

TOWN OF RIMBEY

TOWN COUNCIL AGENDA

**AGENDA FOR REGULAR MEETING OF THE TOWN COUNCIL TO BE HELD ON  
MONDAY, NOVEMBER 14, 2011 AT 6:30 PM IN THE COUNCIL CHAMBERS OF  
THE TOWN ADMINISTRATION BUILDING**

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1. **Call to Order Regular Council Meeting  
& Record of Attendance**
  
2. **Public Hearing**
  
3. **Agenda Approval and Additions**
  
4. **Minutes**
  - 4.1 Monday, October 24, 2011, Council Meeting Minutes 3-8
  - 4.2 Monday October 24, 2011, Organizational Meeting Minutes 9-12
  
5. **Delegations**
  - 5.1 SJC Development Corporation
  
6. **Bylaws**
  - 6.1 Business License Bylaw 873/11 13-22
  - 6.2 Regional Assessment Review Board Bylaw 874/11 23-42
  
7. **New and Unfinished Business**
  - 7.1 Tax Cancellation Request 43-47
  - 7.2 Rimbey Vet Clinic – Request to Consider a Cat Bylaw 48-61
  - 7.3 Recreation Board Agreement Issues 62-67
  
8. **Reports**
  - 8.1 Department Reports
    - 8.1.1 Finance
      - 8.1.1.1 Bank Reconciliation 68
      - 8.1.1.2 Cash Position 69
      - 8.1.1.3 Consolidated Financial Statement 70-71
      - 8.1.1.4 Accounts Payable Cheque Run – Nov 10/11
  
9. **Correspondence**
  - 9.1 SJC Deletion 54 Street Access to Highway 53 Letter 72-74
  - 9.2 Claim Request Letter for Damages 75-77
  - 9.3 Big Brothers Big Sisters of Rimbey 78
  - 9.4 Alberta Utilities Commission 79-82
  - 9.5 FCSS & RCHHS Sept 21/11 Board Minutes 83-86
  
10. **In Camera**
  
11. **Adjournment**

## **Summary of Agenda Items for November 14, 2011:**

### **Delegation:**

#### **5.1 SJC Development Corporation**

### **Bylaws**

- 6.1 **Business License Bylaw** – Council pass a resolution for Second and third reading reading of Bylaw 873/11
- 6.2 **Regional Assessment Review Board Bylaw** - Council to pass a resolution for all three readings of Bylaw 874/11 (Schedule A) and Council pass a resolution that the Town of Rimbey enter into an agreement with the City of Red Deer for regional assessment review services.

### **New and Unfinished Business:**

- 7.1 **Tax Cancellation Request** – Administration is requesting Council make a decision on the request to reduce the taxes on the subject property.
- 7.2 **Request to Consider a Cat Bylaw** – Administration is presented information as motioned by Council at the October 24, 2011 regular meeting.
- 7.3 **Recreation Board Agreement Issues**

### **Reports:**

#### **8.1 Department Reports**

- 8.1.1 Finance
  - 8.1.1.1 Cash Position
  - 8.1.1.2 Bank Reconciliation
  - 8.1.1.3 Consolidated Financial Statement
  - 8.1.1.4 Accounts Payable Cheque Run – Nov 10/11

Council pass a resolution to approve the November 10, 2011 Accounts Payable Cheque Run as presented.

### **Correspondence:**

- 9.1 **SJC Deletion of 54 Street Access to Highway 53 Letter**
- 9.2 **Claim Request Letter for Damages**
- 9.3 **Big Brothers Big Sisters of Rimbey**
- 9.4 **Alberta Utilities Commission**
- 9.5 **FCSS & RCHHS Sept 21/11 Board Minutes**

TOWN OF RIMBEY

TOWN COUNCIL

MINUTES OF THE REGULAR MEETING OF TOWN COUNCIL HELD ON  
MONDAY, OCTOBER 24, 2011, IN THE COUNCIL CHAMBERS OF THE TOWN  
ADMINISTRATION BUILDING

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1. Call to Order Mayor Ibbotson called the meeting to order at 6:30 pm, with the following in attendance:
- Mayor Sheldon Ibbotson  
Councillor Jack Webb  
Councillor Gayle Rondeel  
Councillor Joe Anglin  
Councillor Paul Payson  
CAO - Tony Goode  
Assistant CAO – Ryan Maier  
Director of Finance – Danita Deal  
Community Services Director – Rick Kreklewich  
Recording Secretary - Melissa Beebe
- Public:  
Sgt. Mark Groves, RCMP  
4 members of Public
2. Public Hearing None
3. Adoption of Agenda Motion 255/11
- Moved by Councillor Anglin to accept agenda as amended with addition of Keith Spelrem, Rimbey Ratepayers Association, under Delegation and remove Western Alberta Transmission Line under New and Unfinished Business.
- CARRIED  
(5-0)
4. Minutes 4.1 October 11, 2011, Council Meeting Minutes
- Motion 256/11
- Moved by Councillor Rondeel to accept the October 11, 2011, Council Meeting minutes as presented.
- CARRIED  
(5-0)
5. Delegation 5.1 RCMP
- Sgt. Mark Groves provided a brief summary of call type responses and an update on the operations. Sgt. Groves advised that due to lack of staffing resources the DARE program will be cancelled for Rimbey and Bluffton. An additional member transferred from Fort McMurray detachment will be arriving in the near future to join the Rimbey Detachment.
- Council asked can anybody be trained to provide the DARE program and would it help to have the decommissioned cells at the station, commissioned for use. Sgt. Groves responded that with the DARE Program not just anybody can take the program on as it is a trained officer with the program and to have a commissioned cell would certainly free up someone from traveling to Sylvan Lake and would definitely help in those cases. Mayor Ibbotson thanked Sgt. Groves.
- Sgt. Groves withdrew from the meeting at 6:49 pm.
- 5.2 Rimbey Ratepayers Association  
Delegation will be arriving later in the meeting under correspondence 9.4.
6. Bylaws 6.1 Traffic Bylaw 872/11

Motion 257/11

Moved by Councillor Anglin to give first reading to Traffic Bylaw 872/11.

CARRIED  
(5-0)

6.2 Business License Bylaw 873/11Motion 258/11

Moved by Councillor Anglin to give first reading to Business License Bylaw 873/11.

CARRIED  
(5-0)

7. New and  
Unfinished  
Business

7.1 FCM Membership.

Received a letter from FCM outlining the municipal membership fee is up for renewal for April 1, 2012 to March 31, 2013. The membership fee amount is \$416.14.

Motion 259/11

Moved by Councillor Anglin to continue the municipal membership with FCM.

CARRIED  
(5-0)

7.2 Joint Use Agreement with Wolf Creek School Division No. 72

Administration presented a Joint Use Agreement between the Town and Wolf Creek School Division that would mutually benefit both parties for Council's approval.

Motion 260/11

Moved by Councillor Anglin to approve the Joint Use Agreement with Wolf Creek School Division No. 72.

CARRIED  
(5-0)

7.3 Staff Christmas Function Proposal

Councillor Payson proposed that Council offer to purchase multiple tickets for the Library Dinner Theatre Fundraiser as a way of hosting a staff Christmas function for the staff of the various town departments.

Motion 261/11

Moved by Councillor Payson that the town purchase Dinner Theatre tickets as a Christmas function for staff, up to \$2,500.

CARRIED  
(5-0)

7.4 Swing Replacement

The Recreation Board recommends that the swings be removed and replaced at the Lions park. New swings and resurfacing would cost no more than \$10,000.

Motion 262/11

Moved by Councillor Webb to approve replacement of the swings at the Lions Park, up to \$10,000.

CARRIED  
(5-0)

7.5 Recycle Facility Winter Hours

Administration proposed reducing the hours of operation for the Recycle Facility during the winter months.

Motion 263/11

Moved by Councillor Anglin to reduce the hours of operation at the Recycle Facility to Tuesday to Friday from 2:00 to 6:00 pm, Saturday from 10:00 am to 6:00 pm and closed Sunday and Monday, effective December 1 to April 30.

CARRIED  
(5-0)

## 8. Reports

### 8.1 Department Reports:

#### 8.1.1 Development

Assistant CAO provided a written report of the following:

- 2011 Building Permits to September 30, 2011 shows a total value of \$4,698,500.00 of permits sold to date, which is up by \$1,171,750.00 over the same time last year.

#### 8.1.2 Public Works

Public Works provided a written report for July to August on the following:

- Routine maintenance continuing on the following: reservoirs, lagoons, water wells, fall hydrant inspections, fall crosswalk and curb painting and equipment.
- Grading of gravel streets and alleys and dust suppressants were applied at 43 Street between 50 and 51 Ave, 47 Street between 50 and 46 Ave, the RV Park road and street sweeping ongoing as weather permits.
- Completed building the burn pit and other landscaping at the Recycle Facility.
- Compliance inspection of the Town's Waterworks system passed with Alberta Environment.
- New 8" sewer main on 51 Ave between 47 and 48 street was completed.
- Removed playground equipment at park located at Rimwest -46 Ave.
- Walked lagoon drainage ditch east of town prior to discharge and Nikirks hired to remove 7 beaver dams and a large feed pile. Discharge started October 18.
- Waterline repaired at 5613-46 Street, because the ¾" copper line had a hole in it.
- Winterized the water lines at the RV Park

#### 8.1.3 Bylaw Enforcement (no report)

#### 8.1.4 Fire

Fire Chief provided a written report on the following:

- As of October 15 the fire department has responded to 21 ambulance assist, 28 fire calls, 16 motor vehicle collisions and 8 alarms.
- The new truck order is in and the chassis should be delivered soon.
- Visited four schools for Fire Prevention Week.
- Fire ban in effect starting October 18.

#### 8.1.5 Community Services

Recreation Director provided a written and verbal report on the following:

- Gym flooring installed and consists of one basketball court, three badminton courts and three volleyball courts with two being cross-court. Equipment is expected to arrive soon.
- Playground equipment was removed by Public Works at the park in RimWest. Public meeting to be held on Oct 25 at the park to gather ideas for the future planning of that park.
- The pool is now fenced, spray park structure is up and the area is being landscaped. Most of the work is complete.
- Public works winterized the RV park on Oct 17, but park will remain open until sometime in November. Some vandalism was found in the men's washroom and the walking trail shelter.

#### 8.1.6 CAO

CAO provided a written report on the following:

- Attended Strategic Planning Meeting on September 14 and 15.
- Meeting with RCMP & Ponoka County regarding cost sharing of additional staff.
- Met with RInC people regarding progress of pool.
- Met with Associated Ambulance Service to transfer base station from Town to Associated.

- Met with Chamber President, Jackie Stratton, regarding street banners.
- Met with Stan Cummings regarding road options.
- Attended FCSS Charity Golf Luncheon and presentation.

Motion 264/11

Moved by Mayor Ibbotson to accept the department reports as presented.

CARRIED  
(5-0)

8.1.7 Finance

- 8.1.7.1 Consolidated Financial statement – July 31, 2011
- 8.1.7.2 Council Expenses
- 8.1.7.3 Accounts Payable Cheque Run – October 21, 2011

Motion 265/11

Moved by Councillor Webb to approve the Accounts Payable Cheque Run for October 21, 2011, as presented.

CARRIED  
(5-0)

Delegation Keith Spelrem, Rimbey Ratepayers Association, joined the meeting at 7:15 pm.

8.2 Council Reports:

Mayor Ibbotson provided a written report on the following

- Sept 22 Bylaw Committee
- Sept 29 Traffic Bylaw review
- Oct 4 attended BBQ at the Library recognize the COW bus
- Oct 6 Bylaw Committee
- Oct 6 attended grand opening of the Big Brothers/Big Sisters
- Oct 8 attended last Farmer's Market at the park and served hamburgers
- Oct 13 Bylaw Committee
- Oct 19 FCSS Board meeting
- Oct 19 attended lunch for the sponsors and the volunteers of the Golf Tournament.
- Oct 20 Bylaw Committee

Councillor Rondeel provided a written report on the following:

- Sept 20 Historical Society meeting
- Sept 22 Bylaw Meeting
- Oct 4 Rec Board Meeting
- Oct 4 Library BBQ
- Oct 6 Big Brothers/Big Sisters Grand Opening
- Oct 6 Bylaw Meeting
- Oct 13 Bylaw Meeting
- Oct 18 Chamber of Commerce
- Oct 18 Historical Meeting
- Oct 19 FCSS Luncheon
- Oct 20 Bylaw Meeting
- Oct 24 Rec Board

Councillor Payson provided a verbal report on the following:

- Sept 26 Blindman Youth Action
- Oct 3 Rec Board
- Oct 17 Library Board
- Attended AUMA Convention

Councillor Anglin provided a verbal report on the following:

- Elected Board Chair for the upcoming year to Rimoka. Met with one of Alison Redford's staff to discuss funding
- Met with Minister of Environment and water and how it will impact future and attended other municipal classes.

Councillor Webb

- Rimoka meetings

- Priority Planning Sessions
- AUMA Convention

Motion 266/11

Moved by Mayor Ibbotson to accept Council reports as presented

CARRIED  
(5-0)

9. Correspondence    9.1 54<sup>th</sup> Avenue & 50 Street Intersection – Swale  
Tagish Engineering provided comments for council to review regarding 54 Avenue Swale.

Motion 267/11

Moved by Councillor Anglin to refer to Administration to bring back to 2012 Budget process.

CARRIED  
(5-0)

- 9.2 Alberta Municipal Infrastructure Program (AMIP)  
9.3 FCSS/RCHHS Thank you Letter –Charity Golf Tournament

Motion 268/11

Moved by Councillor Anglin to accept 9.2 and 9.3 as information.

CARRIED  
(5-0)

Mayor Ibbotson called a short recess at 7:35 pm.

Mayor Ibbotson reconvened the meeting at 7:40 pm.

- 9.4 Rimbey Ratepayers Association – Sports Floor  
Keith Spelrem, Rimbey Ratepayers Association, appeared in front of council requesting clarification of some questions that were raised regarding the process used in securing bids, award of contract and purchasing of materials for the Community Centre Sports Floor. Mayor Ibbotson provided that the contract was completed in accordance with current policy. Mr. Spelrem suggested that in a project of this magnitude that information should be more open and ongoing and put out in advance. Mayor Ibbotson advised that the current policy is under review and agreed all large projects should be advertised in the local paper. Mr. Spelrem withdrew from meeting at 7:44 pm.

- 9.5 Rimbey Vet Clinic – Request to Consider a Cat Bylaw

Motion 269/11

Moved by Councillor Anglin to refer the Rimbey Vet Clinic Request to Administration to provide information and recommendation.

CARRIED  
(5-0)

- 9.6 Chamber of Commerce request for Platform Flooring-Curling Rink

Motion 270/11

Moved by Councillor Anglin to refer to the Recreation Board for recommendations.

