. CAO

- 8.1.1 RFD - Badlands Community Facility Tender Award
- 8.1.2 RFD - Badlands Community Facility - Operations and Marketing Steps
- 8.1.3 RFD - Notice of Amendments to the Palliser Regional Municipal Services Articles of Association

9-14

15-18

19-24

8.2. Director of Infrastructure Services

8.3. Director of Corporate Services

8.4. Director of Community Services

25-30

8.4.1 RFD - Newcastle Community Hall

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 Land Matter - Hygrade Industrial Park

14.2 Personnel Matter

Town of Drumheller COUNCIL MEETING MINUTES

June 7, 2010 at 12:00 AM
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

Mayor B. Nimmo presented the summer Council meeting schedule. He stated that the Council Committee Meetings will be cancelled at the call of the Mayor.

MO2010.113 Berdahl, McDonald moved to cancel the July 5th, 2010 and August 3rd, 2010 Council Meetings. Carried unanimously.

2.1 FCM Report

Mayor B. Nimmo advised that he along with the CAO attended the FCM Conference held in Toronto, ON from May 27 - May 30. He advised that key note speakers included Prime Minister Steven Harper and former Prime Minister Paul Martin.

3.0 PUBLIC HEARING

Council Meeting Minutes
June 07, 2010

4.0 ADOPTION OF AGENDA

MO2010.114 Shoff, Yemen moved to approve 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 May 25, 2010

MO2010.115 Yemen, Shoff moved to approve the regular Council meeting minutes of May 25th, 2010 as presented. Carried unanimously.

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.2.1 Municipal Planning Commission Minutes of April 22, 2010

5.2.2 Municipal Planning Commission Minutes of May 13, 2010

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 Bylaw 06.10 (Road Closure Bylaw) 2nd and 3rd Readings

R. Romanetz presented Bylaw 06.10 being a road closure bylaw to close a portion of undeveloped road in Nacmine with the intent of selling the property to the adjacent landowner. He advised that the Bylaw has been approved by the Minister of Transportation and he recommended that Council proceed to second and third reading.

MO2010.116 Bertamini, Guidolin moved second reading of Bylaw 06.10.

Discussion on Motion:

Councillor A. Berdahl asked if a policy was in place to handle a situation where both parties expressed an interest in the property. R. Romanetz advised that the fairest way would be to sell an equal share to both adjacent property owners. He explained that in this situation, notice of the closure was given to the other adjacent property owner who expressed no interest in the property. He explained that an

Agenda Item # 5.1.1

Council Meeting Minutes
June 07, 2010

appraisal will be carried out to ensure that the property is sold at a price that reflects market value.

5 in favour McDonald, Yemen, Nimmo, Shoff, Berdahl, Guidolin
1 opposed Bertamini
Carried.

MO2010.117 Guidolin, McDonald moved third reading of Bylaw 06.10.

Councillor A. Berdahl asked Councillor K. Bertamini if she would state her reason for opposition on the matter. Councillor K. Bertamini stated that all property for sale should be publicly tendered.

5 in favour McDonald, Yemen, Nimmo, Shoff, Berdahl, Guidolin
1 opposed Bertamini
Carried.

8.1.2 Bylaw 14.10 Supplementary Assessment

R. Romanetz presented Bylaw 14.10 being a bylaw to authorize the supplementary assessment for improvements. He asked M. Roy, Director of Corporate Services to speak to the bylaw. M. Roy advised that the bylaw is an annual requirement under Section 313 of the Municipal Government Act with a deadline of May 1st. He further advised that the Town has requested an extension and the bylaw will not be enforced until the extension has been granted by the Minister. He explained that the supplementary assessment raises \$30,000 of additional taxes.

MO2010.118 Shoff, Guidolin moved first reading of Bylaw 14.10. Carried unanimously.

MO2010.119 Bertamini, Yemen moved second reading of Bylaw 14.10. Carried unanimously.

MO2010.120 Bertamini, Berdahl moved no objection to third reading of Bylaw 14.10. Carried unanimously.

MO2010.121 Guidolin, McDonald moved third reading of Bylaw 14.10. Carried unanimously.

8.1.3 Bylaw 15.10 Business Tax Rate

R. Romanetz presented Bylaw 15.10 being a bylaw to establish the business tax rate. He asked M. Roy, Director of Corporate Services to speak to the bylaw. He advised that Bylaw 15.10 is an annual requirement under Section 377(1) of the Municipal Government Act. He further explained that the rates are similar to last years and will bring in \$76,000 revenue.

MO2010.122 Bertamini, Yemen moved first reading of Bylaw 15.10.

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Discussion held on motion:

Councillor S. Shoff asked for clarification on the business license fee and business tax. R. Romanetz advised that a home based business is charged a business license fee while commercial businesses will pay a percentage of their current business tax assessment plus a business license. M. Roy explained that the amount of fees on both types of operations are similar.

Vote on Motion:

5 in favour McDonald, Yemen, Bertamini, Nimmo, Berdahl, Guidolin

1 opposed Shoff

Carried.

MO2010.123 McDonald, Guidolin moved second reading of Bylaw 15.10.

Vote on Motion:

5 in favour McDonald, Yemen, Bertamini, Nimmo, Berdahl, Guidolin

1 opposed Shoff

Carried.

