

Town of Drumheller COUNCIL MEETING AGENDA

**September 10, 2012 at 4:30 PM
Council Chamber, Town Hall
703-2nd Ave. West, Drumheller, Alberta**



Page

1.0 CALL TO ORDER

2.0 MAYOR'S OPENING REMARK

3.0 PUBLIC HEARING

- 3-29 3.1 The purpose of the Public Hearing is to consider Bylaw 12.12 being a bylaw to adopt an area Structure plant to provide a framework for subsequent subdivision and development of land within the Town to be known as: The Portion of Aerial, Rosedale Area Structure Plan within the S 1/2 Section 28 Twp 28 Rge 19 W4M for low density residential and agricultural uses

The purpose of the Public Hearing is to consider Bylaw 13.12 being a bylaw to amend the Land Use Bylaw 10.08 by redesignating a portion of the S 1/2 Sec 28 Twp 28 Rge 19 W4M in the Town of Drumheller from UT - Urban Transitional District to SCR - Suburb Community Residential District

4.0 ADOPTION OF AGENDA

5.0 MINUTES

- 30-33 5.1 Regular Council Meeting Minutes of August 27, 2012

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

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

34-38 8.2.1 RFD - East Coulee Wastewater Treatment Plant Upgrades Award

8.3 Director of Corporate Services

39-40 8.3.1 RFD - Badlands Ambulance Services Society Contract

41-50 8.3.2 RFD - Affordable Housing Taxes

8.4 Director of Community Services

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

10.1 Bylaw 12.12 - The Portion of Aerial, Rosedale Area Structure Plan - second and third readings

10.2 Bylaw 13.12 Land Use Amendment (Rosedale) UT - Urban Transitional - SCR Suburb Community Residential District - second and third readings

11.0 UNFINISHED BUSINESS

12.0 NOTICES OF MOTIONS

13.0 COUNCILLOR REPORTS

13.1 Councillor S. Shoff - Heritage Garden Update

14.0 IN-CAMERA MATTERS

NOTICE OF PUBLIC HEARING

TOWN OF DRUMHELLER PROPOSED BYLAW NO. 12.12 and 13.12

Portion of Aerial, Rosedale Area Structure Plan and Land Use District Amendment from 'UT' – Urban Transitional to 'SCR' – Suburb Community Residential District

DATE: September 10, 2012

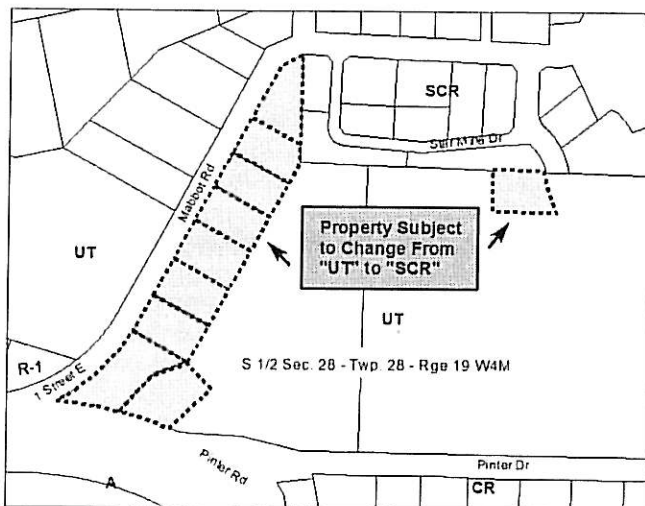
TIME: 4:30 PM

PLACE: Town of Drumheller Council Chambers

PURPOSE: The Council of the Town of Drumheller proposes to pass an Area Structure Plan, Bylaw No. 12.12 and a Land Use District Amendment Bylaw No. 13.12

The purpose of the Portion of Aerial, Rosedale Area Structure Plan is to provide a framework for subsequent subdivision and development of land within the S ½ Sec. 28- Twp. 28 - Rge 19 W4M for low density residential and agricultural uses.

The purpose of the land use district amendment is to allow for residential and associated development to proceed as shown on the plan below:



REPRESENTATION: Oral or written comments and suggestions are invited and should be addressed to the point of proposed Bylaw. They may be made by any person or group of persons or a person acting on their behalf, who claims to be affected by the proposed Bylaw, and from any other persons whom, at the meeting, the Council of the Town of Drumheller wishes to hear. Written submissions may be made by the persons listed above, and must be received in the Town Office by 4:00 P.M. on September 10, 2012. Oral presentations may be made at the hearing by the persons above, whether or not they have made a written presentation.

The time limit of oral presentations is subject to the direction of the Chairman.

DOCUMENTATION: Copies of the proposed Portion of Aerial, Rosedale Area Structure Plan are available for inspection by the public at the Town of Drumheller Office during regular office hours.

This notice is given pursuant to the Municipal Government Act.

1st Publication: August 29, 2012

2nd Publication: September 5, 2012

R.M. Romanetz, P. Eng, CA

**TOWN OF DRUMHELLER
BYLAW NO. 12.12**

BEING A BYLAW OF THE TOWN OF DRUMHELLER IN THE PROVINCE OF
ALBERTA TO ADOPT AN AREA STRUCTURE PLAN

WHEREAS: pursuant to the provision of Section 633(1) of the ***Municipal Government Act***, R.S.A. 2000, Chapter M-26.1, a council may pass a bylaw for the purpose of adopting an area structure plan to provide a framework for subsequent subdivision and development of land within the Town to be known as:

"THE PORTION OF AERIAL, ROSEDALE AREA STRUCTURE PLAN"

AND WHEREAS: a Public Hearing was held on **September 10, 2012**, as required by Section 230 of the Municipal Government Act.

NOW THEREFORE: THE COUNCIL OF THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "The Town of Drumheller – PORTION OF AERIAL, ROSEDALE Area Structure Plan".
2. Council adopts the PORTION OF AERIAL, ROSEDALE Area Structure Plan for those lands contained within the plan area.
3. This Bylaw takes effect on the date of the third and final reading.

READ A FIRST TIME THIS 27th DAY OF August , 2012.

READ A SECOND TIME THIS ____ DAY OF _____ , 2012.

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____ , 2012.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

PORTION OF AERIAL
WITHIN THE DISTRICT OF ROSEDALE
IN THE TOWN OF DRUMHELLER, ALBERTA.

AREA STRUCTURE PLAN

PREPARED BY Wm. R. HUNTER
ALBERTA and CANADA LAND SURVEYOR

PREPARED MARCH 2011-MAY 2012.

FILE: 05-08-41

TABLE OF CONTENTS

SECTION	TOPIC	PAGE
1.0	INTRODUCTION AND PURPOSE	3
2.0	TOWN OF DRUMHELLER LAND USE BY-LAW	3
3.0	STUDY AREA AND EXISTING CLASSIFICATION	4
4.0	SITE AND ADJACENT OWNERSHIP	4
5.0	SITE CHARACTERISTICS	5
6.0	EXISTING MUNICIPAL SERVICES	6
7.0	UNDERGROUND COAL MINING	7
8.0	SITE DEVELOPMENT CONSTRAINTS	7
9.0	SUBDIVISION AND DEVELOPMENT CONCEPT	8
10.0	OVERCOMING FLOOD RISK CONSTRAINT	8
11.0	OVERCOMING SEWAGE SYSTEM CONSTRAINT 9 AND SITE EVALUATION STUDY	
12.0	PROPOSED DEVELOPMENT	9
13.0	PROPOSED RE-CLASSIFICATION AND PHASING	10
14.0	PROPOSED DEVELOPMENT CONDITIONS	11
15.0	SUMMARY	12
SCHEDULE A	PLAN OF SITE AND SURROUNDING AREA	
SCHEDULE A-A	PROPOSED SUBDIVISION PHASING & LOT AREAS	
SCHEDULE B	2005 AERIAL PHOTOGRAPH OF SITE	
SCHEDULE C	PLAN SHOWING SITE AND EXISTING WATER LINES	
SCHEDULE D	PLAN SHOWING UNDERGROUND MINING IN AREA	
SCHEDULE E	PLAN SHOWING 1:100 FLOOD RISK AREAS	
SCHEDULE F	PLAN SHOWING EXISTING LAND CLASSIFICATIONS	
SCHEDULE G	SITE SEWAGE DISPOSAL EVALUATION STUDY	
SCHEDULE H	TITLE TO SITE	
SCHEDULE J	TITLE TO ADJACENT LAND TO EAST	

.....3

1.0 INTRODUCTION:

This Area Structure plan is prepared to examine the development potential of an area located in the Rosedale District of the Town of Drumheller locally known as a portion of Aerial. Aerial was also referred to as The Star Mine Camp. Although the Star Mine was situated on the north side of the Red Deer River, at one time the coal from the mine was transported across the river by aerial cable car to the coal loading tippie on the south side of the river. The loading tippie was moved from Aerial to the north side of the river near the mine entrance once a railway was built on the north side of the river from Cambria. Miners also walked to and from work across the river on a narrow platform suspended by cables. This was known as the "Swinging Bridge" and after restoration it remains today as a Historical Site and is a popular tourist attraction.

The specific study site is often referred to as the "KROSBY ESTATE".

1.1 PURPOSES:

The purpose of this Area Structure Plan is to examine the history, existing development on this and surrounding lands with a view of providing a framework with the intent of achieving the best, orderly, economical and beneficial long term use of this property.

2.0 TOWN OF DRUMHELLER LAND USE BY-LAW NO. 11-08

While all of the contents of the Town of Drumheller Land Use By-Law No. 11-08 were consulted during the course of this study; the following excerpt is particularly pertinent to the this site due to the site being in the flood fringe area of the flood risk designation of the Red Deer River basin.

DRUMHELLER LAND USE BYLAW 11-08 SECTION 62

"Land within the 1:100 Year Flood Risk Area

- (a) Development shall be discouraged on land within the flood risk area as determined by Alberta Environmental Protection;
- (b) Development activities in the flood risk area shall be carefully controlled. Low intensive uses such as open space, recreation and agricultural activities shall be preferred.
- (c) Subdivision and development of permanent structures shall not be permitted within the flood way;

.....4

- (d) Notwithstanding the above and at the discretion of the Development Authority, development defined as infill development may be allowed on land within the flood risk area. In all cases, as a condition of development approval, the Developer shall hold the Municipality harmless from any damage to or loss of the development caused by flooding by way of an agreement registered as a caveat or restrictive covenant against the titles of the property being developed; and
- (e) At the discretion of the Development Authority and where development does not constitute an infill situation as defined in this bylaw, development may be allowed on land within the flood fringe area if sufficient landfill can be provided to raise the building or development site above the elevation of the 1:100 year flood probability contour or other suitable flood proofing techniques can be employed. The Town may require professional certification to ensure this requirement."

This site lies within the backwater of the flood fringe zone where no current exists during high water situations. As stated in the Section 62 (d)(e); development in a flood fringe may be allowed and achieved providing the development is carefully controlled.

3.0 STUDY AREA:

The study area is outlined on the attached plan marked Schedule -"A" and also on the 2005 aerial photograph marked Schedule -"B" and contains 13.119 Hectares (32.42 Acres).

3.1 EXISTING SITE LAND USE CLASSIFICATION:

The existing site classification is U.T. (Urban Transitional District). Adjacent classifications are S.C.R.(Suburb Community Residential District) and C.R. (Country Residential District). See Schedule - "F".

4.0 OWNERSHIP:

This study area land is contained in two parts defined on one Certificate of Title which is free of all encumbrances but subject to some unregistered property rental agreements on houses originally constructed approximately 70-80 years ago. A copy of the current Certificate of Title Number 981 319 854 is attached. See Schedule- "H"

4.1 ADJACENT LANDS:

NORTH: All land north of the subject site is developed into single family residences with all but one situated on small irregular shaped Lots. This land lies within the Flood Fringe with an elevation similar to the subject lands. These lots are serviced by municipal water supply. These Lots were created in 1993 to accommodate long term occupation by people living on rented unregistered lots and are classified as Suburb Community Residential District (SCR).

.....5

Agenda Item # 3.1

EAST: To the immediate east side of the subject lands is a 60 foot strip of Municipal Reserve (Lot 8 M.R., Plan 911 0746) dedicated in 1991 as a condition of subdivision when one of the northerly subdivisions was approved. This strip of land was once a railway spur line used when the Star Mine Loading Tipple was located on the south side of the river. The land lying east of this Municipal Reserve is owned by Mancal Coal Inc. in Certificate of Title Number 971 297 076. See Schedule -"J". This land is low lying and designated on the Flood Risk Study as being in the Red Deer River 1:100 year Floodway. Since by definition this land is undevelopable it is being ignored by this study although it may be useful for the northerly extension of the Pinter Campground.