CARRIED  
(5-0)

Motion 271/11

Moved by Councillor Anglin to accept the Rimbey Ratepayers Association Letter as information.

CARRIED  
(5-0)

Mayor Ibbotson called a short recess at 7:51 pm.

Mayor Ibbotson reconvened the meeting at 7:54 pm

10. In Camera

Motion 272/11

Moved by Councillor Rondeel to go in camera at 7:55 pm with all Council present.

CARRIED  
(5-0)

Motion 273/11

Moved by Councillor Anglin to come out of camera at 8:41 pm.

CARRIED  
(5-0)

11. Adjournment

Council adjourned the meeting at 8:41 pm.

\_\_\_\_\_  
MAYOR

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



TOWN OF RIMBEY

TOWN COUNCIL

MINUTES OF THE ORGANIZATIONAL MEETING OF TOWN COUNCIL HELD ON TUESDAY, OCTOBER 24<sup>th</sup>, 2011 IN THE COUNCIL CHAMBERS OF THE TOWN ADMINISTRATION BUILDING

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1. Call to Order      Mayor Ibbotson called the meeting to order at 6:00 pm, with the following in attendance:
- Present              Mayor Sheldon Ibbotson  
                            Councillor Jack Webb  
                            Councillor Joe Anglin  
                            Councillor Paul Payson  
                            Councillor Gayle Rondeel  
                            CAO – Tony Goode  
                            Assistant CAO – Ryan Maier  
                            Director of Finance – Danita Deal  
                            Recording Secretary - Melissa Beebe
2. Adoption of Agenda      Motion 247/11  
  
                                    Moved by Councillor Webb to approve agenda as presented.  
  

CARRIED  
(5-0)

3. Schedule              3.1 Council and Committee Meetings  
  
                                    Motion 248/11  
  
                                    Moved by Councillor Anglin to continue regular council meetings every 2<sup>nd</sup> and 4<sup>th</sup> Monday of the month at 6:30 pm and if a meeting falls on a holiday then moves to Wednesday of that week and one meeting for the months as follows: December 12, 2011, July 16, 2012 and August 20, 2011.  
  

CARRIED  
(4-1)

                                    (See attached Schedule B)

Motion 249/11  
  
                                    Moved by Mayor Ibbotson to schedule regular committee of the whole meetings for the third Friday of the month at 9:00 am, starting November.  
  

CARRIED  
(5-0)

4. Appointments        4.1 Subdivision & Development Appeal Board  
  
                                    Motion 250/11  
  
                                    Moved by Councillor Webb to appoint Tim Buist, Rob Rondeel, Bob Johnston and Kathy Pfau to the Subdivision and Development Appeal Board for a two year term, in which members be paid an annual honorarium of \$100.00 plus a meeting rate in accordance with Policy 155, and for Administration to advertise for one vacancy.  
  

CARRIED  
(5-0)

                                    4.2 Auditor  
  
                                    Motion 251/11  
  
                                    Moved by Councillor Webb to appoint Wilde and Company as auditors for the December 31, 2011 year end and approve an RFP for Auditors for the 2012 year end.  
  

CARRIED  
(5-0)

4.3 BankMotion 252/11

Moved by Councillor Payson to approve sending out an RFP to all the local financial institutions for banking services.

CARRIED  
(5-0)

4.4 Deputy Mayor and Signing AuthorityMotion 253/11

Moved by Councillor Webb to extend the rotation term for Deputy Mayor and signing authority from 3 months to 6 months following already established rotations starting with Councillor Rondeel starting November 2011.

CARRIED  
(5-0)

Committee Appoints (Schedule A)

| Committees / Boards                             | Mayor Ibbotson | Councillor Rondeel | Councillor Payson | Councillor Webb | Councillor Anglin | CAO Tony Goode | Assist. CAO Ryan Maier |
|---|----------------|--------------------|-------------------|-----------------|-------------------|----------------|------------------------|
| Disaster Services Committee (3)                 | X              |                    | X                 |                 | X                 |                |                        |
| CAEP Board (2)                                  | X              |                    |                   |                 | X                 |                |                        |
| Cemetery Committee (2)                          | X              |                    |                   | X               |                   |                |                        |
| Chamber of Commerce                             |                | X                  |                   |                 |                   |                |                        |
| FCSS Board                                      | X              |                    |                   |                 |                   |                |                        |
| Fire Commission                                 |                |                    |                   |                 | X                 |                |                        |
| F.O.I.P. Coordinator                            |                |                    |                   |                 |                   | X              |                        |
| Historical Society Board                        |                |                    |                   |                 | X                 |                |                        |
| Library Board (includes Parkland Library Board) |                |                    | X                 |                 |                   |                |                        |
| Recreation Board (2)                            |                | X                  | X                 |                 |                   |                |                        |
| Recycling Committee                             | X              | X                  | X                 | X               |                   |                |                        |
| Rimoka Foundation Board (2)                     |                |                    |                   | X               | X                 |                |                        |
| West Central Planning Agency(2)                 | X              |                    |                   |                 | X alternate       |                |                        |
| Interagency Committee                           |                | X alternate        | X                 |                 |                   |                |                        |
| Bylaw & Policy Committee                        | X              | X                  |                   |                 |                   |                | x                      |

Motion 254/11

Moved by Councillor Webb to adopt the board appointments according to Schedule A as amended.

CARRIED  
(5-0)

## 5. Adjournment

Council adjourned the meeting at 6:20 pm.

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MAYOR

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TOWN MANAGER



# Town of Rimbey

## SCHEDULE A Committee / Boards October 2011 – 2012

| Committees / Boards                             | Mayor Ibbotson                                   | Councillor Rondeel  | Councillor Payson   | Councillor Webb     | Councillor Anglin   | CAO Tony Goode | Assist. CAO Ryan Maier |
|---|--|---------------------|---------------------|---------------------|---------------------|----------------|------------------------|
|   |  | 1                   | 2                   | 3                   | 4                   |                |                        |
| Deputy Mayor (6 month term proposed)            |  | Nov 2011 – Apr 2012 | May 2012 – Oct 2012 | Nov 2012 – Apr 2013 | May 2013 – Oct 2013 |                |                        |
| Signing Authorities (6 month term proposed)     |  | Nov 2011 – Apr 2012 | May 2012 – Oct 2012 | Nov 2012 – Apr 2013 | May 2013 – Oct 2013 |                |                        |
| Disaster Services Committee (3)                 | X  |                     | X                   |                     | X                   |                |                        |
| CAEP Board (2)                                  | X  |                     |                     |                     | X                   |                |                        |
| Cemetery Committee (2)                          | X  |                     |                     | X                   |                     |                |                        |
| Chamber of Commerce                             |  | X                   |                     |                     |                     |                |                        |
| FCSS Board                                      | X  |                     |                     |                     |                     |                |                        |
| Fire Commission                                 |  |                     |                     |                     | X                   |                |                        |
| F.O.I.P. Coordinator                            |  |                     |                     |                     |                     | X              |                        |
| Historical Society Board                        |  |                     |                     |                     | X                   |                |                        |
| Library Board (includes Parkland Library Board) |  |                     | X                   |                     |                     |                |                        |
| Recreation Board (2)                            |  | X                   | X                   |                     |                     |                |                        |
| Rimoka Foundation Board (2)                     |  |                     |                     | X                   | X                   |                |                        |
| West Central Planning Agency(2)                 | X  |                     |                     |                     | X alternate         |                |                        |
| Interagency Committee                           |  | X alternate         | X                   |                     |                     |                |                        |
| Bylaw & Policy Committee                        | X  | X                   |                     |                     |                     |                | X                      |
| Subdivision and Development Appeal Board (5)    | Vacancy  | Rob Rondeel         | Bob Johnston        | Tim Buist           | Kathy Pfau          |                |                        |
| Assessment Review Board (3)                     | Central Alberta Regional Assessment Review Board |                     |                     |                     |                     |                |                        |

\*\*Mayor ex officio to all Committees

**Schedule B**  
**October 24, 2011 Organizational Meeting**

# Council & Committee Meeting Schedule

 Council dates

 Committee Dates

 Holidays

## November 2011

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    | 1  | 2  | 3  | 4  | 5  |
| 6  | 7  | 8  | 9  | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 |    |    |    |

## December 2011

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    | 1  | 2  | 3  |
| 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

## January 2012

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
| 1  | 2  | 3  | 4  | 5  | 6  | 7  |
| 8  | 9  | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 |    |    |    |    |

## February 2012

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 |    |    |    |

## March 2012

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    | 1  | 2  | 3  |
| 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

## April 2012

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
| 1  | 2  | 3  | 4  | 5  | 6  | 7  |
| 8  | 9  | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 |    |    |    |    |    |

## May 2012

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    | 1  | 2  | 3  | 4  | 5  |
| 6  | 7  | 8  | 9  | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 |    |    |

## June 2012

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    | 1  | 2  |
| 3  | 4  | 5  | 6  | 7  | 8  | 9  |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

## July 2012

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
| 1  | 2  | 3  | 4  | 5  | 6  | 7  |
| 8  | 9  | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 |    |    |    |    |

## August 2012

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 |    |

## September 2012

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    |    | 1  |
| 2  | 3  | 4  | 5  | 6  | 7  | 8  |
| 9  | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 |    |    |    |    |    |    |

## October 2012

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    | 1  | 2  | 3  | 4  | 5  | 6  |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 |    |    |    |

# **TOWN OF RIMBEY**

**DATE:** November 14, 2011

**TITLE:** Business License Bylaw

## **BACKGROUND:**

The current Business License Bylaw is from 1999 and is very outdated. Business license fees have not changed since 1999.

## **DISCUSSION:**

A new Business License Bylaw draft has been developed that would rescind Bylaw 707/99 and thirteen other bylaws relating to business licensing that have never been rescinded, dating back to 1919.

The previous bylaw had eight different categories of business license fees, so an attempt was made to simplify the fee structure. There is also a provision allowing for a single day permit, something that did not previously exist.

In comparing eight communities similar to Rimbey in terms of population, the average base business license fee was \$62.00. It was felt that an increase from the current \$25 to \$35 would not be unreasonable.

After first reading of the Bylaw, we would like to propose a slight amendment to clause 1) k) "non-resident business", by changing "and does not include" to "includes". This would allow the definition of a hawker or peddler to be distinct from non-resident business, but included as a non-resident business in the fee category, as there is currently no separate category for a hawker or peddler.

## **RECOMMENDATION:**

That Council pass a resolution for second reading of Bylaw 873-11, the Business License Bylaw, as amended.

# The Town of Rimbey Business License Bylaw

Bylaw 873/11

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## **A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION AND LICENSING OF BUSINESSES CARRIED ON WITHIN THE CORPORATE LIMITS OF THE TOWN AND TO PROVIDE FOR THE APPOINTMENT OF A LICENSE INSPECTOR.**

WHEREAS, Pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws respecting businesses and provide for a system of licensing;

AND WHEREAS it is deemed expedient to provide for the licensing of certain businesses operating in Rimbey;

NOW THEREFORE, the Council of The Town of Rimbey, duly assembled enacts as follows:

### **PART I - BYLAW TITLE**

This Bylaw may be cited as the "Business License Bylaw".

### **PART II - DEFINITIONS**

- 1) In this Bylaw unless the context otherwise requires:
  - a) "business" means a commercial, merchandising or industrial activity or undertaking; a profession, trade, occupation, calling or employment; or an activity providing goods or services, including a cooperative or association of persons.
  - b) "business license" or "license" means a license granted by the Town of Rimbey, authorizing the person to whom it is granted to carry on the business activity therein specified in the Town of Rimbey.
  - c) "C.A.O." means the Chief Administrative Officer of the Town of Rimbey.
  - d) "Council" means the Council of the Town of Rimbey.
  - e) "development permit" means a document authorizing a development issued pursuant to the Town of Rimbey's Land Use Bylaw.
  - f) "Hawker or Peddler" means a person not being a body corporate and who, whether as principal or agent;
    - i) goes from house to house selling or offering for sale any merchandise to any person, and who is not a wholesale or retail dealer in such merchandise with a permanent place of business in the Town of Rimbey;

# The Town of Rimbey Business License Bylaw

## Bylaw 873/11

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- ii) offers or exposes for sale to any person by means of sample, patterns, cuts or blueprints, merchandise to be afterwards delivered or shipped into the Town, or;
  - iii) sells merchandise or a service, or both, on the streets or roads or elsewhere than at a building that is his permanent place of business in the Town;
  - iv) does not have a permanent place of business in the municipality.
- g) “Home business” or “Home office” means a home business or home office as defined by the Town of Rimbey Land Use Bylaw.
- h) “License Inspector” means and includes a Community Peace Officer, Licensing Officer or any person so designated by Council, or the Chief Administrative Officer, to perform their duties.
- i) “licensee” means a person to whom a license has been issued, pursuant to the provisions of this Bylaw.
- j) “local area business” means a business that does not have a permanent office or place of business within the corporate limits of the Town of Rimbey and is located within the County of Ponoka, west of the 5<sup>th</sup> meridian, or within Township 41 of the County of Lacombe.
- k) “non-resident business” means a business that does not have a permanent office or place of business within the corporate limits of the Town of Rimbey and includes a hawker or peddler.
- l) “Peace Officer” means any member of the RCMP, a Peace Officer and a Bylaw Enforcement Officer.
- m) “resident business” means a business where a permanent office or place of business is situated in either a commercial, industrial, residential, or direct control district within the corporate limits of the Town of Rimbey and includes a hawker or peddler.
- n) “Town” means the Town of Rimbey.

# The Town of Rimbey Business License Bylaw

Bylaw 873/11

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## **PART III – LICENSE INSPECTOR**

- 2) Council or the C.A.O. shall appoint a License Inspector or License Inspectors to carry out the terms of this Bylaw.
- 3) The power and duties of a License Inspector are;
  - a) To administer this Bylaw and as far as practicable see that all persons concerned conform to its provisions and to prosecute or assist to prosecute persons who fail to comply within;
  - b) To make an inspection of all premises and locations for which a license is required or has been applied for, pursuant to this Bylaw;
  - c) To investigate complaints lodged against a license and, if necessary, inspect the premises or location described in the complaints and to revoke any license issued and to levy fees or penalties pursuant to this Bylaw.

## **PART IV – LICENSE PROCEDURES**

- 4) No person within or partly within the Town shall be engaged in any business unless and until they have paid the prescribed fee and hold a valid and subsisting business license as set out in Schedule “A” hereto, and issued pursuant to the provisions of this Bylaw, unless specifically exempted by law or within this Bylaw.
- 5) Every person applying for a new business license shall submit to the License Inspector a written application as per Schedule “C” of this Bylaw and signed by the applicant or agent of the corporation.
- 6) The Town shall issue an invoice in January of each year to all holders of valid business licenses in the previous calendar year.
- 7) Payment of the business license fee shall be made no later than the last business day of March, or the fee shall be doubled.
- 8) Subject to the provisions of this Bylaw, upon receipt of an application for business license, the License Inspector may grant a business license or may refuse a business license, if, in his opinion, there are just and reasonable grounds for the refusal of the application.
- 9) Subject to the provisions of this Bylaw, where a business license has been granted pursuant to this Bylaw, the License Inspector may revoke or suspend the business license, if, in his opinion, there are just



# The Town of Rimbey Business License Bylaw

## Bylaw 873/11

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and reasonable grounds for the revocation of the license.

