AGENDA
BIRCH HILLS COUNTY
REGULAR COUNCIL MEETING
TO BE HELD IN THE
WANHAM BIRCH HILLS COUNTY OFFICE
April 23, 2020

9:00 a.m. **1. CALL THE MEETING TO ORDER**

2. ADOPTION OF THE AGENDA

3. ADOPTION OF THE MINUTES
a. April 9, 2020 Regular Council Meeting Minutes (Page 3)
b. April 16, 2020 Special Council Meeting Minutes (Page 10)

4. DELEGATIONS - Nil

5. COUNCILLOR REPORTS
a. Reeve Manzulenko (Ward 4)
b. Deputy Reeve Carbone (Ward 7)
c. Councillor Poetker (Ward 1)
d. Councillor Wendland (Ward 2)
e. Councillor Reum (Ward 3)
f. Councillor Duvall (Ward 5)
g. Councillor Joudrey (Ward 6)

6. CHIEF ADMINISTRATIVE OFFICER REPORT
a. CAO Report (to be distributed at meeting)
b. CAO Action Log (Page 12)

7. BUSINESS ARISING OUT OF THE MINUTES (UNFINISHED BUSINESS)
a. 2020 Operating and Maintenance Budget (Page 22)
b. Road Use Agreement Policy (Page 34)
c. Burnt River Crossing (Page 63)
d. Council Attendance at Conferences Policy (Page 66)

8. BYLAWS –
a. Property Tax Rate Bylaw 2020-04 (Page 70)
b. Bylaw 2020-05 - Amend Tax Penalty 2012-03 (Page 75)

9. NEW BUSINESS

a. **Council**
i. Upcoming Council dates (Page 88)
ii. 2020 Spring RMA Virtual Resolution Session (Page 91)

b. **Administration** – Nil

c. **Emergency Services** – Nil

d. **Public Works** –
i. Wanham Campground (Page 117)

AGENDA
BIRCH HILLS COUNTY
REGULAR COUNCIL MEETING
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April 23, 2020
(CONTINUED)

e. **Agricultural Service** – Nil

10. FOR INFORMATION –

a. BHC Library Board Meeting Minutes – February 26, 2020 (Page 119)

11. CORRESPONDENCE

a. Letter sent April 20, 2020 re Invoice 100373 (Page 120)

12. CLOSED SESSION

a. CAO Performance Evaluation (FOIP Section 17(1))

NEXT REGULAR COUNCIL MEETING DATE – May 14, 2020

Present:	**Reeve**	Gerald Manzulenko
	Councillor	Albert Poetker
Attended online via "Go to Meeting"	**Deputy Reeve**	Terry Carbone
"	**Councillor**	Paul Reum
"	**Councillor**	Mel Duvall
"	**Councillor**	Deanne Wendland
"	**Councillor**	Denise Joudrey
Present	**CAO & Recording Secretary**	Hermann Minderlein

CALL TO ORDER

Reeve Manzulenko called the meeting to order at 9:04 a.m.

ADOPTION OF AGENDA

RC20-140 Moved by Councillor Poetker that Council adopt the agenda of the April 9, 2020 Regular Council meeting with the addition of item 9.b.i, 2020 O&M Budget.

CARRIED

ADOPTION OF MINUTES

Regular Council Meeting
March 26, 2020

RC20-141 Moved by Deputy Reeve Carbone that Council approve the minutes of the March 26, 2020 Regular Council meeting as presented.

CARRIED

DELEGATIONS

None.

COUNCILLOR REPORTS

Reeve Manzulenko — No report.

Deputy Reeve Carbone — Deputy Reeve Carbone reported that he had listened in on the Premier's call in town hall on April 8, 2020.

Councillor Poetker — No report.

Councillor Wendland — No report.

Councillor Reum — No report.

Councillor Duvall — No report.

Councillor Joudrey

Councillor Joudrey reported that she attended a Zoom meeting for Grande Spirit Foundation on March 27, 2020, and provided highlights from that meeting.

RC20-142 Moved by Councillor Wendland that Council accept the Councillors' Reports for information.

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S REPORTS

CAO Minderlein provided Council with a verbal report on activities and meetings he had attended since the March 26, 2020 Regular Council Meeting.

RC20-143 Moved by Councillor Reum that Council receive the CAO's written report and verbal updates for information.

CARRIED

CAO Action Log

Council reviewed the CAO Action Log updated to April 8, 2020.

RC20-144 Moved by Councillor Duval that Council receive the CAO Action Log for information.

CARRIED

UNFINISHED BUSINESS

Economic Assessment Report

Council was provided with information regarding the Economic Assessment Report prepared by Peace Region Economic Development Alliance (PREDA) for Birch Hills County in June of 2013.

RC20-145 Moved by Councillor Wendland that Council table the matter of the Economic Assessment Report prepared by Peace Region Economic Development Alliance (PREDA) for Birch Hills County in June of 2013. to a future meeting.

CARRIED

BYLAWS

Bylaw 2020-02 - Fees, Rates and Charges Bylaw

Council was provided with information regarding the draft Fees, Rates and Charges Bylaw 2020-02 that includes the updated and new rates attached as "Schedule A". Council reviewed and discussed the rates, and provided Administration with amendments to be made prior to first reading.

Councillor Joudrey lost connection to the meeting at 9:54 a.m.

Meeting was recessed at 9:55 a.m.

Meeting was resumed at 10:05 a.m.

Council continued to discuss the Fees, Rates, and Charges Bylaw Number 2020-02.

Councillor Joudrey rejoined the meeting at 10:07 a.m.

RC20-146 Moved by Councillor Wendland that Council provide first reading to Birch Hills County Bylaw 2020-02, the Fees, Rates and Charges Bylaw as amended.

CARRIED

RC20-147 Moved by Deputy Reeve Carbone that Council provide second reading to Birch Hills County Bylaw 2020-02, the Fees, Rates and Charges Bylaw as amended.

CARRIED

RC20-148 Moved by Councillor Reum that Council provide unanimous approval to a resolution to present Birch Hills County Bylaw 2020-02, the Fees, Rates and Charges Bylaw as amended at this meeting.

CARRIED UNANIMOUSLY

RC20-149 Moved by Councillor Joudrey that Council provide third reading to Birch Hills County Bylaw 2020-02, the Fees, Rates and Charges Bylaw as amended.

CARRIED

RC20-150 Moved by Councillor Joudrey that Council direct Administration to advertise Bylaw 2020-02 as per the Procedural Bylaw 2019-15.

CARRIED

Bylaw 2020-03 – Regional Fire Services Bylaw

Council was provided with the draft Regional Fire Service Bylaw 2020-03. Council reviewed the document and made several amendments to the Bylaw prior to first reading.

RC20-151 Moved by Deputy Reeve Carbone that Council provide first reading to Birch Hills County Bylaw

2020-03, the Regional Fire Services Bylaw as amended.

CARRIED

RC20-152 Moved by Councillor Poetker that Council provide second reading to Birch Hills County Bylaw 2020-03, the Regional Fire Services Bylaw as amended.

CARRIED

RC20-153 Moved by Councillor Duval that Council provide unanimous approval to a resolution to present Birch Hills County Bylaw 2020-03, the Regional Fire Services Bylaw as amended at this meeting.

CARRIED UNANIMOUSLY

RC20-154 Moved by Deputy Reeve Carbone that Council provide third reading to Birch Hills County Bylaw 2020-03, the Regional Fire Services Bylaw as amended.

CARRIED

RC20-155 Moved by Councillor Poetker that Council direct Administration to advertise Bylaw 2020-03 as per the Procedural Bylaw 2019-15.

CARRIED

NEW BUSINESS

2020 O&M Budget

Council was provided with information related to the 2020 O&M Budget, and was requested to provide specific direction as how best to proceed.

RC20-156 Moved by Councillor Wendland that Council cancel the requirement for the Recreation Board to review applications for Recreation Board grants in 2020 and directs Administration to:

1. advise the affected groups and individuals of Council's decision; and
2. reduce the amounts budgeted under accounts 2-71-10-00-151 through 2-71-10-00-515 to zero for 2020.

CARRIED

RC20-157 Moved by Councillor Wendland that Council authorizes the allocation of Recreation Board Grants for 2020 based on 100% of 2019 allocations, or 100% of 2018 allocations for any organizations that did not submit an application in 2019, and directs Administration to:

1. advise affected groups and individuals of Council's decision; and
2. adjust the amount budgeted under account 2-71-10-00-735 for 2020 to reflect this decision.

CARRIED

RC20-158 Moved by Councillor Poetker that Council authorizes the increase for minimum municipal taxes in 2020 from $50.00 per assessed parcel to $100.00 per assessed parcel and directs Administration to reflect this decision in the 2020 Operating and Maintenance Budget and 2020 Mil Rate Bylaw.

CARRIED

RC20-159 Moved by Councillor Poetker that Council table the remainder of discussions related to item 9.b.i the 2020 Operating and Maintenance Budget until after agenda item 12.a.

CARRIED

Watino Gravel Crush Tender

Council was provided with information regarding the results of the Watino gravel crushing tender.

RC20-160 Moved by Councillor Wendland that Council accept the lowest bid from Wapiti Gravel Suppliers, a Division of N.P.A. Ltd., for the 2020 Watino gravel crushing for the bid amount of $745,200.00, with funding to maximize Municipal Sustainability Initiative Capital Grant and Basic Municipal Transportation Grant funding available from 2020 and prior allocations, and the balance to be taken from appropriate capital reserve funds.

CARRIED

Windy Creek Crush Tender

Council was provided with information regarding the results of the Windy Creek gravel crushing tender.

RC20-161 Moved by Councillor Wendland that Council accept the lowest bid from Wapiti Gravel Suppliers, a Division of N.P.A. Ltd., for the 2020 Windy Creek gravel crushing for the bid amount of $844,950.00, with funding to maximize Municipal Sustainability Initiative Capital Grant and Basic Municipal Transportation Grant funding available from 2020 and prior allocations, and the balance to be taken from appropriate capital reserve funds..

CARRIED

Resource Management Funding Stream

Council was provided with information related to Terms of Reference that will be signed by CAO Minderlein related to Birch Hills County's participation in a partnership related to the Peace Country Beef and Forage Association.

RC20-162 Moved by Councillor Duval that Council authorize CAO Minderlein to sign the Terms of Reference related to Birch Hills County's participation in a partnership related to the Peace Country Beef and Forage Association with a commitment to provide a minimum of $3,000 for the Resource Management Funding Stream for 2020-2024 for Peace County Beef and Forage.

CARRIED

FOR INFORMATION

Council was provided with a copy of the following documents that had been received by Administration:

1. Website statistics from January to March 2020; and
2. Bank Reconciliation dated March 31, 2020.

RC20-163 Moved by Councillor Joudrey that Council accept the items presented for information.

CARRIED

CORRESPONDENCE

Council was provided with copies of the following documents:

a. Email from Gas Tax Fund re Project Applications Notification dated April 3, 2020.

RC20-164 Moved by Councillor Wendland that Council accept the correspondence provided for information.

CARRIED

CLOSED SESSION

RC20-165 Moved by Councillor Reum that Council move to closed session to discuss the CAO Recruitment as per section 16(b) Freedom of Information and Protection of Privacy Act (FOIP) at 11:45 a.m.

CARRIED

RC20-166 Moved by Councillor Poetker that Council move out of closed session at 11:58 p.m.

CARRIED

Meeting was recessed for lunch at 12:00 p.m.

Meeting was resumed at 12:32 p.m. with no public present.

RC20-167 Moved by Councillor Duval that Council bring back item 9.b.i from the table.

CARRIED

RC20-168 Moved by Councillor Wendland that Council authorizes the transfer of $550,000 from the Rate Stabilization Reserve, account number 6-00-00-00-711, in the 2020 Operating and Maintenance Budget for expenses related to allowance for bad debt, CAO recruitment, and the Diamond Accounting System upgrades.

CARRIED

RC20-169 Moved by Deputy Reeve Carbone that Council direct Administration to complete the 2020 Operating and Maintenance Budget based on discussions to date and with no mill rate increase for small business, a 3.5% increase to the residential mill rate, and 7.6% to the remaining mill rates.

CARRIED

ADJOURNMENT

Being that there was no further business, Reeve Manzulenko adjourned the meeting at 1:30 p.m.

Original to be signed by
GERALD MANZULENKO
REEVE

Original to be signed by
HERMANN MINDERLEIN
CAO

MINUTES OF A SPECIAL COUNCIL MEETING
FOR BIRCH HILLS COUNTY HELD
IN THE COUNCIL CHAMBERS
April 16, 2020

Present:	**Reeve**	Gerald Manzulenko
	Deputy Reeve	Terry Carbone
	Councillor	Albert Poetker
Attended online via "Go to Meeting"	**Councillor**	Deanne Wendland
"	**Councillor**	Paul Reum
"	**Councillor**	Mel Duvall
"	**Councillor**	Denise Joudrey
Present	**CAO and Recording Secretary**	Hermann Minderlein

Absent:

Beverly Lomosad with the Signal entered meeting at 3:45 p.m.

CALL TO ORDER

Reeve Manzulenko called the meeting to order at 3:45 p.m.

Councillor Duvall joined the meeting via "Go to Meeting" at 3:47 p.m.

ADOPTION OF AGENDA

SC20-170 Moved by Councillor Poetker that Council adopt the agenda of the April 16, 2020 Special Council Meeting as presented.

CARRIED

NEW BUSINESS
CAO Replacement Employment Contract

Council discussed the CAO recruitment efforts, the results of the interviews conducted to date, and the draft Contract prepared for Council's consideration by Ravenhill Smith Search Inc.

SC20-171 Moved by Councillor Wendland that Council finalize the hire for the new CAO for Birch Hills County effective May 18, 2020 and authorizes Reeve Manzulenko to sign the contract as negotiated on behalf of Birch Hills County.

CARRIED

SC20-172 Moved by Deputy Reeve Carbone that Council authorizes the extension of the April 16, 2020

Special Council Meeting to extend past 4:00 p.m.

CARRIED

Interim CAO

Council discussed the requirement to appoint an Interim CAO from the beginning of CAO Minderlein's retirement leave until the start of the new CAO on May 18, 2020.

Beverly Lomosad with the Signal exited meeting at 3:57 p.m.

SC20-173 Moved by Councillor Poetker that Council move to closed session to continue to discuss the CAO Replacement Employment Contract as per section 24(1)(b)(i) Freedom of Information and Protection of Privacy Act (FOIP) at 3:57 p.m.

CARRIED

CAO Minderlein left the meeting at 3:57 p.m.

SC20-174 Moved by Councillor Joudrey that Council move out of closed session at 4:23 p.m.

CARRIED

Meeting was recessed at 4:23 p.m.

CAO Minderlein rejoined the meeting at 4:24 p.m.

Meeting was resumed at 4:25 p.m. with no public present.

SC20-175 Moved by Councillor Reum that Council appoint Shelley Braun as the Interim CAO effective April 23rd, 2020 at the time that CAO Hermann Minderlein begins his vacation leave.

CARRIED

ADJOURNMENT

Being that there was no further business, Reeve Manzulenko adjourned the meeting at 4:29 p.m.

Original to be signed by
GERALD MANZULENKO
REEVE

Original to be signed by
HERMANN MINDERLEIN
CAO

INITIALS: Reeve: _____

Motion #	Motion	By	Action	Status
MEETING	**August 9, 2018 Regular Council Meeting**			
RC18-279	Administration bring back Bylaw No. 2014-03 Birch Hills County Regional Fire Services Bylaw with Schedule of Fees and Charges to Council for review at a future Governance Meeting and/or Regular Council Meeting.	CAO Minderlein	To be addressed through Fees Bylaw review required as part of 2020 budget discussions.	COMPLETED
MEETING	**February 28, 2019 Regular Council Meeting**			
RC19-070	that Council direct Administration to send a letter to Alberta Environment and Parks with a copy to Alberta Transportation that provides the background information related to the Saddle (Burnt) River crossing and details Council's request for cooperation and actions that would be needed to construct a Low Level Crossing on the Burnt River that would provide a safe and accessible crossing and also direct Administration to bring back responses to a future Council meeting.	D of PW/CAO	*Verbal request "Follow up again after April 16 election." this request was from the March 14 meeting.*	Letter mailed out Mar 11, 2019 Follow up emails from CAO to DM'S May 27, 19. AEP visited BHC Sept. 23 & info. in DOPW Oct 24/19 report. Advised by AB Environment and Parks that the County may apply for a Utility/Parks License of Occupation (PLC) info. in DOPW Feb 13, 2020 report. Appl for PLC for crossing submitted March 24 2020. On April 23, 2020 Agenda.
MEETING	**April 4, 2019 Regular Council Meeting**			
RC19-122	that Council direct Administration to research information, including Birch Hills County's Bylaws	Ag Fieldman	June 24 ASB meeting- refer to 2020 budget	On Agenda for April 23, 2020.

Motion #	Motion	By	Action	Status
	and Policies, related to the attendance of staff and Agriculture Service Board (ASB) board members to ASB related meetings and conventions, and to bring that information to Council at a future meeting		deliberation.	
MEETING	**April 25, 2019 Regular Council Meeting**			
RC19-165	that Council direct Administration to continue working with Alberta Environment and Parks on the removal of disposition DLO 860724 from Dreamers Lake and to update Council on the progress of this project at a future meeting.	D of PW	As per direction. Awaiting clarification. Proposal submitted to AEP. Submitted TFA.	
MEETING	**June 13, 2019 Regular Council Meeting**			
RC19-200	that Council direct administration to dispose of the surplus 6” aluminum and pumps by means of public auction.	D of PW	Relisted Govdeals.com Not sold	Relist in Spring 2020
MEETING	**October 24, 2019 Regular Council Meeting**			
RC19-342	that Council authorize Administration to offer and sell tax arrears properties that have gone unsold at public auction and where Birch Hills County has registered its name on title by registering a Tax Forfeiture Instrument (a “Notification of Municipal Acquisition” form), for sale on the GovDeals Auction Server, and establish the reserve bids for such properties at a price as close as reasonably possible	CAO	Coordinate listings - holding off until snow is gone	

Motion #	Motion	By	Action	Status
	to market value, that being deemed to be the value assessed on the properties for tax purposes.			
MEETING	**November 28, 2019 Regular Council Meeting**			
RC19-397	that Council rescind Resolution RC17-428, and direct Administration to develop a plan to dismantle both the Personnel Handbook and the Governance and Operational Policy and replace them (or portions of them) with policies that will permit them to be easily reviewed and updated when required, and to bring that plan back to a future Regular Council Meeting.	CAO	Develop plan	
RC19-398	that Council rescind Resolution RC18-373, and direct Administration to develop a plan to review current polices and prepare updated replacement policies where deemed necessary, and to bring that plan back to a future Regular Council Meeting.	CAO	Develop plan	
RC19-404	that Council direct Administration to continue to advertise for a representative for the Birch Hills County Recreation Board from Ward 2 and to update Council at the December 12, 2019 Regular Council Meeting.	EA-LO/EA-PW	Advertising in Signal until representative found - bring back to Council when found.	
MEETING	**December 12, 2019 Regular Council Meeting**			
RC19-436	that Council direct administration to partner with AEP	D of PW	Coordinate	

Motion #	Motion	By	Action	Status
	to aid in clean-up of the old Wanham Ski Hill provided that the County's "additional expenses" are limited to fuel costs required to operate the equipment.		clean-up with AEP Update Council on status	
RC19-437	Council direct administration to install the Geotab devices in all County Graders including the Contract Grader funded by G/L code 2-32-10-00-517" and other County vehicles deemed appropriate by the CAO and Directors.	D of PW	Coordinate installation Update Council on status	
RC19-438	that Council direct Administration to research and develop policies related to the operation of County vehicles and to the installation of Geotab devices.	D of PW with assistance from EA-LO	Currently developing policy.	Researching legislative req with the possibility of a Privacy Impact Assessment review by the Office of the Information and AB Privacy Commissioner
RC19-439	that Council accept this Fleet Management Light Duty Trucks for information at this time and refer to the 5-year vehicle budget sheet during capital budgeting.	D of PW DCS	Include in 5-year vehicle budget sheet during capital budgeting.	
MEETING	**February 13, 2020 Regular Council Meeting**			
RC20-041	that Council authorize Administration to provide mowing for the campsite and the plowing competition	D of PW/ Ag Fieldman		Event Cancelled

Motion #	Motion	By	Action	Status
	location utilizing the roadside mower and staff time prior to the event and permit the use of heavy equipment by a volunteer staff member in support of the truck pull event.			
RC20-055	that Council direct Administration to accept the bid from Finning of $472,600 for a 2019 CAT 140M3 and to seek a consignment deal with a minimum sell price of $195,000.00 for unit G34, a 2014 CAT 140M2 and accept the URMA offer of $6.94/hr including buyback value of $172,832.00.	D of PW	Awaiting final paperwork and delivery. (ETA end April). Grader delivery delayed due to COVID 19.	
MEETING	**February 27, 2020 Regular Council Meeting**			
RC20-083	that Council direct Administration to include the Westvale Well into future water cost analysis and to bring this information to the 2021 Budget discussions.	CAO D of PW	Advertise Capture costs	COMPLETED Ongoing
MEETING	**March 12, 2020 Regular Council Meeting**			
RC20-115	that Council approve the reimbursement, or the payment of invoices, of an amount not exceeding $389.34 based on the request submitted by Mrs. Denise Doran on behalf of the residents of Watino as a Community Enhancement Grant for the planting and care of brightly colored annual flowers along the streets of the hamlet of Watino.	CAO	Letter sent Awaiting notification that plants received before issuing payment	
MEETING	**March 26, 2020 Regular Council Meeting**			