SOUTH: The land south of the subject site is separated by a gravelled surface road with drainage ditches on both sides developed within the original road allowance limits. This land lies within the Flood Fringe and has an elevation similar to the subject lands. The south side of the road allowance has been subdivided and developed into about eight larger single family residences with municipal water supplied to same. This development is classified as Country Residential (CR).

WEST: Mabbott Road lies on the west side of the subject site which is a paved arterial roadway with ditches on both sides which provides access to Aerial and to the Swinging Bridge.

The northerly portion of the west side of Mabbott Road consists of five single family residential lots; three of which are developed. This land lies within the Flood Fringe with an elevation similar to the subject lands. These properties are classified as Suburb Community Residential District (SCR).

The southerly portion of the west side of Mabbot Road consists of one 10 Acre abandoned miniature golf course property (Lot 11, Plan 3867 H.U.) presently classified as Urban Transitional (UT). The southerly half of this site is above the 1:100 year flood plain. The north half lies within the Flood Fringe with an elevation similar to the subject lands. This site may have potential as a miniature golf course, unique camping facilities, condominium type resort cabins or even single or multiple family dwellings if the topography, flood fringe and the cost of providing sanitary services can be overcome.

5.0 SITE CHARACTERISTICS:

5.1 DESCRIPTION and SIZE:

Portion of the South Half of Sec. 28, in Township 28, Range 19, W.4th. Meridian contained in two parts on one Certificate of Title Numbered 981 319 853 and contains 13.118 Hectares (32.42 Acres).

.....6

5.2 TOPOGRAPHY:

With the exception of a 5 metre high clay ridge located at the south west corner of this site (approx. 1.5 acres) identified as proposed Lots 8,9 and 10 on Schedule - "A"; this site is flat near level sloping very gently to the east. The mean elevation of this site is 679.5 metres.

5.3 SOIL CONDITIONS:

The soil consists of sandy silt with the majority under cultivation. A strip of trees consisting of poplar and dense willow exists though the easterly portion of the site and another strip of the same type of vegetation exists along the east boundary and extends easterly across the adjacent property to the Red Deer River.

5.4 EXISTING DEVELOPMENT:

During the coal mining era in this area; approximately 12-15 houses existed along the west side of this property facing Mabbott Road (Road Plan 419 E.Z) and some additional houses existed along the south side of this property. At this time four occupied houses still exist along the west side, one located near the north east corner of this site and one unoccupied building along the south side of this site. The remainder of these houses have been moved or torn down leaving only fences and hedges where they once existed. The location of existing improvements are shown on Schedule-"A". These existing houses are serviced with natural gas and power.

6.0 MUNICIPAL SERVICES:

6.1 ROADS:

A paved road with ditches on either side exists along the west side of this property. This street is named Mabbott Road and terminates at the Swinging Bridge over the Red Deer River and serves as the main arterial road for the lower Aerial Area.

A gravelled road with ditches on either side exists along the south side of this property (Pinter Drive) which is constructed within the original road allowance limits. This road services approximately eight existing single family dwellings along the south side of Pinter Drive and terminates at a dead end at the south east corner of the subject lands.

The street pattern along the north end of the subject lands is shown on Schedule - "A".and consists of a narrow gravelled surface street. (Star Mine Drive).

6.2 NATURAL GAS AND ELECTRICITY:

Available in this area. All existing dwellings in within the study area are connected to natural gas and overhead power supply.

6.3 DOMESTIC WATER:

Municipal water supply lines exist along the west side of Mabbot Road, the north side of Pinter Drive and Star Mine Drive. With the exception of one, the remainder of the existing houses in this site area obtain their water supply from private wells. Well water is of good quality except for a high iron content.

.....7

The enclosed Schedule -"C" plan shows the location of the existing municipal water lines in this area. The proposed Lot 1 at the north western end of this site is connected to this water line.

6.4 SANITARY SEWER:

No sanitary sewer is available in this area at this time. At present sanitary sewer is being handled by private individual pump out septic tanks. Pump out and haulage to the Drumheller Waste Water Treatment Plant is done by local contractors. Cost of this service is approximately \$ 200.00 per month.

6.5 STORM SEWER:

No underground storm sewer is present in Aerial. Surface drainage is accomplished by roadside drainage ditch collectors which empty into the Red Deer River which appears to be adequate. The sandy soil in this area minimizes the surface run off.

7.0 UNDERGROUND COAL MINING:

A search for underground coal mining activities within or under the study area was conducted at the Alberta Archives, the Alberta Energy Resources Conservation Board records and local knowledge of the site. None was found; nor is there any indications of subsidence in the field or on aerial photographs. Schedule -"D" is a plan obtained from the Alberta Energy Resources Conservation Board records showing past underground coal mining activity in this region.

The Star Mine and other mines in this vicinity worked the No. 1 (Lower) and No. 5 (Upper) seams which are both above the valley floor in this location.

8. SITE CONSTRAINTS:

8.1 FLOOD RISK CONSTRAINT:

The entire study site is designated a "Flood Risk Area" on the Drumheller Flood Risk Plan and history has shown this to be correct. A Flood Risk Area is defined as that area calculated or determined would be inundated by a 1:100 year flood. The enclosed Schedule- "F" plan shows the relationship of the study site with respect to the Red Deer River, its Floodway and Flood Fringe areas.

The existing elevation of this site is:	679.5 metres
The 1:100 year flood plain is:	680.75 metres

The 1:100 year flood plain of 680.75 metres is based on the regulated flow of the Red Deer River which recognizes some flood protection from the Dickson Dam.

With the exception of a 5 metre high clay ridge located at the south west corner of this site, the remainder of this site is designated as a "Flood Fringe" area on the Drumheller Flood Risk Plan.

.....8

The Drumheller Land Use Bylaw 11-08 defines the "Flood Fringe" as that portion of the flood risk area where the water is shallower and moves more slowly. Development in the flood fringe may be permitted provided that it is adequately flood proofed.

The flood risk in this area is the caused by backwater resulting from the elevation of the Red Deer River during flood periods. There is no current in the backwater caused by high water in the Red Deer River in the subject area.

8.2 MUNICIPAL SANITARY SEWER CONSTRAINT:

No sanitary sewer is available in Aerial at this time. In recent years, a study and design proposal to install sanitary sewer services to Aerial area was considered by the Town of Drumheller and the area residents but rejected because of high costs due to the lack of participants available to cover these costs. The current houses presently are using a septic tank utilizing local contractors to pump out the tank and haul waste to the Drumheller Sewage Treatment Facility.

9.0 SUBDIVISION AND DEVELOPMENT CONCEPT:

Due to excessive costs to fill the entire area above the 1:100 flood fringe and the high cost of bringing sanitary sewer to this area; the most suitable development of this area is best suited to low density single family dwelling lots serviced by municipal water services and individual sewage disposal systems around the perimeter of this site and to leave the centre as an agricultural parcel.

10.0 OVERCOMING FLOOD RISK CONSTRAINT:

As defined previously; this land lies in the flood fringe area and is 1.25 metres (4 feet) lower than the regulated flow of the 1:100 year flood plain. This area was flooded in 1948, 1952 and 2005. The height of the water in 2005 was 679.5 m. Schedule -"B" photograph was taken during the 2005 flood and shows some of the centre of the subject parcel inundated with a small depth of back up water from the Red Deer River.

The possibility of hauling and placing adequate fill to the entire site or constructing a man made lake to provide sufficient fill to raise the ground level to the 1:100 year flood plain was studied, considered and rejected for impossible economic reasons. Placing fill to bring this entire land above the 1:100 flood plain far exceeds the value of the lots that can be created.

Restricting development to the perimeter und the exterior boundaries of this site where access is already provided by existing roads minimises the amount of fill required to the extent necessary to make house construction economically viable.

.....9

11.0 OVERCOMING SEWAGE SYSTEM CONSTRAINT:

A study, design and proposal to install sanitary sewer lines and a lift station to service Aerial was prepared and considered by the Town of Drumheller and the area residents but turned down because of the lack of participants needed to cover the costs of this endeavour.

Although the proposed new lots will provide additional users to contribute to this cost; the proposed number of these new lots will not be a significant factor in overcoming these costs. It would appear even with 100% participation of the existing and proposed new owners; considerable financial subsidies would be required to make this feasible. The larger proposed lots with a minimum site area of 20,000 sq. feet is designed for private water supply and private septic tank-field systems sewage disposal.

For the purpose of this study; Mr. Milo De Bernardo was retained and has conducted a site evaluation for the use of private individual septic tanks with field systems in accordance with the current Government of Alberta Private Sewage Disposal Systems Regulations and concludes the soil conditions in the study area supported by the larger parcel size are adequate to accommodate Onsite Wastewater Systems. Mr. De Bernardo also recommends that the location of all new sewage treatment systems installations be considered when houses are being situated to maximize land usage. Mr. Be Bernardo's investigation and report is attached as: Schedule -"G".

However; if and when sanitary sewer services are available; all new development must connect to this services as a condition of development.

12.0 PROPOSED DEVELOPMENT WEST SIDE PHASE 1

Creation of nine approximately 20,000 sq. ft. lots with access to Mabbott Road plus one proposed Lot 18 for single family dwellings as shown on this area structure plan. This recognizes the previous development along this strip and also the existing houses along this area. Municipal water runs along the west side of Mabbott Road and is available to service these proposed lots. The larger lot provides the additional area required for a septic tank and field systems (See Schedule -"G"). The fill required to bring the finished grade elevation for a new house to the 1:100 would be approximately 1.25 metres which is manageable. The desired 1:100 elevation around new houses would be one metre above the finished grade of Mabbott Road which is also reasonable. Lowering finished floor elevations can be achieved by eliminating basement windows. Water proofed concrete basements should be mandatory at least up to the 1:100 year flood plain.

12.1 PROPOSED DEVELOPMENT SOUTH SIDE PHASE 2

Create eight approximately 20,000 sq. ft. lots facing and with access to Pinter Road for single family dwellings, leaving access to the centre portion of this site as shown on the area structure plan. This allows for the creation of one lot for an existing building and provides for nine additional lots. Municipal water runs along the north side of Pinter Road and is available to service these proposed lots. With exception of the three westerly lots; the fill required to bring the finished grade elevation for a new house to the 1:100 would be approximately 1.40 metres which is manageable. The desired 1:100 elevation around

.....10

new houses would be approximately 1.3 metres above the finished grade of Pinter Road. Lowering finished floor elevations can be achieved by eliminating basement windows. Water proofing of concrete basements should be done to the 1:100 year flood plain.

12.2 PROPOSED DEVELOPMENT NORTH SIDE PART OF PHASE 1

Create one lot to accommodate the existing house. This requires a short street dedication extension to provide legal access to this lot.

12.3 PROPOSED DEVELOPMENT NORTH SIDE PHASE 3

During the course of this study, the owners of the adjacent Lot 6 and 13, Block 9, Plan 931 0274 expressed an interest in acquiring/exchanging lands to expand their irregular lots southward to create regular 20,000 sq. ft. lots. As it stands now, In the event they wish to re-build on their properties they can not meet the minium front and rear setbacks required by the Land Use Bylaw. In view of this; those areas numbered 19,20,21 and 22 are not intended as lots but rather potential land identified in this Area Structure Plan that can be used for consolidation with lands within Plan 931 0274 to create larger lots to fulfill this need.

12.4 PROPOSED NON- DEVELOPMENT OF CENTRE OF SITE:

Due to the site constraints hereinbefore mentioned; the best use of this centre land is to leave it in a undeveloped state for agricultural pursuits such.as growing hay, alfalfa, potatoes, vegetables, u-pick berry operation or community garden space. A commercial green house, market garden or temporary tourist commercial establishments are also possible uses of this space. The classification of this should remain as undeveloped Urban Transitional District (UT).

13.0 PROPOSED RE-CLASSIFICATION AND SUBDIVISION PHASING:

Land Use re-classification will be required to accommodate this proposed subdivision and development. While in this instance consideration should be given to re-classifying all the area within the proposed new lots, we understand the planning authority prefers re-classification be done concurrent with subdivision applications. In view of this we would suggest the following phases:

13.1 PHASE 1 ... See Schedule -"A-A". This Phase consists of the creation of 5 existing developed lots and 4 new lots for development. It is the intent to allow the existing houses with private site services to continue as in the past; that is with private water and pump out septic tanks until such time substantial improvements are made to these properties..

In addition; Phase 1 will create 5 new lots for development. These lots fall in areas where houses once existed but have been demolished over the years. These properties are to be developed and serviced in accordance with terms of this study.

.....11

13.1A PHASE 1 RE-CLASSIFICATION:

All areas within Phase 1 as shown on Schedule - "A-A" are to be re-classified from AT (Urban Transitional) to SCR (Suburb Community Residential District) concurrent with the subdivision application and approval of Phase 1.