- 10) Upon a license being revoked or suspended as hereinbefore provided, the License Inspector shall notify the licensee thereof:
  - a) By delivery of notice to him personally, or
  - b) By mailing a registered letter to his place of residence or business,

and, after the delivery of such notice, his business shall not be carried on until such time as a new license is issued or the suspended license is reinstated.

- 11) No business license shall be granted until such time as the applicant holds a valid development permit where required by the Land Use Bylaw.
- 12) No business license shall be granted until such time as the applicant holds a valid Provincial or Federal license required by law.
- 13) No business license shall be granted if the applicant fails to comply with any other bylaw of the Town of Rimbey.
- 14) No business license shall be granted until the applicant has submitted to the License Inspector the proper fee as provided by this Bylaw.
- 15) No business license shall be valid unless the said license has been signed by the License Inspector or anyone designated to act on his behalf.
- 16) Any advertising of the businesses referred to in this Bylaw shall be deemed to be prima facie proof of the fact that the person advertising is carrying on or operating any such business.
- 17) Every business license issued under this Bylaw shall be posted in a conspicuous place in the business premises of the said license.
- 18) Every business license issued under the provisions of this Bylaw, unless revoked, shall terminate at midnight on the 31<sup>st</sup> day of December of the year in which the said license was issued.
- 19) No business license shall be required for:
  - a) Businesses specifically exempted from obtaining a municipal business license by Provincial or Federal legislation;
  - b) A business that is carried on by the Government of the Province of Alberta or

# The Town of Rimbey Business License Bylaw

## Bylaw 873/11

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- Canada;
- c) A business that is a charitable or non-profit organization;
  - d) A business that carries on its activities at the Farmer's Market;
  - e) A business that is carried on or operated by the municipality or its employees on behalf of the municipality;
  - f) A supplier bringing in bulk goods to a licensed business for the purpose of resale;
  - g) Residential garage sales, provided that the sale takes place on a residential property where that property owner, or primary resident when referring to residential rental properties, directly supervises and controls the sale.
  - h) Such other businesses as Council by resolution may from time to time exempt.
- 20) Where any certificate, authority, license or other document of qualification under this or any other Bylaw, or under any statute of Canada or the Province of Alberta, is suspended, cancelled, terminated or surrendered, any license issued under this Bylaw based in whole or in part on such certificate, authority, license, or other document of qualification shall be revoked automatically forthwith.
- 21) In every case where an application for a business license has been refused or a business license has been revoked, the person seeking the license may appeal to Council.
- 22) An appeal from Clause 20 shall be made within thirty (30) days after such refusal or revocation.
- 23) All appeals shall be made in writing addressed to the C.A.O. of the Town and shall be dated as of the date received by the C.A.O.
- 24) Council, after hearing the applicant may:
- a) Direct a business license be issued;
  - b) Direct a business license be issued with conditions;
  - c) Refuse to grant a business license;
  - d) Uphold the revocation of a business license on the grounds which appear just and reasonable.
- 25) A decision of Council on an appeal is final and binding on all parties.

# The Town of Rimbey Business License Bylaw

## Bylaw 873/11

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- 26) Every person carrying on or engaged in any business in respect of which a license is required under this Bylaw, upon receipt of the License Inspector, shall give to the License Inspector all information necessary to enable him to carry out his duties.
- 27) No person shall commence to, or shall carry on or engage in the business of a Hawker or Peddler on public property within the Town unless and until such person is the holder of a business license issued pursuant to this Bylaw.
- 28) There shall be no sales by Hawkers or Peddlers licensed pursuant to this Bylaw within 150 metres of stores selling similar produce or products.

### **PART V - ENFORCEMENT**

- 29) The C.A.O. of the Town or a Peace Officer may, at their discretion, issue a letter or notice to anyone who is in contravention of any section of this Bylaw directing the said person to take any action required so as not to be in breach of the section. The notice or letter may provide a time frame for the person to complete the action.
- 30) Any person who does not comply with a notice or letter is subject to a penalty pursuant to a fine amount as listed in Schedule "B".
- 31) A Peace Officer is hereby authorized and empowered to issue a violation ticket to any person who the Peace Officer believes on reasonable and probable grounds has contravened any section of this Bylaw.
- 32) Any person to whom a violation ticket has been issued may make the voluntary payment, if one is offered, by delivering the violation ticket as per instructions on the violation ticket along with an amount equal to that specified for the offence as set out in this Bylaw.
- 33) Notwithstanding the provisions of this Bylaw, any person who has been issued a violation ticket pursuant to any section of this Bylaw may exercise his/her right to defend any charge of committing a contravention of any provision of this Bylaw.
- 34) A person issued a violation ticket for an offence shall be deemed sufficiently and properly served if served personally on the accused.
- 35) Should a person within or partly within the Town be engaged in any business without a valid and subsisting business license, unless specifically exempted by law, then as per Section 8 of the

# The Town of Rimbey Business License Bylaw

Bylaw 873/11

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Municipal Government Act they may be prevented from engaging in any business until such time that they attain a valid business license.

## PART VI - SEVERABILITY

- 36) Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

## PART VII - REPEAL

- 37) Bylaws 003/19, 006/19, 043/37, 153/47, 164/48, 169/48, 197/50, 221/51, 235/52, 250/53, 117/70, 149/71, 195/73 and 707/99 are hereby repealed.

## PART VIII - EFFECTIVE DATE

AND FURTHER THAT this Bylaw shall take effect on the date of third and final reading.

READ a first time this 24 day of October, 2011.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
MAYOR

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

# The Town of Rimbey Business License Bylaw

Bylaw 873/11

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## **SCHEDULE “A” – BUSINESS LICENSE FEES**

|                              |          |
|------------------------------|----------|
| Resident Business            | \$35.00  |
| Local Area Business          | \$85.00  |
| Home Office or Home Business | \$50.00  |
| Non-Resident Business        | \$250.00 |
| Daily License (any category) | \$50.00  |

**New annual business license fees shall be reduced by half (50%) when purchased after September 30 in any license year.**

## **SCHEDULE “B” - VIOLATIONS AND PENALTIES**

Any person who commits a breach of any of the provisions of this bylaw shall be liable to a penalty of \$200.00 (Two-hundred dollars).

A person who commits a second or subsequent offence within a period of one (1) year may be subject to a fine that is double the amounts above.

The issuance of a violation ticket that includes a penalty does not preclude the requirement to obtain a valid business license.

The Town of Rimbey Business License Bylaw

Bylaw 873/11

SCHEDULE "C" – BUSINESS LICENSE APPLICATION

BUSINESS LICENSE APPLICATION

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Street Address of Business: \_\_\_\_\_

Operated By: \_\_\_\_\_ Business Telephone No: \_\_\_\_\_

Is This a Home Office or a Home Business? Will sales  
(A business is visited by a significant number people go door  
of clients) \_\_\_\_\_ to door? \_\_\_\_\_

Do you reside in Rimbey? \_\_\_\_\_ Street address of  
Residence: \_\_\_\_\_

Brief Description of the Business: \_\_\_\_\_

**\*Important:** Applicant may not proceed with the business or any construction to the  
business site until a business license and other necessary permits have  
been obtained.

Date: \_\_\_\_\_ Signature of Applicant: \_\_\_\_\_

**Office Use Only**

Roll #: \_\_\_\_\_ Zoning: \_\_\_\_\_ Business License Fee: \$ \_\_\_\_\_

Is this a permitted use according to the Land Use By-Law? \_\_\_\_\_ Development Permit Fee \$ \_\_\_\_\_

Legal Land Description: Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plan: \_\_\_\_\_

Brief Description of Development Required: \_\_\_\_\_

Approval by  
Development or  
Assistant  
Development Officer \_\_\_\_\_ Date: \_\_\_\_\_

## ***TOWN OF RIMBEY***

**DATE:** November 14, 2011

**TITLE:** Central Alberta Regional Assessment Review Board

### **BACKGROUND:**

Earlier in 2011, the Town of Rimbey joined the Central Alberta Regional Assessment Review Board to handle assessment appeals. The annual cost for membership was set at \$4,000, with the agreement to expire at the end of 2011.

### **DISCUSSION:**

The new agreement is attached, with a backgrounder explaining the agreement changes. Membership cost has been reduced to \$2,000 annually.

A new Bylaw is required to be adopted, along with a resolution from Council to sign the agreement with the City of Red Deer to retain membership in the regional assessment review board.

As reviewed when joining the board, the advantage of membership in the regional board is a cost savings to the Town, and a trained, objective panel of board members to hear any assessment appeals.

### **RECOMMENDATION:**

That Council adopt the new assessment review board Bylaw by passing all three readings at this meeting. And further, that Council pass a resolution that the Town of Rimbey enter into an agreement with the City of Red Deer for regional assessment review board services.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Between:

**The City of Red Deer**  
("Coordinator")

- and -

Town of Rimbey  
\_\_\_\_\_  
("Partner Municipality")

**AGREEMENT FOR REGIONAL ASSESSMENT REVIEW SERVICES**

**BACKGROUND**

- A. Councils for City of Red Deer and the Partner Municipality have passed bylaws to establish a joint Regional Assessment Review Board having jurisdiction within their boundaries.
- B. The City of Red Deer is the Coordinator for property assessment complaints for the residents of Partner Municipalities who enter into this agreement and who enact a bylaw in substantially the same form as the Bylaw attached in Schedule A.
- C. As the Partner municipality wishes to join the Central Alberta Regional Assessment Review Board membership, this agreement shall establish the terms of membership and the administrative and policy framework of the Board.

The Parties agree as follows:

**1. AGREEMENT**

1.1. The following schedules form part of this agreement:

Schedule A – Sample Bylaw

Schedule B- Membership and Other Fees

Schedule C – Services

**2. DEFINITIONS**

In this Agreement, unless the context provides otherwise, the following words or phrases shall have the following meanings:



- 2.1. **“Assessor”** is the person appointed by the Partner Municipality to assess residents’ property.
- 2.2. **“Assistant Clerk”** is a staff person employed by the Partner Municipality to provide service to the Complainant;
- 2.3. **“CARB”** is Composite Assessment Review Board as defined by the Municipal Government Act and the Matters Relating to Assessment Complaints Regulation;
- 2.4. **“Clerk”** is the staff person appointed by the CAO of the City of Red Deer to act as the Designated Officer to the Central Alberta Regional Assessment Review Board;
- 2.5. **“Complainant”** is an assessed person or taxpayer of the Partner Municipality who files a complaint regarding that person’s tax or assessment notice;
- 2.6. **“Coordinator”** is The City of Red Deer.
- 2.7. **“LARB”** is Local Assessment Review Board as defined by the *Municipal Government Act* and the *Matters Relating to Assessment Complaints Regulation*;
- 2.8. **“Regional Board Review Committee”** is the committee, appointed by the Partner municipalities to appoint board members to the Central Alberta Regional Assessment Review Board;
- 2.9. **“Regional Board”** means the Central Alberta Regional Assessment Review Board appointed to hear appeals on tax and assessment notices established in accordance with section 454 of the Municipal Government Act.

### 3. PARTNER MUNICIPALITY RESPONSIBILITIES

- 3.1. The Partner Municipality is entitled to receive Regional Board services provided it has passed a Bylaw in the form attached as Schedule A and pays the membership fee identified in Schedule B.
- 3.2. The Partner Municipality will participate annually in establishing the Regional Board Review Committee.
- 3.3. The Partner Municipality will pay the membership fee in consideration for the services to be provided by the Coordinator. To continue participation, the membership fee is to be paid annually by January 31. The membership fee covers Services as defined in Schedule C.
- 3.4. Upon receipt of a complaint from an assessed person or taxpayer of the Partner Municipality and in addition to the membership fee, the Partner Municipality will pay additional administration and board fees identified in Schedule B. Any fees are payable 30 days upon receipt of invoice.
- 3.5. If legal services are required for general purposes to facilitate the administration of the complaint, (i.e. procedure questions) the cost of the service will be paid by the Coordinator.

- 3.6. If legal services are required for issues that relate to a specific complaint, the Coordinator will advise the Partner Municipality which has jurisdiction over the appeal and the cost of the service will be payable by the Partner Municipality, 30 days upon receipt of invoice. This includes legal services for challenges to the Court of Queen's Bench.
- 3.7. On or before January 31 in every year of the Agreement, the Partner Municipality will provide to the Coordinator the following information:
  - 3.7.1. The filing fees that will be payable by a Complainant in accordance with section 481(1) of the *Municipal Government Act (MGA)*.
  - 3.7.2. The contact information for the Assessor of the Partner Municipality.
  - 3.7.3. The estimated deadline for Complainants to file complaints in the Partner Municipality.
  - 3.7.4. Copies of Certificates evidencing the Insurance requirements referred to in Section 11 of this Agreement.
- 3.8. Immediately upon receipt of a complaint the Assistant Clerk shall:
  - 3.8.1. Forward a copy of the complaint; the tax or assessment notice that is the subject of the complaint and any supporting documents to the Clerk;
  - 3.8.2. Advise the Clerk if the complaint was received before the deadline set by the Partner Municipality and if the complaint filing fee was paid.
- 3.9. When required, the Assistant Clerk will administer withdrawn complaints in accordance with legislation and the Partner Municipality's practice.
- 3.10. Any other responsibilities as identified in Schedule C.

#### **4. COORDINATOR RESPONSIBILITIES**

- 4.1 The Coordinator will annually review the membership fee. If a change is required to the membership fee, the Coordinator will notify the Partner Municipality of same in writing to the address in Section 12 of this Agreement no later than June 30<sup>th</sup> of the calendar year.
- 4.2 The Coordinator will provide services for the Partner Municipality as identified in Schedule C.
- 4.3 The Coordinator will, at the request of the Partner Municipality, assist during discussions between the Assessor and the Complainant.
- 4.4 The Coordinator is responsible for ensuring that Regional Board members receive training in accordance with the MGA and regulations.

- 4.5 The Coordinator will keep a record of the complaints filed in accordance with the MGA and regulations.
- 4.6 The Coordinator will retain paper records such as background information, correspondence, appeal notices and withdrawn appeals for ten (10) years upon receipt of such paper records.
- 4.7 The Coordinator will obtain legal services on behalf of the Regional Board when required.

## **5. BOTH PARTIES' RESPONSIBILITIES**

- 5.1. Both parties will make every reasonable effort to ensure that personal information that will be or is intended to be used in a complaint is both complete and accurate.