Motion #	Motion	By	Action	Status
RC20-130	RC20-130 Moved by Councillor Poetker that Council direct Administration to modify the Birch Hills County Road Use Agreement Policy 37-02-20 based on Council's discussions and direction provided at the March 26, 2020 Regular Council Meeting, to advertise that modified policy for approximately a month for feedback from the public, and to bring back the modified policy for review and consideration at the April 23, 2020 Regular Council Meeting.	D of PW	As per Council's direction	On Agenda for April 23, 2020.
RC20-132	that Council decline to make any additional changes to Mr. Murray Redel's Invoice 10332 for fire services and direct Administration to advise him of Council's decision.	CAO	Send letter to Mr. Reidel to advise him of Council's decision.	Letter Sent April 20, 2020
RC20-134	that Council direct Administration to request additional information from parties involved including Mrs. Rose Sorgen regarding her Invoice number 11074 for Fire Services and to bring back this information to a future Council meeting.	CAO	Contact or send letter to Mrs.Sorgen to request additional information required.	
RC20-135	that Council authorize the addition of the overhaul of one backup water pump to the 2020 Capital Budget with $15,000.00 funding to come from MSI capital funding.	DCS D of PW	Adjust budget Pump sent out for overhaul.	
MEETING	**April 9, 2020 Regular Council Meeting**			

Motion #	Motion	By	Action	Status
RC20-145	that Council table the matter of the Economic Assessment Report prepared by Peace Region Economic Development Alliance (PREDA) for Birch Hills County in June of 2013. to a future meeting.	DCS	Brief new CAO and have him add to Agenda	
RC20-150	that Council direct Administration to advertise Bylaw 2020-02 as per the Procedural Bylaw 2019-15.	EA-LO	On the webpage, filed accordingly & utility changes effective May 1, advertised in the Signal starting April 21, 2020.	COMPLETED
RC20-155	that Council direct Administration to advertise Bylaw 2020-03 as per the Procedural Bylaw 2019-15.	EA-LO	On the webpage, filed accordingly.	COMPLETED
RC20-156	that Council cancel the requirement for the Recreation Board to review applications for Recreation Board grants in 2020 and directs Administration to: 1. advise the affected groups and individuals of Council's decision; and 2. reduce the amounts budgeted under accounts 2-71-10-00-151 through 2-71-10-00-515 to zero for 2020.	CAO EA-LO DCS	Email to Rec. Board Ward members went out April 15. Adjust budget	COMPLETED COMPLETED
RC20-157	that Council authorizes the allocation of Recreation Board Grants for 2020 based on 100% of 2019	CAO EA-LO	Letters mailed to 11 organizations with Rec.grant	COMPLETED

Motion #	Motion	By	Action	Status
	allocations, or 100% of 2018 allocations for any organizations that did not submit an application in 2019, and directs Administration to: 1. advise the affected groups and individuals of Council's decision; and 2. adjust the amount budgeted under account 2-71-10-00-735 for 2020 to reflect this decision.	DCS	allocation amounts on April 16, 2020. Adjust budget Issue cheques	COMPLETED Incomplete
RC20-158	that Council authorizes the increase for minimum municipal taxes in 2020 from $50.00 per assessed parcel to $100.00 per assessed parcel and directs Administration to reflect this decision in the 2020 Operating and Maintenance Budget and 2020 Mil Rate Bylaw.	CAO DCS	Work with Tax Clerk on Bylaw Adjust Budget	On April 23 Agenda COMPLETED
RC20-160	that Council accept the lowest bid from Wapiti Gravel Suppliers, a Division of N.P.A. Ltd., for the 2020 Watino gravel crushing for the bid amount of $745,200.00, with funding to maximize Municipal Sustainability Initiative Capital Grant and Basic Municipal Transportation Grant funding available from 2020 and prior allocations, and the balance to be taken from appropriate capital reserve funds.	D of PW DCS	Finalize contract and report on progress Arrange for payment schedule utilizing approved funding	Ongoing
RC20-161	that Council accept the lowest bid from Wapiti Gravel Suppliers, a Division of N.P.A. Ltd., for the 2020 Windy Creek gravel crushing for the bid amount of $844,950.00, with funding to maximize Municipal	D of PW DCS	Finalize contract and report on progress Arrange for	Ongoing

Motion #	Motion	By	Action	Status
	Sustainability Initiative Capital Grant and Basic Municipal Transportation Grant funding available from 2020 and prior allocations, and the balance to be taken from appropriate capital reserve funds.		payment schedule utilizing approved funding	
RC20-162	that Council authorize CAO Minderlein to sign the Terms of Reference related to Birch Hills County's participation in a partnership related to the Peace Country Beef and Forage Association with a commitment to provide a minimum of $3,000 for the Resource Management Funding Stream for 2020-2024 for Peace Country Beef and Forage.	CAO	Signed and forward Terms of Reference on April 17, 2020	COMPLETED
RC20-168	that Council authorizes the transfer of $550,000 from the Rate Stabilization Reserve, account number 6-00-00-00-711, in the 2020 Operating and Maintenance Budget for expenses related to allowance for bad debt, CAO recruitment, and the Diamond Accounting System upgrades.	DCS	Adjust Budget and prepare Budget RFD for April 23rd Council Meeting	On April 23 Agenda
RC20-169	that Council direct Administration to complete the 2020 Operating and Maintenance Budget based on discussions to date and with no mill rate increase for small business, a 3.5% increase to the residential mill rate, and 7.6% to the remaining mill rates.	CAO DCS	Work with Tax Clerk on Mill Rate Bylaw Finalize Budget	On April 23 Agenda
SC20-171	that Council finalize the hire for the new CAO for Birch Hills County effective May 18, 2020 and	CAO	Obtain copy of contract for Reeve's signature	

Motion #	Motion	By	Action	Status
	authorizes Reeve Manzulenko to sign the contract as negotiated on behalf of Birch Hills County.	EA-LO	Advise Municipal Affairs	
SC20-175	that Birch Hills County Council appoints Shelley Braun as the Interim CAO effective April 23rd, 2020 at the time that CAO Hermann Minderlein begins his vacation leave.	EA-LO	Advise Municipal Affairs	COMPLETED

Request for Decision (RFD)

Meeting:	Council Meeting	**Reviewed/ Approved For Submission**	
Meeting Date:	April 23, 2020	**CAO:**	
Originated By:	Hermann Minderlein, CAO	**Director:**	
Item Title:	2020 O&M Budget	**Presenter:**	

DESCRIPTION:

Council is being presented with the 2020 Operating and Maintenance (O&M) Budget for approval.

BACKGROUND:

Council previously approved the 2019 Operating Budget as the 2020 interim Operating and Maintenance Budget at its December 13, 2019 Regular Council meeting by passing Resolution RC19-431 that read as follows:

> Moved by Councillor Joudrey that Council adopt the 2019 Operating Budget as the 2020 Interim Operating Budget with:
>
> **Total Revenues** of $8,214,857.45 comprised of:
> Operating Revenues (sales, grants, etc.) of $1,858,454.35;
> Revenue Drawn from Operating Reserves of $567,307.15; and
> Municipal Property Tax Revenue of $5,789,095.95; and
>
> **Total Expenses** of $10,824,437.45 comprised of:
> Operating Expenses of $8,214,857.45; plus
> Amortization Expense of $2,609,580.00
>
> Which results in a balanced budget before the amortization expense of $2,609,580.00.*"*

DISCUSSION / BENEFITS / DISDVANTAGES:

Council is being presented with the 2020 Operating and Maintenance Budget for consideration, discussion, and approval.

Council has been briefed on the progress through workshops and as part of Council Meetings.

The Budget as presented today includes increases to the municipal mill rates authorized by Resolution RC20-169 of:

3.5% for properties assessed as Residential;
7.6% for properties assessed as Agricultural and Non-Residential; and
0% for properties assessed as Small Business Properties;

It also includes the increased revenues that will result from rate increases implemented by Bylaw 2020-02, the Fees, Rates, and Charges Bylaw.

The budget also calls for a draw down from the Rate Stabilization Reserve. Resolution RC20-168 authorized the transfer of $550,000, but finalization of the budget has reduced the requirement for this draw to $425,408.42.

The additional funding required in the 2020 O&M budget includes the following budgetary items:

1. an additional $500K is required to be set aside for bad debts resulting from unpaid taxes by properties in the oil & gas sector. This issue was raised by our auditors in the 2019 Financial Statements, and it is very probable that they will be again in 2020.

   Administration has been in discussions with two of the firms involved to try and arrange for them to enter into a payment program to bring their accounts up to date. There has been no uptake on any of the proposals to date, and it may be that the County will never see these funds going into the future;

2. The funds raised by taxation utilizing 2019 mil rates would have seen tax revenues reduced by $141K in 2020 due to reduced assessments for properties in the Non-Residential and the Machinery & Equipment assessment classifications;

3. $27,089 was levied by the Province of Alberta for policing costs starting in 2020. This rate will increase to over $108K by 2024;

4. The Province of Alberta has increased the reduction to Payments in Lieu of Taxes initiated in 2019 from 25% to 50%. This reduces their payments by a total of $10,620;

2020 Operating grant amounts include:

MSI Operating (allocated to Eaglesham contract grader)	$ 84,500.00
Forest Resource Improvement Association of Alberta (FRIAA) Grant	$ 22,000.00
MSI Capital BMTG (allocated to gravel haul & gravel transfer trucking)	$250,000.00
FCSS Operating (allocated to preventative social services)	$ 47,606.00
Ag Service Board (allocated to Ag services annual operating budget)	$115,946.35
Total Operating Grants	**$520,052.35**

COST / SOURCE OF FUNDING:

Revenues to cover the expenses in the budget are comprised of the sales of goods and services, grants, and transfers from reserves with the balance raised through Municipal taxes.

ATTACHMENT(s):

2020 O&M Budget Projection Summary
2020 Budget Variance Summary by Function
2019 Property Tax Budget Detail Sheet

OPTIONS:

Council may choose to:

1. Rescind Resolution RC20-168; and

2. adopt the 2020 Operating Budget as presented; or

3. direct Administration to make additional changes to the budget and bring it back to a future Meeting of Council.

RECOMMENDED ACTION:

It is Administration's recommendation that Council:

1. "rescind Resolution RC20-168"; and

2. "adopt the 2020 Operating Budget with:

Total Revenues of $8,106,577.44 comprised of:

Operating Revenues (sales, grants, etc.) of $1,736,226.35
Revenue Drawn from Operating Reserves of $425,408.42; and
Municipal Property Tax Revenue of $5,944,942.67; and

Total Expenses of $10,639,666.15 comprised of:

Operating Expenses of $8,106,577.44; plus
Amortization Expense of $2,533,088.71

That results in a balanced budget before the amortization expense of $2,533,088.71."

Birch Hills County
Operating Budget Projection

Revenue	2019 Budget	2019 Actual	2020 Budget	Budget Change
Operating & Maintenance Revenue (Sales etc)	(2,106,846.50)	(2,061,284.15)	(2,495,519.35)	388,672.85
Less Capital Grants	797,193.00	849,935.22	759,293.00	37,900.00
Net O&M Revenue	(1,309,653.50)	(1,211,348.93)	(1,736,226.35)	426,572.85
Drawn from Operating Reserves	(418,915.00)	(603,997.13)	(425,408.42)	6,493.42
Property Tax Revenue (Including Requisitions)	(5,789,095.95)	(5,775,208.70)	(5,944,942.67)	155,846.72
Total O&M Revenue	(7,517,664.45)	(7,590,554.76)	(8,106,577.44)	588,912.99
Expense				
Operating & Maintenance Expense	8,414,857.45	8,338,878.57	8,106,577.44	(308,280.01)
Amortization	2,609,580.00	2,509,070.51	2,533,088.71	(76,491.29)
Total O&M Expense	11,024,437.45	10,847,949.08	10,639,666.15	(384,771.30)
Net Revenue & Expense (Inc amortization & Capital Grants)	**2,709,580.00**	**2,407,459.10**	**2,533,088.71**	(176,491.29)
Amortization	**2,609,580.00**	**2,509,070.51**	**2,533,088.71**	(76,491.29)
Government Transfers for Capital	**(797,193.00)**	**(849,935.22)**	**(759,293.00)**	(37,900.00)
Net Revenue before amortization and government transfers for capital	**897,193.00**	**748,323.81**	**759,293.00**	(137,900.00)

Birch Hills County
Budget Variance Summary by Function Printed 4/21/20202:16 PM

Description	2019 Budget	2019 Actual	2020 Budget	Notes
General Revenue	(5,839,095.95)	(5,944,781.23)	(6,104,942.67)	
Requisitions	860,384.95	843,825.15	859,267.94	
Net General Revenue	**(4,978,711.00)**	**(5,100,956.08)**	**(5,245,674.73)**	
11 - Council				
Council Revenue	(348,392.15)	(248,785.54)	(425,408.42)	Drawn from Reserve
Council Expense	169,006.00	152,391.32	162,385.00	
Net Council	**(179,386.15)**	**(96,394.22)**	**(263,023.42)**	
11 - Election				
Election Expense	**-**	**-**	**-**	
12-10 - General Administration				
General Admin Revenue	(553,085.00)	(607,116.06)	(519,604.00)	Interest earned - possible future pressure point
General Admin Expense	995,766.00	1,432,898.40	1,552,454.00	
Net General Administration	**442,681.00**	**825,782.34**	**1,032,850.00**	Allowance for Doubtful accounts (Bad Debt) - 2019 $100,000 2020 $600,00
12-30 - Assessment				
Assessment Revenue	-	-	-	
Assessment Expense	129,822.00	128,589.09	130,520.00	
Net Assessment	**129,822.00**	**128,589.09**	**130,520.00**	
21 - Policing Services				
Police Services Expense	**-**	**-**	**27,089.00**	
23 - Fire Preventive Services				
Fire Services Revenue	(20,000.00)	(49,397.17)	(57,000.00)	FRIAA Grant $22,000
Fire Services Expense	211,398.00	179,733.41	225,093.00	FRIAA Contract costs
Net Fire Protection	**191,398.00**	**130,336.24**	**168,093.00**	

Birch Hills County
Budget Variance Summary by Function Printed 4/21/20202:16 PM

Description	2019 Budget	2019 Actual	2020 Budget	Notes
24 - Disaster Services				
Disaster Services Revenue	-	(12,687.80)	-	2019 ABTF1 HL deployment (expense recovery)
Disaster Services Expense	17,270.00	24,111.99	14,030.00	
Net Disaster Services	**17,270.00**	**11,424.19**	**14,030.00**	
25 - Medical Services				
Medical Services Revenue	-	(2,000.00)	-	2019 Local grant - AED purchase
Medical Services Expense	43,260.00	38,234.89	41,260.00	
Net Medical Services	**43,260.00**	**36,234.89**	**41,260.00**	
26 - Safety & By-Law Enforcement				
Safety Revenue	(59,130.00)	-	-	2019 no Draw from reserves
Safety Expense	50,500.00	1,980.00	4,000.00	2020 Contract costs removed
Net Safety	**(8,630.00)**	**1,980.00**	**4,000.00**	
32 - Public Works				
32-01 PW - Grader Services Revenue	(86,644.00)	(86,678.00)	(84,500.00)	
32-01 PW - Grader Services Expense	1,124,635.00	1,125,491.79	1,113,747.00	
Net Grader Services	**1,037,991.00**	**1,038,813.79**	**1,029,247.00**	
32-10 PW - Administration Revenue	(812,598.00)	(1,174,617.39)	(753,543.00)	2019 Gravel Transfer contributed to capital
32-10 PW - Administration Expense	615,042.00	528,296.28	523,834.00	
Net PW General Administration	**(197,556.00)**	**(646,321.11)**	**(229,709.00)**	
32-20 PW - Street Lights Expenses	**46,000.00**	**45,893.79**	**47,250.00**	
32-30 PW- Gen Maintenance Revenue	(124,500.00)	(19,473.90)	(27,600.00)	
32-30 PW- Gen Maintenance Expense	2,530,650.00	2,647,437.74	2,494,730.31	
Net PW General Maintenance	**2,406,150.00**	**2,627,963.84**	**2,467,130.31**	

Birch Hills County
Budget Variance Summary by Function Printed 4/21/20202:16 PM

Description	2019 Budget	2019 Actual	2020 Budget	Notes
32-40 PW - Gravel Services Revenue	(300,000.00)	(198,193.79)	(250,000.00)	Gravel Haul decrease trucking costs
32-40 PW - Gravel Services Expense	1,082,710.00	952,507.85	982,295.00	
Net Gravel Services	**782,710.00**	**754,314.06**	**732,295.00**	
32-60 PW- Project Services Revenue	(10,000.00)	(7,210.52)	(8,000.00)	
32-60 PW- Project Services Expense	208,000.00	79,185.90	105,000.00	
Net PW Project Services	**198,000.00**	**71,975.38**	**97,000.00**	
32-70-38 PW - Contingency Revenue	-	-	-	
32-70-38 PW- Contingency Expense	2,560.00	2,888.08	-	
	2,560.00	**2,888.08**	**-**	
32-70 PW - Dust Control Revenue	(55,000.00)	(32,760.00)	(50,000.00)	
32-70 PW - Dust Control Expense	61,000.00	64,823.90	61,000.00	
Net PW Dust Control	**6,000.00**	**32,063.90**	**11,000.00**	
32-80 PW - Bridge File Expense	**422,600.00**	**276,546.61**	**288,596.61**	
Net Public Works	**4,704,455.00**	**4,204,138.34**	**4,442,809.92**	
33 - Airport				
Airport Revenue	-	-	-	
Airport Expense	500.00	500.00	500.00	Town of Spirit River grant
Net Airport Services	**500.00**	**500.00**	**500.00**	
37 - Drainage Ditches				
Drainage Ditches Revenue	-	-	-	
Drainage Ditches Expense	10,000.00	9,530.00	10,000.00	
Net Drainage Ditches	**10,000.00**	**9,530.00**	**10,000.00**	

Birch Hills County
Budget Variance Summary by Function Printed 4/21/20202:16 PM

Description	2019 Budget	2019 Actual	2020 Budget	Notes
41 - Regional Water Services				
Regional Water Services Revenue	(307,210.00)	(313,497.81)	(286,660.00)	
Regional Water Services Expense	695,703.00	700,663.11	700,305.79	
Net Regional Water Services	**388,493.00**	**387,165.30**	**413,645.79**	
42 - Wastewater Services				
Wastewater Services Revenue	(53,000.00)	(60,767.30)	(64,000.00)	
Wastewater Services Expense	107,770.00	96,704.52	108,924.00	
Net Reg Wastewater Treatment	**54,770.00**	**35,937.22**	**44,924.00**	
43 - Solid Waste Services				
Solid Waste Services Revenue	(28,400.00)	(28,976.13)	(27,600.00)	
Solid Waste Services Expense	144,300.00	127,801.64	127,944.50	
Net Solid Waste Collection	**115,900.00**	**98,825.51**	**100,344.50**	
51 - Family & Community Support Services				
FCSS - Revenue	(47,606.00)	(47,606.00)	(47,606.00)	
FCSS- Expense	63,217.50	59,862.76	63,468.00	
Net FCSS	**15,611.50**	**12,256.76**	**15,862.00**	
53 - Medical Clinic				
Medical Clinic - Revenue	-	-	-	
Medical Clinic - Expense	38,056.00	45,065.06	11,109.00	
Net Medical Clinic	**38,056.00**	**45,065.06**	**11,109.00**	
56 - Cemeteries				
Cemetery Revenue	-	(10.00)	-	
Cemetery Expense	900.00	3,104.56	900.00	New payroll burden from ASB
Net Cemeteries	**900.00**	**3,094.56**	**900.00**	

Birch Hills County
Budget Variance Summary by Function Printed 4/21/20202:16 PM

Description	2019 Budget	2019 Actual	2020 Budget	Notes
61-10 MPC Planning, Zoning & Development				
Planning & Development Revenue	(24,785.00)	(22,018.84)	(15,000.00)	decrease draw from reserve
Planning & Development Expense	28,030.00	21,841.57	13,000.00	
Net Planning & Development	**3,245.00**	**(177.27)**	**(2,000.00)**	
61-20 - Development Appeal Board				
Planning & Development Expense	**7,400.00**	**701.31**	**1,800.00**	SDAB hearings
61-30 - Development Administration				
Planning & Development Expense	**51,525.00**	**47,942.80**	**51,835.00**	
62 - Community Services				
Community Services Revenue	(350,000.00)	(350,000.00)	-	RC19-088 $250,000 RC19-195 $100,000
Community Services Expense	350,000.00	350,000.00	-	Supportive Living project and land
	-	**-**	**-**	
63 - Agriculture Services				
63-10 ASB Administration Revenue	(123,821.35)	(130,691.28)	(126,446.35)	
63-10 ASB Administration Expense	67,323.00	57,048.85	65,998.00	
63-10-01 ASB Board Expense	39,100.00	39,319.49	35,610.00	
63-20 ASB Fieldman Expense	220,385.00	199,675.49	235,930.00	
63-60 ASB Extensions Expense	6,500.00	100.00	-	
63-70-20 ASB Weed Control Expense	224,425.00	189,984.93	227,980.00	
ASB Roadside Spraying Expense	-	-	-	
63-70-22 ASB Roadside Mowing Expense	123,200.00	141,282.72	129,870.00	
63-70-27 ASB Brushing Expense	25,000.00	1,714.29	-	
63-70-28 ASB Hamlet Maintenance Expense	52,200.00	42,293.78	24,660.00	
Net ASB Services	**634,311.65**	**540,728.27**	**593,601.65**	
64 - Natural Resources Development				
Natural Resources Expense	**-**	**-**	**-**	

Birch Hills County
Budget Variance Summary by Function Printed 4/21/20202:16 PM

Description	2019 Budget	2019 Actual	2020 Budget	Notes
66 - Subdivision Land & Developments				
Sale of Lots Revenue	-	(3,150.00)	-	
Cost of Land Sold Expense	-	-	-	
Net Subdivision	**-**	**(3,150.00)**	**-**	
68 - Intermunicipal Economic Advisory I	-	-	1,000.00	
Intermuni Adv Development Committee	**-**	**-**	**1,000.00**	
69 - Tourism				
Tourism Expense	**4,500.00**	**-**	**2,500.00**	PV Conservation Recreation & Tourism
71- Recreation Board & Services				
Recreation Board Expense	**134,740.00**	**136,981.04**	**138,627.00**	
72-10 - Recreation/Parks Facilities & Programs				
Parks Revenue	(500.00)	(1,680.00)	(1,000.00)	Wanham Campsite
Parks Expense	1,200.00	1,332.17	1,250.00	Wanham Campsite
Net Recreation Board	**700.00**	**(347.83)**	**250.00**	
72-11 - Community Beautification				
Beautification Expense	**5,000.00**	**1,229.40**	**2,500.00**	
74-10 - Library Board Services				
Library Revenue	(9,205.00)	(9,509.26)	(10,310.00)	
Library Expense	38,165.00	38,718.67	39,270.00	
Net Library Board	**28,960.00**	**29,209.41**	**28,960.00**	