13.2 PHASE 2 SUBDIVISION and RE-CLASSIFICATION; (See Schedule-"A-A")

With the exception of an unoccupied house on Lot 12 these lands are vacant. The subdivision, re-classification and development of this Phase will take place as the market for lots dictates. The best classification for this Phase will be SCR (Suburb Community Residential District). No schedule for this subdivision is available at this time.

13.3 PHASE 3 SUBDIVISION and RE-CLASSIFICATION: (See Schedule-"A-A")

The purpose of this Phase is to identify land available to adjacent owners with substandard properties. Application of subdivision, consolidation and re-classification with adjacent properties will take place when an agreement is reached between owners.

14.0 PROPOSED DEVELOPMENT CONDITIONS:

The following development conditions should apply and be registered by Caveat on all new titles created including the residual lands:

14.1 WATER

All new lots created that are not already developed including new substantial re-development of an existing house; be subject to connecting into the municipal water supply as a condition of development.

14.2 SEWAGE

All new lots created that are not already developed including new substantial re-development of an existing house be subject to connecting into the municipal sanitary sewage system if it exists. If a municipal sanitary sewage does not exist the lots shall be developed with a private sewage systems in accordance with this report and the Alberta Alberta Private Sewage Disposal Systems Regulations.

14.3 FLOOD PROTECTION

All new lots created that are not already developed be subject to:

- a) concrete foundations only.
- b) no foundation openings and the top of attached garage concrete walls be constructed below the elevation of 680.75 metres; geodetic datum.
- c) concrete foundation to be water proofed to 680.75 metres; geodetic datum.

14.4 FLOOD PROTECTION:

All new lots created including the central undeveloped area be subject to a Caveat registered on title saving the Town of Drumheller harmless from any loss or damage to the property or improvement thereon caused by flooding.

.....12

15.0 SUMMARY

This proposed use is compatible with the surrounding uses in this vicinity and will assist in making the east side of Mabbott Road more attractive locally and for tourists.

With the proper suggested building controls which will in turn dictate desirable site development will minimize if not eliminate the hazards posed by potential flooding; similar to other modern house construction in Aerial.

Until such time a municipal sewer systems is installed the existing houses will have to be satisfied with dealing with this issue in the same manner as the other residents of Aerial; that is a pump out septic tank with waste hauled to the Drumheller Sewage Treatment Plan. The development and servicing of all new vacant lots will be subject to the provisions of this study.

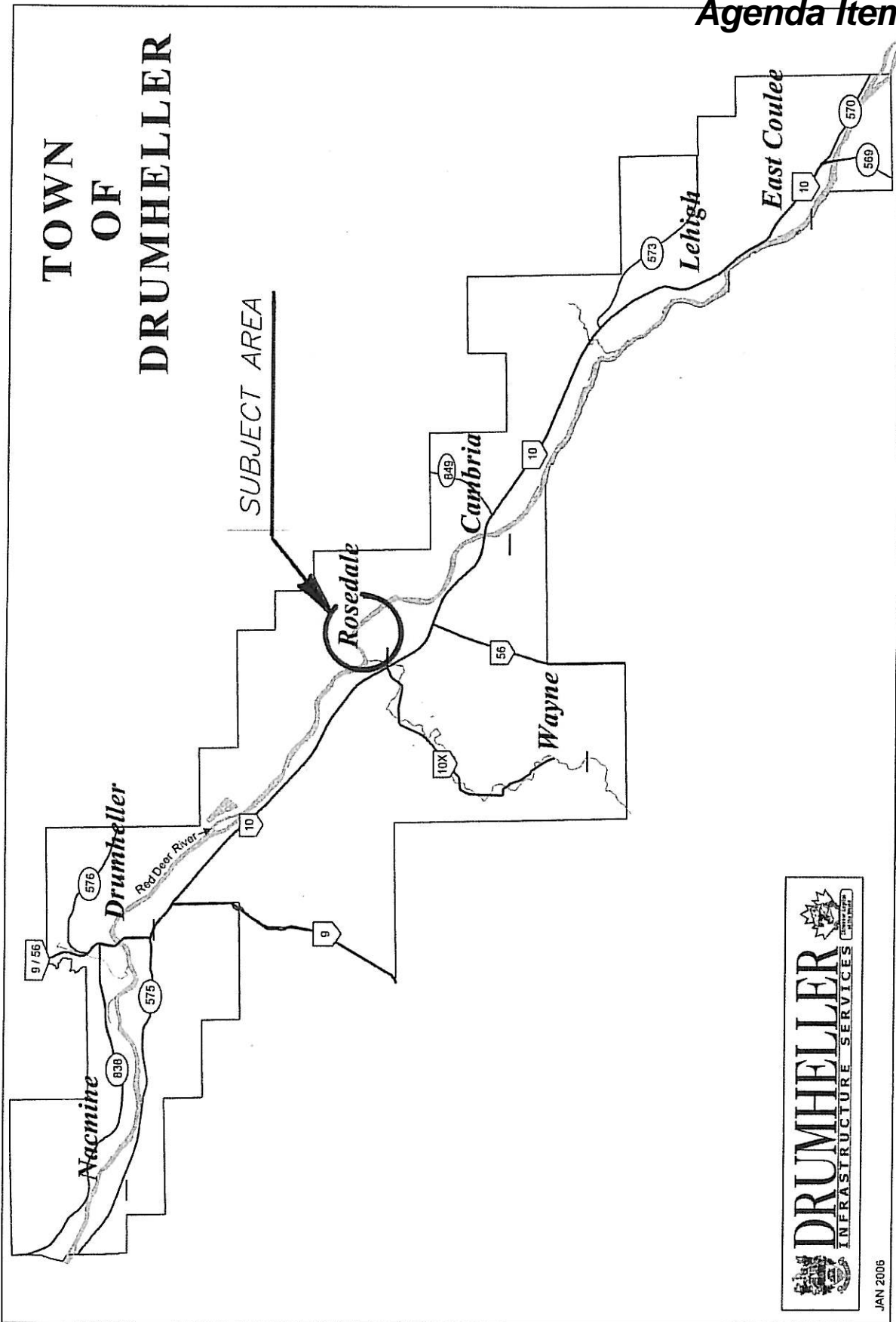
Due to the high cost of placing adequate fill in the centre of this parcel to overcome the flood plain; it is best left in its natural state with continued agricultural pursuits and possible temporary tourist commercial establishments. Access has been shown and restricted to Pinter Road.

In view of our findings and this review; we believe this is the best economical and long term use of this property.

Respectfully submitted for consideration:



Wm.R. Hunter
Alberta and Canada Land Surveyor



SCHEDULE 'A'

**AERIAL - ROSEDALE
- DRUMHELLER, ALBERTA -
AREA STRUCTURE PLAN
WITHIN THE
S.1/2 SEC.28, TWP.28, RGE.19, W4M.**

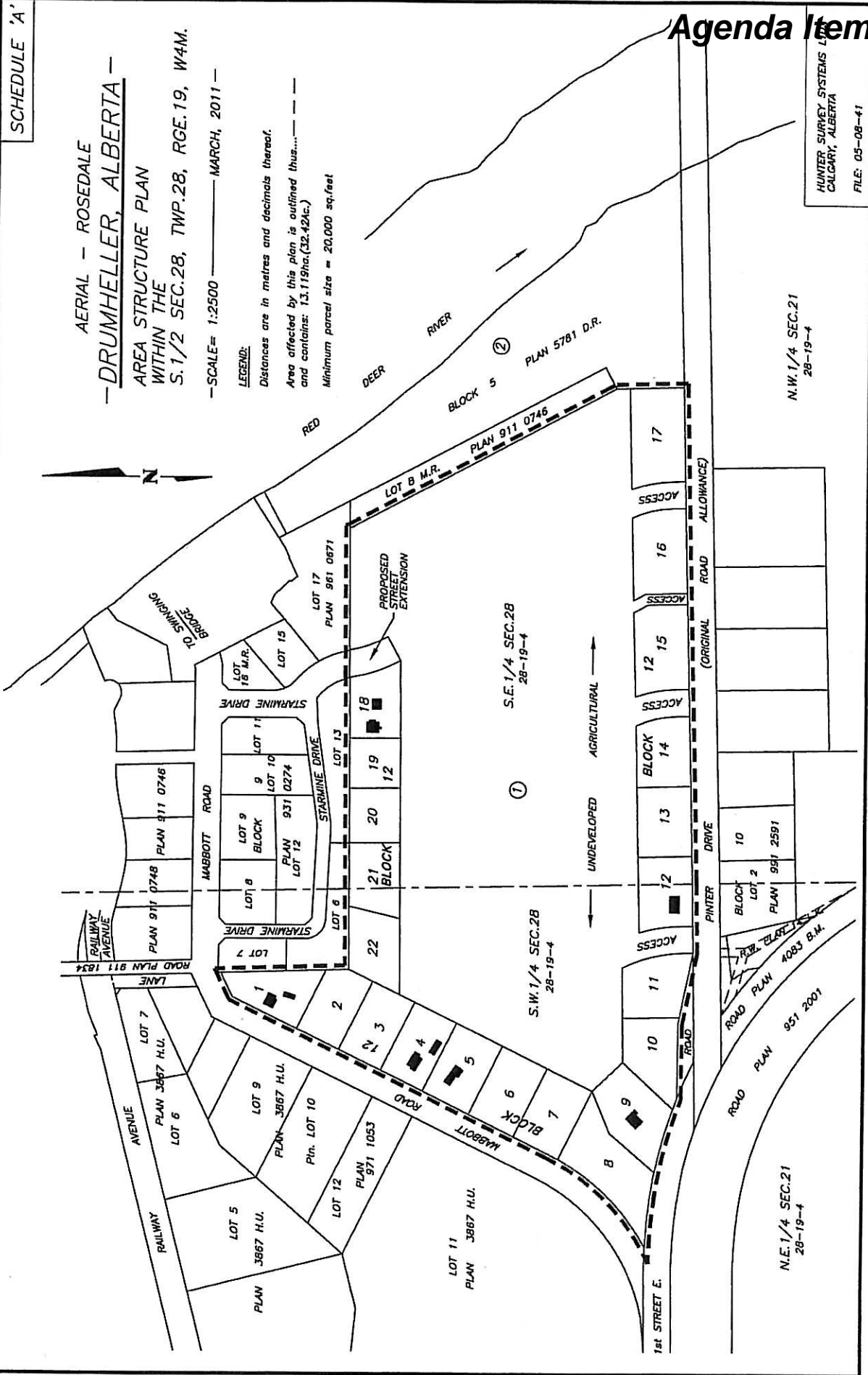
-SCALE= 1:2500 - MARCH, 2011 -

LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is outlined thus: --- and contains: 13.119ha.(32.42Ac.)