## **6. TERM**

- 6.1. The term of this Agreement is permanent, unless terminated by either party as follows:
  - 6.1.1. The Partner Municipality may withdraw from this Agreement at any time upon ten (10) days written notice, forfeiting the full amount of the membership paid.
  - 6.1.2. The Coordinator may terminate the agreement at any time upon six (6) months written notice to the Partner Municipality.

## **7. PRIVACY**

- 7.1. The Coordinator is subject to the *Freedom of Information and Protection of Privacy Act (FOIP)* and will protect the confidential information provided from unauthorized access or disclosure as permitted by law.
- 7.2. The Partner Municipality shall ensure that any information of a confidential nature which it provides to the Coordinator is clearly marked as such.

## **8. INFORMATION SHARING**

- 8.1. In order to process complaints for a property tax or assessment notice, the Coordinator is authorized to collect the following types of personal information:
  - 8.1.1. Roll number
  - 8.1.2. Legal Address
  - 8.1.3. Civic Address

8.1.4. Registered Owner Name(s)

8.1.5. Registered Owner(s) mailing address and phone number

8.1.6. Assessed Value and Assessment Class of the property under review

8.1.7. Name, address and phone number of Registered Agent for the Owner

8.2. The specific personal information will be collected from the Partner Municipality.

8.3. The collection of personal information from a source other than the individual the information is about is authorized by FOIP Section 34(1)(b).

## **9. DISPUTE RESOLUTION**

9.1. All claims, disputes, and other matters arising out of this Agreement or relating to a breach thereof may, upon agreement of both parties, be referred to either:

9.1.1. Mediation: a voluntary, no risk, non-binding process bringing the parties to a resolution. The mediator will be appointed upon the agreement of both parties; or

9.1.2. Arbitration: a single arbitrator under the *Arbitration Act*, RSA 2000, A-43, and if so referred, the decision of the arbitrator shall be final, conclusive and binding upon the parties. The arbitrator will be appointed upon the agreement of both parties. If the parties are not able to agree on an arbitrator, the Alberta Court of Queen's Bench shall select one. All costs associated with the appointment of the arbitrator shall be shared equally between the Coordinator and the Partner Municipality unless the arbitrator determines otherwise in accordance with the *Arbitration Act*.

## **10. INDEMNIFICATION**

10.1. The Partner Municipality agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Coordinator, its Officers, Directors and Employees against all damages, liabilities or costs arising out of the property assessment complaints or disputes related to property assessment complaints.

10.2. The Partner Municipality is solely responsible for the property assessments and compliance with the outcome of the disputed property assessments.

## **11. INSURANCE**

11.1. The Partner Municipality shall maintain, in full force and effect with insurers licensed in the Province of Alberta the following insurance:

- 11.1.1. Professional Liability Insurance with policy limits of not less than \$1,000,000 per claim \$2,000,000 per aggregate; and
- 11.1.2. General Liability insurance policy of not less than \$2,000,000 per occurrence. The Coordinator must be named as additional insured.

## 12. NOTICES

- 12.1. Any notices or other correspondence required to be given to an opposite party shall be deemed to be adequately given if delivered to:

To the Partner Municipality at:

To the Coordinator at:

Legislative & Governance Services  
The City of Red Deer  
4914-48 Ave  
Red Deer AB T4N 3T3  
Phone: (403)-342-8273 Fax: (403)-341-6960

## 13. SUCCESSORS

- 13.1. This Agreement shall enure to the benefit of and be binding upon the Parties and the successors and assigns thereof.

## 14. ENTIRE AGREEMENT

- 14.1. This Agreement is the whole agreement between the parties and replaces any prior agreement existing between the parties.
- 14.2. This agreement may not be modified, changed, amended or waived except by signed written agreement of the parties.

**15. COUNTERPART**

15.1. This Agreement may be executed in any number of counterparts by the parties. All counterparts so executed shall have the same effect as if all parties actually had joined in executing one and the same document.

The parties to this Agreement have affixed their corporate seals signed by the hands of their proper officers.

The City of Red Deer

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Partner Municipality

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City Clerk

Schedule A - BYLAW

**TOWN OF RIMBEY BYLAW NO. 874/11**

# The Town of Rimbey Regional Assessment Review Board Bylaw

Bylaw 874/11

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## A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A REGIONAL ASSESSMENT REVIEW BOARD.

### Background

Section 456 of the *Municipal Government Act*, permits two or more Councils to jointly establish assessment review boards to have jurisdiction in their respective municipalities;

The City of Red Deer and the Partner Municipalities jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by their respective taxpayers of a Partner Municipality;

COUNCIL OF THE TOWN OF RIMBEY ENACTS AS FOLLOWS:

### Short Title

- 1 The short title of this Bylaw shall be the "Regional Assessment Review Board Bylaw".

### Definitions

- 2 (1) Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the MGA.
- (2) In this Bylaw the following terms shall have the meanings shown:
  - (a) "Board" means the Regional Assessment Review Board;
  - (b) "CARB" means the Composite Assessment Review Board established in accordance with the MGA;
  - (c) "Citizen-at-large" means a person who does not represent a specific organization;
  - (d) "Designated Officer" means the person appointed to carry out the duties and functions of the clerk of the assessment review boards in accordance with section 455 of the MGA;
  - (e) "LARB" means the Local Assessment Review Board established in accordance with the MGA;
  - (f) "Member" means a member of the Regional Assessment Review Board;
  - (g) "Minister" means the Minister determined by the Province to be responsible for the MGA;
  - (h) "MGA" means the Municipal Government Act of Alberta, RSA 2000, Ch. M-26, as amended and Regulations passed under that Act;
  - (i) "Partner Municipality" means all those municipalities who enter into an agreement with The City to jointly establish a Regional Assessment Review Board and



# The Town of Rimbey Regional Assessment Review Board Bylaw

Bylaw 874/11

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who enact a bylaw substantially in the form of this bylaw, as well as The City of Red Deer.

- (j) “Provincial Member” means a person appointed as a provincial member to a CARB by the Minister.

## **Member Municipalities**

- 3 The Partner Municipalities hereby jointly establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board and the functions of a Composite Assessment Review Board to have jurisdiction in their municipalities.

## **Regional Board Review Committee**

- 4 The Regional Board Review Committee will consist of 5 people appointed jointly by the Partner Municipalities.

## **Appointment of Board Members**

- 5 The Regional Board Review Committee shall appoint not more than 20 citizens-at-large to be Members of the Regional Assessment Review Board.

## **Establishment of Boards**

- 6 The following Central Alberta Regional Assessment Review Boards are established:
  - (a) one or more LARB’s that consist of one (1) Member;
  - (b) one or more LARB’s that consist of three (3) Members;
  - (c) one or more CARB’s that consist of one (1) Provincial Member
  - (d) one or more CARB’s that consist of one (1) Provincial Member and two (2) Members.

## **Terms of Appointment**

- 7 (1) Unless otherwise stated, all Members are appointed for three year terms except in the initial year where one-third is appointed for a three year term; one-third is appointed for a two year term and the remaining one-third are appointed for a one year term.
- (2) If a vacancy on the Board occurs at any time the Regional Board Review Committee may appoint a new person to fill the vacancy for the remainder of that term.
- (3) A Member may be re-appointed to the Board at the expiration of his/her term.
- (4) A Member may resign from the Board at any time on written notice to the Designated Officer to that effect.

# The Town of Rimbey Regional Assessment Review Board Bylaw

Bylaw 874/11

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- (5) The Regional Board Review Committee may remove a Member at any time on the recommendation of the Designated Officer.
- (6) Upon being appointed, the Member must successfully complete the training as prescribed by the Minister prior to participating in a hearing.

## **Presiding Officer**

- 8 The Members of every Board established under section 6(b) of this bylaw will select a Presiding Officer from among themselves who will:
- (a) preside over and be responsible for the conduct of hearings;
  - (b) vote on matters submitted to the Board unless otherwise disqualified;
  - (c) sign orders, decisions and documents issued by the Board.

## **Jurisdiction of the Board**

- 9 The Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Partner Municipality.

## **Regional Advisory Group**

- 10 (1) Board Members will elect from among themselves a Regional Advisory Group consisting of up to 4 members, and comprised of one Chair and up to 3 Vice Chairs.
- (2) The Regional Advisory Group will report to the Designated Officer on all matters affecting the Board and will:
- (a) assist the Designated Officer in developing policies governing hearings, conduct of Members, and other Board matters;
  - (b) evaluate Member performance to identify areas where additional training may be required and prepare reports regarding performance and re-appointment of Members;
  - (c) ensure other Members are provided mentoring;
  - (d) act as a liaison between the Members, board administration and the Designated Officer;
  - (e) review draft decisions to ensure that they comply with legislation, policies and procedures;

# The Town of Rimbey Regional Assessment Review Board Bylaw

Bylaw 874/11

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- (3) The duties of the Chair of the Regional Advisory Group include:
  - (a) chairing meetings of the Regional Assessment Review Board and the Regional Advisory Group;
  - (b) establishing agendas for the Regional Advisory Group and the Regional Assessment Review Board meetings in consultation with the Designated Officer;
  - (c) liaising with the Designated Officer, Councils, and Partner Municipalities on behalf of the Regional Assessment Review Board;
  - (d) appointing an Acting Chair from the Regional Advisory Group;
  - (e) signing correspondence on behalf of the Regional Advisory Group.
- (4) If the Chair ceases to be a Member or is unable or unwilling to fulfil the Chair's duties, the Clerk may appoint one of the Vice Chairs to serve as Acting Chair until the Chair resumes the Chair's duties or the Members elect a new Chair.

## **Designated Officer of the Board**

- 11 (1) The Chief Administrative Officer of The City of Red Deer (CAO) shall appoint a Designated Officer of the Board, and shall prescribe any remuneration associated with the position.
- (2) The Designated Officer is authorized to enter into agreements on behalf of the Board with other non-partner municipalities to provide Assessment Review Board Services.
- (3) The Designated Officer shall assist the Board in fulfilling its mandate.
- (4) The Designated Officer may appoint an Acting Clerk to perform the Designated Officer duties and functions provided they have successfully completed the training as prescribed by the Minister.
- (5) The Designated Officer shall consult with the Regional Advisory Group to set policies, procedures and directives governing hearing processes, Member conduct and other Board matters.
- (6) The Designated Officer will consult with the Regional Advisory Group and Members on matters affecting the Boards.
- (7) The Designated Officer will make arrangements for issuing refunds of filing fees in accordance with the MGA and related regulations.

# The Town of Rimbey Regional Assessment Review Board Bylaw

## Bylaw 874/11

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- (8) The Designated Officer will issue instructions to independent legal counsel for the Boards when required.
- (9) The Designated Officer has the authority to assign duly appointed Members to the established LARB's and CARB's as required.
- (10) The Designated Officer may, at the request of a Presiding Officer of a Board sign orders, decisions and documents issued by the Board.
- (11) The Designated Officer may, at the request of the Chair of the Regional Advisory Group, sign documents issued by the Regional Advisory Group.
- (12) The Designated Officer may set fees payable for persons to obtain copies of the Board's decisions and documents.

### Hearings

12

- (1) Hearings will be held at such time and place as determined by the Designated Officer.
- (2) The proceedings and deliberations of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the *Freedom of Information and Protection of Privacy Act*.

### Quorum and Voting

13

- (1) In accordance with section 458 of the MGA, quorum for the Boards shall be as follows:
  - (a) two Members, for LARB's established under section 4(1)(b) of this bylaw; and
  - (b) one Provincial Member and one other Member, for CARB's established under section 4(1)(d) of this bylaw.
- (2) All Members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- (3) The majority vote of those Members present and voting constitutes the decision of the Board.
- (4) Where a member of a Board absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the Designated Officer shall appoint a replacement member to the Board.

### Conflict of Interest

14

- (1) Where a Member is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the Member may absent himself or herself

# The Town of Rimbey Regional Assessment Review Board Bylaw

## Bylaw 874/11

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from board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the Member:

- (a) declares that he or she has a conflict of interest; and
  - (b) describes in general terms the nature of the conflict of interest.
- (2) The Designated Officer shall cause a record to be made in the Record of Hearing of the Members' absence and the reasons for it.
- (3) For the purposes of this provision, a Member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:
- (a) he or she has a personal interest in the matter which would conflict with his or her obligation as a Member to fairly consider the issue; or
  - (b) substantial doubt as to the ethical integrity of the Member would be raised in the minds of a reasonable observer, if that Member were to participate in the consideration of that matter.

### **Pecuniary Interest**

- 15 (1) The pecuniary interest provisions of the MGA apply to all hearings and meetings of the Board, as though Members were councillors attending meetings of council.
- (2) A Member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a Member of the Board.

### **Commencement of Complaints**

- 16 In accordance with section 460 of the MGA, a taxpayer may commence an assessment complaint by:
- (a) mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the *'Matters Relating to Assessment Complaints Regulation'*, Alberta Regulation 310/2009 and within the time limits specified in the MGA; and
  - (b) paying the applicable fee.

### **Rules of Order**

- 17 The Board will conduct hearings in accordance with:
- (1) the express provisions of the MGA and related regulations;

# The Town of Rimbey Regional Assessment Review Board Bylaw

Bylaw 874/11

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- (2) principles of natural justice and procedural fairness;  
and
- (3) policies and procedures approved by the Board.

## Notice of Decisions & Record of Hearing

- 18 (1) After the hearing of a complaint, the Designated Officer shall:
- (a) under direction of the Presiding Officer, prepare the decision or order of the Board and the reasons for the decision in compliance with the MGA; and
  - (b) arrange for the order or decision of the Board to be signed; and distributed in accordance with the requirements under the MGA.
- (2) The Designated Officer will maintain a Record of Hearing in accordance with the MGA.

## Delegation of Authority

- 19 In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:
- (a) to the Regional Board Review Committee, its authority under MGA s. 454.1(1)(a) & s. 454.2(1)(a) to appoint members of the Assessment Review Boards;
  - (b) to the Designated Officer, its authority under MGA s.454.1(1)(c) & 454.2(1)(c) to prescribe the remuneration and expenses payable to each Member of the Assessment Review Board; and.

## Reimbursement of Costs

- 20 The City of Red Deer shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board. Recovery of costs from Partner Municipalities will be as set out in the agreements established.

## Transitional

- 21 This Bylaw comes into effect January 01, 2012.

## Appeal Fees

- 22 Appeal fees are payable by the person making an assessment appeal complaint as follows:
- (a) Local Assessment Review Board Appeal - \$50.00
  - (b) Composite Assessment Review Board Appeal - \$100.00

## Severability

- 23 Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall remain.