Birch Hills County
Budget Variance Summary by Function Printed 4/21/20202:16 PM

Description	2019 Budget	2019 Actual	2020 Budget	Notes
74-10-45 - Cultural Facilities				
Cultural Facilities Revenue	(5,250.00)	(7,733.02)	(6,650.00)	
Cultural Facilities Expense	14,694.00	9,714.73	12,133.00	
Net Cultural Facilities	**9,444.00**	**1,981.71**	**5,483.00**	
97 - Contingencies				
ACC Surplus Appropriation	743,365.00	918,851.06	-	Reverse income drawn from Op Reserve
Contributed To Operating Reserve	-	-	-	
Net Contingencies	**743,365.00**	**918,851.06**	**-**	
Total Revenues	(8,414,857.45)	(8,440,489.98)	(8,106,577.44)	
Total Expenses	11,024,437.45	10,847,949.08	10,639,666.15	
Net Rev & Exp (Inc. amortization)	**2,609,580.00**	**2,407,459.10**	**2,533,088.71**	
Amortization	**2,609,580.00**	**2,509,070.51**	**2,533,088.71**	
Government Transfers for Capital	**(797,193.00)**	**(849,935.22)**	**(759,293.00)**	
Net Rev before Amortization & Gov't transfers for Capital	**797,193.00**	**748,323.81**	**759,293.00**	

BIRCH HILLS COUNTY OPERATING BUDGET

Function: Administration **Service:** PropertyTaxes

Description

20% of BHC reviewed yearly (each parcel every five years). NSC contract 2013-2015, 2016-2019. 2017 is the 5th year of assessment review. Note: Assessment & property tax notices mailed May 2, 2014, May 15, 2015, May 31, 2016, May 1, 2017, May 10, 2018 & May 14, 2019

Revenue

Account Name	Description/Notes			
1-00-00-00	2019	2020	2019	2020
111 Residential	63,795,900 X 10.3763	64,105,500 X 10.7395	(830,832.07)	(855,601.63)
112 Farmland	48,437,780 X 14.7491	48,599,470 X 15.8700	(843,870.11)	(903,932.09)
113 Non Residential	61,291,240 X 18.6369	58,853,820 X 20.0533	(1,212,945.67)	(1,249,910.23)
117 Residential GIL	21,550 X 10.3763	21,550 X 10.7395	(223.61)	(231.44)
118 Farmland GIL	1,193,650 X 14.7491	1,193,650 X 15.8700	(17,605.26)	(18,943.23)
119 Non Res-Fed GI	70,700 X 18.6369	76,620 X 20.0533	(1,586.71)	(1,834.65)
120 Prov Property M	83,450 X 18.6369	102,830 X 20.0533	(1,555.25)	(2,062.08)
121 Small Business	2,860,730 X 17.7452	3,097,820 X 17.7452	(61,713.95)	(67,321.78)
191 Linear	125,156,620 X 18.6369	118,442,920 X 20.0533	(2,818,763.32)	(2,845,105.55)
		Subtotal	(5,789,095.95)	(5,944,942.68)
510 Taxes - Penalties & Costs			(50,000.00)	(120,000.00)
592 Well Drilling Equipment Tax			0.00	(40,000.00)
999 Miscellaneous Revenue		PERC credit on June A	0.00	
		Total Revenue:	(5,839,095.95)	(6,104,942.68)

Expense

		2019	2020
Grande Spirit Seniors Housing Requisition	2-84-20-00-749	13,890.00	14,278.00
Alberta School Foundation Fund (ASFF) Requisitic	2-85-10-00-747	832,128.55	817,440.42
Requisitions Adjustment - Prior Year	2-85-10-00-748		14,349.75
Designated Industrial (DI) Property Requisition	2-85-10-00-749	14,366.40	13,199.77
Supplementary School	2-85-20-00-747		
Health Centre Requisition			
	Total Expenditures:	**860,384.95**	**859,267.94**

Impact on Reserves

Account Name	Description/Notes
Net Impact on Reserves	

Net Cost of Service

2019 Net Cost	**($4,978,711.00)**	**2020 Net Cost:**	**($5,245,674.74)**

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	April 23rd, 2020	**CAO:**	
Originated By:	Dion Hynes/Dir. Public Works	**Manager:**	
Item Title:	Road Use Agreement	**Presenter:**	Hermann Minderlein

DESCRIPTION:

Administration is providing Council with updated information regarding the County road use agreement policy

BACKGROUND:

This policy was presented to Council on December 12, 2019, February 13, 2020 and again on March 26th, 2020.

At the March 26, 2020, Council adopted the following resolution:

RC20-130 *"that council direct administration to* modify the Birch Hills County Road Use Agreement policy 37-02-20 based on Councils discussions and direction provided at the March 26, 2020 Regular Council Meeting, to advertise that modified policy for approximately a month for feedback from the public, and to bring back the modified policy for review and consideration at the April 23, 2020 Regular Council Meeting."

DISCUSSION / BENEFITS / DISADVANTAGES:

The following is information that Administration previously provided to Council on this topic:

1. Roads are the most expensive, labor intensive, time consuming and talked about asset the County has, having tools such as this agreement to protect it is vital;

2. A Road use agreement is meant to provide a company that wants to use the County road system to move goods with a guide or outline on what the County expects in terms of maintenance and general usage.

3. Staff has read many different agreements from neighboring Counties and MD's in search for a solid agreement to mirror and use as a basis to the what is needed for the County.

Administration is seeking direction from Council as to how to proceed. The current version of policy 32-02-20, the" Road Use Agreement Policy" is attached for Council's reference. You will note that the number of the policy has changed from 37-02-20 to 32-02-20 to reflect the correct 32 related to public works and the number system has changed to a consistent format.

Are there any more changes required to the policy, or does council comfortable approving the policy as presented? If there are changes required, Council needs to discuss those and provide clear direction as to what they are.

To date, there was one person that contacted staff regarding the road use agreement, but he has not yet submitted anything to present to Council.

There were documents received via email in response to the requests for input that are attached for Council's reference.

The first is a document attached to an email received from Tyler Emerson on behalf of Four Mile Ranch.

The second is an email received from Terry Emerson.

ATTACHMENT:

Draft Policy 32-02-20, the" Road Use Agreement Policy"
Input submitted by Tyler Emerson on behalf of Four Mile Ranch
Email received from Terry Emerson
Email received from Craig and Koreen Sather - Langnes Farm Ltd.
Email received from David Sather
Email received from Ed Piebiak - Piebiak Farms Inc.
Email received from Dustin Sather - Langnes Farm LTD.
Letter received via email from Bice Farms
Email from Alfred Vandeligt
Email received from Celeste Emerson
Submission signed by Dave Pelland. Ryan Wells, & Gerald Wells
Email from Tannon Emerson
Email from Austin Hartman

OPTIONS:

Council may choose to:

1. Direct administration to bring an updated policy to a future Council meeting for review and approval if appropriate based on:

   i. clear direction provided by Council as to specific changes required to the policy presented; and

   ii. Information to be researched regarding options for specific changes for the policy, and to bring the updated policy and information to a future Council meeting for review, and approval if appropriate; or

2. Approve policy 32-02-20, the" Road Use Agreement Policy" as presented.

RECOMMENDED ACTION:

It is Administration's recommendation Council determine the appropriate action to take.

Department	Policy No.	Page
Public Works	**32-02-20**	**1 of 14**
Policy Title	Date:	Resolution No.
ROAD USE AGREEMENT		**RC20-**

1. **Purpose:**

1.1 To enable the continued public use and movement of products and equipment on the Birch Hills County roads while maintaining the integrity of roads and minimizing publicly funded maintenance costs during extensive, intensive or heavy hauls.

2. **Definitions:**

2.1 **"Chief Administrative Officer or Designate"** means the County's CAO or a County representative(s) appointed by the Chief Administrative Officer with the authority in approving and enforcing Road Use Agreements.

2.2 **"County"** means Birch Hills County.

2.3 **"County Road Maintenance Program"** is the activity performed by Birch Hills County on the maintenance of all municipal roads and right of ways.

2.4 **"Designated Contractor"** means an entity hired by the Primary Company as a sub-contractor to perform work on behalf of the Primary Company.

2.5 **"Hauling"** shall mean**"**

2.5.1 Intensive – a frequent truck hauling activity that exceeds four (4) trips per day;

2.5.2 Extensive – a truck hauling activity by a Company that exceeds four (4) trips per day and extends beyond a 6 month period;

2.5.3 Heavy – an overweight and/or over dimensional truck hauling activity and typically requires a Provincial Government Permit; and

2.5.4 Normal – means a truck hauling activity less than four (4) trips per day.

2.6 **"Haul Road"** is any municipal road included within the approved Company's Haul Route plan as specified in the Road Use Agreement.

2.7 **"Primary Company"** (further referred to as "Company") means the Company or individual which moves the goods, materials or equipment by use of its own force or through utilizing a Designated Contractor, and/or an owner of a resource (ie gravel, sand) that is being moved.

2.8 **"Road Ban"** means restrictions placed on County Roads restricting axle weights to protect the structural integrity of the County's Road system for limited time periods during certain seasonal conditions when Roads are subject to damage.

2.9 **"Road Use Agreement"** forms part of this policy as "Schedule 1" and is an agreement between the Birch Hills County and the Primary Company that authorizes the Company, subject to conditions, to use the road.

2.10 **"Security Deposit"** is a measure of security for the County to cover expenses for damages caused by the Company as it relates to the Road Use Agreement terms.

2.11 **"Trip"** means one use of a road from point A to point B.

3. **Guidelines:**

3.1 Birch Hills County roads are an integral part of the County's transportation network:

3.1.1 under control, direction and management of Birch Hills County;

3.1.2 maintained for public use and movement of marketable goods and provision of services;

3.1.3 to be used in a manner which minimizes and prevents damage; and

3.1.4 may be used for intensive, extensive or heavy hauling, subject to conditions of this Policy.

3.2 The Chief Administrative Officer or Designate shall:

3.2.1 ensure Road Use Agreements are in place for intensive, extensive and heavy hauling with the Company which moves its products or equipment, or for which the products or equipment are being moved, and/or an owner of a resource that is being moved, pursuant to this Policy;

3.2.2 ensure that if a Company is in default of the Road Use Agreement, the Agreement is either suspended or terminated or other corrective actions are pursued;

3.2.3 ensure the Company's Haul Route(s) Plan included within the Road Use Agreements are inspected before, during and after the haul and the

inspections are recorded (Schedule 1, Road Use Agreement, Section "C" Birch Hills Inspection Report);

3.2.4 ensure all haul roads approved within the Road Use Agreement continue to be included in the regular County Road Maintenance Program;

3.2.5 ensure County Road Bans are maintained and enforced;

3.2.6 request a Security Deposit from a Company with an unsatisfactory performance with our Road Use Agreement;

3.2.7 ensure permits are in place for heavy hauling on County roads; and

3.2.8 consider the following when establishing a Road Use Agreement:

3.2.8.1 haul route – total distance;

3.2.8.2 road bans (Schedule 1, Road Use Agreement, Section "B" Restrictions and Relaxations Notice to be used if any restrictions or relaxations are granted by the County);

3.2.8.3 type of vehicles, weight/size of haul;

3.2.8.4 road classification;

3.2.8.5 road conditions including evidence of frost;

3.2.8.6 residential properties along Haul Route;

3.2.8.7 weather conditions;

3.2.8.8 type and amount of product or equipment being hauled;

3.2.8.9 extensive hauling over extended periods of time;

3.2.8.10 intensive hauling of significant nature such as high frequency of hauling, excessive weight and over-dimensional transporting; and

3.2.8.11 the Company's previous record with the Road Use Agreements compliance.

3.2.9 cost share road repairs and re-gravelling with Companies that have commercial properties within Birch Hills County and have a current Road Use Agreement.

3.3 The Company shall:

3.3.1 obtain Road Use Agreements with the County, when required as per this Policy;

3.3.2 provide a Security Deposit when required in a form of an irrevocable letter of credit or certified cheque with the security information recorded (Schedule 1, Road Use Agreement, Section “B” Restrictions and Relaxations Form);

3.3.3 obtain any required permits, including heavy haul permits and comply with requirements of the Province of Alberta Commercial Vehicle Dimensions and Weight Regulations while utilizing any Roads;

3.3.4 adhere to any Road Bans and /or Road Ban exemptions issued by the County;

3.3.5 confirm that the subject Haul Roads have been visited and be familiar with the site conditions;

3.3.6 initiate pre and post-haul inspections;

3.3.7 provide a minimum of 2 business days’ notice to the County prior to the haul commencing;

3.3.8 ensure that all its employees/representatives and/or its Designated Contractor(s) follow the conditions of the Road Use Agreement;

3.3.9 comply with all terms and conditions of the Road Use Agreement; and

3.3.10 be responsible for all road repairs and maintenance, in accordance with Road Maintenance Use Agreements and with the County’s engineering and road standards as directed by the authorized Birch Hills County representative.

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ROAD USE AGREEMENT		**RC20-**

Attachments:

Schedule 1 – Road Use Agreement (which includes section “A”, “B” and “C”)

REEVE **C.A.O**

Adopted by Council:	April 23, 2020	RC20-
Updated:		

Schedule 1
Road Use Agreement

Between

Birch Hills County 4601 50 Street Wanham, Alberta T0H 3P0 (herein referred to as the County)	AND	Company Name Address Address Postal Code (herein referred to as the Company)

Expiry Date of the Road Use Agreement is on _____.

1. **Purpose of Agreement:**
   - 1.1 While the County has overall responsibility for the roads within its jurisdiction, the County will work in partnership with the Company requiring use of the County's road(s) for movement of its goods and equipment, and therefore this Agreement is to address the Company's responsibility of Road repairs and maintenance under which the two parties agree:
   - 1.2 That in the event there is damage from the use of Roads within the Haul Route for the purpose of hauling or moving of goods, equipment, materials, the Company responsible for damage will be held responsible for repairs; and
   - 1.3 The Company will provide dust control within residential communities/areas;
   - 1.4 Establishing a routing for the movement of heavy vehicles and equipment for the following purposes:
     - 1.4.1 Extensive Hauling;
     - 1.4.2 Intensive Hauling;
     - 1.4.3 Hauling during County road bans;
     - 1.4.4 Heavy Hauling as it relates to Road Use Permit system;

   - 1.5 **THEREFORE**, in consideration of these premises and the mutual terms, covenants and conditions to be observed and performed, the County and the Company agree as follows:

2. **Definitions**
   - 2.1 "Business Days" means Monday to Friday, during normal business hours, excluding statutory holidays;

2.2 "Chief Administrative Officer or Designate" means the County's CAO or a County representative(s) appointed by Chief Administrative Officer with the authority in approving and enforcing Road Use Agreements;
2.3 "Company" means the Primary Company of this agreement;
2.4 "County" mean Birch Hills County;
2.5 "County Road Maintenance Program" is the activities performed by the Birch Hills County on the maintenance of all municipal roads and road right of ways;
2.6 "Designated Contractor" means the entity hired by the Company as a sub-contractor to perform work on behalf to the Company;
2.7 "Hauling" shall mean:
- 2.7.1 intensive - a frequent truck hauling activity that exceeds four (4) trips per day;
- 2.7.2 extensive - a truck hauling activity by a Company that exceeds four (4) trips per day and extends beyond a 6 month period;
- 2.7.3 heavy - an overweight and/or over-dimensional truck hauling activity and typically requires a Provincial Government Permit;
- 2.7.4 normal - means a truck hauling activity less than 4 trips per day;

2.7 "Haul Road" is any municipal road included within the approved Company's Haul Route plan as specified in the Maintenance Agreement;
2.8 "Road" means any street, road or highway under the management and control of Birch Hills County used as a public roadway including bridges and culverts incidental to the road;
2.9 "Road Ban" means restrictions placed on County Roads restricting axle weights to protect the structural integrity of the County's Road system for limited time periods during certain seasonal conditions when Roads are subject to damage;
2.10 "Road Use Agreement" means this agreement between the Birch Hills County and a Company;
2.11 "Security Deposit" is a measure of security for the County to cover expenses for damages caused by the Company as it relates to the Maintenance Agreement terms.

3. **Terms & Conditions:**

3.1 In consideration of the operating rights and privileges herein granted the Company covenants and agrees with the County as follows:
- 3.1.1 provide a minimum of 2 business days' notice to the County prior to the haul commencing;
- 3.1.2 where a Haul Road is defined as any County Road included within the Company's approved Haul Route plan. The Company will maintain the portions of Roads to allow access for all public traffic including commercial, passenger, and recreational vehicles to acceptable County standards by:

3.1.2.1 requesting and attending inspections of the Road(s) prior to hauling, at the completion of the Haul, and at other times requested by the County. The cost for inspections will be paid for by the company at the current rates set in the County's Master Rate Bylaw. The Inspections will be documented by the County completing the Inspection Report - in Section "C";

3.1.2.2 maintaining dust control, as required, in front of all residences alongside the Haul Route;

3.1.2.3 providing a grader on a Haul Road as required by the County for Haul Road maintenance, which may include, but is not limited to snow plowing, ice blading, grading and shoulder/slope reshaping;

3.1.2.4 not allowing any storing of vehicles, trucks or equipment within the road right-of-way, without County approval;

3.1.2.5 not permitting any loading of vehicles, trucks or equipment within the road right-of-way, without County approval;

3.1.2.6 all trucks will adhere to loads not over 100% legal weight or other posted weight restrictions, unless otherwise detailed on the Restriction and Relaxations Notice Form in Section "B";

3.1.2.7 all regulatory sign installations, repairs, and maintenance must be approved by the CAO. Any informational type signs to be installed on Road right-of-way and/or private property will require the approval of the Development Officer;

3.1.2.8 the Company may be required to supply a security deposit. The requirement of the Security Deposit will be at the discretion of the CAO and be based on the past performance and proposed use of the road;

3.1.2.9 repairing any Roads, signs, ditches, barricades, guard rails, culverts, bridge structure damages identified through Road inspections, will be required to be completed within 5 working days. Identified safety issues must be addressed within 3 hours unless otherwise agreed upon;

3.1.3 upon the completion of haul(s), the Company will leave the Haul Road's in the same or better condition than when haul was commenced. Failure to do so will result in the County completing the necessary repair/restoration work and invoicing the Company for all costs associated with the repair/restoration work;

3.1.4 the Company, its employees, agents and Designated Contractor will operate all vehicles on the Roads per Provincial Acts and Regulations applicable to public highways. Carriers must hold valid permits for over-weight and over dimensional vehicles.

3.1.5 the Company will indemnify and hold harmless the County, its employees and agents from any and all claims, demands, actions and costs whatsoever that may arise directly or indirectly.

4. **Duration:**

4.1 The County hereby grants permission to the Company to use the Roads as described under the Haul Route Plan in "Section "A" for the period commencing to _____.

5. **County Covenant:**

5.1 In consideration of the Company performing the terms and conditions contained herein, the County covenants and agrees with the Company as follows:

5.1.1 the County will allow the Company, its employees, agents or Designated Contractors to use the Roads according to the terms and conditions set out in this agreement hereto.

5.1.2 the County will respond to written notices within two business days.

5.1.3 the County will indemnify and save harmless the Company, its directors, officers, agents and servants or any one or more of them, of and from all actions, causes of action, pleadings, claims, demands, losses, costs, damages, personal injury or death, expenses or charges, which may at any time occur to any person or to the property of any person traveling or otherwise using the Road's, or which may be brought or made against the Company, its directors, officers, agents or servants, where the Company's performance is pursuant to this agreement and where the Company is not in contravention of its obligations under the terms of this agreement.

5.1.4 the County will cost share road repairs and re-gravelling with Companies that have commercial properties within Birch Hills County and have a current Road Use Agreement.

6. **The parties hereto mutually agree as follows:**

6.1 The Haul Route Road's remain in a public roadway available for public use;

6.2 Special consideration and care should be taken by the truck drivers when hauling during the hours that school buses are travelling on County Roads;

6.3 The Company will avoid hauling during inclement weather or poor visibility conditions;

6.4 If a Security is held, the County may draw upon all or part of any Security required by this Agreement to complete repairs and to recover all costs (including legal) incurred by the County in the event of any one of the following:

6.4.1 the Company fails to complete required repairs within 5 Business Days of being notified by the County;

6.4.2 the damage attributable to the Company has been rectified by the County in accordance with the provisions of this Agreement and the Company has failed to pay the costs of such rectification within 15 Business Days after receipt of an invoice for the work from the County;

6.4.3 emergency repair work has been completed by the County to rectify damage attributable to the Company in accordance with the provisions of this Agreement and the Company has failed to pay the cost of such emergency repairs within 15 Business Days after receipt of an invoice for the work from the County;

6.5 Haul roads approved within this agreement will receive regular maintenance by the County at a rate equal to ones of the same classification:

7. **Notices:**

7.1 Any notice, demand or other document required or permitted to be given under the terms of this Agreement will be sufficiently given to the party to whom it is addressed if delivered or forwarded by registered mail to the County:

Attention: CAO
Birch Hills County
4601 50 Street,
Wanham, AB T0H 3G0

And to the Company address within agreement:

Attention _____

_____

_____

Phone Number: _____

8. **Execution of Agreement**

8.1 This agreement will ensure to be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

8.2 The preamble paragraphs are hereby incorporated as an integral part of this agreement.

8.3 The County hereby grants to the Company operating rights and privileges hereinafter described relating to the Company's operations on the Road(s). The Company agrees to use the Road(s) at its own risk

_____ _____

For: Birch Hills County DATE

_____ _____

For: Company Name DATE

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SECTION "A"

NOTIFICATION FORM

(to be completed by the Company's Designated Contractor)

Contacts:

County: Birch Hills County

Company Name: _____

Company contact name: _____ Phone: _____

Cell: _____ Fax: _____

Designated Contractor name: _____ Phone: _____

Cell: _____ Fax: _____

Hauling Details

Estimate of number of daily loads, total loads, material being hauled, type of vehicles and/or equipment used for hauling, dates of hauling, weight and/or dimensions of loads, (estimate of the maximum number of loads and estimate of maximum weights and dimensions of the loads, dates on which loads will be moved). Also list proposed Haul Roads or attach a map with the identified roads.