Minimum parcel size = 20,000 sq.feet



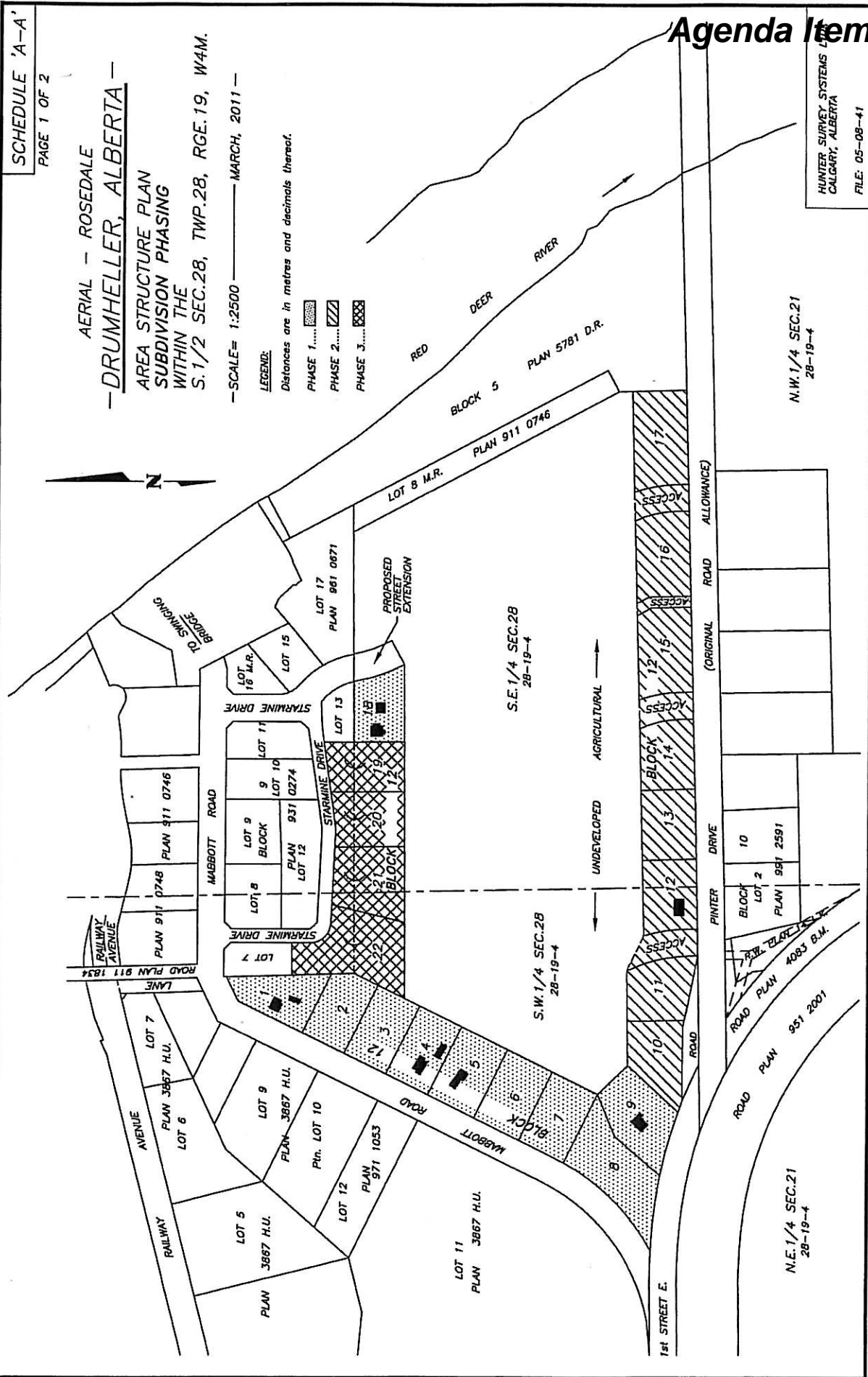
Agenda Item # 3.1

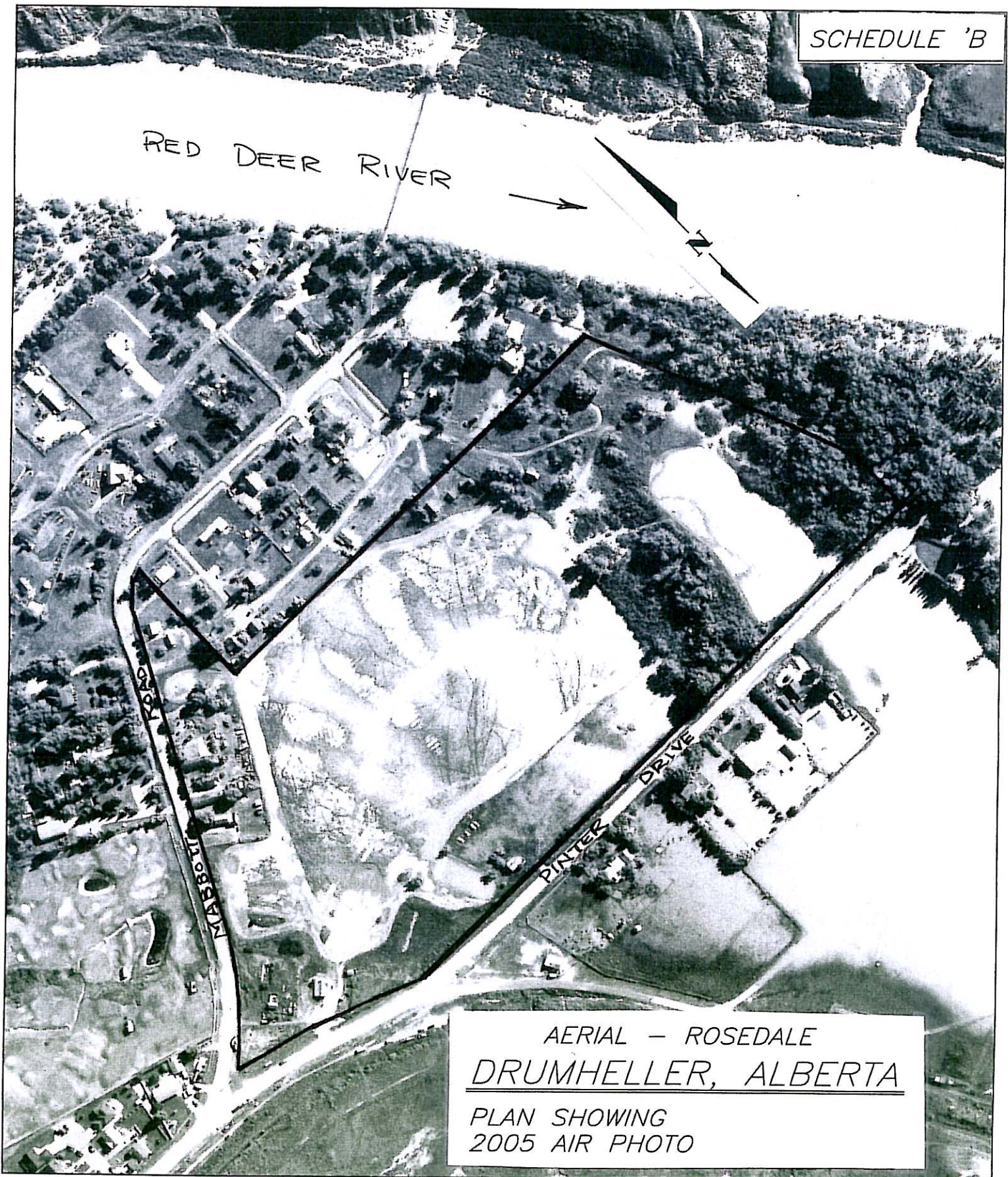
HUNTER SURVEY SYSTEMS LTD.
CALGARY, ALBERTA
FILE: 03-08-41

AERIAL - ROSEDALE
-DRUMHELLER, ALBERTA-
AREA STRUCTURE PLAN
SUBDIVISION PHASING
WITHIN THE
S.1/2 SEC.28, TWP.28, RGE.19, W4M.
-SCALE= 1:2500 - MARCH, 2011 -

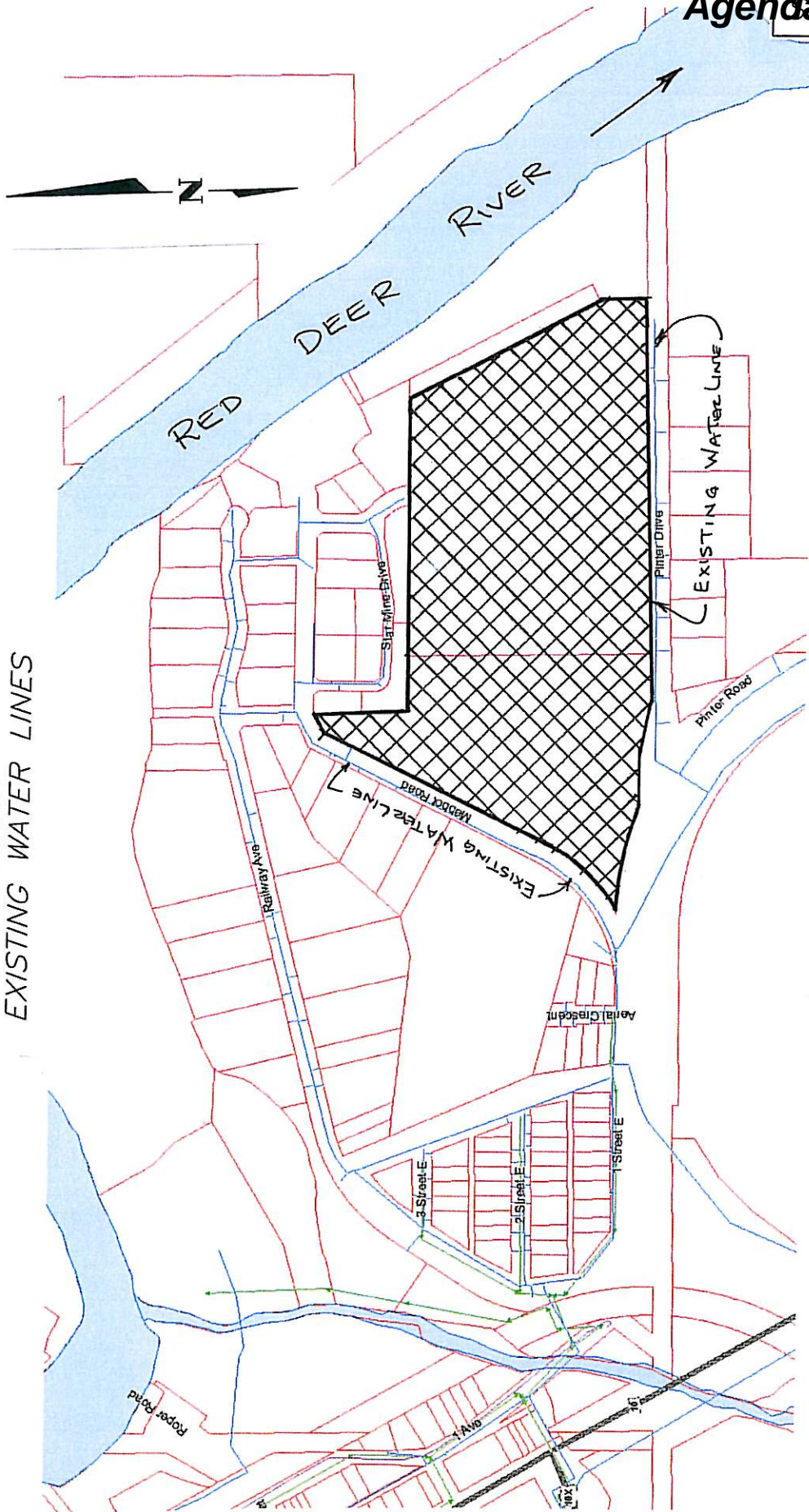
LEGEND:
Distances are in metres and decimals thereof.

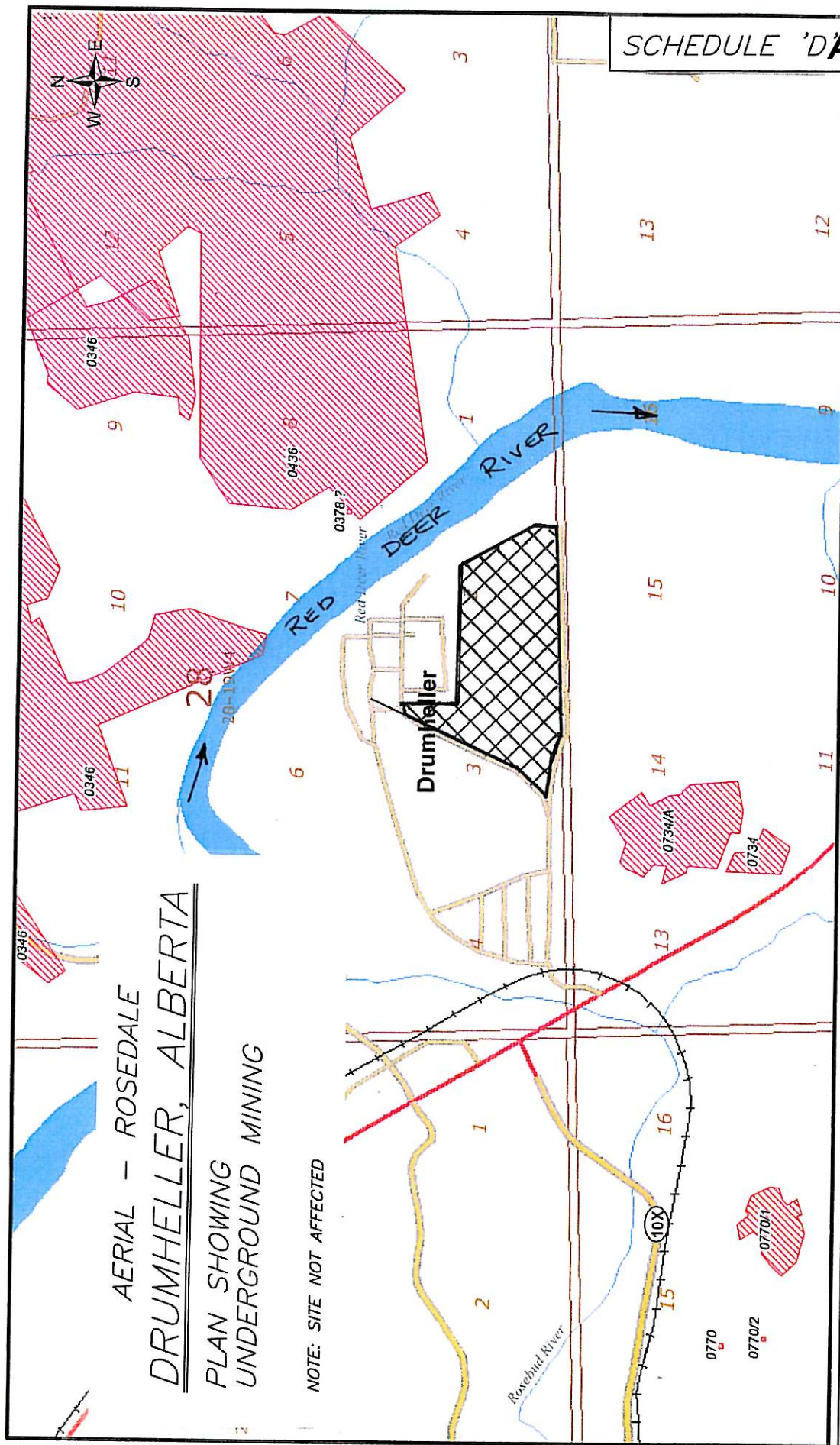
PHASE 1.....
PHASE 2.....
PHASE 3.....