MO2010.124 Bertamini, Guidolin no objection to third reading of Bylaw 15.10. Carried unanimously.

MO2010.125 Guidolin, Yemen moved third reading of Bylaw 15.10.

Vote on Motion:

5 in favour McDonald, Yemen, Bertamini, Nimmo, Berdahl, Guidolin

1 opposed Shoff

Carried.

8.1.5 Information - Canadian Badlands Passion Play Lease Agreement (land to be used for parking)

R. Romanetz advised that the Canadian Badlands Passion Play has approached the Town to enter into a lease agreement for overflow parking as identified on the topographical map. He further explained that the need for parking resulted in them no longer having access to the parking at the base of the ski hill and due to the increased seating in the amphitheatre. He further stated that the Town Solicitor will prepare the lease agreement and key considerations of the lease will include: lease period (lease to be renewed on annual basis or long term with a 12 month period to relinquish the use of the property); restrict access to the water tower; no cost to the Town however the Town may make equipment available but only on a very limited basis; grading of the property to be the responsibility of the Passion Play as per Palm Engineer's grading plan including drainage; no overnight camping; and

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proof of insurance. R. Romanetz further advised that the matter was before the Municipal Planning Commission on June 5th and their decision was to approve the application subject to conditions that include the Passion Play entering into a development agreement with the Town, meet the conditions of the Alberta Protection Act, site activities to comply with the Noise Bylaw, etc. He explained that vehicle access would not be through 4th Avenue but through their main gate. He stated that the walking distance from the overflow parking area is similar to the other parking areas.

MO2010.126 Shoff, McDonald that Council approve the Parking Lease Agreement with the Canadian Badlands Passion Play subject to the inclusion of the terms as presented.

Discussion on Motion:

Councillor K. Bertamini stated that other options would be preferred such as bussing the guests into the site. Council requested that the neighboring properties be made aware of the parking expansion and that a dust abatement program be included in the development servicing agreement.

Vote on Motion: Carried unanimously.

8.2. Director of Infrastructure Services

8.2.1 RFD - Street Improvement Program

A. Kendrick advised that the tenders closed on June 1st, 2010 with a total of three tenders received ranging from \$1,109,672.00 to \$1,222,355.69. He further advised that the engineer's construction estimate prepared prior to tendering was \$1,564,061.10. He further stated that awarding of the contract to Brooks Asphalt would allow for the prioritizing street improvements as identified in the 2010 Road Program to be completed, as well as Alberta Transportation project of St. Anthony's School Intersection Treatment and signalization on Hwy 838. Administration is recommending that the tender be awarded to the low bidder, Brooks Asphalt.

MO2010.127 Yemen, McDonald that Council approve the awarding of the tender for the 2010 Street Improvement Program to Brooks Asphalt in the amount of \$1,109,672.00 subject to Alberta Transportation approvals. Carried unanimously.

8.3. Director of Corporate Services

Council Meeting Minutes
June 07, 2010

8.4. Director of Community Services

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

11.0 UNFINISHED BUSINESS

11.1 RFD - Tourism Master Plan

R. Romanetz advised that additional information was provided to Council on the Terms of Reference, Project Scope and Scoring. He advised that the following motion was tabled at Council's meeting of May 25th:

MO2010.105 Shoff, Berdahl that Council accept the Request for Decision to award the Tourism Master Plan Study to Malone Parson Givens Ltd. for the amount of \$160,469.00 plus GST.

5 in favour - McDonald, Bertamini, Nimmo, Berdahl, Guidolin
2 opposed - Yemen, Shoff
Carried.

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 5:34 PM.



DRUMHELLER

CHIEF ADMINISTRATIVE OFFICER



Request for Decision

		Date:	June 18, 2010
Topic:	BADLANDS COMMUNITY FACILITY AWARD		

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

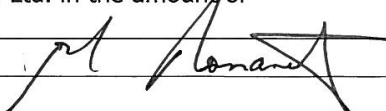
Telephone: (403) 823-1339

	Created By: Ray Romanetz	1
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Agenda Item # 8.1.1

Proposal:	<p>Tenders closed for the Badlands Community Facility on June 9th at 2:00 PM. Nine tenders were received with the bids ranging from \$13,725,000 to \$14,987,000. The low bidder was Dawson Wallace Construction Ltd. out of Calgary, AB. in the amount of \$13,725,000 (exclusive of GST and separate prices).</p> <p>GEC in a letter dated June 18, 2010 (copy attached) recommends that the Town of Drumheller award the tender to Dawson Wallace Construction Ltd.</p> <p>David Edmunds, GEC – Graham Edmunds Cartier presented an analysis of the costs based on the low tender as attached. Base bid of \$13,725,000 (includes \$469,000 cash allowance for the kitchen and detailed mill work); \$310,200 separate prices not in the base bid prices – these costs represent items that could be deferred or left out. Administration recommends that the separate price items be included in the tender price bringing the total bid to \$14,035,200.</p> <p>Generally all the site work falls outside of the tender price. Drumheller tenders site work contracts on an annual basis and this may result in more favorable pricing. The site work costs are outside of the contract and include: \$1.3 M for paving, landscaping and curb work; access road construction and servicing at \$400,000; and \$250,000 for the cenotaph.</p> <p>Total construction is estimated at \$17,455,164 which includes a 7% contingency which may be required to cover change orders and includes \$351,000 that was expended in the fall of 2009 on site fill and grading.</p> <p>Other costs: furnishings, equipment, IT and Media; and fees for architectural and engineering consulting for a total project cost of \$21,221,786.40.</p> <p>Work at the cenotaph and the purchasing of exercise and gym equipment are included in the estimated total project cost however will not proceed without specific approval from Council.</p>
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Agenda Item # 8.1.1