# The Town of Rimbey Regional Assessment Review Board Bylaw

Bylaw 874/11

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## Repeal

24 Bylaw 862/11 is hereby repealed.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
MAYOR

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

Schedule B - FEES

I. ANNUAL MEMBERSHIP:

\$2,000.00

2. ADDITIONAL FEES:

- a. Withdrawn Complaints: in instances where a complaint is filed and withdrawn; the Partner Municipality will be obligated to pay a \$30.00 / hour administration fee.
- b. Board Member Honorariums: in instances where a complaint proceeds to a hearing and decision; the Partner Municipality will be obligated to pay Board Member Honorariums in accordance with the following:

|                   | Up to 4 hours | 4-8 Hours | Over 8 Hours |
|-------------------|---------------|-----------|--------------|
| Presiding Officer | \$ 219.00     | \$ 383.00 | \$ 601.00    |
| Panel             | \$ 164.00     | \$ 290.00 | \$ 427.00    |

- c. Board Support: \$30.00 / hour for time spent by Coordinator to prepare and distribute legislated documents, receive and record disclosure, prepare the agenda, attend the hearing and assist the Board with deliberations and decision writing.
- d. Meals & Expenses: will be charged to the Partner Municipality in accordance with policies and procedures prescribed by the Coordinator. In the absence of a policy or procedure prescribed by the Clerk, The City of Red Deer policies and procedures will be applied.
- e. Office / Print Supplies: will be charged to the Partner Municipality on a cost recovery basis.
- f. Legal Services: will be charged to the Partner Municipality on a cost recovery basis.



Schedule C - SERVICES

**SERVICES FOR MEMBERSHIP FEE**

1. The following services are provided by the Coordinator to all Partnering Municipalities on payment of the Membership Fee:
  - (a) Training for board member(s) & clerk(s)
  - (b) In-services / Assistant Clerk Workshops
  - (c) Production of Assistant Clerk Tool Box
  - (d) Business Travel for Advocacy

**SERVICES FOR ADDITIONAL FEES**

2. The following services will be provided by the Coordinator at contract rates as set out in Schedule B.

| <b>AC</b> = Assistant Clerk in Partner Municipality <b>A</b> = Assessor for partner municipality <b>C</b> = Coordinator |   |
|---|---|
|   | GENERAL   |
| <b>AC</b>   | <ul style="list-style-type: none"> <li>• ensure complaint form(s) are available for ratepayers</li> </ul>   |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• advise <b>AC, A</b> &amp; Complainant regarding process; validity of complaint; Board mandate, operations, hearing procedures</li> </ul> |
|   | RECEIPT OF COMPLAINT  |
| <b>AC</b>   | <ul style="list-style-type: none"> <li>• collect fee / verify deadline to file</li> </ul>   |
| <b>AC</b>   | <ul style="list-style-type: none"> <li>• forward complaint to Coordinator (s.5 agreement)</li> </ul>  |
|   | INTAKE  |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• review of complaint for compliance with legislation</li> </ul>   |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• forward copy of complaint to <b>A</b></li> </ul>   |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• assign file # and advise <b>AC</b></li> </ul>  |
| <b>A</b>  | <ul style="list-style-type: none"> <li>• contact Complainant to determine if issues can be resolved; if so, provide and complete withdraw form</li> </ul>                         |
| <b>A</b>  | <ul style="list-style-type: none"> <li>• advise <b>C</b> of status</li> </ul>   |
|   | SCHEDULING  |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• contact <b>AC</b> to advise of W/D or determine hearing location</li> </ul>  |
| <b>C / AC</b>   | <ul style="list-style-type: none"> <li>• book meeting rooms and AV resources for hearing &amp; deliberations</li> </ul>   |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• issue notice of hearing / assign panel members &amp; board support / copy to minister if CARB</li> </ul>                                 |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• receive and record disclosure</li> </ul>   |
|   | AGENDA  |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• verify disclosure against filing deadlines / verify attendance of all parties / produce agenda &amp; packages</li> </ul>                 |
|   | HEARING / DECISION  |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• attend hearing, provide support for the Board, produce a Record of Hearing</li> </ul>  |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• attend deliberations, assist in production and distribution of decision</li> </ul>   |
|   | REPORTING / CLOSE OF FILE   |
| <b>C</b>  | <ul style="list-style-type: none"> <li>• provide <b>AC</b> with reporting package (Record of Hearing, invoice for service, statistics, survey re: best practices)</li> </ul>      |

**OTHER**

3. The Coordinator may provide other services at such rates as the parties agree from time to time.

# TOWN OF RIMBEY

**DATE:** November 14, 2011

**TITLE:** Tax Cancellation Request

## **BACKGROUND:**

The attached letter is a request from a property owner to cancel a portion of their taxes and assessment, as they claim both are too high in comparison with other properties.

A response to this letter was initially sent to the property owner and is attached. A copy of the property assessment and taxation guide was included. The assessment sheet on the property is also attached, which shows a reduction of 2.3% was granted on July 20 of this year, leaving an assessment of \$343,150. They claim to have had a realtor value the property at no more than \$335,000.

## **DISCUSSION:**

The assessment was reduced by the assessor, from \$351,310 to \$343,150. As no appeal was filed within the sixty (60) day time period after the assessment was amended, the assessment cannot be reduced further this year.

However, the Municipal Government Act (MGA) allows a Council to cancel or reduce taxes or any portion thereof under Section 347:

### ***Cancellation, reduction, refund or deferral of taxes***

**347(1)** *If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business or a class of taxable property or business, do one or more of the following, with or without conditions:*

- (a) cancel or reduce tax arrears;*
- (b) cancel or refund all or part of a tax;*
- (c) defer the collection of a tax.*


In discussion with the property owner on October 25, they indicated a subsequent evaluation of their home has resulted in a valuation of between \$324,900 and \$329,900, and feel they should be taxed accordingly. The following table outlines the affect a change in assessment value has on overall taxes.

| Assessment | Taxes      | Difference from Taxes Paid |
|------------|------------|----------------------------|
| \$343,150  | \$3,149.57 | \$0.00                     |
| \$335,000  | \$3,074.76 | -\$74.81                   |
| \$329,900  | \$3,027.95 | -\$121.62                  |
| \$324,900  | \$2,982.06 | -\$167.51                  |

Don Sheridan of Municipal Property Consultants (2009) Ltd., the assessment company for the Town of Rimbey, stated in an October 25 telephone conversation that he feels the adjustment made on July 20 was fair and will not be making a further reduction at this time.

**RECOMMENDATION:**

Administration is requesting Council make a decision on the request to reduce the taxes on the subject property.

|  |   |
|--|---|
| <p><b>Roll: 22650</b><br/> <b>Legal: 0324580 7 13</b></p> <p>Description<br/>                 Address: 5324 DRADER CRESCENT<br/>                 Zoning: Low density Residential<br/>                 Actual Use: Primary: R10100<br/>                 Market Loc. 110 MIDDLE CORE<br/>                 Econ Zone: Economic Zone 1<br/>                 Assbl Party: 1 Individual<br/>                 Owner: KLASSEN, LAWRENCE / CATHERINE [REDACTED]</p> |  |
|--|---|

**Market Value Land**

| LandID     | Base Code     | Site Area      | Services   | Location Adj | Asmt Code | Reg       | Assessment   |
|------------|---------------|----------------|------------|--------------|-----------|-----------|--------------|
| 222000272  | 1 RESIDENTIAL | 7,155 Sq. Feet | 0%         | 100%         | 1 100%    |           | 62,050       |
| Categories |               | Details        | Factors    | Inf %        | Inf \$    | Serv.Cost | Serv Cost \$ |
| 8          | LOCATION      | 8 LOCATION     | 8 Factor 8 | 25.0 %       | 0         | 25.0 %    | 0            |

**Improvements**

| ImprID    | MT- Qu- St | Description      | Area (Ft2) | Eff Year | Asmt Code | Reg   | Assessment |
|-----------|------------|------------------|------------|----------|-----------|-------|------------|
| 222003102 | 004-05-02  | SFD - After 1970 | 1,346      | 2007     | 1 100%    | 100.0 | 262,670    |
| 222003103 | 030-04-28  | Garage           | 528        | 2007     | 1 100%    | 100.0 | 18,430     |

**Assessment Totals**

| Tax Status           | Code    | Description   | Land          | Impr           | Other    | Assessment     |
|----------------------|---------|---------------|---------------|----------------|----------|----------------|
| T                    | T2 1 RO | 1 RESIDENTIAL | 62,050        | 281,100        | 0        | 343,150        |
| <b>Grand Totals:</b> |         |               | <b>62,050</b> | <b>281,100</b> | <b>0</b> | <b>343,150</b> |

Inspections

|                 |            |               |   |
|-----------------|------------|---------------|---|
| Info From Owner | 20/07/2011 | SHERIDAN, Don | CATHERINE PHONED, SHE WAS STILL NOT HAPPY WITH REDUCTION BUT SAID SHE WOULD ACCEPT IT & NOT APPEAL REVISED ASSESSMENT.  |
| No Inspection   | 13/07/2011 | SHERIDAN, Don | PHONED CATHERINE & PROPOSED REDUCTION TO \$343,150, SHE STILL WAS NOT HAPPY & SAID THEY HAVE GOT A RAW DEAL EVER SINCE THEY HAVE BEEN IN RIMBEY. SHE SAID SHE WOULD TALK IT OVER WITH LAWRENCE BUT SAID HE WOULD NOT BE HAPPY. ASSESSOR TOLD HER TO GET BACK TO HIM ON THEIR DECISION.                            |
| Info From Owner | 08/07/2011 | SHERIDAN, Don | CATHERINE PHONED AGAIN SAYING REAL ESTATE PUT VALUE OF \$335,000 AS OF LAST WEEK. SHE ALSO COMPARED IT TO 5330-45 AVE WHICH WE HAVE ASSESSED @ \$307,000 & IT IS LISTED @ \$348,000 AND IS 112 SQ. FT SMALLER THAN CATHERINES & A YEAR OLDER., ASSESSOR SAID HE WOULD MAKE A DECISION NEXT WEEK(JULY 11-15, 2011) |

Revisions

|           |            |               |                                  |
|-----------|------------|---------------|----------------------------------|
| MGA305(1) | 20/07/2011 | SHERIDAN, Don | REDUCED QU 4% TO REFLECT MARKET. |
| MGA305(1) | 20/07/2010 | SHERIDAN, Don | BF TO 60 FR 100, LOWERED QU. -FP |

Sales

| Date       | Price    | Adj Price | Sale Code         | Type   | Ratio | CoT       |
|------------|----------|-----------|-------------------|--------|-------|-----------|
| 11/01/2007 | \$43,000 | \$52,700  | 9 not used        | Vacant | 118%  | 072020857 |
| 20/10/2006 | \$40,500 | \$58,300  | 1 ARMS LENGTH RES | Vacant | 106%  | 062475656 |
| 03/10/2006 | \$40,500 | \$58,300  | 1 ARMS LENGTH RES | Vacant | 106%  | 062446431 |

September 15, 2011

Town of Rimbey  
P.O. Box 350  
Rimbey, AB  
T0C2J0  
Attention: Administration & Taxation

RECEIVED

SEP 20 2011

TOWN OF RIMBEY

Dear Sir or Madam

RE: Taxes for 5324 Drader Crescent, Rimbey

We had a house built in 2007, took possession in November, received our first tax bill in the amount of \$3393.59 to be paid by July 31, 2008.

For 2008 our assessment was \$356,170.00 taxes \$3393.59

2009 our assessment was \$382,540.00 taxes \$3360.69

2010 our assessment was \$376,750.00 taxes \$3311.00

By the time the 2010 tax assessment came we had spoken to a few home owners and unfortunately they all said they don't pay that much.

Before taxes were due for 2010 we spoke to someone at town office about outrageous high taxes. We were told to talk to the assessor, which we did. He got the tax amount a bit lower to:

2010 Reassessment \$354,490.00 Taxes to \$3115.37

2011 Assessment \$351,310.00 Taxes \$3224.47

Again, we were told to contact the assessor, which we did, he changed it to:

2011 Reassessment \$343,150.00 Taxes \$3149.57 which we just paid this morning cheque #09, dated July 30, 2011.

This amount is still not good as we had an evaluation done by real estate. They valued this property at \$335,000.00. Something is very wrong here. What we would like to know is, why do we have to fight every year to get our taxes reduced. If our taxes were comparable with other houses of similar size and age we could understand, but they are not. It doesn't make any difference who we talk to, everybody pays less than we do, \$200.00 - \$300.00 even if they have more extras. Why is that?

Another question we have is an article (copy attached) in the local paper said the average residential tax bill is \$1614.56. Why is ours twice as much?

We trust that you will give this some serious thought and reduce our taxes and assessment comparable with other properties in this area.

Sincerely

  
Lawrence & Katherine Klassen



October 5, 2011

22650

Lawrence & Katherine Klassen  
Box 965  
Rimbey, AB  
T0C 2J0

Dear Mr. & Mrs. Klassen:

Thank you for your concerns regarding your assessment notice. As you know, our assessment is completed annually by a professional, certified independent contractor. The assessments are to be based on valuation of the property from July 1 of the previous year, and are subject to an audit annually to prove proper assessment guidelines and best practices are followed.

To be clear, the Town of Rimbey does not control the levels of assessment on properties. The Town sets the mill rate on an annual basis, which is then calculated against the assessment to reach a total value for the tax notice.

Concerning your question regarding the average residential tax bill in the Town of Rimbey, it is based on the average assessed property, which is \$183,569, much lower than the assessed value of your home.

I am enclosing a guide that is published by the Government of Alberta that further explains property assessment and taxation. If you have any further questions or concerns, please do not hesitate to contact us at 403-843-2113.

Sincerely,

  
Ryan Maier  
Assistant CAO

encl.



# Council Recommendation

Date: November 9, 2011

Title: Request to Consider Cat Bylaw

Presenter: Administration

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## **Background:**

At the October 24, 2011 meeting an email letter was presented to Council from the Rimbey Vet Clinic requesting Council consider a cat bylaw, which council passed a motion referring to Administration to provide information and recommendation.

Attached is a letter from the current Animal Control Services that outlines options for Council to Consider.

Animal draft attached – differences from current bylaw:

- Allows 3 dogs instead of 2
- Limits cats to 3
- Requires registration at 6 months instead of 4 months of age
- Fees are for lifetime licence, no annual renewal required
- Allows for voluntary licence of cats
- Impounded dogs kept 3 business days instead of 96 hours



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**From:** RimbeyVet [mailto:rimvet@telusplanet.net]

**Sent:** Friday, October 21, 2011 3:19 PM

**To:** Tony

**Subject:**

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Tony,

Thanks for putting something in front of council.

I am asking that town consider a cat bylaw. We have had 3 anonymous kitten drop-offs this week, we have 10 kittens in the clinic right now and I am paying to keep them alive and here, while we struggle to find homes for them.