AERIAL - ROSEDALE
DRUMHELLER, ALBERTA
 PLAN SHOWING
 EXISTING WATER LINES





ERCBC Energy Resources Conservation Board

Alberta Coal Mine Locations

Coal Mine Map Legend

?	Mine location uncertain	Underground mine
9999	Mine number	Surface mine
C99-99	Mine permit number	Coal Mine Permit

0 0.15 0.3 0.6 Kilometres

Base data provided by Spatial Data Warehouse Ltd.

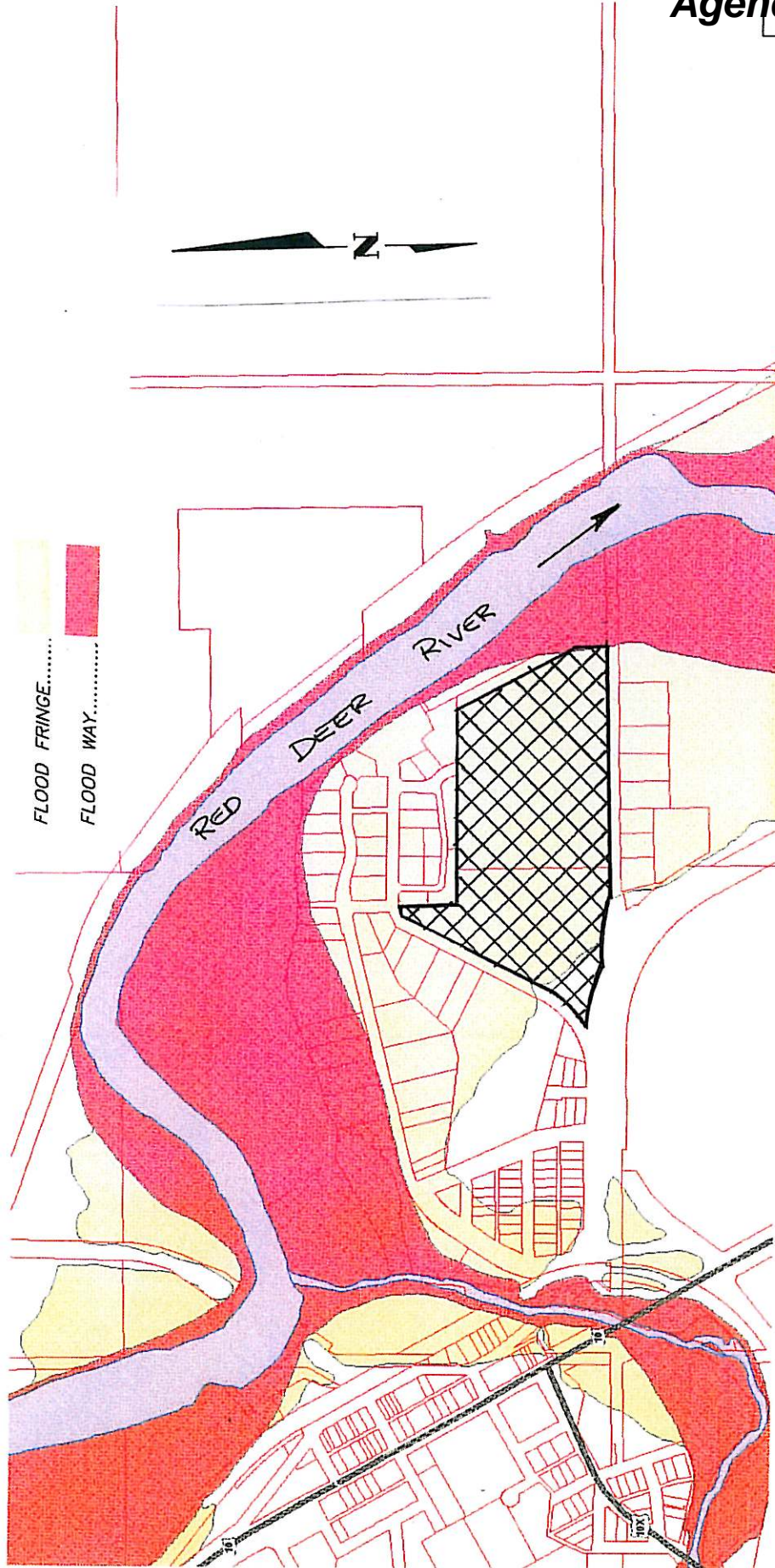
Disclaimer: The abandoned coal mine information is for informative purposes and represents the best data available to the ERCBC at this time but its accuracy cannot be guaranteed. The ERCBC is not responsible for damages caused by the use of this information.

In cases where there is a discrepancy between the coal mine data listing and the coal mine map, consider the coal mine data listing to be the most accurate.

Printed on 2/28/2011

AERIAL - ROSEDALE
DRUMHELLER, ALBERTA

PLAN SHOWING
1:100 FLOOD RISK AREA



AERIAL — ROSEDALE
DRUMHELLER, ALBERTA —
PLAN SHOWING
EXISTING LAND CLASSIFICATION

SCR.....SUBURB COMMUNITY RESIDENTIAL

CR.....COUNTRY RESIDENTIAL

UT.....URBAN TRANSITIONAL

28

28-19-4

P

SCR

UT

UT

R-1

1 ST.

CR

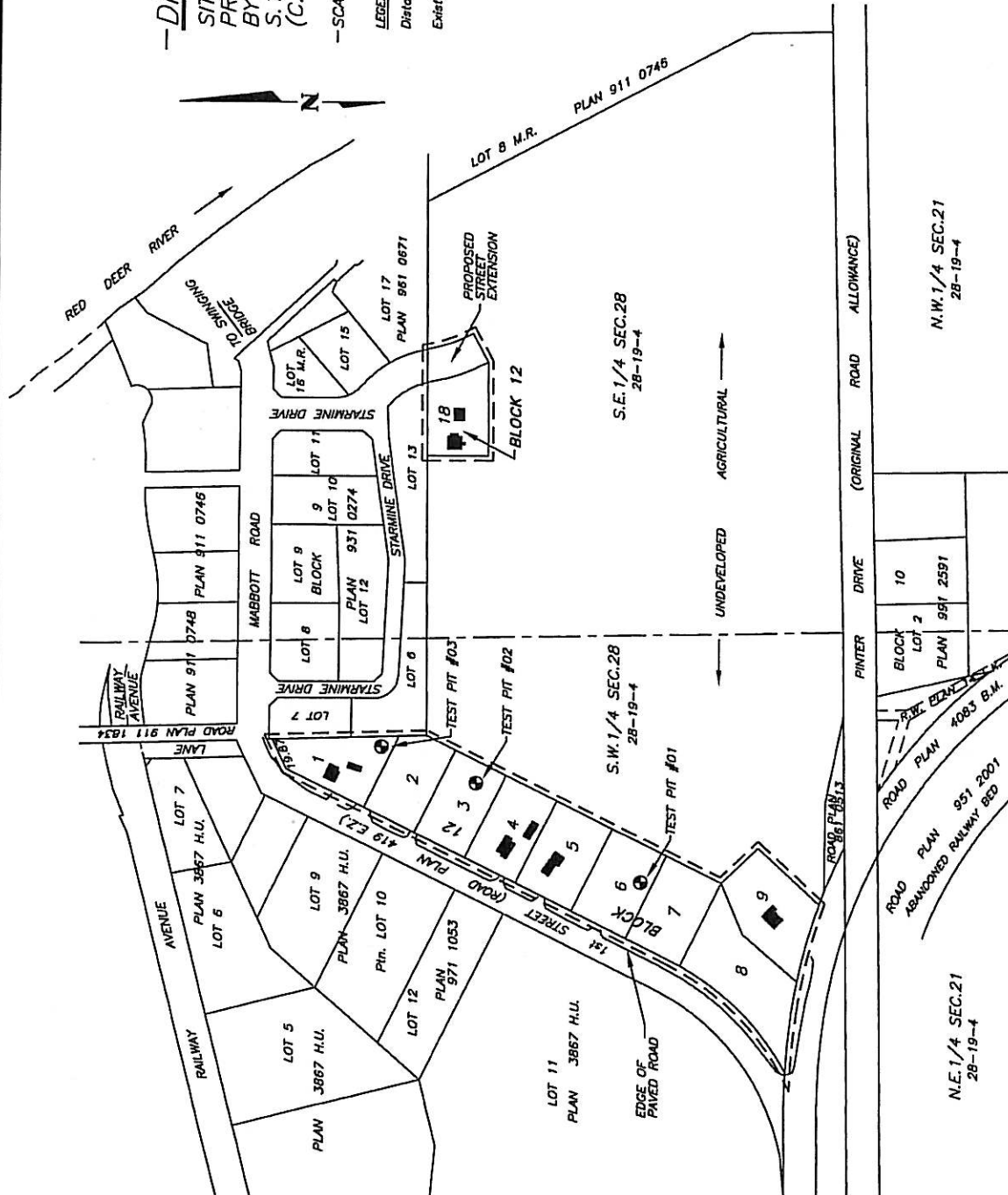
ROSEDALE DISTRICT
—DRUMHELLER, ALBERTA—
SITE EVALUATION FOR
PRIVATE SEWAGE DISPOSAL SYSTEMS
BY MILO DeBERNARDO
S.1/2 SEC.28, TWP.28, RGE.19, W4M.
(C.of T. 981 319 853)

—SCALE= 1:2500 — FEBRUARY, 2012 —

LEGEND:

Distances are in metres and decimals thereof.

Existing buildings shown thus....





Agenda Item # 3.1
SCHEDULE 'H'

LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0022 763 478	4;19;28;28;SW	981 319 853
0022 763 486	4;19;28;28;SE	

LEGAL DESCRIPTION

FIRST

MERIDIAN 4 RANGE 19 TOWNSHIP 28
SECTION 28
THAT PORTION OF THE SOUTH WEST QUARTER
WHICH LIES TO THE EAST OF THE ROADWAY ON PLANS 4083BM AND 419EZ
TO THE WEST OF THE RAILWAY AND BLOCK 5 ON PLANS RW171
AND ROSEDALE 5781DR RESPECTIVELY
AND TO THE SOUTH OF THE EXTRA LAND ON SAID PLAN RW171
CONTAINING 4.98 HECTARES (12.3 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARE (MORE ORLESS)	ACRE
ROAD	8610513	0.079	0.19

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

SECOND

MERIDIAN 4 RANGE 19 TOWNSHIP 28
SECTION 28
THAT PORTION OF THE SOUTH EAST QUARTER
WHICH LIES TO THE EAST OF THE ROADWAY ON PLANS 4083BM AND 419EZ
TO THE WEST OF THE RAILWAY AND BLOCK 5 ON PLANS RW171
AND ROSEDALE 5781DR RESPECTIVELY
AND TO THE SOUTH OF THE EXTRA LAND ON SAID PLAN RW171
CONTAINING 8.13 HECTARES (20.09 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: TOWN OF DRUMHELLER

REFERENCE NUMBER: 1601231

(CONTINUED)





Agenda Item # 3.1
SCHEDULE 'J'

LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0019 058 700 5781DR;5 971 297 076

LEGAL DESCRIPTION
PLAN 5781DR
BLOCK 5
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;19;28;28;S

MUNICIPALITY: TOWN OF DRUMHELLER

REFERENCE NUMBER: 971 297 075

REGISTRATION	DATE(DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
971 297 076	06/10/1997	TRANSFER OF LAND	\$16,880	\$16,880

OWNERS

MANCAL COAL INC..
OF P O BOX 2516
STATION 'M'
CALGARY
ALBERTA T2P 2M7

(DATA UPDATED BY: CHANGE OF ADDRESS 991049699)
(DATA UPDATED BY: CHANGE OF NAME 011207288)
(DATA UPDATED BY: CHANGE OF ADDRESS 031331539)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
------------------------	--------------	-------------

NO REGISTRATIONS

(CONTINUED)