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

SECTION "B"

RESTRICTIONS AND RELAXATIONS NOTICE

This Notice when completed, forms part of the Road Use Agreement executed by

County: Birch Hills County

Company Name: _____

Limitation Details

Details of prohibitions, limitations, conditions or restrictions such as however not limited to the following examples: Road Ban restrictions, Bridge structure limits, speed zones, residential zones requirement of dust controlling measures, maximum speed limitations, temporary detour routes established by the County: construction site restriction:

_____
_____
_____

Relaxation Details

Details that reflect if and any relaxations required on any prohibitions, limitations, conditions or restrictions deemed acceptable by the Director of Public Works, are to be described within this section"

_____
_____
_____

Security Required

Pursuant to this policy, amount and type of security to be listed within this section of the Agreement:
Security will be as follows: _____

Contacts

Designated Contractor name: _____ Phone: _____
Cell: _____ Fax: _____ Email: _____

SIGNATURES

ACCEPTED AND AGREED TO this _____ day of _____, 20_____

Company: _____

Company name contact: _____ Signed: _____

Phone: _____ Cell: _____
Fax: _____ Email: _____

ACCEPTED AND APPROVED this _____ day of _____, 20_____

Signed: _____
Authorized County Representative

SECTION "C"
BIRCH HILLS INSPECTION REPORT

(NOTE: If the Company elects not to participate in an Inspection, this form, once signed by the authorized representative of the Municipality, will be considered a valid "Inspection Form" for the purposes of this Agreement.)

Date of Inspection: _____

Security: In Place: _____ Required: _____ Amount: $ _____

Inspection: Pre: _____ Post: _____ Interim: _____ Number: _____

Roads Bans: Yes _____ No _____ % Axle _____

Weather (At the time of Inspection): _____

Current Local Conditions; (i.e. Wet/Frozen) _____

Inspection Details

1. Road(s) to be used: _____
2. Roads surface type: _____

	Good	Bad	NA	Location/Comments
3. Surface conditions	_____	_____	_____	_____
4. Signs	_____	_____	_____	_____
5. Culverts	_____	_____	_____	_____
6. Approaches	_____	_____	_____	_____

7. Dust control Not required _____ Required _____ Type _____

8. Other requirements: (ie grading, gravel, signage, time restrictions)
   _____

9. Remedial work if required (If Interim or Post):
   _____

Comments

Company representative:

_____

_____

County representative:

_____

_____

Company representative name _____

County representative name _____

Copy provided to Company via email Yes _____ No_____

To: Reeve and Counsellors, Birch Hills County April 20,2020

This is a letter regarding the Birch Hills County Road Use Agreement Policy proposal. Upon review of this policy, a number of concerns have been raised. Please consider the following points relating to why this proposal is unnecessary.

1. Maintenance: the gravel roads have been poorly maintained for multiple years. General grading of the roads is rarely done although it is available if a special request is made

2. Drainage: Standing water for prolonged periods leads to road damage. Currently water cannot flow away quickly enough. Culvert sizes and placement need to be revisited.

3. Overland Flooding: During spring runoff water consistently flows over a number of the same roads every year.

4. Improvement Ditches: Improvement ditches have not been maintained and are a major contributor to resultant water damages.

5. Construction: Construction practices have changed. In the past, much of the trees, roots, and top soil were buried in the roads during construction creating soft spots year round.

6. Red tape and Bureaucracy: Bigger government with more rules and regulations is never better. Ultimately it will create another set of problems.

7. Enforcement: Enforcement will be difficult, time consuming and expensive.

8. Logistics: This is perhaps one of the most important issues relating to agriculture. Grain movement is difficult enough when dealing with grain and rail companies. There are many moving parts that need to function correctly. Often only one day notice is given to start hauling and it is the only opportunity to haul that specific commodity for a long period. Please note that this is the final step to convert a year long labour into cash flow so that the farm can continue to operate.

Thank you for your time and consideration and hope you will reconsidered the implementation of the Road Use Agreement Policy.

Regards,

Four Mile Ranch
Ryan and Sheila Emerson
Tyler and Nikole Emerson
Wayne and Olive Emerson
Kale and Awnyn Emerson

Hermann Minderlein

From: Terry Emerson <emersonranch@gmail.com>
Sent: Monday, April 20, 2020 9:33 AM
To: Hermann Minderlein
Subject: draft of Policy 37-02-20

To Reeve and Council:
Regarding road policy for our county.
Gravel roads have deteriorated in past springs as ground thaws and water table is high in some areas. This gets compounded by lack of maintenance throughout the year. I know of a few areas where black dirt and wood comes to surface in spring. How can a farmer be held responsible for these kinds of roads? We notice a big difference when roads are regularly graded to keep shape on the road and run water off. Years back, roads where graded once a week and this by far can prevent failure of a road. Hire more graders to achieve this. The wind has caused snow pack to the center of the road and melting keeps roads wet and no where for water to run. This again shows lack of maintenance as the grader can not push the snow away.
This policy will only cause our county more expense to manage. Again, a road graded more often is the simple answer. Terry Emerson

Virus-free. www.avast.com

Hermann Minderlein

From: Craig <langnes@iwantwireless.ca>
Sent: Tuesday, April 21, 2020 8:09 AM
To: Hermann Minderlein
Subject: ROAD USE AGREEMENT

In response to your Road Use Agreement we are in total disagreement of this proposal as the county is predominantly a farming community. This is just normal seasonal wear and tear on our county roads. Is this not where our tax dollars go? With farmers facing tough times and the world pandemic we feel this proposal is in poor judgment.

Craig and Koreen Sather
Langnes Farm Ltd.

Sent from my iPhone Craig Phone

Hermann Minderlein

From: David and Misty Sather <mdsather@hotmail.com>
Sent: Tuesday, April 21, 2020 8:38 AM
To: Hermann Minderlein
Subject: Road use agreement

Not in favour!
Roads in the County are here for access to fields and farm yards primarily. Our tax dollars can look after road maintenance.

David Sather.
Sent from my iPhone

Hermann Minderlein

From: Ed Piebiak <ed.piebiak@gmail.com>
Sent: Tuesday, April 21, 2020 9:06 AM
To: Hermann Minderlein
Subject: County Road Use Agreements

Hello, I have a question regarding the draft is posted on the county website.

Why are not agricultural activities specifically exempted from the road use agreement? For example, any seeding or harvest operation would be considered at least intensive road use, and would require the application of a road use agreement.

I don't think that is the intention of this agreement, but I certainly read it this way.

Thank you.

Sincerely,
Ed Piebiak

--
Ed Piebiak
Piebiak Farms Inc.
Eaglesham, Alberta
home (780) 359 - 2448
cell (780) 512 - 3230
ed.piebiak@gmail.com

Hermann Minderlein

From: Dustin Sather <sather33@hotmail.com>
Sent: Tuesday, April 21, 2020 9:47 AM
To: Hermann Minderlein
Subject: Road Use Agreement

This email is in response to youre Road Use Agreement. I make my living farming as do alot of the citizens in the Birch Hills county, so that is why i am in a disagreement with this agreement. With everything going on right now in the world and with the past farming season, i dont see this of being helpful or mindful of what. We pay tax money for the upkeep of these roads.

Dustin Sather
Langnes Farm LTD.

Bice Farms

P.O. Box 236• Eaglesham, AB T0H 1H0• Phone: 780-359-2392 • Fax: 780-359-2634
E-Mail: ctbice@gmail.com

Date: April 20, 2020

Birch Hills County
Reeve and Council
RE: Draft Policy 37-02-20, the Road Use Agreement Policy modified on March 26, 2020
P.O. Box 157
Wanham, AB
T0H 3P0

Dear Reeve and Council:

This letter is written with regards to the proposed changes to the Road Use Agreement Policy. When reviewing this proposal many concerns are raised for our farming operation and the well being of our agriculture community. In all honesty the proposal comes across as so ridiculous to the farming community that I am not sure where to begin.

Some of our concerns (but not limited to) are as follows;

- The time required to implement an application for road haul use cannot be economically achieved in agriculture. The economic viability of the farm would be put at risk if one had to adhere to the timelines noted in the proposal.
- The number of trips allowed on a road by an individual cannot be fairly implemented when multiple parties are using the roads at any given time throughout the day-to-day farming operation. It would be impossible to hold any one individual responsible for any degradation of the road that may occur.
- The maximum amount of trips allowed (4 trips from Point A to Point B) to be considered a 'normal truck hauling activity' is not logical in the agriculture industry. And if you don't consider agriculture operations to be 'normal activity' what industry are our county roads built and maintained for use by?
- The cost to employ an individual(s) to implement the proposed policy would not add a positive economic value to the Birch Hills County. It should not be expected of the ratepayer to be responsible to provide funding for this position through annual taxes. The purpose of annual taxes is to help fund regular and proper maintenance of the roads.
- All current ratepayers that are actively farming in the Birch Hills County have already given a security deposit to cover the cost of road improvement, also known as land taxes.
- In order to fairly implement a Road Use Agreement Policy as proposed, every single road across the entire county would have to be brought up to equal and 100% quality to have a fair benchmark to follow. We know that this would not be economically possible by the county and would take years to achieve.
- With regards to providing dust control, the neighbour that travels past all other neighbours would ultimately be responsible for covering the cost of application according to the proposed policy. In some cases as many as 5-10 (or more) neighbours may need to use a single stretch of road to carry out farming operations, who would cover the cost of application in these instances?

With addressing just a few concerns that arise for our agriculture operation, we ask that the agriculture sector be excluded from these policy changes. We also ask that a policy change, like the one proposed, be tabled until further discussion can take place. A major policy change, such as this should not be implemented during a time of pandemic and

social isolation. People should have the opportunity to be able to ask questions and have an open public discussion in a 'town hall' format before any major changes should take place.

Sincerely,

Terry & Christine Bice

Kevin & Sherry Bice

Hermann Minderlein

From: alfred vandeligt <vdlranch@hotmail.ca>
Sent: Tuesday, April 21, 2020 11:29 AM
To: Hermann Minderlein
Subject: road usage proposal

I think this road usage proposal is way out of control ,we do not live in a communist country.
So you guys want us to limit truck hauls to field delivering fertilizer and seed and in fall from combines,completely ridiculous.
I under stand we need to protect our roads but this is not the way,its an excuse to hire another person for admin. There is already too many staff
Employed. Cut out the roadside mowing and the 50% calcium benefit and use that money to put bigger culverts in where needed . Some roads flood every year
And wash out but you do nothing about that for road maintenance.
This proposal is totally wrong , as we already pay for this in our taxes!!!

Sent from Mail for Windows 10

Hermann Minderlein

From: Celeste Emerson <celesteemer@gmail.com>
Sent: Tuesday, April 21, 2020 11:45 AM
To: Hermann Minderlein
Cc: Albert Poetker
Subject: Road Use Agreement

Dear Management, Reeve and Counsellors of Birch Hills County,

Please accept this letter concerning the Road use Agreement and why it is unnecessary;

Over the last years there has been a decline in the care and maintenance of our roads.

Grading is minimal, along with very little new gravel added.

Spring run off has been very damaging to our roads due to culverts not being able to keep the flow regulated. The same areas are affected year after year.

Drainage ditches are in need of maintenance in order to function well and improve water movement.

To enforce and carry this policy out will be yet another expense and time consuming resulting in policing our county.

The timing and scheduling of hauling our commodities to the elevator is controlled by the buyers; they call, we go.

Sincerely,

Dale & Celeste Emerson

April 21, 2020

Re: Policy Road Use Agreement

Birch Hills County Council

It was brought to our attention that the new Road Use Agreement policy will be discussed at Thursday's meeting, so we quickly drafted a response.

It is nearly impossible to predict what roads will be used during harvest and which farmer did the damage since the roads are shared by multiple operations. It is already difficult to move grain with short notice from grain companies, for this reason there is no way we can wait for 2 days to get permission from the county. Not to mention, our work does not follow a regular business week.

If council is in fact intending to apply this policy to agriculture producers we would expect that this would be put off until the pandemic is over. We assume we will have the opportunity to be part of a consultation process to share how this would negatively impact us.

This new by law should not apply to agriculture operations. It is simply not feasible.

Sincerely,

Dave Pelland

Ryan Wells

Gerald Wells

Hermann Minderlein

From: Tannon Emerson <clayoleemerson@gmail.com>
Sent: Tuesday, April 21, 2020 1:04 PM
To: Hermann Minderlein
Subject: Road Use Agreement

I can't help but feel that this Road Use Agreement was created without farming in mind. So many things about this just doesn't work with farming!

Point 2.5.1
We can go over our 4 trips per day limit before 9 am on a given day.
If we turn a wheel, we are over the limit.
It is unreasonable to expect us to give a two day notice, when our grain elevators call for grain delivery often with one day notice, and occasionally no notice at all.
Including seeding, haying and harvest time. We don't even know ourselves which fields will be ready for work. Our 'seeding plan' changes so fast, for example, to whichever field is dry enough.

What is the county pushing for here? What is the purpose of our roads? Is the goal of the county to have no one drive on the roads? In other words, are we the users the problem? Do we wreck the roads? Bc according to this policy, every time we turn a wheel we will come under this policy and it will be our fault.
The county should be focused on maintaining the roads. Not focused at pointing fingers at who's the problem.
Yes the roads have been in poor shape the last few years bc of wet summers,
but you can't point the finger when there is no gravel on our roads. Our roads need gravel! There is very little gravel. Gravel holds a road together. Considering the way our roads were constructed it is so important to have a strong gravel maintenance program. Filling the poor holes with bigger crush.
Last year our road was gravelled for the first time in years and it made an unbelievable difference! We need more gravel.
Our roads are in bad shape not bc of the use, but bc the lack of maintenance.
One of my fears with this Agreement is that it puts the user at fault, when our roads have been neglected for years.

Please reconsider the implementing this Agreement.

Thank you

Tannon Emerson

Hermann Minderlein

From: Austin Hartman <hartmanaustin19@gmail.com>
Sent: Tuesday, April 21, 2020 1:28 PM
To: Hermann Minderlein
Subject: Road Use agreement

Hello good afternoon
This letter is regarding the Road Use Agreement.

I can't help but feel that this Road Use Agreement was created without farming in mind. So many things about this just doesn't work with farming!

Point 2.5.1
We can go over our 4 trips per day limit before 9 am on a given day.
If we turn a wheel, we are over the limit.
It is unreasonable to expect us to give a two day notice, when our grain elevators call for grain delivery often with one day notice, and occasionally no notice at all.
Including seeding, haying and harvest time. We don't even know ourselves which fields will be ready for work. Our 'seeding plan' changes so fast, for example, to whichever field is dry enough.

What is the county pushing for here? What is the purpose of our roads? Is the goal of the county to have no one drive on the roads? In other words, are we the users the problem? Do we wreck the roads? Bc according to this policy, every time we turn a wheel we will come under this policy and it will be our fault.
The county should be focused on maintaining the roads. Not focused at pointing fingers at who's the problem.
Yes the roads have been in poor shape the last few years bc of wet summers, but you can't point the finger when there is no gravel on our roads. Our roads need gravel! There is very little gravel. Gravel holds a road together. Considering the way our roads were constructed it is so important to have a strong gravel maintenance program. Filling the poor holes with bigger crush.
Last year our road was gravelled for the first time in years and it made an unbelievable difference! We need more gravel.
Our roads are in bad shape not bc of the use, but bc the lack of maintenance.
One of my fears with this Agreement is that it puts the user at fault, when our roads have been neglected for years.

Please reconsider the implementing this Agreement.

Thank you

Austin Hartman

Sent from my iPhone

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	April 23rd, 2020	**CAO:**	
Originated By:	Dion Hynes/Dir. Public Works	**Manager:**	
Item Title:	Saddle (Burnt) River Crossing	**Presenter:**	Hermann Minderlein

DESCRIPTION:

Administration is providing Council with information regarding the Saddle (Burnt) River crossing.

BACKGROUND:

The last update provided to Council on the Burnt crossing was February 13, 2020 in the public works report. From that report,

Burnt River Update
Alberta Parks has contacted the County with direction that the County can take to apply for approval to install and maintain an appropriate water act compliant crossing on the Burnt River. The County has to apply for a Parks License of Occupation (PLC) from Alberta Environment and Parks which if approved it would allow the County to install a crossing of some sort at the location of the old crossing within the provincial park and not have to pursue a land swap with AEP.

From the CAO action log RC19-070 status was updated to state that the application for PLC for the crossing submitted March 24, 2020.

A disposition is needed from AEP due to the costs and uncertainty of the soil in the present right of way. The cost to lessen the grades (Slope) on both sides of the river would be very high and added to that the soil in that area is really less than idea to construct another bridge. The disposition being applied for is to the north east of the old bridge site and it would encompass the current low-level crossing area that is not being maintained by the County.

Staff is considering a larger area than actually needed to cover any unknown obstacles or potential issues that may arise in the future and maintenance on the structure moving ahead.

DISCUSSION / BENEFITS / DISADVANTAGES:

A part of that PLC application a Historic Resources application had to be submitted as well. Historic Resources is a search into the land for typically first nation history or other significant inhabitants. The historic resources application has been accepted and now is under review by AEP.

The next step in PLC application process is to submit survey plan to the Plan Confirmation Service (PCS). Once the plan has been submitted via the government Electronic Disposition System, Alberta Parks will review and if all conditions are met it will approve the disposition.

Approval of the disposition will allow the County to construct a crossing when all other conditions are met.

Council is being presented with the draft drawing of the disposition. The drawing shows the boundary of the area that staff feels is needed to conduct a crossing in that area based on what staff understands of Councils crossing plan. To ensure clarification on what is expected or understood direction is needed.

OPTIONS:

Council may choose to:

1. Direct administration to proceed with the drawing presented as the area required for the Saddle (Burnt) river crossing.

2. Direct administration to make the changes to the drawing as discussed and proceed with the application as needed.

ATTACHMENT:

Draft drawing of the disposition

RECOMMENDED ACTION:

It is Administration's recommendation Council direct administration to proceed with the drawing presented as the area required for the Saddle (Burnt) River crossing.

AREA REQUIRED FOR PROPOSED PLC LANDS	
LOCATION	AREA
WEST OF RIVER	0.833 HA
EAST OF RIVER	0.447 HA
SUBTOTAL LANDS (EXCLUDE RIVER)	1.280 HA
WITHIN RIVER BOUNDARY	0.217 HA
TOTAL PCL TRAPEZOID	1.497 HA

CONTROL POINTS

NUMBER	STATION	OFFSET	NORTHING	EASTING	ELEVATION
CP 2	0+289.02	40.980 RT	6186864.835	414001.003	450.144
CP 6	0+090.51	44.206 LT	6186725.306	414091.704	460.026

AERIAL: COURTESY OF ABADATA & BING

Q:BRIDGES_2010\BIRCHHILLS BRIDGES 2010\BF73541 - BURNT RIVER BRIDGE REMOVAL SURVEYED: XXX DRAWN: TJ & CRT

wsp

REV	DATE	REVISIONS	BY
6			
5			
4			
3			
2	2020-04-16	ATTACH AERIAL	PLP
1	2020-03-19	ADD PCL PROPOSED LANDS	PLP

DESIGNER DATE

CHECKER DATE

BIRCHHILLS COUNTY

Alberta Transportation

BF 73541 REALIGNMENT
RANGE ROAD 33
SITE PLAN

DEPARTMENT BAR CODE	DATE	STREAM	LOCATION	HIGHWAY	FILE	SHEET	DRAWING
	2010-07-09	SADDLE RIVER	NE 3-79-3-6	LOCAL ROAD	BF 73541	1 OF 2	8084A-01

Request for Decision (RFD)

Meeting:	Regular Council Meeting	**Reviewed/ Approved For Submission:**	
Meeting Date:	April 23, 2020	**CAO:**	
Originated By:	Kathrin Langlois Asst. Ag. Fieldman	**Director:**	
Item Title:	**RC19-122**	**Presenter:**	

BACKGROUND / PROPOSAL:

Council is being presented with Administrations request for direction related to Resolution RC19-122.

DISCUSSION / BENEFITS / DISADVANTAGES:

Resolution RC19-122 was adopted by Council at the April 4, 2019 Regular Council Meeting and read as follows:

> "that Council direct Administration to research *information, including Birch Hills County*' *s* Bylaws and Policies, related to the attendance of staff and Agriculture Service Board (ASB) board members to ASB related meetings and conventions, and to bring that information to *Council at a future meeting"*.

Agriculture Service Board members attend 3 to 5 Birch Hills County meetings as per the ASB Bylaw section 5.1.1. The ASB members also attend the annual Regional ASB meeting, which lasts one day and is often usually within driving distance from the County. This Regional meeting is important and required because voting on resolutions occurs. The Provincial ASB Conference is also held annually and some of the time it is hosted in the north and some in the south. These conferences usually last about a week and resolutions are brought forward from the Regional meetings to be discussed and voted on. There is also training and speakers provided for the ASB members and Agricultural Fieldman and Assistants.

	Registration	Meals	Rooms	Travel	Total cost/member	**Total Cost**
2018 ASB Provincial	5 members @ $500.00	$150/member	$800/member	$100/member	$1,550	$7,750
2019 ASB Provincial	6 members @ $575.00	$150/member	$800/member	$300/member	$1,825	$10,950
2020 ASB Provincial	2 members @ $800.00	$150/member	$850/member	$300/member	$2100	$4,200

* The 2020 ASB conference was unique as it was the 75th anniversary for the Agricultural Service Board's in Alberta and was held in Banff. It is unlikely that these high of costs will occur in the future and the costs will be brought back down to the average of $500.00 registration.