Proposed by:	Badlands Community Facility Steering Committee at their meeting of June 15, 2010 unanimously recommended that the work plan as outlined by GEC including components in the tender and additional items as identified be presented to Council for their approval.		
Correlation to Business (Strategic) Plan	The project is included in the Town of Drumheller 2010 Strategic Business Plan and Capital Plan.		
Benefits:	<ul style="list-style-type: none"> ○ A new facility that meets needs as identified by the community. 		
Disadvantages:			
Alternatives:	<ul style="list-style-type: none"> - Award the tender to Dawson Wallace Construction Ltd. in the amount of \$14,035,200 exclusive of GST. - Accept recommendation for information. 		
Finance/Budget Implications:			
Operating Costs:		Capital Cost:	\$21,221,786
Budget Available:	\$23M	Source of Funds:	\$6,000,000 borrowing \$6,000,000 grant \$6,000,000 fundraising \$5,000,000 reserves
Budget Cost:	N/A	Underbudgeted Cost:	
Communication Strategy:	Press Release on the tender award to Dawson Wallace Construction Ltd.		
Recommendations:	That Council award the tender for the Badlands Community Facility Project to Dawson Wallace Construction Ltd. in the amount of \$14,035,200 exclusive of GST.		
Report Writer:	R.M. Romanetz, P. Eng.	CAO:	
Position:	Chief Administrative Officer		



Project 5129

June 18, 2010

1110 - 1st Street SW
Calgary, Alberta
Canada, T2R 0V1
T: 403.283.7796
F: 403.283.7779
www.gecarch.com

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

Attention: Mr. Ray Romanetz

Dear Sir:

Re: Town of Drumheller - Badlands Community Facility Tender Award

We have reviewed the bids for the Town of Drumheller's Badlands Community Facility which closed on June 8, 2010, and would advise as follows.

The lowest bid was submitted by Dawson Wallace Construction Ltd. of Calgary, Alberta. The amount of their bid was \$13,725,000.00 exclusive of GST and separate prices. The bid included all required appendices and attachments with the exception of the project team and reference information. In accordance with the requirements of our tender documents, we asked for and have received this material and the documents are now complete and appear to be compliant with the requirements of the tender documents.

Based upon this we cannot find a reason for the Town of Drumheller to not award the tender to Dawson Wallace Construction Ltd.

With respect to the amount of the award, the tender documents included both separate and alternate price items. Separate priced items include the dasher board system at \$87,000.00, gym divider curtains at \$40,000.00, floor anchors to the fieldhouse floor at \$7,200.00, one operable wall in the banquet room at \$146,000.00 and a separate price for access control system at \$30,000.00.

These separate prices were not included in the base bid. Should The Town of Drumheller award the contract to Dawson Wallace Construction Ltd. we would recommend that this work be awarded concurrently.

PARTNERS

David Edmunds,
Architect, AAA, MAIBC, FRAIC

Ken Cartier,
Architect, AAA, MAIBC, MRAIC

Martin Jones,
Architect, AAA, MAIBC, MRAIC

PARTNER EMERITUS

Barry Graham,
Retired, AAA, FRAIC

Mr. Ray Romanetz
Town of Drumheller

- 2 -

Project 5129
June 18, 2010

The tender documents included a number of alternate prices which were included for the purposes of achieving costs savings if required. We wish to have the opportunity to review these cost savings over the next several weeks and to determine the impact on the quality of the building and their value to the Town of Drumheller. Based on this review we will undertake to provide further recommendations as appropriate.

Yours truly,

GEC ARCHITECTURE



David J. Edmunds, B.E.S., M.E.Des (Arch),
Architect, AAA, MAIBC, FRAIC, LEED™ap
Partner

DJE/lr

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Agenda Item # 8.1.1

TOWN OF DRUMHELLER - BADLANDS COMMUNITY FACILITY

June 15, 2010

Drumheller Tender June 8, 2010 Results - Analysis of Low Tender (All amounts exclusive of GST)

TP 1 Site Preparation	351,000.00	
Base Bid	\$ 13,725,000.00	Includes \$469,000 of Cash Allowance
Separate Prices	310,200.00	
Alternate Price not Accepted		

Total Separate And Base Bid	\$ 14,386,200.00
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Estimated Site Works	\$ 1,300,000.00
East Access Road Allowance	400,000.00
Estimated Cenataph	250,000.00

Total Construction	\$ 15,985,200.00
Construction Contingency 0.07	<u>\$ 1,118,964.00</u>

Total Completion Construction	\$ 17,455,164.00
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Furnishings (Library and Banquet)	\$ 1,000,000.00
Equipment (Gym and Fitness)	500,000.00
IT and Media	75,000.00