I would request that the town have a cat bylaw (whatever that means), I would request that Jim Deboon be contracted to pick up stray and unwanted cats, and I would suggest that because we will always be the go to place for drop-offs we arrange some sort of boarding and treatment fees for the clinic so that we can recoup some of our costs.

Red Deer has a program that allows Veterinary clinics to examine, do minor treatments, IV fluid therapy etc. and hospitalization, without the immediate consent of the City, and there are instances where the city will pay for some surgical processes if deemed appropriate after contacting the city. The program also allows for immediate euthanasia if the animal is badly injured.

I would propose something to the effect that when things are dropped off here, we will examine them and do any minor treatments that are needed, and bill the town for that, then contact Jim, and have him pick them up and then work his magic.

I would like to see something in place like Red Deer, that allows us to triage and do life saving measures if needed.

Thanks,  
Grady Barton,  
Rimbey Vet Clinic

## Melissa

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**From:** .....Klassick Kennels <office@klassickennels.com>  
**Sent:** Wednesday, October 26, 2011 10:23 AM  
**To:** Melissa  
**Subject:** Re: Town of Rimbey Requires Report including Expense and recommendations

Hello Melissa,

Thanks for the email.

The concerns raised by the vet clinic are not without merit. In every municipality stray and abandoned cats have been and are an issue. Unfortunately for the kind veterinarian in the email, He as a private business is absorbing the cost of what is a community issue.

There are many options open to a town when approaching this issue. The first is to do nothing. Until recently that has been the prominent path taken by too many councils. However, in the last half decade, forward thinking towns have realized that this is a problem that won't go away. And to that end, some have passed by-laws to address the reality of unwanted feline activity.

While there are several ways to react to this dilemma, my suggestion is to take a look around at what other communities have done, assess their results and then act accordingly to what is having the best outcome.

I would be happy to come and speak to council on this matter. In the last 2 years two other communities I serve have passed cat by-laws, and while one just passed, (Bentley) one was passed just about 2 years ago. We have already seen some interesting developments in Sylvan Lake where in the second year of a cat by-law we took a more proactive approach and have seen real improvements in all aspects of the stray cat issue. It is too early to declare victory, as that will take years. It is safe to say that from year one to year two we have seen improved numbers that to my knowledge are unheard of anywhere in North America.

We are currently in the process of getting permission to build a new facility on our property to better meet the needs of the communities we serve. Our existing facility is almost 23 years old and is struggling under over capacity and age.

Our new structure will better address the needs we see into the future for all the communities in central Alberta.

As this can be a sensitive issue, how a council moves forward is critical. Fortunately our experience so far in the other communities we serve has been almost completely positive and if done well I feel Rimbey would be no exception.

I look forward to assisting with this matter.

Sincerely  
Jim deBoon  
Animal Control Services  
403-506-9380

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# The Town of Rimbey Animal Bylaw

Bylaw xxx/11

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## **A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA REGULATING THE KEEPING AND CONTROLLING OF ANIMALS WITHIN THE MUNICIPALITY.**

WHEREAS, Section 7(h) of the Municipal Government Act, Chapter M-26 and amendments thereto empowers the Municipal Council of the Town of Rimbey to regulate and control animals within the Municipality.

AND WHEREAS, Council deems it expedient and proper to regulate the keeping of animals within the limits of the Municipality,

NOW THEREFORE, The Municipal Council of the Town of Rimbey duly assembled hereby enacts:

### **PART I – BYLAW TITLE**

- 1) This Bylaw may be cited as the Animal Control Bylaw.

### **PART II - DEFINITIONS**

- 2) For the purposes of this Bylaw the following words will have the meanings assigned:
  - a) “Act” means the Municipal Government Act, R.S.A. 2000, c. M-26, as amended.
  - b) “Animal” means any member of the kingdom Animalia other than a human being.
  - c) “Animal Control Officer” means a person engaged by the Town to carry out the provisions of this Bylaw.
  - d) “Cat” means a domesticated animal of the family Felidae.
  - e) “CAO” means the Chief Administrative Officer of the Town of Rimbey or his delegate.
  - f) “Council” means the Council of the Town of Rimbey.
  - g) “Dog” means a domesticated animal of the family Canidae other than a Restricted Dog.
  - h) “Feral Animal” means a domesticated animal that has returned to a wild state.
  - i) “Guide Dog” means a Dog that is trained by a recognized agency to provide assistance to a person with a physical impairment.
  - j) “Licence” means the form of written legal permission, granted by the Town, authorizing a person to keep or have an Animal within the boundaries of the Town.

# The Town of Rimbey Animal Bylaw

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- k) "Licence Tag" means the metal tag issued by the Town for attachment to a collar or harness to identify a Dog, Restricted Dog or Cat.
- l) "Licensee" means the person or persons named on a Licence.
- m) "Livestock" means poultry, horses, cattle, sheep, swine, goats, donkeys and mules.
- n) "Municipal Bylaw Ticket" means a ticket alleging an offence, and requiring the payment of a specified penalty, issued pursuant to a Bylaw of the Town.
- o) "Off-Leash Area" means an area designated by the CAO where a Dog is not required to be held by a leash.
- p) "Owner" includes any person:
  - a) named on a Licence; or
  - ii) in actual or apparent possession or control of property where an Animal is kept or resides.
- q) "Peace Officer" means a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, or Special Constable appointed pursuant to the provisions of Section 38 of the Police Act, R.S.A. 2000, c. P-17, as amended.
- r) "Pound" means a place designated by the CAO for the confinement of Animals that have been impounded.
- s) "Prohibited Animal" means any of the following:
  - i) livestock;
  - ii) bees;
  - iii) poisonous snakes, poisonous reptiles or poisonous insects; or
  - iv) any other Animal except a Dog, Restricted Dog or Cat that in the adult form regularly weighs more than 5 kilograms or the young thereof;
- t) "Restricted Dog" means any domesticated animal of the family Canidae that:
  - i) has chased, attacked or bitten any person or animal causing physical injury and resulting in a conviction under this Bylaw or any predecessor Bylaw;
  - ii) has chased, attacked or bitten any person or animal on more than one occasion, with or without causing physical injury, and resulting in separate

# The Town of Rimbey Animal Bylaw

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convictions under this Bylaw or any predecessor Bylaw; or

- iii) has been made the subject of an order under the Dangerous Dogs Act.
- u) "Town" means Town of Rimbey.
- v) "Violation Ticket" shall have the same meaning as in the Provincial Offences Procedure Act.

### **PART III - LICENCING OF DOGS**

- 3) The Owner of:
  - a) a Dog shall obtain a Licence for the Dog.
  - b) a Restricted Dog shall obtain a Licence for the Restricted Dog.
- 4) The requirements of Section 3 do not apply to Dogs or Restricted Dogs under the age of six months.
- 5) Before the issuance or renewal of a Licence pursuant to this Part the Owner must submit to the Town:
  - a) the Licence Fee established under Schedule "A" of this Bylaw;
  - b) proof, in a form acceptable to the Town, of the Dog or Restricted Dog being spayed or neutered, if applicable;
  - c) proof of insurance coverage, in a form acceptable to the Town, for a Restricted Dog; and
  - d) any additional information reasonably required by the Town.
- 6) The Town may refuse to issue or renew a Licence unless it is satisfied that:
  - a) at least one person named on the Licence is at least eighteen years of age;
  - b) insurance coverage is in effect for a Restricted Dog;
  - c) all applicable fees have been paid; and
  - d) all required information has been provided.

### **PART IV - REGULATION OF DOGS**

- 7) The Owner or any other person having care or control of a Dog or Restricted Dog shall ensure that the Licence Tag issued by the Town is securely fastened to a collar or harness worn by the Dog or Restricted Dog at all times when it is off the property of the Owner.

# The Town of Rimbey Animal Bylaw

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- 8) The Owner or any other person having care or control of a Dog or a Restricted Dog shall ensure that it does not bark or howl in a manner that is reasonably likely to annoy or disturb the peace of others.
- 9) In determining whether the barking or howling is reasonably likely to annoy or disturb the peace of others consideration may be given, but not necessarily limited, to:
  - a) the proximity of the complainant(s) to the property where the Dog or Restricted Dog is barking or howling;
  - b) the duration of the barking or howling;
  - c) the time of day and day of the week;
  - d) the nature and use of the surrounding area; and
  - e) the effects of the barking on the complainant(s).
- 10) The Owner or any other person having care or control of a Restricted Dog or a Dog, other than a Guide Dog, shall immediately remove any defecation left by the Dog or Restricted Dog on any property other than on the property of the Owner.
- 11) The Owner of a Dog or Restricted Dog shall ensure that any defecation on the property of the Owner does not accumulate to the extent that it is reasonably likely to annoy others or to pose a health risk to humans.
- 12) The Owner or any other person having care or control of a Dog shall at all times when it is off the property of the Owner:
  - a) have it under control and held on a leash not exceeding two meters in length;
  - b) obtain the consent of the person in charge of the property to the Dog being there;
  - c) not permit the Dog to be on any playground area; or
  - d) not permit the Dog to be on any parkland area that is posted to indicate Dogs are not permitted in that area.
- 13) When a Dog is within an Off-Leash Area, the Dog need not be held on a leash, however, the Owner or any other person having care or control of the Dog shall carry with them a leash, for the Dog, not exceeding two meters in length. Nothing in this section removes the obligation on a person to have the Dog under control while in the Off-Leash Area.
- 14) The Owner or any other person having care or control of a Restricted Dog shall at all times when it is off the property of the Owner, including when it is within an Off-Leash Area, have it:
  - a) under control;

# The Town of Rimbey Animal Bylaw

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- b) muzzled; and
  - c) held on a leash not exceeding two meters in length.
- 15) The Owner or any other person having care or control of a Restricted Dog shall at all times when it is on the property of the Owner have it:
- a) indoors;
  - b) outdoors, secured in a fully enclosed pen; or
  - c) outdoors, muzzled and secured by a chain fixed to the property that prevents the Restricted Dog from coming closer than two meters to the apparent boundary of the property.
- 16) The Owner or any other person having care or control of a Dog or a Restricted Dog shall ensure that it does not:
- a) damage property;
  - b) chase, attack or bite any person or animal; or
  - c) chase, attack or bite any person or animal, causing physical injury.
- 17) The Owner of a Restricted Dog shall have liability insurance specifically covering any damages for personal injury caused by the Restricted Dog in an amount not less than one million dollars (\$1,000,000.00) per occurrence.
- 18) No person shall provoke a Dog or Restricted Dog in any manner that could reasonably be expected to cause the Dog or Restricted Dog to:
- a) damage property;
  - b) chase, attack or bite any person or animal;
  - c) chase, attack or bite any person or animal, causing physical injury; or
  - d) bark.

### **PART V - LICENCING AND REGULATION OF CATS**

- 19) The Owner of a Cat may purchase a Licence tag from the Town by payment of the fee as set out in Schedule "A" of this Bylaw.
- 20) The purchase of a Cat Licence tag is strictly voluntary.
- 21) The Owner or any other person having care or control of a Cat shall ensure that the Cat does not enter onto property other than the property of the Owner, unless the Cat is on a leash not exceeding

# The Town of Rimbey Animal Bylaw

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two meters in length or the person in charge of the property consents to the Cat being there.

- 22) The Owner or any other person having care or control of a Cat shall ensure that it does not howl in a manner that is reasonably likely to annoy or disturb the peace of others.
- 23) In determining whether the howling is reasonably likely to annoy or disturb the peace of others consideration may be given, but not necessarily limited, to:
  - a) the proximity of the complainant(s) to the property where the Cat is howling;
  - b) the duration of the howling;
  - c) the time of day and day of the week;
  - d) the nature and use of the surrounding area; and e) the effects of the howling on the complainant(s).

### **PART VI - OTHER REGULATIONS**

- 24) No person shall keep or have any Prohibited Animal on any property located within the boundaries of the Town. This Section does not apply to:
  - a) Livestock located on property zoned UX unless the keeping of such Livestock is inconsistent with the Town's Land Use Bylaw as amended from time to time; or
  - b) Animals that are participants in a parade, circus, rodeo, agricultural show or any similar function approved by the Town.
- 25) No person shall keep or have more than three Dogs, Restricted Dogs or any combination thereof, and three Cats on any property located within the boundaries of the Town. This section does not apply:
  - a) to Dogs, Restricted Dogs or Cats under the age of 3 months;
  - e) if the person has a valid business licence to operate:
    - i) a small animal breeding or boarding establishment;
    - ii) a pet store; or
    - iii) a veterinary clinic or hospital.
  - c) to an authorized SPCA.
- 26) A Licensee shall forthwith notify the Town of any change with respect to any information provided as part of an application for a Licence pursuant to this Bylaw.



# The Town of Rimbey Animal Bylaw

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- 27) A person who takes control of any stray Dog, Restricted Dog or Cat shall forthwith notify the Town's Bylaw Enforcement and provide any required information.
- 28) No person shall provide false or misleading information to any Peace Officer, or the Town.
- 29) No person shall interfere with a Peace Officer in the exercise of his powers and duties under this Bylaw.
- 30) No person shall refuse to allow a Guide Dog, in the company of the person requiring its assistance, to enter any building or property that is accessible to a member of the general public.

### **PART VII - GENERAL PROVISIONS**

- 31) The onus of proving a person has a valid and subsisting Licence is on the person alleging the Licence, on a balance of probabilities.
- 32) A Licence issued under this Bylaw shall not be transferable from one Animal to another.
- 33) The onus of proving the age of a Dog or Restricted Dog is on the person alleging the age, on the balance of probabilities.
- 34) Without restricting any other power, duty or function granted by this Bylaw, the CAO may:
  - a) carry out whatever inspections are reasonably required to determine compliance with this Bylaw;
  - b) delegate any powers, duties or functions under this Bylaw to an employee of the Town;
  - c) establish a Pound for the impounding of Animals seized and impounded pursuant to this Bylaw and to make such rules and regulations, that are not inconsistent with this Bylaw, for regulating the conduct of the Pound;
  - d) establish forms for the purposes of this Bylaw;
  - e) establish Off-Leash Areas; and
  - f) approve any parade, circus, rodeo, agricultural show or any similar function within the boundaries of the Town.
- 35) A copy of a record of the Town, certified by the CAO as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.
- 36) Nothing in this Bylaw limits the right of any person to prosecute a claim for damages by reason of injuries to persons or property resulting from any action of the Owner of any animal, or from the action of any agent of the Owner.

# The Town of Rimbey Animal Bylaw

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## **PART VIII - LICENCING FEES**

- 37) Council shall establish a Schedule of Fees to be charged as set out in Schedule "A" of this Bylaw.

## **PART IX - OFFENCE**

- 38) Anyone who fails to comply with a provision of this Bylaw is guilty of an offence and is liable to the fines and penalties imposed under this Bylaw.
- 39) In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect to each day or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

## **PART X - FINES AND PENALTIES**

- 40) Council shall establish a Schedule of Fines and Penalties to be levied for offences under this Bylaw.
- 41) The fines and penalties shall be those set out in Schedule "B" attached to and forming part of this Bylaw as amended from time to time.