COST / SOURCE OF FUNDING:

The remuneration for ASB members to attend these conferences is budgeted under the following ASB codes:

2-63-10-01-151
2-63-1001-212
2-63-10-01-211
2-63-10-01-214

RELEVANT LEGISLATION (Cite):

ASB Bylaw 2016-03

Governance & Operational Policies dated January 22, 2014

ATTACHMENT(s):

Birch Hills County Policy Attendance at Conferences

OPTIONS:

Council may choose to:

1. Direct Administration to bring back a revised Policy for Council's Attendance at Conferences and include the Provincial ASB Conference in this Policy;
2. Direct Administration to bring back annually at budget meetings the attendance of Agriculture Service Board (ASB) board members to ASB related meetings and conferences;
3. Accept the discussion of the Agriculture Service Board (ASB) board members to ASB related meetings and conventions for information;
4. Determine the appropriate action to take.

RECOMMENDED ACTION:

Administration recommends "that council Direct Administration to bring back a revised Policy for Council's Attendance at Conferences and include the Provincial ASB Conference in this Policy."

POLICY TITLE: **ATTENDANCE AT CONFERENCES** Page 1 of 2

Date Adopted by Council / Motion Number: 04-12(01-11)
Effective: January 12, 2011

PURPOSE:

Councillors and the Reeve are required to be kept abreast of issues and become informed of policies, programs and trends of the Provincial and Federal Governments as well as other organizations in order that they may make sound decisions for Birch Hills County. Attendance at various Conferences is one means of accomplishing this goal.

POLICY

AAMDC CONFERENCE

Councillors are encouraged to attend the conferences of the Alberta Association of Municipal Districts and Counties. These conferences are utilized primarily by the Provincial and Federal Government to communicate new initiatives and programs of interest to municipalities. They also provide a venue for educational opportunities and information sharing amongst rural municipalities on various issues. Attendance at this conference is approved with the adoption of this policy.

FEDERATION OF CANADIAN MUNICIPALITIES CONFERENCE

This annual conference is held in various locations across Canada. The conference provides opportunities for Councillors and Administrators from across Canada to discuss issues of national importance, discuss new initiatives and programs of the federal government, provide educational opportunities and provide information sharing at the national level. Council will determine attendance at this conference each year based on location of the conference, availability of Councillors to attend the conference, the conference program and assess the costs versus benefits of attending.

CONFERENCES RELATED TO COMMITTEE APPOINTMENTS

Councillors are encouraged to attend conferences that relate to their committee appointments. Councillors are generally expected to attend one to two conferences of this type per year. Attendance of over two per year requires Council approval by way of resolution.

OTHER CONFERENCES

Councillors requesting to attend other conferences must receive approval by way of Council resolution.

EDUCATIONAL TRAINING

Each Councillor is entitled to attend two educational sessions relating to their duties and responsibilities per year.

SPOUSE/PARTNER PROGRAMS

Unless otherwise specified all costs of registration and participation in Spouse or Partner Programs shall be paid by the participant and is not eligible for reimbursement by the County.

REGISTRATION/HOTELS/TRAVEL ARRANGEMENTS

Unless otherwise requested, Administration will arrange for registration, hotel and travel arrangements for Council to attend carious conferences in a timely manner. Administration will endeavor to take advantage of early registration discounts where possible.

Warren Smith
REEVE

C.A.O

Request for Decision (RFD)

Meeting:	Regular Council Meeting	**Reviewed/ Approved For Submission**	
Meeting Date:	April 23,2020	**CAO:**	
Originated By:	Lucy Stevenson	**Director:**	
Item Title:	2020 Tax Rate Bylaw No 2020-04	**Presenter: Lucy Stevenson**	

DESCRIPTION:

Council is being presented with Bylaw No 2020-04, the 2020 Tax Rate Bylaw.

BACKGROUND:

Bylaw No. 2020-04 has been prepared based on the 2020 Operating and Maintenance (O&M) budget previously presented for Council's consideration, and an assumption that the budget was adopted by Council as presented.

DISCUSSION / BENEFITS / DISDVANTAGES:

At the April 9, 2020 Council meeting the following motion was made~~;~~

RC20-169 Moved by Deputy Reeve Carbone that Council direct Administration to complete the 2020 Operating and Maintenance Budget based on discussions to date and with no mill rate increase for small business, a 3.5% increase to the residential mill rate, and 7.6% to the remaining mill rates; and

RC20-168 Moved by Councillor Wendland that Council authorizes the transfer of $550,000 from the Rate Stabilization Reserve, account number 6-00-00-00-711, in the 2020 Operating and Maintenance Budget for expenses related to allowance for bad debt, CAO recruitment, and the Diamond Accounting System upgrades.

There is a motion to Rescind RC20-168 in the O&M Budget RFD

COST / SOURCE OF FUNDING:

Revenues to cover the expenses in the budget are comprised of mainly the sales of goods and services, grants, and municipal taxes.

RELEVANT LEGISLATION (Cite):

Municipal Government Act Revised Statutes of Alberta 2000 Chapter M-26 and amendments thereto provides the following:

Section 247 No municipality may pass a property tax bylaw or business tax rate bylaw in respect of a year unless the operating and capital budget for that year have

been adopted by council or established by the Minister under section 244.

Section 354(1) The property tax bylaw must set and show separately all of the tax rates that must be imposed under this Division to raise the revenue required under section 353(2).

Section 354(2) A tax rate must be set for each assessment class or sub-class referred to in section 297.

Section 354(3) The tax rate may be different for each assessment class or sub-class referred to in section 297.

ATTACHMENT(s):

Bylaw No. 2020-04

OPTIONS:

Council may choose to:

1. provide 1st, 2nd, and 3rd reading to the bylaw provided that the unanimous consent of all Councillors present is provided prior to the 3rd reading;

2. provide 1st or 1st and 2nd reading to the bylaw at this meeting and direct Administration to bring back the bylaw for 2nd and 3rd, or 3rd reading at a future Meeting of Council;

3. provide 1st reading to the Bylaw, and make amendments to the bylaw before proceeding to 2nd reading; or

4. receive this item for information and direct Administration to bring the bylaw back at a future Council meeting if the budget is not adopted at this meeting.

RECOMMENDED ACTION:

It is Administrations recommendation that Council

1. provide first reading to Birch Hills County Bylaw 2020-04 Tax Rate Bylaw;

2. provide second reading Birch Hills County Bylaw 2020-04 Tax Rate Bylaw;

3. provide unanimous approval to a resolution to present Birch Hills County Bylaw 2020-04 Tax Rate Bylaw at this meeting;

4. if unanimous approval has been provided, provide third reading to Birch Hills County Bylaw 2020-04 Tax Rate Bylaw; and

5. direct Administration to advertise Bylaw 2020-04 as per the Procedural Bylaw 2019-15.

BYLAW NO. 2020-04

A Bylaw of Birch Hills County, in the Province of Alberta, to authorize the rates of taxation to be levied against assessable property within Birch Hills County for the 2020 Taxation Year.

WHEREAS Birch Hills County has prepared and adopted detailed estimates of the municipal revenue and expenditures as required, at the Council meeting held on April 23, 2020; and

WHEREAS The estimated municipal operating expenditures and transfers set out in the budget for Birch Hills County for 2020 total $8,106,577.44; (eight million, one hundred and six thousand, five hundred and seventy seven dollars and forty four cents); and

WHEREAS The estimated municipal capital expenditures and transfers set out in the budget for Birch Hills County for 2020 total $3,496,000 (three million, four hundred and ninety six thousand, dollars); and

WHEREAS The estimated municipal operating revenues and transfers from all sources other than taxation is estimated at $2,161,634.77 (two million, one hundred and sixty one thousand, six hundred and thirty four dollars and seventy seven cents) and the estimated capital revenues and transfers from all sources other than taxation is estimated at $3,496,000 (three million, four hundred and ninety six thousand, dollars); and the balance of $5,944,942.68 (five million, nine hundred and forty four thousand, and nine hundred and forty two dollars and sixty eight cents) is to be raised by general municipal taxation; and

WHEREAS The Alberta School Foundation Fund (ASFF) Requisitions is:

Residential/Farmland	$280,204.29
Non-residential	$537,236.13
2019 Over Levy	
Residential/Farmland	$6,808.39
Non-residential	$7,541.36; and

WHEREAS The Designated Industrial Property (DIP) Requisition is:

Designated Industrial Properties	$13,199.77; and

WHEREAS The Grande Spirit Foundation (GSF) Requisition is:

For all Property Types	$14,278.00; and

WHEREAS The Council of Birch Hills County is required each year to levy on the assessed value of all property, tax rates sufficient to meet the estimated expenditures, transfers and the requisitions; and

WHEREAS The Council of Birch Hills County is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26; and

WHEREAS The assessed value of all property in Birch Hills County as shown on the assessment roll is:

	Assessment
Residential	$64,105,500
Farmland	49,793,120
Non-Residential	16,399,220
Small Business Non-Residential	3,097,820
Linear	118,442,920
Machinery & Equipment	42,634,050
Exempt Property	34,959,080
TOTAL	**$329,431,710**;

NOW THEREFORE Under the authority of the Municipal Government Act, the Council of Birch Hills County, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer shall be authorized and required to levy the rates of taxation as shown following against the assessed value of all lands, buildings, and improvements as shown upon the Municipal Assessment Roll.

	Tax Levy	**Assessment**	**Tax Rate**
General Municipal			
Residential	$697,231.86	$64,105,500	10.7395
Farmland	802,595.84	49,793,120	15.8700
Non-Residential	329,160.10	16,399,220	20.0533
Small Business Non-Residential on Land and Buildings	55,266.31	3,097,820	17.7452
Linear	2,375,171.41	118,442,920	20.0533
Machinery & Equipment	854,953.39	42,634,050	20.0533
TOTAL Municipal	$5,114,378.91	$294,472,630	
ASFF Requisition			
Residential and Farmland	$273,392.66	$112,683,420	2.4262
Non-Residential, Small Business Non-Residential, and Linear	529,694.27	137,837,130	3.8429
TOTAL ASFF Requisition	$803,086.82	$250,520,550	

DIP Requisition			
All Assessment Classes	$13,199.74	$173,681,160	.0760
TOTAL DIP Requisition	$13,199.74	$173,681,160	
GSF Requisition			
All Assessment Classes	$14,277.10	$293,154,600	.0487
TOTAL GSF Requisition	$14,277.10	$293,154,600	

2. That the minimum amount payable per parcel as property tax for general municipal purposes shall be $100.00.

3. This Bylaw shall come into force and effect when it receives third reading and is duly signed.

READ a first time this 23rd day of April, 2020.

READ a second time this 23rd day of April, 2020.

READ a third time this 23rd day of April, 2020.

Signed this 23rd day of April, 2020.

Original to be Signed
Reeve
Gerald Manzulenko

Original to be Signed
Chief Administrative Officer
Hermann Minderlein

Request for Decision (RFD)

Meeting:	Regular Council Meeting	**Reviewed/ Approved For Submission**	
Meeting Date:	April 23, 2020	**CAO:**	
Originated By:	Lucy Stevenson	**Director:**	
Item Title:	Penalties on Unpaid Property Taxes Bylaw Amendment - Bylaw No 2020-05	**Presenter: Lucy Stevenson**	

DESCRIPTION:

Council is being presented with Bylaw No 2020-05, a Bylaw to amend Bylaw 2012-03 for 2020.

BACKGROUND:

Municipalities collect the education property tax from all property owners in Alberta. The money collected through this tax is pooled into the ASFF and then distributed to school boards on an equal per-student rate.

On March 23, Alberta Premier Jason Kenny announced the Education property tax deferral Program.

- Education property tax rates will be frozen at last year's level – reversing the 3.4% population and inflation increase added in Budget 2020.
- Collection of non-residential education property tax for businesses will be deferred for 6 months.
- Municipalities are expected to set education property tax rates as they normally would, but defer collection.

The County has already had the Tax notices printed and as such are unable to change the notice but we will use the insert provided by the Province to inform the ratepayers of the deferral.

The Penalty process will also change to reflect this program.

Having October 1, 2020 as the first penalty deadline give the County the earliest date with the most penalty generated while following the Provinces guidelines. The second deadline follows the existing penalty bylaw.

COST / SOURCE OF FUNDING:

RELEVANT LEGISLATION (Cite):

There is no Ministerial order

ATTACHMENT(s):

Bylaw No. 2020-05

Municipal Affairs Non Residential Property Tax Deferral Guidelines

Bylaw No. 2012-03

OPTIONS:

Council may choose to:

1. provide 1st, 2nd, and 3rd reading to the bylaw provided that the unanimous consent of all Councillors present is provided prior to the 3rd reading;

2. provide 1st or 1st and 2nd reading to the bylaw at this meeting and direct Administration to bring back the bylaw for 2nd and 3rd, or 3rd reading at a future Meeting of Council;

3. provide 1st reading to the Bylaw, and make amendments to the bylaw before proceeding to 2nd reading; or

4. receive this item for information and direct Administration to bring the bylaw back at a future Council meeting if the budget is not adopted at this meeting.

RECOMMENDED ACTION:

It is Administrations recommendation that Council

1. provide first reading to Birch Hills County Bylaw 2020-05 Penalties on Unpaid Property Taxes Amendment Bylaw;

2. provide second reading Birch Hills County Bylaw 2020-05 Penalties on Unpaid Property Taxes Amendment Bylaw;

3. provide unanimous approval to a resolution to present Birch Hills County Bylaw 2020-05 Penalties on Unpaid Property Taxes Amendment Bylaw at this meeting;

4. if unanimous approval has been provided, provide third reading to Birch Hills County Bylaw 2020-05 Penalties on Unpaid Property Taxes Amendment Bylaw; and

5. direct Administration to advertise Bylaw 2020-05 as per the Procedural Bylaw 2019-15.

A BYLAW TO AMEND BYLAW 2012-03 TO EXTEND THE DEADLINE FOR PAYMENT OF THE NON-RESIDENTIAL PORTION OF THE ALBERTA SCHOOL FOUNDATION FUND TAXES IN THE 2020 TAX YEAR TO PROVIDE RELIEF TO TAXPAYERS IN LIGHT OF THE COVID-19 PANDEMIC.

WHEREAS the Municipal Government Act, c.M-26, RSA 2000, authorizes Council to impose penalties in the year in which a property tax is imposed if the tax remains unpaid after the due date shown on the tax notice;

AND WHEREAS the penalty must not be imposed sooner than 30 days after the mailing of the tax notice or on the date specified in the tax notice whichever is later;

AND WHEREAS the Municipal Government Act authorizes Council to impose penalties in any year following the year in which a property tax is imposed if the tax remains unpaid after December 31 of the year in which it was imposed;

AND WHEREAS Council has passed Bylaw 2012-03, Penalties on Unpaid Property Taxes Bylaw;

AND WHEREAS in order to alleviate the financial impact on residents financially impacted by the COVID-19 pandemic, on March 23, 2020, Alberta Premier Jason Kenny announced the Education property tax deferral Program, Council deems it appropriate to amend Bylaw 2012-03.

NOW THEREFORE, the Council of Birch Hills County, in the Province of Alberta, duly assembled, enacts as follows:

1. This Bylaw may be cited as the “2020 Tax Penalty Bylaw Amendment for COVID-19”.

2. Notwithstanding the provisions of Bylaw 2012-03, for the 2020 Tax Year only:

    i. Any non-residential portion of the Alberta School Foundation Fund that remain unpaid on or before October 1, 2020, shall have late payment penalties imposed on the following dates;

    ii. On October 1, 2020 at 6% on unpaid current taxes; and

    iii. On November 15, 2020 at 4% on unpaid current taxes.

3. For the purpose of calculating any penalty to be added to unpaid taxes, there shall be excluded from the principal sum any amount already added as a penalty in the same particular year.

4. Any penalty added to current taxes, or tax arrears shall be added to and from part of the paid taxes.

5. Except as modified by this Bylaw for the 2020 Tax Year only, in all other respects Bylaw 2012-03 is in force.

6. This Bylaw shall come into force and effect on the day that it is passed.

READ a first time this 23rd day of April, 2020.

READ a second time this 23rd day of April, 2020.

READ a third time this 23rd day of April, 2020.

Signed this 23rd day of April, 2020.

Original to be Signed by
Reeve
Gerald Manzulenko

Original to be Signed By
Chief Administrative Officer
Hermann Minderlein

Non-Residential Property Tax Deferral Guidelines

Spring 2020

Non-Residential Property Tax Deferral Guidelines
Municipal Affairs
Spring 2020
ø 2020 Government of Alberta.

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Municipal Action 1: Amend the relevant municipal bylaw which imposes penalties on unpaid tax amounts in accordance with council direction and in line with one of the options listed in this document to ensure alignment with provincial direction on the deferral of education property taxes. 5

Municipal Action 2: Communicate the changes to ratepayers. 5

Municipal Action 3: Include the provided messaging from the provincial government as an insert or addendum to the property tax notice 5

Municipal Action 4: Consider the development of flexible payment plans for non-residential (and residential if desired) property taxes for those ratepayers unable to make payment in 2020 5

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Non-Residential Property Tax Deferral

Program Purpose

In order to alleviate acute liquidity concerns anticipated as a result of COVID-19, government has asked municipalities to provide a six month deferral of non-residential education property tax or a combined municipal and education property tax deferral that is effectively equivalent to a six month deferral of education property tax. Creating liquidity for non-residential property owners will help keep more businesses viable, able to meet payroll obligations, and to continue to employ as many Albertans as possible.

Municipalities are encouraged to consider similar programs to defer the municipal portion of business property taxes to further support local businesses. The combined effort would mean businesses are able to retain the cash normally used to pay property taxes to assist in maintaining liquidity in these difficult economic times.

How will it work?

There are two acceptable approaches to implementing the property tax deferral:

Approach 1: Defer six-months ˇworth of education property tax.

The required payment of the education portion of non- residential property tax is deferred for six-month period, from April 1 to September 30. Municipalities are not obligated to defer any municipal property tax.

Approach 2: Implement a combined municipal and education property tax deferral that is effectively equivalent to deferring six months ˇworth of property tax.

The required payment of the total non-residential property tax, both the education and municipal portion, is deferred beyond the tax penalty date to provide an immediate deferral of all property taxes in lieu of a full six month deferral of only the education portion.

Education Property Tax - Collection

Municipalities are strongly encouraged to implement flexible payment plans for non-residential property owners unable to pay fully in 2020. At the same time, those businesses in a strong financial position that are capable of paying their taxes in full are strongly encouraged to do so to minimize the cash flow challenges facing municipalities.

Acknowledging that the challenging economy means that some municipalities may not be able to collect education property tax from all non-residential property taxpayers by the end of the year, the province will consider whether a broader education tax deferral or forgiveness program, similar to the Provincial Education Requisition Credit program, is required.

Education Property Tax ¯ Invoicing

The province will maintain the non-residential education tax requisition amount for each municipality, but will defer invoicing of the non-residential portion to the December 2020 invoice. No amount will be included for the non-residential education property tax requisition on the June and September 2020 invoices. Therefore, the December 2020 invoice will be comprised of the June, September, and December non-residential invoice amount. Municipalities who believe they may be unable to remit the full amount on the December 2020 invoice should contact Municipal Affairs to discuss.

Municipal Tax Deferral

Municipal councils are responsible for determining the parameters of any tax deferral programs respecting municipal property taxes including what classes of assessment are included, what portion of the tax levy is deferred and the timelines for the deferral. Municipalities have existing authority under the MGA to defer the collection of property taxes.

Municipal tax due dates are determined by setting the day on which penalties are imposed for non-payment of property taxes. Therefore, municipalities implement tax deferrals by delaying imposing penalties on property taxes. In this way, those that can afford to pay the outstanding taxes can do so any time after the tax notice is received, but have the flexibility of not incurring additional costs due to penalties for non-payment over an extended period of time.

Tax deferral decisions may also impact the collection of seniors˘housing requisitions and the designated industrial property requisition. The seniors˘housing requisition is due to be paid to the housing management body 90 days after the invoice from the housing management body is mailed, and the designated industrial property requisition is due to be paid to the province 30 days after the municipal tax due date.

Municipal Bylaws

Property tax penalty dates are generally approved by council in one of two ways, through a specific penalties bylaw, or directly in the annual property tax bylaw. To implement tax deferrals, those municipalities with penalties outlined in the annual tax rate bylaw will set the penalty dates in the bylaw in line with the tax deferral program approved by council and one of the options outlined in this document.

For those municipalities with specific tax penalty bylaws, it is recommended that an amending bylaw to the tax penalty bylaw be drafted and approved by council. The amending bylaw would stipulate the deferred tax penalty dates for the 2020 tax year only, again in line with the tax deferral program approved by council and one of the options outlined in this document.

Communications

Municipalities are required to include government messaging as an insert to their tax notice, to inform property taxpayers of their approach to education property tax deferral. This communication will help to assure taxpayers the municipal approach is consistent with the government direction to property tax deferral.

This messaging is available at https://www.alberta.ca/education-property-tax.aspx

Municipal Implementation Actions

Municipal Action 1: Amend the relevant municipal bylaw, which imposes penalties on unpaid tax amounts in accordance with council direction, in line with one of the options listed in this document.

Municipal Action 2: Communicate the changes to ratepayers.

Municipal Action 3: Include the provided messaging from the provincial government as an insert or addendum to the property tax notice.

Municipal Action 4: Consider the development of flexible payment plans for non-residential property taxes for those ratepayers unable to make full payment in 2020.

Examples

The following examples would be an acceptable implementation of the program.

The individual taxpayer in these examples is a commercial property owner, holding a property with an assessed value of $1,200,000. The municipal non-residential property tax rate is $7.50 per $1,000 of assessment, and the education non-residential property tax rate is $3.75 per $1,000 of assessment. The taxpayer's annual bill is $13,500, comprised of $9,000 in municipal taxes and $4,500 in education taxes.

This taxpayer recognized the current economic situation and cancelled their monthly payment plan, and plans to pay annually.

The municipality's due date deadline is usually set at June 30.

Approach 1: Education Property Tax Deferral Only

- ¿ Provides education property tax deferral to September 30.
- ¿ Continues to require municipal non-residential property tax to be paid by June 30.
- ¿ Provides flexible payment plans for education property taxes not paid by September 30.
- ¿ Cumulative deferral is $4,500 x 3 months = $13,500.