Fees

Prime Consulting	\$ 1,529,280.00
HVS	15,000.00
Food Service	50,000.00
Civil	100,000.00
LEED	160,000.00
Geotechnical	75,000.00
Testing	100,000.00
Disbursments Estimate	<u>162,342.40</u>

Total Project Cost	<u>\$ 21,221,786.40</u>
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GEC ARCHITECTURE



DRUMHELLER

COMMUNITY SERVICES



Request for Decision

Date: June 18, 2010


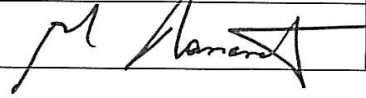
Topic:	Badlands Community Facility – Operations and Marketing Steps
Background:	<p>Administration from the Town of Drumheller has been actively working on the options and alternatives for marketing the Badlands Community Facility, since discussions commenced with the Chamber of Commerce in January, 2010.</p> <p>A copy of <i>Badlands Community Facility Business and Marketing Options</i> document was presented to Council as an information item on May 24th and follow-up has taken place with the Chamber of Commerce – since this date. On June 14, 2010 – a memo was presented to council which outlined the recommended next steps to ensure that resources are allocated toward the marketing and operations functions – in advance of the completion of the construction of the facility.</p> <p>2 Keys to the future success of the facility's operation include (see comprehensive list in attached memo):</p> <ol style="list-style-type: none"> 1. Hiring of a Facility Manager – with a strong background in hospitality, marketing and recreation management. 2. Acquisition of a sophisticated scheduling and reservation system to optimize sales and leverage opportunities for the facility (pending budget availability).
Proposed by:	Paul Salvatore
Correlation to Business (Strategic) Plan	Fiscally prudent, cost recovery. Hiring a Facility Manager for the Badlands Community Facility will be a critical step toward maximizing revenues for the facility. Implementing the right management systems for the facility will reinforce the emphasis on cost recovery while maximizing facility utilization for all current and future Town of Drumheller recreational and cultural facilities.
Benefits:	<p>Establishes future marketing and program development strategies for the facility. Hiring of a Manager will allow for the early development of sales and community networks related to the Badlands Community Facility.</p> <p>Software will enable bookings and reservations of future and existing Town of Drumheller facilities and programs either in person, or online.</p>
Disadvantages:	Requires an investment in staff and personnel – as an expenditure

COMMUNITY SERVICES

Telephone: (403) 823-1324

RFD-BCF_Operating_Marketing_recommendations.docx	Created By: Paul Salvatore	1
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Agenda Item # 8.1.2

Alternatives:	1. Delay hiring – and purchase of software - potentially missing future opportunities 2. Delay hiring, or acquisition of software 3. Identify other options 4. Take no action at this time		
Finance/Budget Implications:	Facility Manager Position Expected 2010 operating expense: \$30,000 – wages and benefits (facility manager) – from 2010 operating budget Facility Software Expected 2010/11 capital expense of up to \$ 50,000 – for software (capital) allocated as: a) 2010 capital budget surplus, and /or b) 2010 capital reserves or c) Funded entirely or, from a portion of the 2011 capital budget		
Operating Costs:	\$30,000 – wages and benefits (Facility Manager Position)	Capital Cost:	Up to \$50,000 pending budget availability in 2010 or 2011 (Facility Software)
Budget Available:	-0-	Source of Funds:	Future budget transfer from: a) Surplus and /or b) Reserves
Budget Cost:	-0-	Underbudgeted Cost:	
Communication Strategy:	Advise media and staff of the decision to move forward with hiring of the position and acquiring software for the scheduling and reservations system (pending available budget).		
Recommendations:	That Council instructs Administration to: Hire a Facility Manager for the Badlands Community Facility using surplus funds from 2010, and /or a combination of funds from surplus and, or reserves from the 2010 budget.		
Report Writer:		CAO	
Position:	Director of Community Services		



DRUMHELLER

MEMORANDUM



Date: June 11, 2010

To:	Mayor and Council	CC:	Ray Romanetz, C.A.O. The Municipal Management Team
From:	Paul Salvatore, Director	Dept.:	Community Services
Subject:	Badlands Community Facility – Operating and Marketing Options		

On May 20, 2010 – we (myself, Ray Telford and Ray Romanetz) met with Heather Bitz and Sherri Christensen from the Drumheller District Chamber of Commerce to discuss Operating and Marketing Options for the Badlands Community Facility. Following the meeting, we provided the Chamber with a copy of the Town's "Badlands Community Facility Business and Marketing Options" document (which was presented to Council as an information item on May 24th). The Chamber provided their feedback about the document on May 31st since that time, we have been engaged in further review and evaluation of the essential next steps concerning operations and marketing of the Badlands Community Facility.