## **PART XI - ENFORCEMENT**

- 42) A person who is guilty of an offence under this Bylaw is liable to a fine in an amount not less than that established in Schedule "B" and not exceeding ten thousand dollars (\$10,000.00) and to imprisonment for not more than six months for non-payment of a fine.
- 43) If a Peace Officer believes that an offence has been committed under this Bylaw, he may issue:
- a) a Municipal Bylaw Ticket; or
  - b) a summons under the Provincial Offences Procedures Act, R.S.A. 2000, c.P-34 as amended, by means of a Violation Ticket in respect of the alleged offence.
- 44) If a Violation Ticket is issued in respect to an offence, the Violation Ticket may:
- a) specify the fine amount established under this Bylaw for the offence; or
  - b) require a person to appear in court without the alternative of making a voluntary payment.

# The Town of Rimbey Animal Bylaw

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- 45) A person who commits an offence may:
- a) if a Municipal Bylaw Ticket is issued in respect of the offence; or
  - b) if a Violation Ticket is issued in respect of the offence, and if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;
- make a voluntary payment equal to the fine specified.
- 46) Voluntary payment of a fine levied under a Municipal Bylaw Ticket or a Violation Ticket shall be deemed to be a conviction of the offence specified.
- 47) A Peace Officer or Animal Control Officer may seize and impound:
- a) any Dog found in contravention of Section 12;
  - b) any Restricted Dog found in contravention of Section 14 or Section 15;
  - c) any Cat found in contravention of Section 21;
  - d) any Prohibited Animal found in contravention of Section 24; or
  - e) any Feral Animal.
- 48) A Peace Officer or Animal Control Officer may enter onto the land surrounding any building in pursuit to any animal which has been observed running at large and take such reasonable measures necessary to subdue any animal which is at large, including the use of tranquilizer equipment and other capture devices.
- 49) Any veterinary surgeon, being properly and fully qualified as required by the Province of Alberta, may destroy any animal delivered to the veterinarian after injury to the animal, providing the said injury is determined by the veterinarian to be of such serious nature, based upon his professional opinion, that the animal must be destroyed immediately and such costs of destruction may be billed to the Town, and the Town is at liberty to take all steps considered necessary to recover such costs from the owner of the animal.
- 50) Any animal seized and impounded pursuant to Section 47 shall be released to the Owner upon payment of any fees due with respect to shelter, care and treatment and any Licence fee, if not already paid.
- 51) Any animal seized and impounded pursuant to Section 47 shall be retained for three (3) working days and unless the owner of the animal reclaims the animal or makes satisfactory arrangements with the Town for the further retention of the animal, the Animal Control Officer may cause the animal to be adopted or destroyed.

# The Town of Rimbey Animal Bylaw

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- 52) All animals over which the Animal Control Officer, under this section, has the power to have adopted or destroyed, become the property of the Town and may be disposed of in any manner provided for under this Bylaw, and where it is necessary to have an animal destroyed, the animal shall be destroyed in a humane manner.
- 53) The Town shall not be required to enforce any provision of this Bylaw. In deciding whether to enforce the Bylaw the Town may take into account any practical concerns regarding enforcement including the funds available under the Municipal Budget and available personnel resources.

### **PART XII - SEVERABILITY**

- 54) If at any time any provision of this Bylaw is declared or held to be illegal, invalid or ultra vires, in whole or in part, then that provision shall not apply and the remainder of this Bylaw shall continue in full force and effect and shall be construed as if it had been enacted without the illegal, invalid or ultra vires provision.

### **PART XIII - REPEAL**

- 55) That Bylaws 755/03, 468/61, 096/42 and all subsequent amendments or Bylaws pertaining to the licencing and control of animals be repealed when this Bylaw receives Third Reading and is duly signed.

### **PART XIV - EFFECTIVE DATE**

AND FURTHER THAT this Bylaw shall take effect on the date of third and final reading.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
MAYOR

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

# The Town of Rimbey Animal Bylaw

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## **SCHEDULE “A” – LICENCE FEES**

|                          |          |
|--------------------------|----------|
| Dog                      | \$75.00  |
| Dog – Spayed or Neutered | \$50.00  |
| Restricted Dog           | \$300.00 |
| Cat                      | \$10.00  |
| Replace Lost Licence     | \$10.00  |

**License is valid for the life of the animal.**

## **SCHEDULE “B” - VIOLATIONS AND PENALTIES**

Any person who commits a breach of any of the provisions of this Bylaw shall be liable to a penalty of \$100.00 (One hundred dollars).

A person who commits a second or subsequent offence within a period of one (1) year may be subject to a fine that is double the amounts above.

The issuance of a violation ticket that includes a penalty does not preclude the requirement to obtain a valid business license.



# Council Recommendation

Date: November 10<sup>th</sup>, 2011  
Title: Recreation Board Agreement Issue  
Presenter: Rick Kreklewich

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## **Background:**

The Board membership consists of two members of the Town of Rimbey Council plus two members at large from the Town of Rimbey, one member from the Rimbey Lions Club and two members at large from Ponoka County. The members shall be residents of their respective municipalities and each appointee shall remain a member only during such time as he or she continues to be a resident.

## **Discussion:**

One member at large from the Town of Rimbey has moved to the County. According to the current agreement, this member must resign as they are no longer a resident of their municipality. This member talked to the Board about their situation and offered their resignation and it was rejected by the Recreation Board. Should the Board continue with this arrangement, the membership would consist of one member at large from the Town of Rimbey and three members at large from Ponoka County.

## **Recommendation:**

I recommend that Council review the current agreement and determine a solution to this matter.

# RIMBEY AND AREA RECREATION BOARD AGREEMENT

THIS AGREEMENT is made effective the 13 day of April, 2011.

BETWEEN:

TOWN OF RIMBEY  
A body corporate in the Province of Alberta  
(hereinafter referred to as "the Town")

**COPY**

- and -

THE COUNTY OF PONOKA  
A body corporate in the Province of Alberta  
(hereinafter referred to as "the County")

WHEREAS the Town and the County have deemed it expedient to have an agreement for an advisory board for recreation services;

AND WHEREAS the Town and the County have agreed to a governance structure;

NOW THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the premises and the mutual terms, covenants and conditions to be observed and performed by each of the parties hereto, the Town agrees with the County and the County agrees with the Town as follows:

The Rimbey and Area Regional Recreation Board shall be governed by, and subject to, the following regulations. These regulations may only be altered or amended in the following manner:

- a. A "Board" member may submit a notice of motion specifying an amendment or alteration they wish to effect. Such notice of motion must be submitted at a regularly scheduled meeting of the "Board".
- b. The notice of motion shall be dealt with at the next regularly scheduled meeting of the "Board". A majority approval from the "Board" is required for the passing of an amendment or alteration to these regulations.
- c. This recommendation for an amendment or alteration of the regulations must be submitted to the "Councils" and does not become effective unless passed by both "Councils".
- d. This agreement may be terminated in 60 days by notice in writing given by either of the "Councils" upon the violation or breach by the other party of any provision of this agreement.

## 1. Definitions

- a. "Board" means the Town of Rimbey members and Ponoka County members;
- b. "Council" means the Council of the Town of Rimbey or the Council of Ponoka County;
- c. "Region" means the Town of Rimbey and County of Ponoka;
- d. "Department" means the Community Services Department of the Town of Rimbey;
- e. "Director" means the Director of Community Services.

**2. Membership**

- a. The "Board" shall consist of seven (7) members of which two (2) members of Town of Rimbey Council plus two (2) members at large from the Town of Rimbey; one (1) member of the Rimbey Lion's Club; and two (2) member at large from Ponoka County.
- b. The said seven (7) members appointed by their respective "Councils" shall be residents of their respective municipalities and each appointee shall remain a member only during such time as he or she continues to be a resident.
- c.
  - i) The members, once appointed, hold office for a term of up to three years (that is 1, 2 or 3 years), terminating on December 31<sup>st</sup> of their last year.
  - i) A member may serve a maximum of two consecutive, three-year terms; they may be re-appointed after one term absent from the Board.
  - ii) Notwithstanding the provisions of Section 2(c.i) the appointing Councils may appoint members so that as nearly as possible, the terms of one third of such members shall expire each year.
- d. All members shall remain in office until their respective successors are appointed.
- e. In the event of a vacancy, the person appointed to fill such a vacancy shall hold office for the remainder of the term of the vacancy as arisen.
- f. Any member of the Board absent for three consecutive meetings of the Board shall (unless such absence be authorized by resolution of the Board) ipso facto forfeit his office, and another member shall be appointed in his/her place for the remainder of his/her term.
- g. Any member of the Board may resign at any time, upon sending written notice to that effect to the Board Chair and, any member may be removed for cause, by his or her Council at any time.

**3. Executive Members**

- a. A Chair of the Board shall be elected from the members at the first meeting of the Board, and thereafter, at the first meeting in January of each year.
- b. A Vice-Chair shall be chosen in a similar manner and time as set forth in clause 3(a) above.
- c. A Recording Secretary shall be chosen in a similar manner and time as set forth in clause 3(a) above.



#### **4. Meetings**

- a. Regular meetings of the Board shall be held at least once every month, with the exception of July and August. The time and place to be determined by the Board at its first meeting, but this may be changed by the members, from time to time, as deemed advisable.
- b. Special meetings may be called on notice by the Chair or at the request of any three members of the Board. Notice for special meetings must be given no less than 48 hours prior to the meeting, stating the time and place at which it is to be held and stating, in specific terms, the business to be transacted.
- c. A majority of the Board, four (4) members, is necessary to form a quorum.
- d. The Chair and every member present shall vote on each question, and in the event of a tie, the motion shall be lost.
- e. A minute book shall be kept wherein minutes of all regular and special meetings shall be recorded by the Recording Secretary. Copies of all minutes shall be submitted to the administrative offices of each municipality for distribution to each Council member.

#### **5. Power and Duties of the Board**

- a. The Councils shall refer all matters related to recreation to the Board for its consideration and recommendation prior to taking action on the matter.
- b. The Board shall act in an advisory capacity to the Councils and the Director of Community Services in relation to all questions affecting the provision of recreation services. Without restricting the generality of the foregoing, the Board shall;
  - i) Make recommendations on all matters referred to it by either Council.
  - ii) Work in cooperation with and advise the Director who is charged by Town Council with the direct administration of town recreation facilities and programs and other responsibilities as authorized by this agreement.
  - iii) Recommend to the Councils' policy concerning the use of park land for recreation purposes.
  - iv) Recommend to the Councils' policy concerning recreation programs.
  - v) On an annual basis, offer policy guidance to the Council, in matters of revenue producing facilities owned and/or operated by either municipality.
- c. The Board shall consider consultation with any individual, organization, or delegation of citizens from the Region, with respect to recreation.
- d. In the interest of a well-balanced, coordinated recreation program, it shall be the Board's duty to cooperate with, and encourage all organizations; public, private, civic, social and religious, which support, promote and provide recreation.
- e. The Board and the Director shall be advised by the Councils whenever it is proposed to lease, sell or otherwise dispose of land located within the Region that is held for park purposes or for other public recreation purposes and

whenever it is proposed to purchase or otherwise acquire land for public parks and recreation purposes or when areas are being subdivided within the Region which would create public reserve lands.

- f. The Board, in cooperation with the Director, shall prepare, present and submit an annual report to the Councils no later than March 1<sup>st</sup>.
- g. The board may appoint representative who may attend Council meetings, which have a recreation item on the agenda, and at such other times as representation from the Board is required.
- h. The Board, in cooperation with the Director, shall conduct annual studies of local conditions and the needs affecting recreation in the Region for the purpose of developing immediate and long term (5-year) plans to meet these needs.

## **6. Finances**

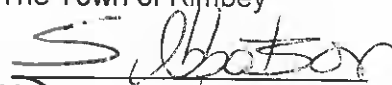
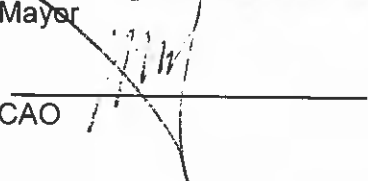
- a. The Town of Rimbey shall be the Signing Authority for the Board and the Department.
- b. By November 1<sup>st</sup> of each year, the Board, in cooperation with the Director, shall submit to the Councils for approval, budgets of estimated expenditures and revenues for the following year with respect to all matters over which the Department has jurisdiction.
- c. Department operation shall be audited within the annual audit of the signing authority. A copy of the said statement shall be presented each year following the annual audit, to the Councils and the Board.

## **7. Function and duties of the Rimbey Community Services Department and Director**

- a. The Town of Rimbey shall appoint a paid, full-time qualified Director to carry out the purposes of this Agreement, with the assistance of staff, to be determined by the Chief Administrative Officer.
- b. The Director shall endeavor to ensure that the recreational needs of the region are met by the provision of:
  - i) Public Recreation Facilities within the Town limits, i.e. parks, athletic grounds, playgrounds, ice hockey rinks, swimming pool, campground and other facilities.
  - ii) Town of Rimbey Public Recreation Programs such as athletics, passive activities, creative arts and cultural activities according to policies established by the Board.
- c. Without affecting the generality of the foregoing, the Director duties shall include the following:
  - i) Administration – To administer the work for the Department staff according to the policies developed by the Board and sanctioned by the Councils and to establish administrative procedures and office practices consistent with the Town of Rimbey.

- ii) Planning & Development – To plan and develop all current and future areas and facilities designated for recreation use.
- iii) Promotion – To promote active living and healthy lifestyles for all community members and administer the Grant-in-Aid program for the Town of Rimbe y.
- iv) Program – To develop, progressively, a broad program of recreational activities and services to meet the needs and desires of the general public and to supervise the organization and conduct of the said program.
- v) Marketing – To aggressively market the use of revenue generating facilities.
- vi) Finance – To prepare and submit budget estimates to the Board and thence to the Councils. To direct expenditures of funds in accordance with the budget approved by said services by the Councils.
- vii) Research – To conduct annual studies of local conditions and the needs affecting recreation in the Region for the purpose of development immediate and long term (5-year) plans to meet these needs and to check the effectiveness of said services.
- viii) Advisory – The Director shall attend all Board meetings and shall act as the Board's Chief Advisor on all matters pertaining to recreation.
- ix) Special Events – To research and recommend the feasibility of hosting major events, e.g. Summer Games, Seniors' Games, Provincial Tournaments, and Exhibition Games.