Sample Taxpayer Implications

Month	April	May	June	July	August	September
Municipal	$0	$0	$9,000	$0	$0	$0
Education	$0	$0	$0	$0	$0	$4,500
Total	$0	$0	$9,000	$0	$0	$4,500

Approach 2: Equivalent Education Property Tax Deferral

- ¿ Provides municipal and education property tax deferral to July 30 ¯ a deferral period of 1 month.
- ¿ Provides flexible payment plans for education property taxes not paid by July 30.
- ¿ Cumulative deferral is $13,500 x 1 month = $13,500.
- ¿ Because the $13,500 cumulative deferral of both municipal and education property tax for an additional month past the due date effectively is the same as the deferral of only education property tax for 3 months in Approach 1, Approach 2 is considered equivalent.

Sample Taxpayer Implications

Month	April	May	June	July	August	September
Municipal	$0	$0	$0	$9,000	$0	$0
Education	$0	$0	$0	$4,500	$0	$0
Total	$0	$0	$0	$13,500	$0	$0

Key Contacts

For further information, please contact a Municipal Affairs program advisor toll-free by dialling 310-0000, then 780-422-7125, or by email at taxprogramdelivery@gov.ab.ca.

BIRCH HILLS COUNTY

BIRCH HILLS COUNTY
BY-LAW 2012-03
PENALITIES ON UNPAID PROPERTY TAXES BYLAW

BY-LAW # 2012-03

BIRCH HILLS COUNTY UNPAID PROPERTY TAXES BYLAW

BYLAW NO. 2012-03

BEING A BYLAW OF BIRCH HILLS COUNTY TO AUTHORIZE THE OF PENALTIES ON UNPAID PROPERTY TAXES.

WHEREAS the Municipal Government Act, c.M-26, RSA 2000, authorizes Council to impose penalties in the year in which a property tax is imposed if the tax remains unpaid after the due date shown on the tax notice; and

WHEREAS the Municipal Government Act authorizes Council to impose penalties in any year following the year in which a property tax is imposed if the tax remains unpaid after December 31 of the year in which it was imposed;

NOW THEREFORE, the Council of Birch Hills County, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. Taxes paid after the due date shown on the tax notice shall be subject to penalties imposed in accordance with this Bylaw.

2. Taxes or any portion thereof that remain unpaid after the due date shown on the tax notice shall have a late payment penalty impose on the date and at the rate specified below:

August 15	two percent (2%)
September 15	four percent (4%)
November 15	four percent (4%)

3. Tax arrears, being those taxes which remain unpaid after December 31 of any tax year, the annual period in which taxes are imposed commencing with January 1 and ending with December 31, shall have late payment penalty impose on the date and at the rate specified below:

August 15	two percent (2%)
September 15	four percent (4%)
November 15	four percent (4%)

4. Bylaw 15-95 is repealed upon this Bylaw coming into effect.

5. This Bylaw shall be passed and become effective when it receives third reading and is signed by the Reeve and Chief Administrative Officer.

READ a first time this 24 day of April, 2012.

READ a second time this 24 day of April, 2012.

READ a third and final time this 24 day of April, 2012.

SIGNED this 26 day of April, 2012.

Reeve

Chief Administrative Officer

Request for Decision (RFD)

Meeting:	Regular Council Meeting	**Reviewed/ Approved For Submission**	
Meeting Date:	April 23, 2020	**CAO:**	
Originated By:	Shawna Schwerdt E.A./L.O.	**Director:**	
Item Title:	Upcoming Council Meetings	**Presenter:**	CAO Minderlein

DESCRIPTION:

Council is being requested to review the upcoming Calendar as it relates to Council Meetings, Statutory Holidays, and provide Administration with direction as to what, if any action should be taken to reschedule meetings.

BACKGROUND:

In the past, Council had determined that it was necessary to only hold one Regular Meeting beginning as early as May, and subject to requirements, leave two meetings scheduled in October as there is a requirement to also have the Organizational Meeting that month.

Regular Council Meetings for January 23 and December 24, 2020 were cancelled by resolutions 19-427.

In 2019 Council passed resolution RC19-157 that read as follows:

> "that Council cancel the 2019 Regular Council Meetings scheduled for May 9, June 27, July 25, August 8, August 22, September 12, and October 10 and schedule the following: a Council workshop meeting for Monday June 24, a Regular Council meeting on August 15; and reschedule the Agricultural Service Board meetings from May 9 to June 13 and August 8 to August 15, and direct Administration to provide notice of these changes in accordance with the requirements of Bylaw 2014-06, the Procedures Bylaw."

In 2018 Council passed resolution RC18-176 that read as follows:

> *"*that Council cancel the Regular Council Meetings and Governance Meetings scheduled for May 24, June 28, July 26, August 23, September 27, November 22 and December 27 and add Governance Meeting to September 13 and November 8; and direct Administration to provide notice of these changes in accordance with the requirements of Bylaw 2014-06, the Procedures Bylaw.*"*

Administration would like to review the upcoming meeting schedule with Council to determine if Council deems it appropriate to make any changes at this time.

COST / SOURCE OF FUNDING:

Reduced meetings do result in reduced costs related to meetings. There is adequate funding in the budget to hold the meetings as scheduled.

RELEVANT LEGISLATION (Cite):

Bylaw 2019-15, the Procedures Bylaw.

ATTACHMENT(s): Calendar Dates from May to December 31, 2020

OPTIONS:

Council may choose to:

1. cancel the Regular Council Meetings scheduled for May 14, 2020, and

    a. direct Administration to provide notice of this change in accordance with the requirements of Bylaw 2019-15, the Procedures Bylaw; and

    b. bring this item back to the May 14, 2020 Regular council Meeting in order that it may be discussed with the new CAO;

2. cancel the 2020 Regular Council Meetings scheduled for May 14, June 25, July 23, August 27, and September 10, and direct Administration to provide notice of these changes in accordance with the requirements of Bylaw 2019-15, the Procedures Bylaw;

3. Make changes to the calendar utilizing the suggestion in Option 1 and other dates as deemed appropriate; or

4. Not make changes to the meeting calendar.

RECOMMENDED ACTION:

Administration recommends that Council cancel the Regular Council Meetings scheduled for May 14, 2020, and

1. direct Administration to provide notice of this change in accordance with the requirements of Bylaw 2019-15, the Procedures Bylaw; and

2. bring this item back to the May 14, 2020 Regular council Meeting in order that it may be discussed with the new CAO;

UPCOMING 2020 COUNCIL AND RELATED EVENTS

Date	Time or Attendee(s)	Event
May 14	9:00 AM	Regular Council
May 18 – Victoria Day		**New CAO starts**
May 28	9:00 AM	Regular Council
Jun 11	9:00 AM Following Regular Council Meeting	Regular Council Ag. Service Board
Jun 25	9:00 AM	Regular Council
Jul 1 – Canada Day		
Jul 9	9:00 AM	Regular Council
Jul 23	9:00 AM	Regular Council
Aug 3 – Heritage Day		
Aug 13	9:00 AM Following Regular Council Meeting	Regular Council Ag. Service Board
Aug 27	9:00 AM	Regular Council
Sep 7 – Labour Day		
Sep 10	9:00 AM	Regular Council
Sep 24	9:00 AM	Regular Council
Oct 8	9:00 AM	Regular Council
Oct 12 – Thanksgiving Day		
Oct 22	192(1) Except in a summer village, a council must hold an organizational meeting annually not later than 2 weeks after the 3rd Monday in October.	Organizational Meeting
	Following Organizational Meeting	Regular Council
Nov 11 – Remembrance Day		
Nov 12		Regular Council
Nov 26	9:00 AM Following Regular Council Meeting	Regular Council Ag. Service Board
Dec 12	9:00 AM	Regular Council

Dec 25 & 26 – County Office Closed

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	April 23, 2020	**CAO:**	
Originated By:	CAO Minderlein	**Manager:**	
Item Title:	2020 Spring RMA Virtual Resolution	**Presenter:**	CAO Minderlein

DESCRIPTION:

Administration is providing Council with information regarding the 2020 Spring Rural Municipalities of Alberta (RMA) Virtual Resolution Session and requesting confirmation on attendance.

BACKGROUND:

Due to COVID-19 Pandemic this year Spring 2020 RMA's resolution session is being held virtually for the first time on April 24, 2020. RMA has designed a virtual session that follows the structure of the in-person sessions as closely as possible, but some differences are unavoidable.

Members must review the instructions document attached before the session. Due to the large number of participants on the call, RMA cannot provide individual support or assistance to members unable to access the session or perform all functions during the call. However, the first 10 minutes of the session will be used for a short tutorial on how to use the technology.

Requirements for attendee is:
- Computer with **internet connection, microphone, and audio capabilities** – to view resolutions and voting slides, to hear debate, and to participate in debate
- Cellphone with **texting capabilities** – to vote on resolutions and amendments.

All municipalities sponsoring a resolution will need to ensure a mover and seconder are in place to speak to the resolution. If the County proposes an amendment to a resolution, you are strongly encouraged to email the amendment to Wyatt Skovron in advance of the resolution session, as this will also support an efficient process.

Administration has attached the RMA Spring 2020 submitted Resolutions and the attendee(s) will need to know what Council's direction are for these Resolutions.

COST / SOURCE OF FUNDING:

There is no registration fee however attendee(s) would receive honourarium as per member attending,

These costs would be from the budget set up for Council for such events.

RELEVANT LEGISLATION (Cite):

Attendance at Conferences Policy
Governance & Operational Policies

ATTACHMENTS:

Email for Virtual Resolution Session

Member Instructions for Virtual Resolution Session

RMA Spring 2020 Submitted Resolutions

OPTIONS:

Council may choose to:

1. that Council authorize the attendance, with remuneration and reimbursement of expenses as appropriate, of _____ to the Spring 2020 RMA Virtual Resolution Session on Friday April 24, 2020; or

2. Receive the presentation related to the “Spring 2020 RMA Virtual Resolution Session on Friday April 24, 2020 for information.

RECOMMENDED ACTION:

It is Administration’s recommendation that Council discuss 2020 RMA resolutions and provide Administration with direction as deemed appropriate.

Shawna Schwerdt

From: Hermann Minderlein
Sent: Tuesday, April 21, 2020 11:20 AM
To: Shawna Schwerdt
Cc: Shelley Braun; Gerald Manzulenko
Subject: FW: RMA Resolution Session Instructions
Attachments: 04 24 20 Member Instructions - Virtual Resolution Session.pdf; RMA Spring 2020 Submitted Resolutions.pdf

Importance: High

Shawna

Please prepare RFD as discussed.

Thanks ...

Hermann

Chief Administrative Officer

Birch Hills County

From: Wyatt Skovron <wyatt@RMAlberta.com>
Sent: Tuesday, April 21, 2020 10:57 AM
To: blair.painter@crowsnestpass.com; omer.moghrabi@laclabichecounty.com; josh@mackenziecounty.com; rod.frank@strathcona.ca; mayor@rmwb.ca; councillor.rafa@mdacadia.ab.ca; larmfelt@athabascacounty.com; info@countybarrhead.ab.ca; jkallal@beaver.ab.ca; ward6@biglakescounty.ca; dene.cooper@mdbighorn.ca; Gerald Manzulenko <geraldm@birchhillscounty.com>; gsawchuk@md.bonnyville.ab.ca; bguyon@brazeau.ab.ca; ctrautman@county.camrose.ab.ca; randy.bullock@cardstoncounty.com; mironcroy@gmail.com; jduncan@clearwatercounty.ca; Dan.Hamilton@cypress.ab.ca; peggyward4@mdfairview.ab.ca; dkroetch@flagstaff.ab.ca; Suzanne.Oel@FoothillsCountyAB.ca; sswinks@shockware.com; lbeaupre@countygp.ab.ca; dale.smith@mdgreenview.ab.ca; jerry.wittstock@kneehillcounty.com; jblakeman@lsac.ca; plaw@lacombecounty.com; david.d@lamontcounty.ca; tanni@leduc-county.com; murray.kerik@mdlsr.ca; lhickey@lethcounty.ca; info@minburncounty.ab.ca; bbeattie@mvcounty.com; douglassm@newellmail.ca; UngarianT@countyofnorthernlights.com; ckolebaba@northernsunrise.net; marcel.auger@mdopportunity.ab.ca; sschulmeister@countypaintearth.ca; Rod.Shaigec@parklandcounty.com; rwilling@mdpeace.com; CouncilDiv4@mdpinchercreek.ab.ca; paulmclauchlin@ponokacounty.com; mdprovost@mdprovost.ca; cao@ranchland66.com; mayor@rdcounty.ca; gboehlke@rockyview.ca; ahubert@saddlehills.ab.ca; clukinuk@smokylakecounty.ab.ca; rbrochu@mdsmokyriver.com; tvanrootselaar@mdspiritriver.ab.ca; supham@county.stpaul.ab.ca; swannstrom@starlandcounty.com; lclarke@stettlercounty.ca; ahnatiw@sturgeoncounty.ca; Brian Brewin - External <bbrewin@mdtaber.ab.ca>; Kevin.Grumetza@thorhildcounty.com; dgulayec@thcounty.ab.ca; div2@county24.com; jason.schneider@vulcan.ca; bbarss@mdwainwright.ca; rtaylor@warnercounty.ca; lhall@westlockcounty.com; tvandekraats@county.wetaskiwin.ab.ca; amber.link@wheatlandcounty.ca; maryanne.sandberg@mdwillowcreek.com; john.burrows@woodlands.ab.ca; scherniawsky@yellowheadcounty.ab.ca; Jordon.christianson@specialareas.ab.ca;

patrick.thomas@crowsnestpass.com; dan.small@laclabichecounty.com; cao@mackenziecounty.com; kevin.glebe@strathcona.ca; jamie.doyle@rmwb.ca; margo.firman@rmwb.ca; j.wallsmith@mdacadia.ab.ca; cao@athabascacounty.com; doyarzun@countybarrhead.ab.ca; bbeck@beaver.ab.ca; jpanasiuk@biglakescounty.ca; robert.ellis@mdbighorn.ca; Hermann Minderlein <cao@birchhillscounty.com>; lmercier@md.bonnyville.ab.ca; jwhaley@brazeau.ab.ca; pking@county.camrose.ab.ca; murray@cardstoncounty.com; allan@clearhillscounty.ab.ca; remmons@clearwatercounty.ca; Tarolyn.Aaserud@cypress.ab.ca; sandra.fox@mdfairview.ab.ca; sarmstrong@flagstaff.ab.ca; HarryRiva.Cambrin@FoothillsCountyAB.ca; keith.bodin@fortymile.ab.ca; jwhittleton@countygp.ab.ca; Denise.Thompson@mdgreenview.ab.ca; mike.haugen@kneehillcounty.com; mprimeau@lsac.ca; ttimmons@lacombecounty.com; stephen.h@lamontcounty.ca; duanec@leduc-county.com; allan.winarski@mdlsr.ca; amitchell@lethcounty.ca; Bwilliams@minburncounty.ab.ca; jholmes@mvcounty.com; stephensonk@newellmail.ca; cao@countyofnorthernlights.com; cmillar@northernsunrise.net; cao@mdopportunity.ab.ca; msimpson@countypaintearth.ca; Mike.Heck@parklandcounty.com; bjohnson@mdpeace.com; CAO@mdpinchercreek.ab.ca; charliecutforth@ponokacounty.com; tlawrason@mdprovost.ca; cao@ranchland66.com; cao@rdcounty.ca; ahoggan@rockyview.ca; cmerritt@saddlehills.ab.ca; collikka@smokylakecounty.ab.ca; rtherriault@mdsmokyriver.com; khudson@mdspiritriver.ab.ca; skitz@county.stpaul.ab.ca; Shirley@starlandcounty.com; ycassidy@stettlercounty.ca; rmccullough@sturgeoncounty.ca; acrofts@mdtaber.ab.ca; cao@thorhildcounty.com; sdary@thcounty.ab.ca; hnorthcott@county24.com; cao@vulcancounty.ab.ca; admin@mdwainwright.ca; shathaway@warnercounty.ca; cao@westlockcounty.com; rhawken@county.wetaskiwin.ab.ca; brian.henderson@wheatlandcounty.ca; cindy@mdwillowcreek.com; gordon.frank@woodlands.ab.ca; jramme@yellowheadcounty.ab.ca; Darcy.Ferguson@specialareas.ab.ca
Cc: RMA Board Dist <AAMDCBoardDist@aamdc.com>; Tasha Blumenthal <tasha@RMAlberta.com>; Zeeshan Arain <zee@rmalberta.com>; Warren Noga <warren@rmalberta.com>; Alex Mochid <alex@rmalberta.com>; Sheila Ashton <sheila@rmalberta.com>
Subject: RMA Resolution Session Instructions
Importance: High

Hi everyone,

Please forward this email to councillors and relevant staff in your municipality.

Please find attached the final spring 2020 submitted resolutions package, as well as detailed instructions for how to participate in the virtual resolutions session scheduled for **Friday, April 24, 2020 from 2:00pm – 3:30pm**. The link to access the session is found in the instructions document, as well as here: https://zoom.us/j/95764852353. **Please do not share the link or instructions beyond those in your municipality that need to be a part of the session.**

As has been shared before, the technology requirements to fully participate in the session are as follows:

- Computer with **internet connection, microphone, and audio capabilities** – to view resolutions and voting slides, to hear debate, and to participate in debate

- Cellphone with **texting capabilities** – to vote on resolutions and amendments (the phone number for voting will be shared during the session)

- There will be **no option to dial in by conference call** – participants must join through the link above

All municipalities sponsoring a resolution will need to ensure a **mover and seconder are in place to speak to the resolution**. I will follow up by email with the mayor/reeve and CAO of each municipality sponsoring a resolution. If possible, please provide me the names of the mover and seconder in advance of the session to support an efficient process. However, this is not mandatory.

If you plan on proposing an amendment to a resolution, you are **strongly encouraged** to email the amendment to me in advance of the resolution session, as this will also support an efficient process.

Due to the volume of people expected in the virtual session, **we will be unable to provide any technical assistance or answer technical questions during the resolution session**. As such, you are strongly advised to review the instructions document, and reach out to me or RMA Director of External Relations and Advocacy Tasha Blumenthal (tasha@RMAlberta.com) with any questions on how to participate in advance of the session.

Thanks,

Wyatt Skovron
Senior Policy Advisor

RMA
RURAL MUNICIPALITIES of ALBERTA

Office: 780.955.4096
RMAlberta.com

2510 Sparrow Drive, Nisku, Alberta T9E 8N5 780.955.3639

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RMA Spring 2020 Resolution Session – Member Instructions

Overview

RMA's resolution session is being held virtually for the first time. RMA has designed a virtual session that follows the structure of the in-person sessions as closely as possible, but some differences are unavoidable.

It is critical that members review this instructions document before the session. Due to the large number of participants on the call, RMA cannot provide individual support or assistance to members unable to access the session or perform all functions during the call. However, the first 10 minutes of the session will be used for a short tutorial on how to use the technology.

Requirements

- Computer with **internet connection, microphone, and audio capabilities** – to view resolutions and voting slides, to hear debate, and to participate in debate

- Cellphone with **texting capabilities** – to vote on resolutions and amendments

How to Join

To join the virtual resolution session, click on the following link through your computer or mobile device: https://zoom.us/j/95764852353. This is the only way to participate.

How to Vote

Voting will occur by text, and members must have a cell phone with text capabilities to vote.

At the beginning of the resolution session, a phone number will be provided to members to allow them to vote by text. **To participate in voting, do the following**:

- Open a new text conversation on your phone
- Enter the phone number provided as the text recipient
- Be prepared to text "1" for "in favour" and "2" for "opposed" into that text conversation each time voting is opened on a resolution or resolution amendment.
- You can only enter one vote per resolution, and will have one minute to do so.
- If your vote is received, you will receive a confirmation text in return

A test vote will be held prior to beginning the resolution session.

Process Efficiency

To ensure an efficient process, please consider the following:

- **Do not turn your camera on**. The network cannot support the bandwidth required for participants to use their cameras.

- **Do not click on "share screen."** This feature has been deactivated.
- **Do not type in the "chat" function.** This feature has been deactivated.

Participation Steps

Step 1 – open and log in to Zoom Meeting Platform

All mayors/reeves and CAOs were emailed a log-in link to the resolutions meeting and asked to forward the link to councillors and relevant staff in their municipality. The link is also available here: https://zoom.us/j/95764852353.

NOTE – although staff may view the resolution session, only councillors are permitted to vote.

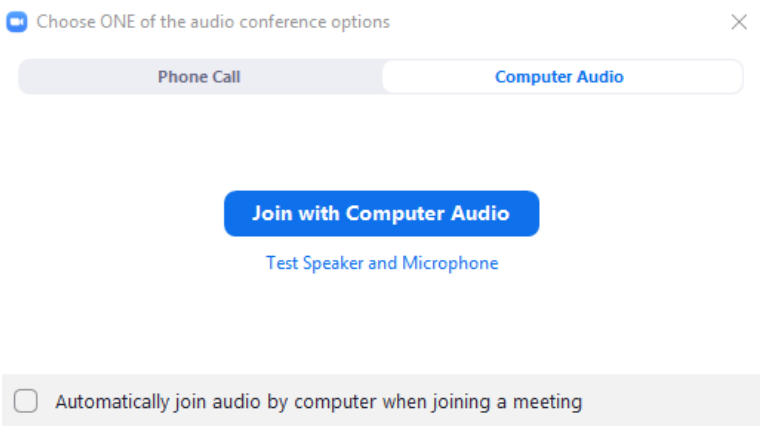
RMA suggests logging in ten to fifteen minutes before the session is scheduled to begin. You will be placed in the "waiting room" and granted access to the session by RMA at 2:00pm. Logging in early will give you an opportunity to test and activate your microphone and audio settings.

Step 2 – activate and test your audio and microphone

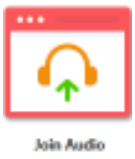
To hear the resolution session and have an opportunity to speak, members **MUST** use their computer audio (not a separate phone audio connection).