Included in our analysis are the following assumptions:

- 1) The Facility will require a Manager – to oversee the day to day programming, scheduling and marketing of the facility. This position should be hired in the next 3-4 months in order to ensure adequate pre-planning for the facility. The Manager would ensure that all necessary systems, processes and procedures would be in place in the months ahead. This is a high priority.
- 2) The Facility will require an active sales professional to drive aggressive revenue targets for the facility and assist with special events coordination for the facility including banquet and sports related activities. Initially, this function could be provided as a part of a partnership with the Chamber of Commerce, with the potential to create a more permanent solution as the facility becomes more established in 2012 and beyond.
- 3) The Fitness and Wellness operation will require an experienced recreation program coordinator – which would also need to develop new programs for the fieldhouse and wellness centre, while meeting significant revenue targets. In the interim, the development of new programs could be completed as a short term contract in early 2011, with a more permanent staffing solution in late 2011.
- 4) A sophisticated scheduling and reservations system will be required – to optimize the bookings of the facilities and leverage sales in favour of revenue growth over time. The use of such a system would also integrate the Aquaplex, Arena, Civic Centre and various community association properties (if desired). Activenet – is currently the best known option available, further evaluation and analysis of this system will take place in June, 2010.
 - a. Fitness and Wellness Centre (in addition to Fieldhouse) booking rates will be established. Consideration will be given to cross-promotions with the arena and Aquaplex facilities when setting the rate structures.

- 5) A consultative or advisory team- consisting of stakeholders from key community partners (Chamber of Commerce, Hospitality Industry representatives (hotels and restaurants) major sport organizations, museums, community halls, attractions etc) would be formed to collaborate with staff and identify future marketing opportunities for the facility.
 - a. Included in the discussion with the advisory team will be the consideration of a conference and recreation board which would suggest recommendations for marketing activities for the facility. Some of these recommendations would include discussions with representatives from the Destination Marketing Funds (DMF's) and the Drumheller Valley Buying Group and to identify partnership opportunities and cross promotion of the Badlands.
- 6) Discussions should take place with the Drumheller Library Board – regarding partnership opportunities.
- 7) Town of Drumheller staff is continuing work on a number of budgeting scenarios that will focus on minimizing costs, while generating the maximum potential revenue for the facility. This information will be available in the weeks ahead.

Recommendations

The Town needs to immediately move forward on a number of items related to the future operations of the Badlands Community Facility. The most important items that should be addressed in the short term include:

- 1) Hiring of the Manager position for the Badlands Community Facility (necessary budget would need to be allocated in 2010, up to \$30,000 and commencing by September, 2010).
- 2) Selection of integrated scheduling and marketing software – and the implementation of the software in late 2010 (selection in June/July 2010 implementation by November/December 2010 – necessary budget – up to \$50,000 – pending available funds in 2010).
- 3) Commence early marketing activities for the facility – involving an advisory committee that would commence work in the next 1-3 months.
- 4) Renew discussion with the active Destination Marketing Fund organizations – to establish support for the sales function – events with direct ties to the hospitality industry.

It is expected that once the above items are firmly in place, the focus of activities for the facility will take shape in the form of the essential marketing and operations activities. The marketing and operations activities will be consistent with vision for the facility's – being a strong community and cultural hub that maximizes all opportunities possible for our residents and regional stakeholders.

Respectfully submitted,





DRUMHELLER

CHIEF ADMINISTRATIVE OFFICER



Request for Direction

		Date: June 18, 2010	
Topic:	PALLISER REGIONAL MUNICIPAL SERVICES – ARTICLES OF ASSOCIATION		
Proposal:	Council approved the Articles of Association of Palliser Regional Municipal Services Company Limited in 2007. Changes are being proposed as outlined on the attached resolution. In accordance with Section 68(b) of the Articles no less than a majority of at least ¾'s of the Shareholders who are present and in good standing at the meeting must vote in favor of the amendments to come into force.		
Proposed by:	Palliser Regional Municipal Services		
Correlation to Business (Strategic) Plan	N/A		
Benefits:	♦ Regional Partnership		
Disadvantages:			
Alternatives:	•		
Finance/Budget Implications:	.		
Operating Costs:		Capital Cost:	
Budget Available:	\$0.00	Source of Funds:	
Budget Cost:	\$0.00	Underbudgeted Cost:	
Communication Strategy:	Advise Palliser Regional Municipal Services of Council decision.		
Recommendations:	Council provide direction to Administration on whether they support the amendments to the PRMS Articles of Association.		
Report Writer:	R.M. Romanetz, P. Eng.	CAO:	
Position:	Chief Administrative Officer		

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

Telephone: (403) 823-1339

Palliser Regional Municipal Services Articles of Association2	Created By: Ray Romanetz	1
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*Agenda
June 21*



Palliser

Regional Municipal Services

SENT VIA EMAIL: PRMS MEMBER CAO'S

May 26, 2010

Attention: Municipal CAO's and PRMS representatives
RE: Notice of Amendments to the PRMS Articles of Association_

Dear CAO's and PRMS Member Representatives;

Please accept the enclosed notice of amendments to the PRMS Articles of Incorporation to be voted on at the Annual General Meeting on Wednesday June 23, 2010 at 4p.m. by the PRMS member municipality representatives in accordance with Section 68 of the Articles. In accordance with Section 68 (b) of the Articles no less than a majority of at least $\frac{3}{4}$'s of the Shareholders who are present and in good standing at the meeting must vote in favour of the amendments to come into force.

Please review the enclosed notice of amendments and the explanations given for the proposed changes.

If you have any questions, comments or concerns please contact myself.