2

**TOWN OF DRUMHELLER
BYLAW NUMBER #13.12**

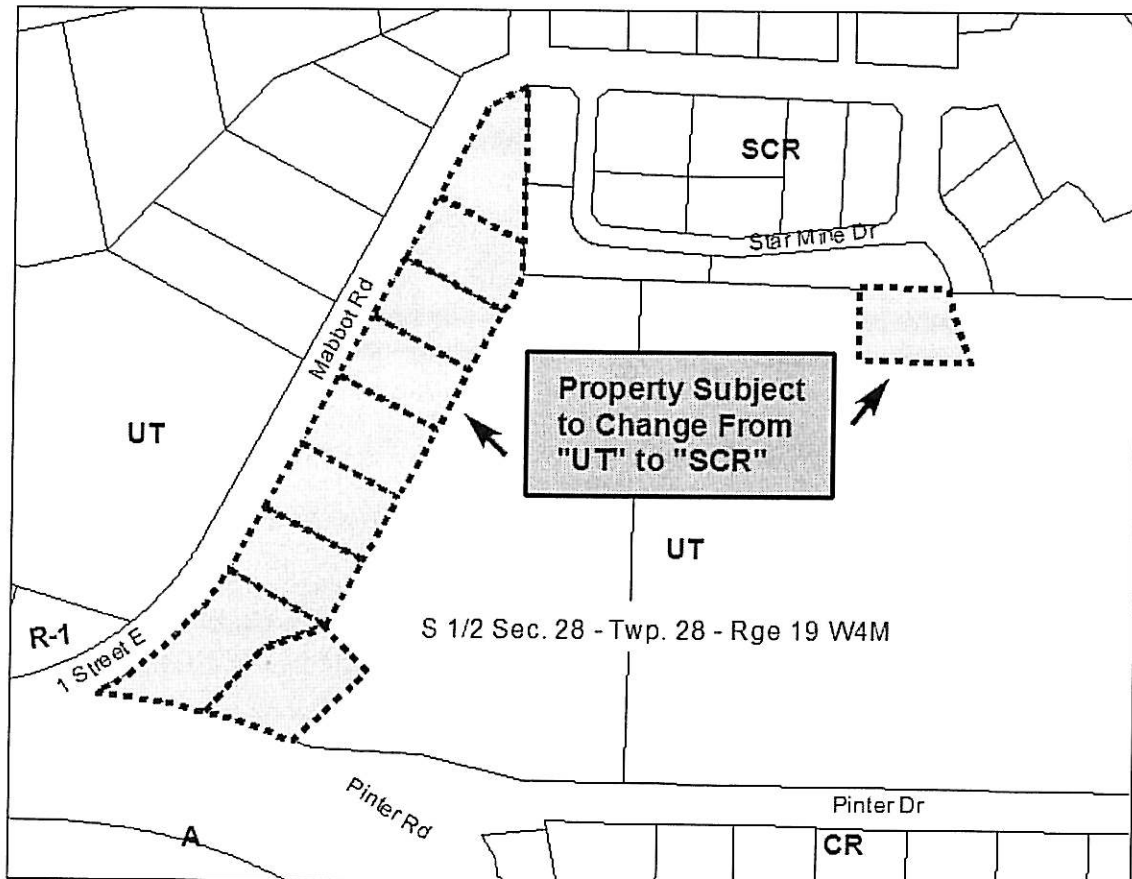
BEING A BYLAW TO AMEND LAND USE BYLAW NO. 10-08 FOR THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to the provision of Section 639 of the *Municipal Government Act*, RSA 2000, Chapter M-26, the Council of the Town of Drumheller (hereinafter called the Council), has adopted Land Use Bylaw No. 10-08;

AND WHEREAS the Council deems it desirable to amend Land Use Bylaw 10-08; and

NOW THEREFORE the Council hereby amends Land Use Bylaw No. 10-08 as follows:

Schedule A, Land Use District Map, by re-designating a portion of the S ½ Sec.28 - Twp. 28 - Rge 19 W4M in the Town of Drumheller from "UT" – Urban Transitional District to "SCR" – Suburb Community Residential District as shown on the plan below:



READ A FIRST TIME THIS 27th DAY OF August, 2012.

...

Agenda Item # 3.1

READ A SECOND TIME THIS ____th DAY OF _____, 2012.

READ A THIRD TIME AND PASSED THIS ____th DAY OF _____, 2012.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

**Town of Drumheller
COUNCIL MEETING
MINUTES**

August 27, 2012 at 4:30 PM
Council Chamber, Town Hall
703-2nd Ave. West, Drumheller, Alberta



PRESENT:

MAYOR:

Terry Yemen

COUNCIL:

Andrew Berdahl

Jay Garbutt

Lisa Hansen-Zacharuk

Sharel Shoff

Doug Stanford

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Allan Kendrick

ACTING DIRECTOR OF CORPORATE SERVICES:

Bill Wulff

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

ABSENT: Councillor Tom Zariski
Councillor Andrew Berdahl

1.0 CALL TO ORDER

Mayor T. Yemen called the meeting to order at 4:30 PM.

2.0 MAYOR'S OPENING REMARK

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

MO2012.115 Shoff, Hansen-Zacharuk moved to adopt 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 August 13, 2012

MO2012.116 Garbutt, Shoff moved to adopt the regular Council Meeting minutes of August 13, 2012 as amended. Carried unanimously.

Item 8.2 changed to read: Council agreed that the Green Team should sell out the inventory with the rain barrel program and the *toilet rebate program* to be ongoing and promote a new product next year.

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.2.1 Municipal Planning Commission Meeting Minutes of July 19, 2012

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 12.12 being a bylaw to adopt an Area Structure Plan "The Portion of Aerial, Rosedale Area Structure Plan"

R. Romanetz introduced Bylaw 12.12 explaining that the proposal is to examine the development potential of 33 acres of land near the Swinging Bridge in Rosedale (right hand side of Mabbott Road). Currently, there are squatters in the area who have rental agreements in place with the property owner. These individuals do not have title to their land and the proposal would rectify this situation. He further explained that in March, 2011 Hunter Surveys prepared a survey plan for PRMS Board's and the Municipal Planning Commission's review. It is their view that the property along the east side of Mabbott Road and one parcel south of Starmine Drive should be changed from UT – Urban Transitional to SCR – Suburb Community Residential District which requires an Area Structure Plan. Both the Area Structure Plan and the land use amendment require Council's approval before the applications can move forward. The survey plan acknowledges that the majority of land is within the flood risk area (4-5 ft below the 1:100 flood plain) and the economics are not there to fill the entire site. It is proposed that any new development approvals will require infill and / or other suitable flood proofing techniques and a caveat registered against the property which holds the municipality harmless. The proposal will occur in three phases: Phase 1 deals with the nine lots along Mabbott Road with the existing houses to be grandfathered (would not have to bring in fill but required to hook onto the water line - their lot size would accommodate a private septic tank). Phase 2 would create another 8 lots for new development. Phase 3 intends to realign some lots on the north end that are odd shaped. He recommended that Council proceed to first reading to allow for the two week advertising period and the public hearing process.

Concurrently, Bylaw 13.12 proposes to reclassify the land which would allow for parcels serviced with water but have their own private sewer. He explained that basements would have to be flood proofed in accordance with the Town's existing policy. The middle area would remain as is to accommodate a recreational activity that would not be a residential or commercial use due to the significant costs of bringing in fill.

MO2012.117 Shoff, Garbutt moved first reading to Bylaw 12.12. Carried unanimously.

8.1.2 Bylaw 13.12 being a bylaw to amend the Land Use Bylaw No. 10.08 by redesignating a portion of the S 1/2-28-28-19W4M from UT - Urban Transitional District to SCR - Suburb Community Residential District

MO2012.118 Shoff, Hansen-Zacharuk moved first reading to Bylaw 13.12. Carried unanimously.

8.2. Director of Infrastructure Services

8.3. Director of Corporate Services

8.4. Director of Community Services

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

9.1 Director of Community Services' Quarterly Report to June 30, 2012

Council's questions / comments:

- Would like to see breakdown on BCF Corporate memberships.
- Provide more streamlined reports from each department.
- RCMP graphs need context with reference comparisons to first quarter and /or last year.
- BCF operations / deficiencies update – R. Romanetz advised that professional cleaners will be brought in to clean up the construction debris. The dasher boards will be changed out with a November date for completion. The kiosk lease is signed and the tenant is moving ahead with his design so that proper sinks can be installed. His design must be approved by Health Services and once approved the kiosk will be built at his cost. A security grill will be installed on the outside and the tenant's rent will be increased to cover this cost. Some further issues will be brought forward to Council at their next meeting in camera.
- Brick Fundraising Campaign – P. Salvatore advised that the campaign has not fully kicked off and needs a boost. He will be meeting with staff and the fundraising consultants for a plan of action.
- FCSS Coordinator's role as treasurer to several organizations – P. Salvatore explained that the FCSS Coordinator undertakes this role as it gives the Town more continuity in reporting back to Provincial funding agencies and secondly, there is a lack of volunteers in the community who want to take on financial responsibilities. P. Salvatore stated that when feasible, the treasurer role is shifted off to groups as it would give their Board a margin of independence.

10.0 PUBLIC HEARING DECISIONS

11.0 UNFINISHED BUSINESS

12.0 NOTICES OF MOTIONS

13.0 COUNCILLOR REPORTS

13.1 Councillor S. Shoff - Health Advisory Committee

Councillor S. Shoff provided an overview of MLA Ron Casey's Health Forum held in Drumheller on August 14th. Also in attendance were Steve Young - MLA Edmonton Riverview and Rick Strankman - MLA Drumheller Stettler and several representatives from community groups and agencies.

- The discussion points brought forward by the MLA included: Community Access to services, options to access professionals, options to access facilities and seniors in your community.

- The discussion points brought forward by the community at large included: emergency / special procedures wait times, the need for a family doctor, more staffing needed for mental health, Hope College, aging in place, EMS, and Fire Department being used for emergency services as they are first on scene.

She encouraged Council and the public at large to attend the Health Advisory Council Community Engagement hosted by the David Thompson Health Authority to be held on September 11th at the BCF.

14.0 IN-CAMERA MATTERS MO2012.119 Hansen-Zacharuk, Stanford moved to go in camera at 5:25 PM.

14.1 Land Matter

14.2 EMS Negotiations

MO2012.120 Shoff, Hansen-Zacharuk to revert to regular Council meeting at 6:14 PM. Carried unanimously.

MO2012.121 Hansen-Zacharuk, Garbutt moved that the Town of Drumheller enter into a lease agreement as presented with the Canadian Badlands Passion Play. Carried unanimously.

There being no further business, the Mayor declared the meeting adjourned at 6:15 PM.

Mayor

Chief Administrative Officer



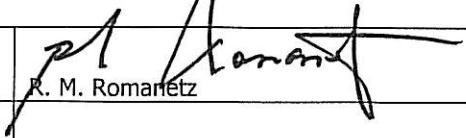
DRUMHELLER

INFRASTRUCTURE SERVICES

Agenda Item # 8.2.1



Request for Decision

		Date:	September 6, 2012
Topic:	East Coulee WWTP Upgrade		
Proposal:	<p>Tenders for the East Coulee WWTP Upgrade closed on August 24, 2012 at 2 PM. Five (5) tenders were received from: Wildstone Construction & Engineering, Everest Construction Management LTD, CDM Mechanical LTD, Knibb Development LTD and NAC Constructors LTD. The consultants estimate was \$830,000 for Construction costs.</p> <p>The project costs are projected to be about \$100,000 over budget. However, the budget includes contingency allowances that may or may not be required. Alberta Transportation has indicated that if eligible costs exceed the initial budget they will consider further cost sharing on a 75/25 basis. The Town share would be \$25,000 and would need to be funded from reserves. The Province has approved funding and \$750,000 has been advanced to the Town. Although the tenders received were about 10% over budget, the bids received were very competitive and most likely would not change if the project was retendered.</p> <p>See attached Review and Tender Summary Letter from MPE Engineering Ltd.</p>		
Proposed by:	Allan Kendrick, Director of Infrastructure Services		
Correlation to Municipal Sustainability Plan	Program is identified in the Capital Plan approved by Council		
Benefits:	Improved treatment and reliability of wastewater in East Coulee		
Disadvantages:	N/A		
Alternatives:	Council reject this proposal. Council retender the project.		
Finance/Budget Implications:	Approved projects within the 2012 Capital budget		
Operating Costs:	N / A	Capital Cost:	\$1,372,976
Budget Available:	\$1,275,000	Source of Funds:	Capital Program \$
Budget Cost:		Over-budgeted Cost:	\$ 97,976
Communication Strategy:	Affected parties will be notified. Alberta Environment requires public advertising regarding our new operating approval for the East Coulee Wastewater Plant.		
Recommendations:	<ul style="list-style-type: none">Council award the tender bid for the construction of treatment upgrades for the East Coulee Wastewater Treatment Plant to Wildstone Construction & Engineering for the amount of \$900,795 including GST.		
Report Writer:	Allan Kendrick	CAO:	 R. M. Romanetz
Position:	Director of Infrastructure Services		

INFRASTRUCTURE SERVICES

Telephone: (403) 823-1354

	Created By: 9/7/12 11:19 AM	1
--	--------------------------------	---

Suite 260, East Atrium, 2635 - 37 Ave NE
Calgary, AB T1Y 5Z6
Phone: 403-250-1362
1-800-351-0929
Fax: 403-250-1518

Agenda Item # 8.2.1



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

September 5, 2012
File: N:\24\50\026-01\L09-1.0

Attn: Mr. Ray Romanetz, P.Eng.
Chief Administration Officer

Dear Ray:

Re: Town of Drumheller - East Coulee WWTP Upgrades
Tender Opening – August 30, 2012

Please find below the results of the tender opening for the East Coulee Wastewater Treatment Plant (WWTP) Upgrades. Tenders were opened August 30, 2012 at 2:00 p.m. at the Town of Drumheller Office. Five bids were received. All bids were reviewed and some have been corrected for arithmetic errors. Table 1 below summarizes the bid result. The bids have been evaluated based on the total amount of bid, which includes Construction Contingency Allowances, Prime Cost Allowance for Owner Supplied Equipment and Programming and GST.