To join audio, do the following:

- The **Join with Computer Audio** screen should automatically pop-up



- Click the "test speaker and microphone" button to ensure you can both hear and be heard in the meeting program.
- After testing, click the "join with computer audio" button
- If the **Join with Computer Audio** screen does not pop-up, click on the **Join Audio button**



NOTE: all participants will be automatically muted throughout the resolution session. All muting and un-muting will be controlled by RMA staff. Instructions on how to request an opportunity to speak during the resolution session is explained in steps 5 and 6 below.

Step 3 – change your name to allow participants to be easily identified.

Changing your name is important to ensure that all participants can be identified by the Resolutions Committee Chair in the event they wish to speak on a resolution.

All participants must change their name to the following format: **"First Name, Last Name – Municipality."** For example: "John Smith – MD of Anywhere."

If a council is listening from a central location (if social distancing requirements can be followed), change the group name to: "Council – Municipality." For example: "Council – MD of Anywhere."

To change your name, do the following:

- Find yourself in the participant list – you should see "(me)" beside your name
- Hover the cursor over your name and click on "**more**," then click on "**rename**"
- Change your name to the format above

If you do not change your name prior to the start of the resolution session, you may be removed from the session by the moderator, or not allowed to speak.

Step 4 – presentation of resolutions

The Resolutions Committee will introduce each resolution by reading the operative clause, which will also be displayed on the slides visible on the screen. This will be repeated for each resolution.

Step 5 – mover and seconder will introduce resolutions

Each resolution requires a mover and seconder, who have a combined five minutes to speak to the resolution. **To identify yourself as a mover or seconder, do the following:**

- Select the **"participants"** tab near the bottom of the meeting screen.
- At the bottom of the **"participants"** list that will open on the right side of the screen, click the **"raise hand"** button.
- This button will raise your virtual hand and indicate to the Chairperson and RMA staff operating the program that you wish to speak.
- Keep your hand raised. Your hand will be lowered by staff when are allowed to speak.
- The Chairperson will identify you as a mover or seconder.
- RMA staff will un-mute the microphones of the mover and seconder, and identify that the microphones have been unmuted, the timer has begun, and the mover and seconder may introduce the resolution.

Step 6 – Chairperson will open resolution for members to speak in clarification, opposition or amendment

A member wishing to speak to a resolution will have two minutes. **To speak in clarification, opposition or amendment, do the following:**

- Select the **"participants"** tab near the bottom of the meeting screen.
- At the bottom of the **"participants"** list that will open on the right side of the screen, click the **"raise hand"** button.
- This button will raise your virtual hand and indicate to the Chairperson and RMA staff operating the program that you wish to speak.
- Keep your hand raised. Your hand will be lowered by staff when are allowed to speak.
- The Chairperson will identify you.
- RMA staff will un-mute the microphones of the identified speaker, and indicate that the speaker's microphone has been unmuted and the timer has begun.
- The speaker will be required to identify their name and municipality to ensure that the proper person has been identified.
- This process will continue based on the direction of the Chairperson.

Step 6a (if necessary) – proposing and voting on an amendment

A member wishing to propose an amendment to a resolution is encouraged to submit the amendment in advance by emailing it to wyatt@RMAlberta.com. When an amendment is proposed, a slide with the proposed amendment will be displayed. If the amendment is accepted as "friendly," the process will continue toward a vote on the overall resolution. If the amendment is "unfriendly," it will proceed to a vote using the vote by text function outlined on page 1.

Step 7 – Conclude debate on resolution

Upon conclusion of debate on the resolution, the Chairperson will provide the mover and seconder with two minutes to close discussion.

Step 8 – Vote on resolution

When the Chairperson calls for a vote on the resolution, members will have 60 seconds to vote using the "vote by text" function outlined on page 1. Every councillor is required to vote from their own cell phone; one vote per cell phone is allowed for each question.

Questions

Due to the volume of participants that will be on the call, **technical assistance will not be available during the resolution session**. For questions in advance of the session, contact RMA Senior Policy Advisor Wyatt Skovron at wyatt@RMAlberta.com.

RMA Spring 2020 Submitted Resolutions

1) Call to Order
2) Acceptance of Order Paper
3) Resolution Session

1-20S **Alberta Wetland Mitigation Directive** (Saddle Hills County)

2-20S **Additional Depreciation of Machinery and Equipment Property (Schedule D)** (MD of Opportunity)

3-20S **Implementing Western, Rural Municipal Representation on FCM WEST** (Sturgeon County)

4-20S **Water and Wastewater – Laws, Regulations and Funding** (County of Grande Prairie)

5-20S **Regional Economic Development Alliances Continued Provincial Funding** (MD of Spirit River)

6-20S **Economic State of Crisis** (Brazeau County)

7-20S **Health Care Co-ops** (County of Warner)

ER1-20S **Loss of 2% Strychnine** (Cypress County)

ER2-20S **New Physician Funding Framework** (Lac La Biche County)

ER3-20S **Housing Management Body Compliance Requirements During Pandemic Response** (Mountain View County)

4) Vote on Emergent Resolutions
5) Closing of Resolution Session

Resolution 1-20S

Alberta Wetland Mitigation Directive

Saddle Hills County

Simple Majority Required
Endorsed by District 4 (Northern)

WHEREAS the Alberta Wetland Policy requires municipalities to implement practices that impact budgets and project timelines with minimal improvements to the environment; and

WHEREAS the wetland application process can take several months if a field assessment is required as it can only be completed during the plant growing season; and

WHEREAS most of the costs associated with the wetland restoration program are used for administration, with a minimal amount used to improve the environment; and

WHEREAS municipalities are required to hire engineers to complete desktop and wetland assessments and Alberta Environment and Parks use significant staff resources to review engineer assessments and process applications; and

WHEREAS rural municipalities manage the majority of Alberta's public road infrastructure; and

WHEREAS roads require consistent maintenance and/or re-building to support a growing province, ensure public safety, accommodate increased use including extra weight and more traffic, and align with current standards; and

WHEREAS the consequences of not completing road maintenance as required, due to extended time and extra cost, could include putting public safety in jeopardy due to a lack of upgraded roads, and loss of transportation routes for industry and the public due to road bans or road closure;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta urge the Government of Alberta to modify the Alberta Wetland Mitigation Directive to minimize the administration and assessment process to reduce costs and approval times for municipalities; and

FURTHER BE IT RESOLVED that funds collected through the Alberta Wetland Mitigation Directive be directed to environment improvement projects that have low administration fees.

Member Background

Recently, Saddle Hills County has hired consultants to complete wetland assessments on projects and have found the process is time-consuming and expensive, especially if wetlands are found. Below is a summary of an example of one such project:

Summary of Wetland Assessment – Highway 725:02 / Township Road 811

The Highway 725:02 and Township Road 811 intersection improvement project consists of a 0.31 km road widening for turning lanes, culvert extension and relocation of a private driveway.

A desktop assessment of the wetland was completed which identified impact to five wetlands including a 50 metre buffer. Therefore, a full wetland assessment and impact report was completed. The wetland assessment started on February 27, 2019 and was completed on July 17, 2019 at a cost of $21,855 which includes $7,400 of wetland compensation.

RMA Background

9-18F: Impact of the Alberta Wetland Policy on the Cost of Maintaining Public Road Infrastructure

> THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta urge the Government of Alberta to modify the Alberta Wetland Mitigation Directive to allow all wetland impacts as a result of municipal road maintenance or re-building of existing roads to utilize a one to one ratio, or D to D value wetland replacement; and/or consider exempting all wetland impacts in road right of ways that are smaller than one hectare in size.

15-18F: Wetland Mitigation Directive – Restoration and Compensation

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta request that Alberta Environment and Parks follow the Wetland Mitigation Directive and that permittee-responsible mitigation either through enhancement or construction of wetlands be allowed, be it either through the Alternative Land Use Services program or through wetlands constructed as a part of stormwater management ponds.

Resolution 2-20S

Additional Depreciation of Machinery and Equipment Property (Schedule D)

MD of Opportunity

Simple Majority Required
Endorsed by District 4 (Northern)

WHEREAS machinery and equipment (M&E) property is assessed in accordance with the Alberta *Machinery & Equipment Assessment Minister' s Guidelines*(the Guidelines), adopted by way of Ministerial Order every year; and

WHEREAS additional depreciation may be granted under Schedule D of the Guidelines "[f]or any depreciation that is not reflected in Schedule C…provided acceptable evidence of such loss in value exists"; and

WHEREAS several assessment complaints have been filed with the Municipal Government Board respecting assessments for M&E requesting additional depreciation under Schedule D of the Guidelines on the basis of industry-wide economic conditions; and

WHEREAS the Provincial Assessor's policy with respect to Schedule D is to not grant additional depreciation on the basis of industry-wide economic conditions; and

WHEREAS the Provincial Assessor's policy ensures that assessments are not affected by industry-wide economic conditions and that assessment of M&E is based on a stable, predictable system; and

WHEREAS policies are already in place to reduce assessments prepared for and taxes paid on M&E, including the reduction of all assessments of M&E to 77% of the value determined in accordance with the Guidelines, a 25% immediate depreciation on M&E pursuant to Schedule C of the Guidelines, and the exemption of M&E from education requisitions; and

WHEREAS municipalities depend on the stable, predictable assessment system established by the Guidelines; and

WHEREAS if the Provincial Assessor's policy respecting the assessment of M&E is changed, there will be a significant redistribution of the assessment base within municipalities;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta (RMA) advocate for the Government of Alberta to take steps to ensure that assessments for Machinery and Equipment are not adjusted under Schedule D of the Alberta Machinery & Equipment Asse*ssment Minister's* Guidelines on the basis of industry-wide economic conditions; and

FURTHER BE IT RESOLVED that RMA advocate for the Government of Alberta to amend Schedule D of the *Alberta Machinery & Equipment Assessment Minister's Guidelines* to confirm the status of the current policy that additional depreciation under Schedule D is not available on the basis of industry-wide economic conditions; and

FURTHER BE IT RESOLVED that RMA advocate for the Government of Alberta to not consider any changes to the Alberta Machinery & Equipment Assessment *Minister's Guidelines* without full consultation and consideration of the impact of any changes on all Alberta taxpayers.

Member Background

Canadian Natural Resources Limited ("CNRL") filed complaints with the Municipal Government Board (MGB) for property assessments prepared by the Provincial Assessor for designated industrial property in the 2018 and 2019 tax years.

The complaints seek reductions in assessments for Machinery and Equipment (M&E), as well as Buildings and Structures, across Alberta. The requested reductions in assessments are in the range of 50%. The properties under complaint are found within 52 Alberta municipalities (the full list of which is provided below). The specific properties under complaint and the affected municipalities vary for 2018 and 2019. The full list provided includes those municipalities affected by both or either of the complaints.

In relation to the assessment of M&E in both 2018 and 2019, CNRL argues that the regulated standard found in the *Alberta Machinery & Equipment Assessment Minister's Guidelines* (the Guidelines) should include depreciation on the basis of industry-wide market or economic conditions under Schedule D.

The Municipal District of Opportunity No. 17 understands that this same argument has been raised in other complaints before the MGB, and it is expected that further complaints will be filed in 2020 (and beyond) on the same basis.

If industry-wide market or economic conditions form part of the regulated assessments, then there is little difference between a market value assessment and the regulated assessment process established by the Guidelines.

The Provincial Assessor's current policy is to not allow additional depreciation under Schedule D of the Guidelines on the basis of industry-wide economic conditions. Regulated assessments are not intended to vary with general changes in the economy the way that market value assessments do; this perceived disadvantage is more than offset by the preferential policies embedded in the system. Municipalities depend on this stable, predictable system to ensure an even distribution of property taxes amongst all taxpayers.

If this current policy is changed, there will be a significant impact on the distribution of property taxes throughout every municipality in the Province that collects property taxes on M&E. The result will impact all taxpayers within those municipalities due to the resultant shifting of the tax burden.

No changes should be made to the current policy respecting application of the Guidelines without full consultation and consideration of the impact such changes would have on all taxpayers.

The following municipalities host assets that are subject to the complaints filed by CNRL:

- Athabasca County
- County of Barrhead No. 11
- Municipal District of Bonnyville No. 87
- Camrose County
- Municipal District of Fairview No. 136
- Flagstaff County
- Foothills County
- County of Forty Mile No. 8
- County of Grande Prairie No. 1
- Special Areas Board
- Kneehill County
- Lac Ste. Anne County
- Lacombe County
- Lamont County
- County of Minburn No. 27
- County of Newell
- County of Paintearth No. 18
- Ponoka County
- Red Deer County
- Smoky Lake County
- County of St. Paul No. 19
- Starland County
- County of Stettler No. 6
- Sturgeon County
- Municipal District of Taber
- Thorhild County
- County of Two Hills No. 21
- County of Vermilion River
- Vulcan County
- Municipal District of Wainwright No. 61
- County of Warner No. 5
- Westlock County

- County of Wetaskiwin No. 10
- Wheatland County
- Municipal District of Willow Creek No. 26
- Cypress County
- Clearwater County
- Brazeau County
- Woodlands County
- Municipal District of Greenview No. 16
- Yellowhead County
- Northern Sunrise County
- Birch Hills County
- Saddle Hills County
- Clear Hills County
- Mackenzie County
- Municipal District of Lesser Slave River No. 124
- County of Northern Lights
- Municipal District of Opportunity No. 17
- Town of Drumheller
- Lac La Biche County
- Improvement District No. 349

RMA Background

RMA has no active resolutions directly related to this issue.

Resolution 3-20S

Implementing Western, Rural Municipal Representation on FCM WEST

Sturgeon County

Simple Majority Required
Individual Resolution

WHEREAS rural municipalities across western Canada are members of the **Federation of Canadian Municipalities** (FCM) which is a collective of 2000 local governments of all sizes across Canada; and

WHEREAS FCM's purpose is to advocate on behalf of all types of municipalities with influence and access to key federal-decision makers within every federal Canadian political party to drive investment in municipal priorities; and

WHEREAS FCM has established the **Western Economic Solutions Taskforce** (WEST) to address municipal priorities and challenges specific to western Canada; and

WHEREAS rural municipalities in Alberta, while appreciative of the creation of WEST, believe sufficient western, rural representation does not exist within the group; and

WHEREAS attendance at the 2019 FCM conference resulted in disappointment for many western rural municipal leaders because the issues impacting them were not accurately represented at the conference; and

WHEREAS rural municipalities in Alberta believe there is opportunity for improvement in FCM's representation of western, rural Canadian issues and perspectives, specifically in the WEST;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta (RMA) urge the Federation of Canadian Municipalities (FCM) to address the lack of western, rural representation within the Western Economic Solutions Taskforce (WEST) by advocating to FCM that membership to WEST reflect a balance between urban and rural mayoral perspectives, while keeping the size of the Taskforce at a manageable level.

Member Background

The Federation of Canadian Municipalities (FCM) currently represents approximately 2000 municipalities across the country, which collectively serve about 90% of the Canadian population. Approximately 80% of FCM's member municipalities are classified as rural.

Rural municipalities are generally characterized by low population densities and large geographies. However, rural municipalities provide the essentials of daily life including the production of grain and meat for food, gas and oil for cars and industrial vehicles, gas to heat our homes, and wood to build our homes. In fact, the vast majority of major value-added commercial and industrial projects (oil and gas), agriculture, forestry, and the manufacturing sector happens in rural municipalities. While significant residential, commercial and industrial development occurred throughout the country over time, recent economic conditions have significantly restricted growth for municipalities in western Canada.

In turn, the economic downturn has done significant damage to western Canada, with the impact resonating throughout the entire country. In response to this crisis, FCM formed a special taskforce to ensure western Canadian perspectives could be communicated more clearly to Ottawa. This Taskforce, called the Western Economic Solutions Taskforce (WEST) has been mandated with addressing this pressing national concern.

WEST brings together urban and rural leaders from across western Canada so they may collectively focus on the economic downturn, generate solutions and partnerships with the Government of Canada, and ensure the western Canadian perspective is well-represented nationally.

The composition of WEST includes:

Chair, Randy Goulden	Chair of FCM's Prairies and Territories Regional Caucus
Co-Chair, Al Kemmere	President of Rural Municipalities of Alberta
Co-Chair, Charlie Clark	Mayor of the City of Saskatoon
Michael Fougere	Mayor of the City of Regina
Don Iveson	• Mayor of the City of Edmonton • Chair of the Big City Mayor's Caucus
Naheed Nenshi	Mayor of the City of Calgary
Brian Bowman	Mayor of the City of Winnipeg
Bill Karsten	President of FCM
Darren Hill	Third Vice-President of FCM
Ray Orb	• President of Saskatchewan Association of Rural Municipalities • FCM Rural Forum Chair
Gordon Barnhart	President of Saskatchewan Urban Municipalities Association
Barry Morishita	President of Alberta Urban Municipalities Association
Ralph Groening	President of the Association of Manitoba Municipalities
Maya Tait	President of the Union of British Columbia Municipalities
Garth Frizzell, *ex-officio	First Vice-President of FCM
Joanne Vanderheyden, *ex-officio	Second Vice-President of FCM
Vicki-May Hamm, *ex-officio	Past President of FCM

Two out of 17 members on WEST are rural-focused, and the group contains no rural mayors (yet there are five urban mayors). This warrants action to ensure that important rural, western perspectives are more effectively represented. The reason why rural municipalities exist, their priorities, their values, their opportunities (economic, environmental and social), and their challenges are fundamentally different from those of their urban neighbours. Having both the urban and rural municipal perspectives is vital to effectively meeting WEST's mandate for western Canada.

RMA Background

8-19F: Opportunity for Improvement in FCM Representation of Rural Issues and Western Perspectives

> THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta (RMA) use their collective strength and understanding of the rural municipal perspective and priority issues to promote accurate inclusion of rural and western Canadian issues and perspectives at the annual Federation of Canadian Municipalities (FCM) conference, and in FCM communications and advocacy efforts; and
>
> FURTHER BE IT RESOLVED that RMA send a letter to FCM identifying areas of alignment and concern with the content of the 2019 annual FCM conference and requesting that planning committees for future annual conferences include appropriate representation from rural western Canada to ensure that conferences are relevant and meaningful to all member municipalities.

Resolution 4-20S

Water and Wastewater – Laws, Regulations and Funding

County of Grande Prairie

Simple Majority Required
Endorsed by District 4 (Northern)

WHEREAS the Government of Canada and Government of Alberta draft and implement laws and regulations to protect the environment and public health, including the production and distribution of potable water and the collection, treatment, and release of wastewater; and

WHEREAS the production and distribution of potable water and the collection, treatment, and release of wastewater are essential services crucial to safe, healthy communities; and

WHEREAS the production and distribution of potable water and the collection, treatment, and release of wastewater are often provided by municipalities, municipal commissions, or municipally-owned utility companies; and

WHEREAS the laws and regulations governing the production and distribution of potable water and the collection, treatment, and release of wastewater can have both direct and indirect effects on the cost of providing these services; and

WHEREAS many water and wastewater service providers are challenged to fund the infrastructure deficits under the current laws and regulations governing the production and distribution of potable water and the collection, treatment, and release of effluent;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta (RMA) advocate that the Government of Canada and Government of Alberta consider and evaluate the financial impacts that all existing and proposed laws and regulations governing the production and distribution of potable water and the collection, treatment and release of wastewater will have on municipalities, municipal commissions, or municipally-owned utility companies, and share this information with RMA; and

FURTHER BE IT RESOLVED that the governments of Canada and Alberta establish adequate, stable, long-term funding for all affected water and wastewater service providers which considers the rising costs of providing these services due to federal and provincial laws and regulations.

Member Background

Located in northern Alberta, the Water North Coalition's membership is comprised of 93 communities, service providers and organizations including cities, towns, counties and municipal districts, hamlets, Metis Settlements, and commissions. The Water North Coalition sent out a survey to its 93 members to gather input on the water and wastewater issues.

One significant concern which showed itself in the results was the rising cost of water and wastewater service delivery. The average water/wastewater infrastructure deficit reported among the respondents was $36.4 million, with a lack of adequate, consistent and sustainable funding being cited as the largest challenge. Aging infrastructure and small customer bases in rural areas also add urgency and challenges, as service providers struggle to fund critical projects whose costs will be spread among relatively few customers, which can make the services cost prohibitive.

These challenges are often amplified in small and rural areas as funding criteria can exclude the water and wastewater service delivery models often found in these communities. These funding programs exclude commissions and water cooperatives from applying for funding as the process does not recognize these organizations as service providers. The commissions and water cooperatives, however, are expected to follow the same regulations. The funding programs often lack a formal application process, and have tight timelines when funding does become available, which often poses a disproportionate challenge for smaller and rural communities that lack the resources required to engineer shovel-ready plans, especially in the face of changing laws and regulations.

RMA Background

RMA has no active resolutions directly related to this issue.

Resolution 5-20S

Regional Economic Development Alliances Continued Provincial Funding

MD of Spirit River

Simple Majority Required
Endorsed by District 4 (Northern)

WHEREAS for 20 years the Government of Alberta (GOA) has embraced a partnership with Alberta municipalities to plan and undertake regional economic development initiatives of mutual interest; and

WHEREAS the success of this partnership has made Alberta a leader in the delivery of regional economic development; and

WHEREAS Regional Economic Development Alliances (REDAs) provide a cost-efficient venue for the GOA and municipalities to build partnerships to foster economic growth in their regions; and

WHEREAS REDAs provide a substantial multiplier effect on dollars invested; and

WHEREAS the GOA has limited staffing resources and capacity to offer comparable economic tools and opportunities to rural members to those in urban areas, and

WHEREAS the majority of rural municipalities cannot afford to hire their own economic development officers; and

WHEREAS REDAs are dependent on the GOA's support due to additional downloading onto municipalities such as policing, which limits the ability of REDAs to charge greater membership fees to municipalities; and

WHEREAS the five-year funding agreement for REDAs expired March 31, 2020 and there has been no response on a renewal of this contract; and

WHEREAS the loss of REDAs due to GOA funding cutbacks may result in the loss of strong intermunicipal collaborations in rural Alberta that have taken 20 years to build;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta (RMA) advocate that the Government of Alberta enter into a five-year contract with the existing nine Regional Economic Development Alliances (REDAs) at an equivalent or higher funding arrangement as was in effect in the previous agreement; and

FURTHER BE IT RESOLVED that RMA request that the Government of Alberta enter into meaningful discussions with REDA chairs to ensure long-term sustainability of REDAs.