Yours truly;

Brad Wiebe ACP/ MCIP
CEO/ Senior Planner

Enc. Notice of Amendments to the Articles of Association for Palliser Regional
Municipal Services Company Limited

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

**RESOLUTION OF
PALLISER REGIONAL MUNICIPAL SERVICES COMPANY LIMITED
(THE "COMPANY")**

EFFECTIVE DATE: JUNE 23, 2010

WHEREAS:

1. The Articles of Incorporation of the Company contain terminology that is not clearly defined and terms that are not consistent with the rest of the language of the Articles or language that is not consistent with Company practices;
2. The Articles are inconsistent relating to employee and/ or officers and their ability to be paid and/ or remunerated;
3. The Board of Directors of the Company have provided a recommendation to amend the Articles of Incorporation of the Company to be consistent with the operating procedures and definitions that the Company currently utilizes on a regular basis;
4. At least twenty-one (21) days notice of such intention to repeal, alter, or amend the said Articles has been sent to each Shareholder entitled to vote specifying in detail each proposed matter of repeal, alteration, and amendment; and

NOW THEREFORE BE IT RESOLVED:

1. The following Definitions be added under INTERPRETATION Section 2. Definitions as follows:

"CEO" means the chief executive officer as may be appointed by the Board from time to time;

"Officer" means the Chair, Vice-Chair and any other officers appointed by the Board from time to time pursuant to Section 54 of the Articles;

2. Section 6 - Cessation of Shareholder – amendment of subsection (b) to provide for a relevant time frame for notice requirements for a shareholder to withdraw from membership as the current 600 day requirement is determined to be an abstract number, as follows;

A Shareholder shall cease to be a Shareholder:

- (b) At the date of the Annual General Meeting, which is the first Annual General Meeting after the Withdrawing Shareholder gives to the Company ***three hundred and sixty five (365)*** days' notice of its desire to cease to be a Shareholder.

Addition of the following subsection to provide the shareholders the ability to allow a shareholder to cease to be a shareholder before the notice period has expired as per Section 6 requirements, as follows;

- (c) ***Notwithstanding the foregoing, a Shareholder may cease to be a Shareholder upon a Shareholder's request and the written unanimous consent of all of the Shareholders, excluding the Shareholder wishing to cease as such, in accordance with any negotiated settlement as agreed to***

by the Shareholders, which shall be effective as of the date set forth in such consent.

3. Section 35 – Remuneration

Amendment of this section as it currently states that Directors shall not be paid any compensation for services as a Director. It is the common practice of the Company that Directors are reimbursed for meeting expenses. This section is replaced as follows:

A Director may be paid compensation by the Company for services as a Director in accordance with a schedule of rates as approved by resolution of the Board for some or all reasonable out-of-pocket expenses necessarily incurred by the Director in the performance of any services required of or requested by the Board and/ or extraordinary to the regular duties of a Director.

4. Section 54 – Appointment

This section states that an officer need not be a Director, however this statement conflicts with Section 45 that the Chair and Vice Chair shall be chosen by the Board of Directors at the first Board meeting following elections. To reflect that the Chair and Vice-Chair must be Directors Section 54 amended as follows:

The Directors shall appoint a Chair and Vice-Chair and may appoint such other officers as the Directors determine is necessary. The position of Chair and Vice-Chair and such other officers as the Directors determine shall be appointed at the first meeting of the Directors after the Annual General Meeting. ***The Chair and Vice-Chair must also be Directors, while the other officers need not be Directors.***

5. Section 55 – President

This section refers to a “President” who must also be a Director. The Company does not use terminology such as “President” or “Vice President”. Also, the provision is inaccurate, as it essentially states that the President shall be a Director, who shall be the CEO. This section amended as follows:

Section 55 - *Chair*

The ***Chair*** shall be a Director ***and*** shall (subject to the authority of the Directors) have general supervision of the business of the Company and shall have such other duties and powers as the Directors may specify and delegate from time to time. The ***Chair*** shall at all reasonable times give to the Directors, or any of them, all information they may require regarding the affairs of the Company. ***The Chair shall act as chairman at the meetings of the Shareholders and Directors.*** In the absence of the Chair, the Vice-Chair shall preside at all meetings. In the absences of both, another member of the Board may be elected at the particular meeting to preside. The Chair will cause to be prepared and submit to the Shareholders at the General Meeting a statement and report of the Company for the preceding year. The ***Chair*** or the ***CEO*** shall be the only Persons authorized to speak on behalf of the Company. The ***Chair*** is charged with the obligation of ensuring the integrity of the governing process of the Company.

Replacement of “*President*” with “Chair” throughout the Articles

6. Section 56 – Vice-Presidents

Vice-President to be replaced with Vice-Chair throughout the articles and removal of "if any" from the first sentence, as the Articles require a Vice-Chair to be appointed, as follows:

Section 56 – ***Vice Chair***

The ***Vice-Chair*** shall act in the absence or disability of the ***Chair*** and shall exercise the powers of the ***Chair***, and shall perform such other duties as shall, from time to time, be directed by the Board. Should both the ***Chair*** and ***Vice-Chair*** be absent or disabled, the performance of their powers and their duties shall be designated to a Director appointed by the Board.