Table 1 – Tender Summary

Bidders	Tendered Amount written on the Bid Form (including bid modification and GST)	Revised Tender Amount (including bid modification and GST)	Description of Correction
Wildstone Construction & Engineering Ltd.	\$ 900,795.00	\$ 900,795.00	No Change
Everest Construction Management Ltd.	\$ 906,474.82	\$ 933,081.19	Correction on the Bid Modification Amount (math error)
CDM Mechanical Ltd.	\$1,086,788.69	\$1,086,788.69	No Change
Knibb Development Ltd.	\$1,128,750.00	\$1,128,750.00	No Change
NAC Constructors Ltd.	\$1,347,409.98	\$1,347,409.98	No Change

BID DISCREPANCIES

After review of the tender packages, there was a discrepancy noted on one bid, which is listed below:

1. Everest Construction Management Ltd.

Everest Construction provided a detailed bid adjustment for their bid. This bid adjustment has an arithmetic error: the sum of the unit bid items did not match the total written amount. As the unit price governs over the total amount a new amount was calculated.

SUMMARY RECOMMENDATION

In summary, based on the tender prices for the East Coulee WWTP upgrades, should the Town decide to proceed with the project, we recommend that Wildstone Construction & Engineering Ltd. be awarded the contract in the amount of \$900,795.00 (including GST) based on their lowest tender bid.

Please note that this amount includes a \$60,000 construction contingency which could be used for unforeseen work if deemed necessary.

Please feel free to contact me at 403-219-6306 with any questions.

Yours truly,

MPE ENGINEERING LTD.



Serge Bastien, P.Eng.
Project Manager

SB:kh
Encl.

cc: Allan Kendrick, Town of Drumheller
Kevin Liu, MPE Engineering Ltd.

TENDER SUMMARY

File: N:\2450\026\01

Location: Town of Drumheller
Private/Invitational/Public

[illegible]

RFD - East Coulee Wastewater Treatment Plant Upgrades Award

Agenda Item # 8.2.1

**TOWN OF DRUMHELLER
EAST COULEE WWTP UPGRADES
Project Cost Breakdown
Rev: September 5, 2012**

	Projection as per AI Application February 25, 2011		Tender Results (August 30, 2012)		Surplus / Deficit
Construction					
Equipment Pre-Purchased		incl.		\$ 192,797	
Prime Contactor Contract		\$ 830,000		\$ 857,900	
Project Contingency		\$ 250,000		\$ 110,000	
Sub Total Construction		\$ 1,080,000		\$ 1,160,697	
Third Party Cost		\$ 30,000		\$ 47,279	
Town's Sewage Hauling Allowance	\$ 30,000		\$ 30,000		
ATCO 3-Phase Power	n/a		\$ 17,279		
Engineering		\$ 165,000		\$ 165,000	
Total Project Cost		\$ 1,275,000		\$ 1,372,976	
Grant Funding (75%)		\$ 955,000		\$ 1,029,732	\$ (74,732)
Town's Shared Portion (25%)		\$ 320,000		\$ 343,244	\$ (23,244)

* GST Excluded



Request for Decision

Date:	September 10, 2012
-------	--------------------

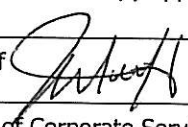
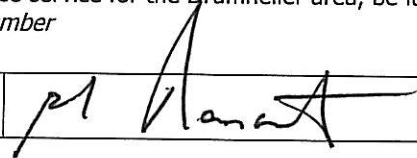
Topic:	Badlands Area Ambulance Society (BAAS)
Proposal:	<p>The Badlands Area Ambulance Society was formed in June 2006, with a membership of the Town of Drumheller, the Counties of Kneehill, Starland, and Wheatland, and the Villages of Morrin and Munson. Each member has one vote. The representative for the Town of Drumheller is Councillor Doug Stanford.</p> <p>The Society has been fully funded by Alberta Health Services since 2009, and operating at a level of service to the standards set by the Alberta Health Services, with the focus on the Alberta resident rather than the Drumheller area resident.</p> <p>The April 2009-March 2012 contract has expired and the Society is in negotiations with Alberta Health Services for the period April 2012 to March 2015 with the possibility of 2, two year extensions. Any discussions related to ongoing negotiations must be held in an 'in camera' setting, the contents of which cannot be disclosed publicly.</p> <p>All current members are required to vote on this matter effective April 1, 2012. There are three options available for this body, which are detailed later in this document.</p> <p>If the Society does not sign the contract to act as a Society to manage the ambulance services for the Drumheller area to the standards set by Alberta Health Services standards the Society will be dissolved and Alberta Health Services will find another method of providing services to Drumheller, by assuming the responsibilities themselves, contracting with a private contractor, or expanding the borders of one or more of our neighboring service contractors.</p>
Proposed by:	Bill Wulff
Correlation to Business (Strategic) Plan	
Benefits:	As discussed 'in camera'
Disadvantages:	As discussed 'in camera'

CORPORATE SERVICES

Telephone: (403) 823-1311

Badlands Area Ambulance Society.doc	Created By: William Wulff	Page 1
-------------------------------------	---------------------------	--------

Agenda Item # 8.3.1

Alternatives:	<p>Following are the three options available to this Council:</p> <ol style="list-style-type: none"> 1. the Town of Drumheller votes IN FAVOR of signing the agreement with Alberta Health Services, effective April 1, 2012. 2. the Town of Drumheller votes AGAINST the signing the agreement with Alberta Health Services, effective April 1, 2012. 3. the Town of Drumheller votes IN FAVOR of signing the agreement with Alberta Health Services, effective April 1, 2012, with the stipulation that an exit clause of six months be included in the contract. 		
Finance/Budget Implications:	None		
Operating Costs:	\$0	Capital Cost: \$0	
Budget Available:	N/A	Source of Funds:	BCF Capital program
Budget Cost:		Underbudgeted Cost:	\$0
Communication Strategy:			
Recommendations:	<p>In the matter of the Town of Drumheller and the Badlands Area Ambulance Society, of which the Town is one voting member, and respecting the confidentiality of the current negotiations between the Society and Alberta Health Services, a department of the Province of Alberta, and involving the ambulance service for the Drumheller area, be it resolved that ... <i>Copy applicable paragraph number</i></p>		
Report Writer:	Bill Wulff 	CAO: 	
Position:	Director of Corporate Services (Acting)		



DRUMHELLER

CHIEF ADMINISTRATIVE OFFICER

Agenda Item # 8.3.2



Request for Direction

Date: September 7, 2012

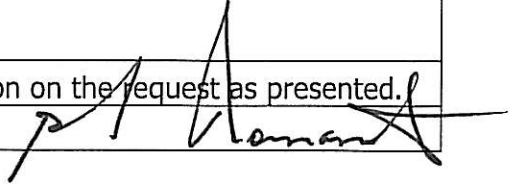
Topic:	SANDSTONE MANOR – TAXES		
Proposal:	<p>Drumheller Housing Administration (DHA), through Councillor Jay Garbutt is requesting that Council reconsider their decision of October 11, 2011 and cancel the 2012 taxes as allowed under Section 347(1) of the Municipal Government Act on the property being used by Sandstone Manor.</p> <p>Administration has reviewed DHA's budget and has recommended that \$30,000 be set aside for reserves on an annual basis. The Manager of the DHA has advised that the current rents will cover DHA's expenses and recommended reserves. However Councillor Garbutt has requested that the cancellation of municipal taxes should be referred to Council to allow for more certainty in covering reserve allocations. The initial budget that was developed for the affordable housing project assumed no municipal taxes be payable. Unfortunately the MGA does not provide exemption of taxes for the Affordable Housing Project.</p> <p>Reference to: Previous RFD dated October 5, 2011 and minutes of Council dated October 11, 2011 Previous RFD dated July 14, 2011 and minutes of Council dated July 18, 2011</p>		
Proposed by:	Drumheller Housing Administration, through Councillor Jay Garbutt.		
Correlation to Business (Strategic) Plan			
Benefits:			
Disadvantages:			
Alternatives:			
Finance/Budget Implications:	<ul style="list-style-type: none">♦ The municipal portion of the property tax is \$8556.42 leaving the education tax of \$3010.99 as payable.♦ This loss of revenue impacts the operating surplus.		
Operating Costs:		Capital Cost:	\$0.00
Budget Available:	\$0.00	Source of Funds:	
Budget Cost:	\$0.00	Underbudgeted Cost:	

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

Telephone: (403) 823-1339

		1
--	--	---

Agenda Item # 8.3.2

Communication Strategy:			
Recommendations:	Council provide direction to Administration on the request as presented.		
Report Writer:	R.M. Romanetz, P. Eng.	CAO:	
Position:	Chief Administrative Officer		



DRUMHELLER

COMMUNITY SERVICES

Agenda Item # 8.3.2



Request for Decision

Date: October 5, 2011

Topic:	Sandstone Manor – Property Taxes
Proposal:	<p>The Drumheller Housing Administration (DHA) has requested that the property be made exempt from taxation.</p> <p>The original intention by contract between the Town and the Drumheller Housing Administration (attached) in clause 3.3 and its budget is that the Society was to be exempt from Municipal Property Taxes, but would remain liable for the Education Taxes.</p> <p>A request was made to Alberta Municipal Affairs to determine the eligibility for tax exemption. The response was as anticipated: the property owned by the Town of Drumheller but operated by DHA cannot be made exempt from property taxation. Indeed, even if the Drumheller Housing Administration owned the property it could not be made exempt from taxes.</p> <p>Under current legislation, the only way the property could be exempt from taxation would be if the property was owned by the Alberta Social Housing Corporation. However, Municipal Affairs has advised that this situation "has been taken under advisement".</p> <p>The Town has the discretion under the Municipal Government Act section 347(1)(b) to "cancel or refund all or part of a tax" on an annual basis. The Town is still required to remit the education tax as requisitioned by the Province.</p> <p>In keeping with the original intention of the contract, and subject to the limitations of the current legislation as it pertains to property tax exemption, DHA has requested that Administration cancel the municipal portion of the property tax roll 04029906 in the amount of \$8,331.30 plus the penalty levied on September 1st in the amount of \$558.24, leaving the education tax of \$2,833.53 as payable.</p>
Proposed by:	Drumheller Housing Administration
Correlation to Business (Strategic) Plan	
Benefits:	Provides tax relief while the property cannot be made exempt from taxation in order to keep rental rates at an affordable level.
Disadvantages:	This loss of revenue impacts the operating surplus
Alternatives:	N/A

CORPORATE SERVICES

Telephone: (403) 823-1311

Sandstone Manor Municipal Taxes	Created By: William Wulff 9/7/12 8:57 AM	Page 1
---------------------------------	---	--------

Agenda Item # 8.3.2

Finance/Budget Implications:	If Council desires, this cancellation can be budgeted for future years, until legislation permits an exemption for this property.		
Operating Costs:	\$8,889.54	Capital Cost: 0	
Budget Available:	N/A	Source of Funds:	BCF Capital program
Budget Cost:		Underbudgeted Cost:	\$8,889.54
Communication Strategy:			
Recommendations:	<p>Whereas the Drumheller Housing Administration has requested that the property being used by Sandstone Manor be made exempt from taxation, and</p> <p>Whereas legislation does not permit an exemption in these circumstances, and</p> <p>Whereas the MGA section 347(1)(b) provides Council the authority to cancel or refund taxes,</p> <p>Therefore Council approve the cancellation of the municipal portion of the Sandstone Manor 2011 property taxes in the amount of \$8,331.30 plus the late payment penalty of \$558.24 for a total of \$8,889.54.</p>		
Report Writer:	Bill Wulff	CAO:	
Position:	Director of Corporate Services (Acting)		

Sandstone Manor Municipal Taxes	Created By: William Wulff 9/7/12 8:57 AM	Page 2
---------------------------------	---	--------

and Wastewater Treatment Facilities.