Member Background

Rural Alberta communities rely on REDAs to help plan and undertake economic development activities. REDAs provide a forum and mechanism for municipalities and other economic development agencies to identify common issues and solutions to problems or opportunities beyond the limited resources of individual municipalities. Examples of big problems that benefit from the collective actions of municipalities include: broadband research, alternate and value-added crop studies; medical training in rural communities; regional infrastructure needs including future access to water; the retention of companies in rural communities through productivity initiatives; and the importance of supporting innovation and competitiveness as a way to retain and grow rural communities.

REDAs are supported by their member municipalities, community futures, post-secondary institutions, chambers of commerce and industry. Member municipalities are being asked by the GOA to prosper on reduced provincial grants, less funding and increased costs such as policing. This challenges REDAs to go back to their municipalities for more funding to make up for any shortfall from the GOA.

RMA Background

RMA has no active resolutions directly related to this issue.

Resolution 6-20S

Economic State of Crisis

Brazeau County

Simple Majority Required
Individual Resolution

WHEREAS Alberta's unemployment rate is trending upward and remains above the national average; and

WHEREAS consumer bankruptcies increased by 9.1% from November 2018 to November 2019; and

WHEREAS citizen dependence on employment insurance in Alberta is on the rise; and

WHEREAS consumer confidence is plunging due to sustained economic decline; and

WHEREAS rural crime, due in part to increased unemployment, has increased markedly since 2014; and

WHEREAS commercial bankruptcies are seeing a year over year increase since 2016; and

WHEREAS certain bureaucratic government policies in response to perceived environmental emergencies have resulted in actual corporate and personal financial crisis;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta advocate to the governments of Alberta and Canada to declare an economic state of crisis and work with all levels of government to develop and enact policies designed to secure investment and employment in the energy sector.

Member Background

Western Canada's resource-based communities are facing unprecedented challenges due to many factors. These factors connect western Canadians but create a disconnect from those elsewhere in the country. Such factors include a lack of awareness on the part of many Canadians about the challenges being faced in western Canada and the perceived indifference of the Government of Canada to continued attacks by radical environmental groups on the industries that are a major contributor to Canada's economic engine.

These factors have led to one common outcome: significant financial challenges for every Canadian who is reliant, either directly or indirectly, on the energy sector for their living. In Alberta, all business is impacted; not only direct energy-related businesses or secondary and tertiary businesses but the local grocery shops, clothing stores and other essential local businesses. Community organizations, sports teams, and schools are suffering due to a lack of membership and financial support as community members move or suffer mental/physical and emotional distress due to the loss of employment.

The energy industry's record of environmental stewardship, Indigenous outreach policy and proven economic success is something that governments at all levels should champion. There is significant scientific information supporting the environmental practices of Alberta's energy industry compared to other petroleum producers such as Saudi Arabia or Venezuela. Consultation and inclusion with Indigenous peoples has significantly increased as the reconciliation process has evolved. Alberta's Indigenous communities have played a significant role and investment in the energy sector which is a key economic driver of the Canadian economy.

RMA Background

1-19S: Municipal Support for the Energy Industry

> THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta advocate for the Government of Alberta to further develop and implement a targeted, national education and marketing campaign on behalf of Albertans in order to offset foreign protectionism and de-marketing campaigns, regulatory delays, and the combined infrastructure and economic factors that are creating a significant, negative effect on Canada's local, provincial, and national economies. The elements of the education and marketing campaign include as outlined in "Schedule A";
>
> FURTHER BE IT RESOLVED that the Government of Alberta provide resources to offset the combined negative impacts affecting the energy industry through:

1. the continuation of the Petrochemicals Diversification Program;
2. key energy industry-supporting infrastructure development; and
3. a continued strong presence and advocacy with federal, municipal and foreign governments.

Resolution 7-20S

Health Care Co-ops

County of Warner

Simple Majority Required
Individual Resolution

WHEREAS many rural municipalities are involved in supporting the delivery of health care services in their community; and

WHEREAS health care co-operatives can provide responsive, cost-effective and quality health care services;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta request the Government of Alberta to adopt a strategy to support the establishment of health care co-ops to be used to better serve rural residents in the overall delivery of health services.

Member Background

Health care co-ops cannot impose conditions on services governed by the Canada Health Act, but they can work to improve access to these services and provide services not covered by the Act. Health co-ops are focused on preventative health care and education and work to empower individuals to take control of their own health and well-being.

Co-operative healthcare has been well established in Canada for over 50 years, addressing the social determinants of health in response to the unique wellness and health needs of individual and communities. They are care-effective, efficient, community-based, member-controlled and values-driven. They provide outstanding services. Health care co-ops are productive, fiscally responsible and socially necessary, as they address the social determinants of health in their communities. They can assist communities and the Government of Alberta in making effective use of health care dollars that are more responsive to local needs.

RMA Background

RMA has no active resolutions directly related to this issue.

Resolution ER1-20S

Loss of 2% Strychnine

Cypress County

Simple Majority Required
Emergent Resolution

WHEREAS the federal **Pest Management Regulatory Agency** (PMRA) has cancelled the registration for 2% Liquid Strychnine for use on **Richardson's Ground Squirrels** (RGS) as of March 4, 2020; and

WHEREAS agricultural producers require a product to effectively assist in the control of RGS; and

WHEREAS after March 4, 2023, owning and using strychnine will be illegal and owners/users could face fines;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta request that Health Canada and the Pest Management Regulatory Agency (PMRA) reinstate the use of 2% Liquid Strychnine on a permanent basis to agricultural producers to utilize on their farms for control of Richardson's Ground Squirrels (RGS); and

FURTHER BE IT RESOLVED that Health Canada and the PMRA provide an alternative solution that produces effective results in a financially responsible manner for the continued control of RGS.

Member Background

Cypress County learned that the Pesticide Management Regulatory Agency (PMRA) and Health Canada has cancelled the approved use of strychnine to control Richardson's Ground Squirrels (RGS). The PMRA's decision is based on anecdotal assumptions, not recent research.

PMRA's plan is to phase out the product over the next three years, making the product unavailable after March 4, 2021 and fully banned for use after March 4, 2023. There is currently no alternative to control RGS.

RGS (commonly known as gophers) have been a problem to landowners for several years. In the early spring they can destroy a large amount of seeded grain, as they are looking for a source of food and the crop is an enticing option. Producers are faced with a problem in trying to plant any forage crops, as well as native grass, as these are continually being eaten by the gophers. They not only destroy the crops, they dig so many holes that farmers often break machinery and livestock are often injured, causing both farmers and ranchers additional expense.

Several years ago, the Government of Canada allowed landowners to purchase a 2% Liquid Strychnine solution which they could mix with grain and place down gopher holes. This was effective in controlling RGS. Next, the Government of Canada allowed manufacturers to produce a 5% Liquid Strychnine solution for pocket gophers, which was very effective in controlling these pests.

The Government of Canada then restricted the sale of both 2% and 5% strychnine and allowed the manufacturers to produce a pre-mixed feed instead. This was both very expensive and not effective. As a result, the gopher population became out of control resulting in millions of dollars in losses to producers.

Since 2% Liquid Strychnine was reinstated for use in 2001, RGS populations have declined. Dry years with no effective method of control will result in devastating losses.

RMA Background

RMA has no active resolutions directly related to this issue.

Resolution ER2-20S

New Physician Funding Framework

Lac La Biche County

Simple Majority Required
Emergent Resolution

WHEREAS on February 20, 2020 the Government of Alberta ended negotiations with the Alberta Medical Association and terminated the master agreement with Alberta physicians; and

WHEREAS the master agreement ended on March 31, 2020, when a new physician funding framework was implemented; and

WHEREAS the new funding framework changes how Alberta physicians are compensated; and

WHEREAS physicians have expressed serious concerns about the viability of their practices under the new framework, especially in rural Alberta; and

WHEREAS rural and small municipalities have historically struggled to attract physicians under the now-terminated master agreement, making the prospect of doctors leaving under the new framework very likely;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta urge the Government of Alberta to reengage in negotiations with the Alberta Medical Association to mutually arrive at a new master agreement that ensures continued timely access to healthcare for all rural Albertans.

Member Background

Rural municipalities across Alberta have been expressing grave concerns with the new physician funding framework.

On February 20, 2020, the Government of Alberta ended negotiations with the Alberta Medical Association and unexpectedly terminated their master agreement with Alberta's doctors. The master agreement expired on March 31, 2020, with a new, much more restrictive funding framework taking its place. While enactment of the complex modifier and clinical stipend recommendations have been suspended, the nine other funding framework recommendations are currently in effect.

Doctors in Lac La Biche County, rural Alberta, and the entire province have serious doubts about the viability of their practices under the new framework. Even under the now-expired framework, it has been especially difficult to attract and retain doctors to rural Alberta.

With the new model in place, rural clinics could close as physicians move elsewhere. Without local practices, patients will travel long distances to other communities for routine medical check-ups, or take up valuable time in emergency rooms. Moreover, with fewer doctors in communities, local hospitals may have to reduce hours and services or shut down entirely. In emergency situations, where minutes or even seconds can make a difference, many Albertans will lack medical care when they need it most.

Lac La Biche County believes that the Alberta Medical Association and Government of Alberta must renegotiate and come to an agreement that ensures equitable access to medical services for everyone in this province, regardless of where they live. It is imperative that doctors are fairly compensated for the outsized role that they play in keeping our communities healthy and safe. This is especially critical in the midst of a global pandemic, when we need our medical community focused on their jobs rather than their compensation.

RMA Background

RMA has no active resolutions directly related to this issue.

Resolution ER3-20S

Housing Management Body Compliance Requirements During Pandemic Response

Mountain View County

Simple Majority Required
Emergent Resolution

WHEREAS the World Health Organization has declared a global pandemic for COVID-19 on March 11, 2020 and Alberta **housing management bodies** (HMBs) and **continuing care operators** (CCOs) have been in pandemic response since that time; and

WHEREAS HMBs and CCOs have been proactive in taking preventative steps and complying with directives and orders from **Alberta Health** (AH); and

WHEREAS Alberta HMBs and CCOs have incurred unbudgeted costs for labour and supplies and lost revenues to vacancies in order to meet AH compliance requirements; and

WHEREAS the pandemic-related revenue and cost impacts forAlberta HMBs and CCOs are not currently funded by any federal or provincial programs; and

WHEREAS these lost revenues and costs are not recoverable through business interruption insurance; and

WHEREAS at some point, HMBs and CCOs must make up lost revenues and costs to sustain operations; and

WHEREAS in the event of a COVID-19 outbreak in a facility, there is a clear current that a single HMB or CCO will not be able to supply full front-line labour requirements;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta (RMA) request the Government of Alberta to provide funding to Alberta housing management bodies (HMBs) and continuing care operators (CCOs) in support of front-line workers for the additional labour, personal protective equipment and operational supplies and lost revenues due to complying with COVID-19 pandemic directives and orders; and

FURTHER BE IT RESOLVED that RMA request the Government of Alberta to immediately provide a plan for emergency supply of labour, personal protective equipment and operational supplies to Alberta HMBs and CCOs in the event of a COVID-19 outbreak at a facility in Alberta.

Member Background

At this time, Mountain View Seniors' Housing (MVSH) has remained free of any occurrence of the COVID-19 virus. However, MVSH has lost revenues because of requirements to restrict resident admissions and transfers due to expanded outbreak declarations, MVSH has added staffing costs for leaves of absence due to imposed 14-day and 10-day isolation rules, MVSH has added staffing hours for enhanced senior supportive living care, mealtime, housekeeping services and activities. Further, MVSH has been ordered and directed by Alberta Health to meet increased requirements to address care and social isolation, social distancing and restricted access controls to our facilities. MVSH has been ordered to place increased restrictions on staff and maintenance contractor movements between sites, MVSH has added costs to implement measures in the MVSH Pandemic Plan, MVSH has added measures and costs for securing a stable supply of labour, personal protective equipment (PPE) and operating supplies from vendors. The impact for all this at MVSH is estimated to be an additional $50,000 per month to our operating budget for 2020, starting on March 11, 2020. It is likely that seniors housing providers across Alberta are facing similar labour and fiscal impacts due to the pandemic and require provincial support to comply with new requirements.

RMA Background

RMA has no active resolutions directly related to this issue.

Request for Decision (RFD)

Meeting:	Regular	**Reviewed/ Approved For Submission**	
Meeting Date:	April 23rd, 2020	**CAO:**	
Originated By:	Dion Hynes/Dir. Public Works	**Manager:**	
Item Title:	Wanham Camp Ground	**Presenter:**	Hermann Minderlein

DESCRIPTION:

Administration is seeking direction from Council regarding operation of the Wanham Camp Ground during Covid 19.

BACKGROUND:

The Wanham Camp Ground that is located in the Hamlet of Wanham is operated and maintained by the County.

This site usually sees limited use or attendance during summer months with the biggest usage coming during the Wanham plow match in June. The plow match has been cancelled for this year so there won't be that user group. This is site has RV hookups for water, sewer and power at this time there is public access to a sanitary sewer dump and water hose outlet.

DISCUSSION / BENEFITS / DISADVANTAGES:

The spread of COVID 19 and all its risks have been a part of life for the past 5 or 6 weeks and it will continue to be for the near future. Reducing the risk and preventing the spread of the disease is the main goal of the greater part of the world population and we should be doing our part on a local level.

The amenities of the park are very limited however the potential for people to social gather, not maintain social distancing practices and cleanliness have to be considered at this time. There is information on the province website and Alberta health service website listing recommendations and guidance for administrators in Parks and Recreational Facilities related to preventing the spread of COVID 19

The Tangent Park, Dreamers Lake and Kakut Lake campgrounds are privately owned and operated entities, and their operations are regulated by the Province of Alberta.

OPTIONS:

Council may choose to:

1. Direct administration to advertise the campground in Wanham will be closed until further notice due to COVID 19; or

2. Direct administration to proceed with the opening of the campground in Wanham around the 1st of May weather dependent.

ATTACHMENT:

None

RECOMMENDED ACTION:

It is Administration's recommendation that Council direct administration not to open the Wanham Campground until further notice is provided by Council and to advertise that the campground in Wanham will be closed until further notice due to COVID 19.

Birch Hills County Library Board - General Meeting

Eaglesham Library

February 26, 2020 - Call to Order: 7:10pm

Present: Janice Brassard, Marina Gagne, Denise Joudrey, Margaret Mesher, Gale Skogen, Sally Howard, Kylie Sommerville, Norma Bolster, Pat Boettcher

Previous Meeting Minutes: Margaret moved to adopt previous minutes. Seconded and carried.

Librarians' Reports: Marina moved to accept the reports as information.

Janice moved to go into closed session. Seconded and carried.

Chair Report: Margaret moved to accept the Chair Report as information. Seconded. Carried.

County Report: Margaret moved to accept the County Report as information. Seconded. Carried.

Treasurers Report: Sally moved to send the books out to be audited. Seconded and carried.

Janice moved to open the session. Seconded and carried.

Old Business:

1. **Cricut Machine.** Margaret moved to keep it in the library supervised. Seconded. Carried.
2. **Tangent Upgrades.** Denise moved to get an RFD for quote details. Seconded. Carried.
3. **Lynne Resigned.** Sally moved to get a $150 gift card as a gift. Seconded. Carried.

New Business:

1. **Lib Pass.** Gale moves to accept the lib pass as presented. Seconded. Carried.
2. **Committees.** Formed to write/review current policies and bylaws/S.O.G.
   - **Fundraising:** Denise, Margaret, Gale
   - **Financial:** Sally
   - **Future Planning:** Margaret, Kylie
   - **Procurement & Disbursement:** Margaret, Sally, Janice
   - **Personnel:** Denise, Marina, Margaret
   - **Renewal of Policies & Bylaws:** Kylie, Denise, Janice
   - **Programming Ideas:** All

Next Meeting: Tuesday, April 14 at 7:00pm.

Adjournment: 10:06pm

Janice Brassard: _____ (Chair)

Kylie Sommerville:_____ (Secretary)

April 20, 2020

Murray Redel
Box 285
Eaglesham, AB T0H 1L0

Dear Mr. Redel,

Re: Birch Hills County Invoice 010373

At the March 26, 2020 Birch Hills County Regular Council Meeting, Council heard from you as a delegation regarding invoicing raised for a structure fire on your property at 252040 Hwy 49 (SE 03-078-25-W5).

This matter had been brought to Council on July 12, 2018 in the form of a letter from you dated July 7, 2018, and Council addressed that letter at their August 9, 2018 Regular Council Meeting at which time they adopted Resolution 18-278 that read as follows:

> *"that Council reduce Invoice 10332 to reflect Alberta Transportation Rates (as of August 2018), for the following two units:*
>
> *Eaglesham Command Unit $50.00/hr; and*
> *Tangent Tanker Unit $123.00/hr;*
>
> *and direct Administration to provide Mr. Redel with the revised Invoice 10332 that includes these changes and authorize Administration to arrange a schedule with Mr. Redel for the payment of Invoice 10332 in the amount of $9,217.00 over a period of 24 months with no interest added, provided that Mr. Redel makes monthly payments as per the schedule, and to process the outstanding debt as per Section 8.4(b) of Bylaw 2014-03, the Birch Hills County Regional Fire Services Bylaw, should Mr. Redel fail to arrange for or follow a payment schedule."*

This action was taken, and a revised invoice was sent to you with an explanation. The County did not receive acknowledgement that the option to schedule monthly payments was acceptable, no payments were received following the issue of the revised invoice, and eventually the account was transferred to taxes as per County policy.

Council did discuss your presentation later in the meeting on March 26, 2020, and adopted Resolution 20-132 that read as follows:

> *"that Council decline to make any additional changes to Mr. Murray Redel's Invoice 10332 for fire services and direct Administration to advise him of Council's decision."*

This decision was based on Section 8.4.(c) that reads as follows:

> *"(c) In the event that the owner or occupant of any land within or outside the County shall feel aggrieved by the fees described in Section 9, such owner or occupant shall have a period of thirty (30) days from the date of the mailing of the fee assessment to appeal the fees to the Birch Hills County Council.* ***The decision of the Council on any such appeal shall be final and binding*** *upon the owner or occupant of the land and is not subject to further appeal."*

Please feel free to contact the County Office if you have any questions or concerns.

Sincerely,

Hermann Minderlein,
Chief Administrative Officer
Birch Hills County

Cc: Birch Hills County Council
DCS Braun

/ss

Hermann Minderlein

From: Stanley Webb <stanley.webb@icloud.com>
Sent: Tuesday, April 21, 2020 4:52 PM
To: Hermann Minderlein
Subject: 37 02 20 policy

I just received information from a neighbour regarding proposed policy 37 02 20. I must admit that I have not had the opportunity to review the policy in detail and may already have missed the deadline for submitting my opinion.

Nevertheless I would like to state my concern if the information I am working from is correct. I have been led to believe the policy if implemented would see farmers using improved county roads made responsible for their maintenance. I understand that oil companies are choosing not to pay county taxes, a good deal if you can pull it off, but shifting that tax base to farmers seems grossly unfair to me.

My wife and I own two quarters of farmland south of Eaglesham , are retired and rent the land out. We are not sure how this would affect us. We live next to RR 261. Since ours is the last residence on that road and have no school children we are the last to see a grader in summer or winter and the road is heavily used, and abused, by oil company traffic hauling condensate from well sites south of our residence.

I agree that these roads were not built for the traffic they get, oil or agriculture, including "B trains" but I could not support off loading costs traditionally paid by multinational oil companies onto local agriculture.

Stanley W. H. Webb

Sent from my iPhone

Hermann Minderlein

From: Riley Emerson <r_emerson@live.ca>
Sent: Wednesday, April 22, 2020 8:42 AM
To: Hermann Minderlein
Subject: Roads

To the county, regarding the new road regulations. I completely disagree with everything in the proposed changes. Farming is a unique Industry, We cannot give two days notice to hauling. When a grain elevator calls, they call the day they want you to haul.
As far as the security deposit goes, it would be one thing if the roads were in good shape to start with but to charge us to fix a road that is not built right to start with is completely crazy. We need more gravel on the roads!
To put these kind of regulations on us farmers will not work, we are simply not an industry that can be put in a box like you're proposing.
Please consult with industries in this county before you push through such changes.
Also as far as number of trips go for hauling, most guys are hauling in 10 loads during harvest and during grain hauling time or hauling a minimum of four.
Riley Emerson

Sent from my iPhone

April 22, 2020

Mrs. Rose Sorgen
Box 44
Wanham, AB T0H 3P0

Dear Mrs. Sorgen,

Re: Birch Hills County Invoice 011074

At the March 26, 2020 Birch Hills County Regular Council Meeting, Council heard from you as a delegation regarding invoicing raised for a fire call out to your property at 774051 Range Road 42.

The matter was tabled at the time of your presentation, and then brought back later in the Agenda for discussion. Following the discussion, Council determined they did not have enough information before them on which to base a decision, and adopted Resolution 20-134 that read as follows:

> *"that Council direct Administration to request additional information from parties involved including Mrs. Rose Sorgen regarding her Invoice number 11074 for Fire Services and to bring back this information to future a Council meeting."*

The information required from you is as follows:

1. a copy of the letter from your insurance company providing confirmation that your claim had been declined, and that lists the reasoning for that decision; or

2. the following details regarding your conversation with your insurance company regarding your claim:

   a. the name and address of your insurance company or broker;

   b. the name and contact information for the agent or representative that you spoke with regarding the claim;

   c. the approximate date of your conversation(s) with this person; and

d. the specific details you were provided regarding the reason for denial.

It would be greatly appreciated if you could provide this information by May 21, 2020 in order that the information may be provided to Council at their next Regular Council Meeting after that.

Thank you for your patience and understanding, and please feel free to Contact Shelley Braun who will be the Interim CAO for Birch Hills County beginning this Friday, April 24, 2020 if you have any questions or concerns.

Sincerely,

Hermann Minderlein,
Chief Administrative Officer
Birch Hills County

Cc: Birch Hills County Council
DCS Braun

/ss