Replacement of "Vice-President" with "Vice-Chair" throughout the Articles

Section 57 – Powers and Duties of Other Officers

- (a) The second sentence states that "Any of the Duties and powers of an officer to whom an assistant has been appointed may be exercised and performed by such assistant unless the Directors otherwise direct." This allows an officer to abdicate their responsibility by passing it off to an assistant. As an officer is appointed because the Board wants the officer to perform certain tasks this should be removed. Removing this statement from the Articles does not prevent the officer's assistant from helping out with administrative tasks.
- (b) It is not necessary to repeat information about Directors remuneration. However, information on compensation for an "officer" is necessary as an "officer" can be an "employee" such as the CEO position.

Section 57 shall be amended as follows:

Section (a) Deletion of the following:

Any of the Duties and powers of an officer to whom an assistant has been Appointed may be exercised and performed by such assistant unless the Directors otherwise direct.

Section (b) Amended to read as follows:

Unless authorized by the Board and subject to any employment agreement between the Company and the Officer, no Officer shall receive any remuneration for services provided in their capacity as an officer.

Section 59 – Term of Office

Problematic concerns with this section include:

- 1. An officer is not necessarily an employee
- 2. An employment contract cannot simply be ignored without potential negative repercussions and liabilities to the Company.

Section 59 shall be amended as follows:

Deletion of the following:

Without prejudice to such officer's rights under any employment contract

- 7. Section 63 – Execution of Instruments

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Amendment of this section to utilize the terminology of the Municipal Government Act in relation to the MGA Section 213 Signing or authorization of municipal documents. This is to ensure the officers and directors are aware of the requirements for signing authorization of company documents and cheques, as follows;

Section 63 – Execution of Instruments

Any documents which are to be executed on behalf of the Company but which do not require a corporate seal ***shall be executed in accordance with the following:***

- (a) ***Minutes of General Meetings, meetings of the Board and of the executive committee must be signed by the person presiding at the meeting and the CEO;***
- (b) ***When the Board has delegated a power, duty or function to a committee, the minutes of a committee meeting that deal with the power, duty or function must be signed by the person presiding at the meeting and the CEO;***
- (c) ***Agreements and cheques and other negotiable instruments must be signed or authorized by a Director and the CEO;***

The corporate seal shall be affixed to all documents requiring execution under the corporate seal of the Company by the Chair and one (1) other Director or ***by the Chair and the CEO.***

The amendments, repeals and alterations as described above voted on at the Annual General Meeting of June 23, 2010 with the following results:

Shareholders in good standing present: _____

Shareholders voting in favour of the amendments: _____

Shareholders voting opposed to the amendments: _____

Shareholders abstaining from the vote: _____

SEAL

CHAIR

CHIEF EXECUTIVE OFFICER



DRUMHELLER

COMMUNITY SERVICES



Request for Decision

		Date:	June 18, 2010
Topic:	Newcastle Hall – Ownership Transfer		

COMMUNITY SERVICES


Telephone: (403) 823-1324

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Background:	<p>Newcastle Hall is a Town Owned property, which has operated since it's retrofit in late 1970's to present day in a partnership with the Newcastle Recreation Association (NRA).</p> <p>In 2009, the Hall experienced water damages due to a number of issues (water drainage and seeping, etc.) The damages required the basement of the Hall to be stripped of interior walls, carpet etc. Additionally, the Hall's heating system and air conditioning systems have been faltering and requires replacement. Additional work (see attached list) will also need to be done in order to meet the demands of the facility, (washroom upgrades, cement work, etc.).</p> <p>An estimate for the the total project cost of such improvements was conducted in the Fall of 2009 and in February 2010, the Newcastle Recreation Association engaged the service of ATCO for an energuide evaluation to identify upgrades to the mechanical systems that would ultimately reduce the long-term ownership (operations and maintenance) of the Hall building.</p> <p>The NRA has expressed an interest in the long term ownership of the Hall, which would serve a number of beneficial purposes:</p> <ol style="list-style-type: none"> 1. Would relieve the Town of Drumheller of maintenance support for the building (currently estimated at up to \$5,000 per year) 2. Would enable the NRA to control the long term life and purpose of the capital asset as an independent organization, free of direct Town involvement. <p>Newcastle Recreation wants to move forward on an arrangement to purchase the Hall, provided that the Town will cover a portion (25%) of the estimated repair costs of the Hall – currently projected as \$16,087.50. (please see the attached itemized cost summary.)</p> <p>Newcastle Recreation Association has invested \$42,000 over the last 5 year period to cover upgrades and maintenance issues. The Hall board would like to move forward on the completion of a CIP or CFEP application that would cover the remaining 50% of the costs if approved.</p>
Proposed by:	Paul Salvatore
Correlation to Business (Strategic) Plan	<p>Fiscally prudent. Transferring the ownership of the Hall to NRA would reduce our annual operating costs by eliminating the expenses associated with the Hall.</p> <p>Facilitate the success of our community organizations, such as Newcastle Recreation Association. Transferring ownership of the Hall will allow NRA to make future changes to suit their operations.</p>
Benefits:	<ul style="list-style-type: none"> - Will reduce the Town's current and future operations and maintenance commitment - Gives NRA long-term control
Disadvantages:	<ul style="list-style-type: none"> - Town relinquishes the capital asset which could be liquidated