Discussion on Motion:

Councillor J. Garbutt asked why is the project over budget. A. Kendrick noted that the Town is complying with new regulations; part of the approval of the Waste Water Plant states we need a receiving stream assessment within one year. The Town contacted Environment and advised the Town did not have some equipment running all year and they allowed us more time. R. Romanetz noted that once you complete an Approval they can come back with different upgrades. Councillor L. Hansen-Zacharuk asked if we had any prior working relations with Associated Engineers. R. Romanetz noted they are a very reputable firm and although the Town has not worked with the firm recently, they are familiar with our WWTP.

Vote on Motion:

Carried unanimously.

8.3 Director of Corporate Services

8.3.1 RFD Tax Recovery Sale Reserve Bid

B. Wulff advised that as part of the tax recovery process under the MGA, properties with a tax caveat registered against them must be offered for public auction one year after the date of the tax caveat. The properties due for auction were registered in 2010. As another part of the process Council must set the terms and reserve bid for these properties. In the past terms have been cash and the reserve bid was equal to the current year's assessment.

MO2011.264 Shoff, Hansen-Zacharuk moved that Council set the reserve bid price for properties for the January 25, 2012 tax recovery auction. Furthermore, the successful bidder must pay via cash, or money order.

Carried unanimously.

8.3.2 RFD Sandstone Manor – Taxes

B. Wulff noted that Drumheller Housing Administration has requested that the property be made exempt from taxation. A request was made to Alberta Municipal Affairs with the response that property owned by the Town but operated by DHA cannot be made exempt. Municipal Affairs has advised that this situation "has been put under advisement". The Town has the discretion under the MGA Section 347(1)(b) to "cancel or refund all or part of a tax" on an annual basis. The Town is still required to remit the education tax as requisitioned by the Province. In keeping with the intention of the contract and subject to limitations of the current legislation on property tax exemption, DHA has requested

Agenda Item # 8.3.2

that Administration cancel the municipal portion of the property tax in the amount of \$8,331.30 plus penalty levied on September 1st in the amount of \$558.24, leaving the education tax of \$2,833.53 as payable. Susan Thompson, Municipal Affairs, advised that only lodge accommodation would be exempt. Manors 1 & 11 pay by a grant in lieu. For information purposes he provided copies of the Agreement between the Town and DHA, letter from DHA, emails from Town Solicitor, S. Thompson from Municipal Affairs and M. Roy, Director of Corporate Services.

MO2011.265 Garbutt, Zariski moved

Whereas the Drumheller Housing Administration has requested that the property being used by Sandstone Manor be made exempt from taxation, and

Whereas legislation does not permit an exemption in these circumstances, and

Whereas the MGA section 347(1)(b) provides Council the authority to cancel or refund taxes,

Therefore Council approve the cancellation of the municipal portion of the Sandstone Manor 2011 property taxes in the amount of \$8,331.30 plus the late payment penalty of \$558.24 for a total of \$8,889.54.

Discussion on Motion:

Councillor D. Stanford asked if Sandstone Manor's tax is put into reserves for maintenance of the building? R. Romanetz advised that if there is a deficit for maintenance, the Town would be responsible. Councillor D. Stanford asked how Sandstone's rent is compared to other municipalities. Councillor J. Garbutt advised that the rent is a little higher. Currently there are no vacancies and some residents in affordable housing would be better suited in subsidized housing. Councillor L. Hansen-Zacharuk asked if reserves are currently being used. Councillor J. Garbutt noted that there are no reserves, there is no profit. R. Romanetz noted that based on the approved budget those reserves are to be set aside.

Vote on Motion:

In favour J. Garbutt, T. Zariski. Opposed T. Yemen, D. Stanford, S. Shoff, L. Hansen-Zacharuk. Motion defeated.

8.4 Director of Community Services

8.4.1 Newcastle Hall – Ownership Transfer

P. Salvatore advised that the Newcastle Hall is a Town owned property. The Town has carried out some improvements on mechanical issues and water drainage. The



Request for Decision

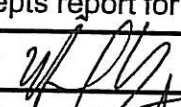
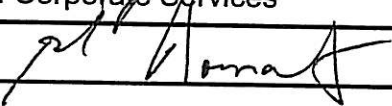
Date:	14 Jul 2011
Meeting Type:	Regular Council
Topic:	Sandstone Manor - Taxes
Proposal:	<p>Through Councillor Garbutt, Drumheller Housing Administration raised the question regarding taxes for Sandstone Manor. This property is fully owned by the Town.</p> <p>The MGA address taxation of municipal property in section 362. Relevant extracts from this section are:</p> <p>Exemptions for Government, churches and other bodies 362(1) The following are exempt from taxation under this Division:</p> <ul style="list-style-type: none"> (a) any interest held by the Crown in right of Alberta or Canada in property; (b) property held by a municipality, except the following: <ul style="list-style-type: none"> (i) property from which the municipality earns revenue and which is not operated as a public benefit; (ii) property that is operated as a public benefit but that has annual revenue that exceeds the annual operating costs; (iii) an electric power system; (iv) a telecommunications system; (v) a natural gas or propane system located in a hamlet, village, summer village, town or city or in a school district that is authorized under the School Act to impose taxes and has a population in excess of 500 people; (m) property held by <ul style="list-style-type: none"> (i) a foundation constituted under the Senior Citizens Housing Act, RSA 1980 cS 13, before July 1, 1994, or (ii) a management body established under the Alberta Housing Act, and used to provide senior citizens with lodge accommodation as defined in the Alberta Housing Act; <p>With Sandstone Manor the property is not operated as a public benefit and it would not be exempt. Neither does Drumheller Housing Authority provide senior citizens with lodge accommodations. Even if deemed a public benefit it is expected to have revenue that exceeds operating costs so as to build up reserves therefore the property may not be exempt from taxation. Administration has talked with a municipal advisor and affordable housing is a pretty new creature and their tax status still needs to be addressed. In the interim section 347 is an option for Council to address this issue.</p> <p>MGA 362(1)m is the section that exempts seniors foundations from paying property tax.</p> <p>Looking into the file related to the construction of Sandstone Manor there was correspondence internally and to the province that mentioned that the property may not have to pay property taxes, but the matter of exempting property taxes has not been put before Council for their consideration. Based on the MGA this property can not be classed as exempt from property taxes.</p> <p>Based on the MGA the Sandstone Manor cannot be made exempt from taxation. An alternative in the MGA is that Council does have the authority to cancel, refund, reduce or defer taxes.</p> <p>Cancellation, reduction, refund or deferral of taxes 347(1) If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business, do one or more of the</p>

Agenda Item # 8.3.2

following, with or without conditions:
 (a) cancel or reduce tax arrears;
 (b) cancel or refund all or part of a tax;
 (c) defer the collection of a tax.

Should Council wish to do this it would have to be addressed annually.

To truly understand the true cost of operations of this building all costs should be included that would be typical for this type of operation, which includes property taxes. As this property is fully owned by the Town, any operational shortfall would have to be picked up by the Town. As all the risks of the operation of this facility are the responsibility of the Town there is little value in canceling taxes for Sandstone Manor.

Proposed by:	Michael Roy		
Correlation to Business (Strategic) Plan			
Benefits:			
Disadvantages:	Operation of this building would not have to contribute to the services provided by the Town. Would be a reduction in tax revenue received by the Town.		
Alternatives:	<ul style="list-style-type: none"> Council directs Administration to cancel all property taxes for Sandstone Manor for 2011. Council directs Administration to reduce property taxes for Sandstone Manor by a percentage determined by Council for 2011. Council accepts the report for information. 		
Finance/Budget Implications:	Property taxes for Sandstone Manor \$11,164.83		
Operating Costs:		Capital Costs:	
Budget Available:		Source of Funds	
Budget Cost:		Underbudgeted Cost:	
Communication Strategy:			
Recommendations:	Council accepts report for information.		
Report Writer:	Michael Roy 		
Position:	Director of Corporate Services		
	CAO: 		

Agenda Item # 8.3.2

2013 audit services contract. In response to a question from Council, M. Roy stated that BDO has municipal experience.

MO2011.226 Shoff, Berdahl that Council award the 2011-2013 audit services to BDO Canada Ltd. and appoint BDO as the Town's auditors for 2011-2013.

5 in favor – Stanford, Zariski, Yemen, Shoff, Berdahl

2 opposed – Garbutt, Hansen-Zacharuk

Motion Carried.

8.3.2 RFD - Listing of Outstanding Receivables

M. Roy presented the outstanding debts which have been sent to collections and are from 2009 and older. Per Council Policy #C-07-04, Administration is requesting Council authorize write off of \$22,555.11 in outstanding debts. R. Romanetz stated that one outstanding debt may need more discussion in camera.

MO2011.227 Garbutt, Stanford moved to go in camera at 6:03 PM. Carried unanimously.

MO2011.228 Shoff, Zariski moved to revert back to regular Council meeting at 6:25 PM. Carried unanimously.

MO2011.229 Berdahl, Shoff moved that Council authorize Administration to write off \$22,555.11 in outstanding debts. Carried unanimously.

8.3.3 RFD (Direction) - Sandstone Manor Tax Cancellation

M. Roy advised that Councillor J. Garbutt, Drumheller Housing Administration raised the question regarding taxes for Sandstone Manor. This property is fully owned by the Town however Section 362 of the Municipal Government Act does not apply to this property due to revenue aspects of the property. Administration has spoken with a Municipal Advisor in Edmonton who stated that this is a relatively new area affecting the MGA and questions on exemption of taxes, education taxes, equalized portion as well as Management Bodies are under review. They should provide their opinion shortly. Regardless, the Town under Section 347 may cancel, reduce, refund, defer the collection of taxes however the Manor would still be responsible for the education taxes and any requisitions.

Councillor J. Garbutt asked for clarification if it is a Town owned building, the Town should be responsible for the maintenance such as the roof so why would DHA build a reserve, especially if it does not allow the Manor to be exempt of property taxes. R. Romanetz stated that the agreement in place states that DHA provide a service on the Town's behalf. The grant application and funding agreement outlined that a reserve is required. He further explained that the Town must set up a reserve which would go towards any future renovations. DHA would prepare a budget for operational costs including an allowance for the reserve and if there is a deficit at year end, the Town would pay the difference.

Agenda Item # 8.3.2

Councillor J. Garbutt stated that the report should be accepted for information and brought back to the table once the report from Municipal Affairs has been received. Council concurred.

8.3.4 Capital Financing Strategy Discussion / Direction

M. Roy stated that the capital financing strategy has been before Council previously. He stated that the strategy identifies available funding and compares it to the 10 year capital plan to identify funding shortfalls. The capital financing strategy shows that the 10 year capital plan cannot be fully funded with available funding levels and grants. To achieve some elements of the 10 year capital plan limits of the debt management policy would have to be exceeded. The capital financing strategy also identifies caps for the restricted surpluses that would be based on 10% of the gross tangible capital asset cost. Administration is asking Council to approve the strategy for budgeting purposes and it would then be a working document that is reviewed annually depending on the priorities of the day. The 10 year capital plan will be reviewed in October / November and at that time new direction may have to be built into the three year operational plan. The strategy is based on assumptions with projected deficiencies and debt limits.

MO2011.230 Berdahl, Garbutt moved to approve the capital financing strategy as presented.

Discussion on Motion:

Councillor S. Shoff expressed concerns about the debt management. M. Roy stated that the strategy shows how projects are financed however Council may need to review the debt management policy. Councillor S. Shoff stated that currently the 10 year plan did not go beyond the 60% of debt limit. M. Roy stated that Council may wish to find other ways to fund the projects that do not incur debt which would be the preferred option.

Councillor T. Zariski stated that the Town relies on federal and provincial grants – how can the Town estimate what the grants will be two years from now. R. Romanetz stated that the MSI funding is based over a longer period of time. M. Roy stated that the capital plan includes the gas tax but does not go beyond what we have in writing from the provincial government. He further stated that as more grant opportunities become available, Administration looks at how they fit into our programs. Councillor A. Berdahl stated that projects as listed on the capital strategy are important and should not be disregarded because our debt limit may be higher than 60%. Councillor J. Garbutt concurred, stating that the current borrowing conditions are favorable.

Vote on Motion:

Carried unanimously.

8.3.5 RFD - Photocopier Replacement

M. Roy stated that the Town currently uses three photocopiers. The cycle of photocopiers is to rotate the existing ones so that the heaviest volume location receives the newest machine and the oldest goes to the infrastructure shop. The tender closed on July 6, 2011 and five proposals were received. Based on the evaluation criteria the best evaluated tendered unit was Konica Minolta for a capital purchase cost of \$16,978.47.