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Alternatives:	<ol style="list-style-type: none"> 1. Town retains the Hall – (asks Newcastle to pay for all upgrades) 2. Town retains the Hall and pays for all costs (as the property owner) 3. Town sells the Hall to Newcastle Recreation Association 4. Town sells the building portion to NRA and leases the lot to the NRA for a long term contingent upon hall existence. 		
Finance/Budget Implications:	Newcastle Recreation Association's ownership of the property would release the Town from associated costs that may be necessary in the future.		
Operating Costs:	-0-	Capital Cost:	\$16,087.50
Budget Available:	-0-	Source of Funds:	Future operating budget transfer
Budget Cost:	-0-	Underbudgeted Cost:	
Communication Strategy:	Advise Newcastle Recreation Association of Council's decision.		
Recommendations:	That Council moves to support NRA's CIP/ CFEP grant application with a commitment of \$16,087.50 to cover the proportionate capital costs associated with Hall upgrades. Upon receipt of the grant, renovations would commence. Following renovations, ownership of the hall and lands would transfer to the Newcastle Recreation Association.		
Report Writer:		CAO	
Position:	Director of Community Services		

NEWCASTLE RECREATIONAL ASSOCIATION

May 6, 2010

To: Drumheller Town Council
C/O The Town of Drumheller
703-2nd Ave West
Drumheller AB
T0J0Y3

Attn: Mayor Bryce Nimmo

Re: Newcastle Recreational Hall

Our Hall was built in the 1940's as a Miner's Hall and was converted in the 60's into the Hall we know today. It has served our community as a place to gather, and socialize. Over the years the demands for our Hall may have changed but it still serves an important purpose. It is mainly rented out for functions and local youth dance, as well as community suppers.

With age the condition of our Hall has declined. Newcastle Rec. has renovated the upstairs area spending over \$42,000. It really has been quite a transformation. Sadly the basement and foundation are in dire need of major repairs. Last year we had a huge water issue which resulted in a black mold problem. We worked together with the Town to rip out carpet, drywall and sanitize the mold problem. Last week we hosted a spring supper and while we were there we checked the basement only to find that with the heavy rainfall we had water in the basement again.

The Newcastle Recreational Association has been a strong supporter of community functions and continues to annually donate a good portion of its proceeds back into local sports teams and education scholarships. We are a strong community and consider this local Community Hall not only a vital part of our community but also consider it a historical site. We hope that there would be some consideration of its value to the community. As the foundation of this Hall is deteriorating from water damage, it is most important that something is done to stop any further damage.

We as a community of Newcastle are prepared to partner with the Town of Drumheller in keeping this hall as a vital part of our community.

The Newcastle Rec. Association has just recently engaged with Atco in a Energy Management Plan for the Hall. The results are very conclusive that the Hall is in need of not only upgrades of the heating and cooling system, but some other renovations as well.

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Newcastle Rec. has put together a list of what repairs and renovations our Hall needs, they are as follows:

1. **Foundation and Exterior:** The sidewalk and front step needs to be removed in order to survey where the water is coming in from, hopefully the foundation will not need replacing and we only require installation of weeping tile and a water barrier. The ground below the air conditioning unit needs to be lifted and built up as we suspect water is coming in from here as well. Once this is repaired then the sidewalks will need to be replaced. The retaining wall is caving in and all the dirt needs to be removed and a new one built in its place. There are also places where the stucco has broken off the exterior which could also be causing water issues. The exterior needs to be patched and painted.
2. **Heating and Cooling Systems:** Furnace, Air Conditioning, and Water Heater all need to be removed and replaced with new energy efficient models.
3. **Bathrooms:** Strip existing wallboard re-drywall, paint, patch ceiling and repaint, and replace tiles at base of stairs.
4. **Appliances:** We need to have the deep fryers and griddle removed and replace with a new energy efficient dishwasher.
5. **Floors:** The hardwood floors are still in great condition, they just need to be stripped and refinished.
6. **Doors:** We need new double doors installed with panic hardware and closures, and replace single door with hardware.
7. **Windows:** We need all five windows removed and replaced with energy efficient ones.
8. **Soffitt and Fascia:** We need all soffitt and fascia removed and replaced.
9. **Signage:** We need a bright new sign to welcome everyone.
10. **Shingles and Roof:** We need to address the roof to make sure it is free from rot and replace shingles.
11. **Bus Shelter and Shed:** The old bus shelter needs to be removed as well as the shed.

Our Board has always covered all costs incurred for the Hall including renovations, repairs, insurance and all utilities. Over the past several years we have had various meetings with the Town concerning the fact that there is no lease agreement in place between the Town of Drumheller and Newcastle Rec. for our Community Hall. As a group, our board have come to an understanding that if we pool the resources from the Town, Newcastle Rec. and provincial grant options CFEP, we can work together to provide the repairs that the hall is in desperate need of completing. Upon completion, we

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as a Board, would then be willing to take over the ownership and assume sole responsibility for the Hall. But, it is only with the understanding that the basement's foundation is completely waterproofed. This is our biggest concern. We will not assume responsibility if this issue is not completely resolved. We would like to thank you for your time and consideration.

Sincerely,

Charlie Hrabec
President
Newcastle Recreational Association