Signed, Sealed and Delivered  
 on behalf of the Town of Rimbe y  
 this 13 day of April, 2011

The Town of Rimbe y  
  
 \_\_\_\_\_  
 Mayor  
  
 \_\_\_\_\_  
 CAO

**Bank Reconciliation  
to October 31, 2011**

|                            | ATB (23 and 24)<br>General | ATB (25)<br>SIP Grant | ATB (26)<br>AMIP Grant | ATB (28)<br>MSI - Capital | TOTAL                 |
|----------------------------|----------------------------|-----------------------|------------------------|---------------------------|-----------------------|
| Balance September 30, 2011 | \$3,186,597.34             | \$236,217.92          | \$292,543.64           | \$27,527.96               | \$3,742,886.86        |
| ADD RECEIPTS               | \$293,648.83               |                       |                        |                           |                       |
| ADD: INTEREST              | \$1,915.99                 | \$200.62              | \$248.46               | \$23.38                   |                       |
| LESS EXPENSES              | -\$343,073.78              |                       |                        |                           |                       |
| LESS: TRANSFER FROM        |                            |                       |                        |                           |                       |
| ADD: TRANSFER TO           |                            |                       |                        |                           |                       |
| LESS: DEBENTURES           |                            |                       |                        |                           |                       |
| LESS: SCHOOL REQUISITION   |                            |                       |                        |                           |                       |
| LESS: RET'D CHEQUES        | -\$85.00                   |                       |                        |                           |                       |
| LESS: BANK CHARGES         | -\$227.12                  |                       |                        |                           |                       |
| LESS: ADJUSTMENTS          |                            |                       |                        |                           |                       |
| ADD: CANCELLED CHEQUES     |                            |                       |                        |                           |                       |
| ADD: BANK ERROR            |                            |                       |                        |                           |                       |
| Balance October 31, 2011   | <u>\$3,138,776.26</u>      | <u>\$236,418.54</u>   | <u>\$292,792.10</u>    | <u>\$27,551.34</u>        | <u>\$3,695,538.24</u> |

\_\_\_\_\_  
MAYOR

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

**Cash Position**  
**As of October 31, 2011**

|                                  |                | 30-Sep-11      | 30-Sep-11             | 31-Oct-11      | 31-Oct-11             |
|----------------------------------|----------------|----------------|-----------------------|----------------|-----------------------|
| Bank Account                     |                |                |                       |                |                       |
| Cash                             |                | \$3,742,886.86 |                       | \$3,695,538.24 |                       |
| Investments                      |                | \$0.00         |                       | \$0.00         |                       |
|                                  | Total          | \$3,742,886.86 | \$3,742,886.86        | \$3,695,538.24 | \$3,695,538.24        |
| <b>Less:</b>                     |                |                |                       |                |                       |
| Other Reserves/Allowances        |                | -\$722,780.88  |                       | -\$720,229.01  |                       |
| Trust Accts.                     |                | -\$639,182.39  |                       | -\$636,772.82  |                       |
| Unexpended Grant Revenue         |                |                |                       |                |                       |
| SIP Grant                        |                | -\$236,217.92  |                       | -\$236,418.54  |                       |
| AMIP Grant                       |                | -\$292,543.64  |                       | -\$292,792.10  |                       |
| MSI Capital Grant                |                | -\$27,527.96   |                       | -\$27,551.34   |                       |
| Hospital Storm Sewer Grant       |                | -\$92,228.41   |                       | -\$92,228.41   |                       |
|                                  | Total          | -\$92,228.41   | -\$2,010,481.20       | -\$92,228.41   | -\$2,005,992.22       |
| <b>Unrestricted Cash</b>         |                |                | <b>\$1,732,405.66</b> |                | <b>\$1,689,546.02</b> |
|                                  |                |                |                       |                |                       |
| Budgeted 2011 Operating Expenses | \$5,541,335.00 |                |                       |                |                       |
| 2011 Debt Principal Payments     | \$413,678.00   |                |                       |                |                       |
|                                  | \$5,955,013.00 |                |                       |                |                       |
| Two Month Average Operations     |                |                | -\$992,502.17         |                | -\$992,502.17         |
| <b>Cash Position</b>             |                |                | <b>\$739,903.49</b>   |                | <b>\$697,043.85</b>   |

**Consolidated Financial Statement As of Month Ending October 31, 2011**

| OPERATING<br>Department     | Budgeted            |                     |                     | YTD Actual          |                     |                     | Bal.of Budget      |
|-----------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|--------------------|
|                             | Revenues            | Expenses            | Surplus/Deficit     | Revenues            | Expenses            | Surplus/Deficit     | Remaining          |
| General Administration (10) | 5,303,671.00        |                     | 5,303,671.00        | 4,381,585.49        |                     | 4,381,585.49        | -922,085.51        |
| Council (11)                |                     | 170,645.00          | -170,645.00         |                     | 92,847.80           | -92,847.80          | 77,797.20          |
| Administration (12)         | 99,599.00           | 544,470.00          | -444,871.00         | 9,914.02            | 390,905.75          | -380,991.73         | 63,879.27          |
| General Operating (12-13)   |                     | 105,280.00          | -105,280.00         |                     | 72,603.85           | -72,603.85          | 32,676.15          |
| Police (21)                 | 48,750.00           | 66,181.00           | -17,431.00          | 52,248.70           | 37,655.30           | 14,593.40           | 32,024.40          |
| Fire (23)                   | 65,000.00           | 124,880.00          | -59,880.00          | 55,184.92           | 35,918.46           | 19,266.46           | 79,146.46          |
| Disaster Services (24)      |                     | 5,250.00            | -5,250.00           | 2,252.88            | 57.94               | 2,194.94            | 7,444.94           |
| Ambulance (25)              | 852,368.00          | 882,325.00          | -29,957.00          | 467,221.35          | 579,584.84          | -112,363.49         | -82,406.49         |
| Bylaw Enforcement (26)      | 16,700.00           | 34,900.00           | -18,200.00          | 15,047.50           | 13,910.46           | 1,137.04            | 19,337.04          |
| Public Works (32)           | 9,000.00            | 549,041.00          | -540,041.00         | 5,508.81            | 379,259.92          | -373,751.11         | 166,289.89         |
| Airport (33)                | 1,020.00            | 3,613.00            | -2,593.00           | 720.00              | 2,535.18            | -1,815.18           | 777.82             |
| Storm Sewer (37)            |                     | 3,000.00            | -3,000.00           |                     | 1,890.90            | -1,890.90           | 1,109.10           |
| Water (41)                  | 418,600.00          | 333,261.00          | 85,339.00           | 343,660.49          | 229,058.76          | 114,601.73          | 29,262.73          |
| Sewer (42)                  | 266,620.00          | 227,897.00          | 38,723.00           | 203,873.41          | 160,660.17          | 43,213.24           | 4,490.24           |
| Garbage (43)                | 234,950.00          | 238,397.00          | -3,447.00           | 198,509.91          | 207,626.61          | -9,116.70           | -5,669.70          |
| Recycle (43-01)             | 37,260.00           | 27,240.00           | 10,020.00           | 31,738.09           | 39,363.20           | -7,625.11           | -17,645.11         |
| FCSS (51)                   | 158,700.00          | 178,540.00          | -19,840.00          | 119,015.00          | 178,526.00          | -59,511.00          | -39,671.00         |
| Cemetery (56)               | 10,650.00           | 9,768.00            | 882.00              | 12,738.27           | 6,013.09            | 6,725.18            | 5,843.18           |
| Development (61)            | 41,100.00           | 141,599.00          | -100,499.00         | 30,692.00           | 104,848.79          | -74,156.79          | 26,342.21          |
| Econ.Development (61-01)    | 200.00              | 28,555.00           | -28,355.00          | 114.30              | 55,135.00           | -55,020.70          | -26,665.70         |
| RV Park (61-08)             | 80,750.00           | 43,216.00           | 37,534.00           | 64,975.75           | 39,839.45           | 25,136.30           | -12,397.70         |
| Subdivision Land (66)       |                     |                     | 0.00                |                     |                     | 0.00                | 0.00               |
| Recreation Office (72)      | 146,850.00          | 99,107.00           | 47,743.00           | 147,047.00          | 76,903.68           | 70,143.32           | 22,400.32          |
| Pool (72-04)                | 25,950.00           | 153,195.00          | -127,245.00         |                     | 58,520.45           | -58,520.45          | 68,724.55          |
| Parks (72-05)               |                     | 63,005.00           | -63,005.00          |                     | 20,375.86           | -20,375.86          | 42,629.14          |
| Racquetball (72-06)         | 19,750.00           | 9,250.00            | 10,500.00           | 15,950.15           | 2,818.37            | 13,131.78           | 2,631.78           |
| Arena (72-09)               | 93,925.00           | 209,247.00          | -115,322.00         | 53,900.82           | 153,544.15          | -99,643.33          | 15,678.67          |
| After School Program(72-10) |                     |                     |                     | 9,788.00            | 7,891.36            | 1,896.64            | 1,896.64           |
| Recreation Programs (72-11) | 17,200.00           | 48,279.00           | -31,079.00          | 20,847.23           | 32,625.68           | -11,778.45          | 19,300.55          |
| Community Centre (74)       | 36,850.00           | 210,168.00          | -173,318.00         | 26,658.93           | 145,766.11          | -119,107.18         | 54,210.82          |
| Library (74-06)             | 109,292.00          | 208,020.00          | -98,728.00          | 18,462.66           | 115,575.25          | -97,112.59          | 1,615.41           |
| Museum (74-12)              |                     | 78,275.00           | -78,275.00          | 18,900.00           | 80,344.25           | -61,444.25          | 16,830.75          |
| Requisitions (80)           |                     | 744,731.00          | -744,731.00         |                     | 550,151.85          | -550,151.85         | 194,579.15         |
| <b>Operating Totals</b>     | <b>8,094,755.00</b> | <b>5,541,335.00</b> | <b>2,553,420.00</b> | <b>6,306,555.68</b> | <b>3,872,758.48</b> | <b>2,433,797.20</b> | <b>-119,622.80</b> |

**Consolidated Financial Statement As of Month Ending October 31, 2011**

| OVERALL<br>Department       | Budgeted     |                 |                 | YTD Actual   |                   |                 | Bal. of Budget        |
|-----------------------------|--------------|-----------------|-----------------|--------------|-------------------|-----------------|-----------------------|
|                             | Revenues     | Expenses        | Surplus/Deficit | Revenues     | Expenses          | Surplus/Deficit | Remaining             |
| Operating Totals            | 8,094,755.00 | 5,541,335.00    | 2,553,420.00    | 6,306,555.68 | 3,872,758.48      | 2,433,797.20    | -119,622.80           |
| Deb/Loan Principal Payments |              | 413,678.00      | -413,678.00     |              | 386,189.62        | -386,189.62     | 27,488.38             |
| Capital Purchases           |              | 2,472,481.00    | -2,472,481.00   |              | 1,007,987.96      | -1,007,987.96   | 1,464,493.04          |
| Contributed Assets          |              | 0.00            | 0.00            |              | 0.00              | 0.00            | 0.00                  |
| Reserve Funds Set Up        |              | 0.00            | 0.00            |              | 0.00              | 0.00            | 0.00                  |
| Unexpended Capital Grants   |              | 0.00            | 0.00            |              | 0.00              | 0.00            | 0.00                  |
| Overexpended Capital Grants | 0.00         |                 | 0.00            | 0.00         |                   | 0.00            | 0.00                  |
| TCA Disposals               | 0.00         |                 | 0.00            | 0.00         |                   | 0.00            | 0.00                  |
| Unfunded Amortization       | 0.00         |                 | 0.00            | 0.00         |                   | 0.00            | 0.00                  |
| Debt. Proceeds              | 250,000.00   |                 | 250,000.00      | 0.00         |                   | 0.00            | 0.00                  |
| Reserve Funds Used          | 90,819.00    |                 | 90,819.00       | 0.00         |                   | 0.00            | -250,000.00           |
| Unrestricted Surplus Used   | 0.00         | 8,080.00        | -8,080.00       | 0.00         |                   | 0.00            | -90,819.00            |
| Annual Budget               | 8,435,574.00 | 8,435,574.00    | 0.00            | 6,306,555.68 | 5,266,936.06      | 1,039,619.62    | 1,039,619.62          |
| <b>CAPITAL</b>              |              | <b>Budgeted</b> |                 |              | <b>YTD Actual</b> |                 | <b>Bal. of Budget</b> |
| Department                  |              | Expenses        |                 |              | Expenses          |                 | Remaining             |
| Land                        |              | 0.00            |                 |              |                   |                 | 0.00                  |
| Pumper Truck                |              | 100,000.00      |                 |              | 27,635.50         |                 | 72,364.50             |
| Front Mount Mower           |              | 18,000.00       |                 |              | 17,158.00         |                 | 842.00                |
| Sports Floor                |              | 100,000.00      |                 |              | 67,419.90         |                 | 32,580.10             |
| Swimming Pool Completion    |              | 1,000,000.00    |                 |              | 519,357.58        |                 | 480,642.42            |
| Playground replacement      |              | 50,000.00       |                 |              | 1,690.00          |                 | 48,310.00             |
| Highway 20 Intersections    |              | 400,000.00      |                 |              | 8,260.85          |                 | 391,739.15            |
| Sidewalk Replacement        |              | 100,000.00      |                 |              | 2,605.50          |                 | 97,394.50             |
| 45 Avenue Asphalt           |              | 86,000.00       |                 |              |                   |                 | 86,000.00             |
| Reservoir Fire Pump         |              | 100,000.00      |                 |              |                   |                 | 100,000.00            |
| Valve Replacement           |              | 100,000.00      |                 |              | 150,931.20        |                 | -50,931.20            |
| 51 Street Sewer Connection  |              | 46,000.00       |                 |              |                   |                 | 46,000.00             |
| Old Reservoir Roof          |              | 22,000.00       |                 |              | 13,219.73         |                 | 8,780.27              |
| Neptune Handheld            |              | 10,700.00       |                 |              | 10,730.00         |                 | -30.00                |
| New Reservoir Completion    |              | 289,781.00      |                 |              | 171,941.15        |                 | 117,839.85            |
| Replace Well Pumps          |              | 40,000.00       |                 |              | 17,038.55         |                 | 22,961.45             |
| 54 Water tie in             |              | 10,000.00       |                 |              |                   |                 | 10,000.00             |
| Total                       |              | 2,472,481.00    |                 |              | 1,007,987.96      |                 | 1,464,493.04          |



# Council Recommendation

Date: November 10, 2011

Title: SJC deletion of 54 Street Access to Highway 53

Presenter: Administration

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**Recommendation:**

Council consider passing a resolution to refer to Administration for budget consideration.



**SJC DEVELOPMENT CORPORATION**  
**P.O. Box 1546, Rimbey, Alberta T0C 2J0**  
**Tel 1 780 827 6900 Fax 1 403 843 2997**

October 17<sup>th</sup>, 2011

The Town of Rimbey

Re: Deletion 54 Street Access to Highway 53

Attn: Town of Rimbey Town Council

Members of the Town Council,

I would like to propose an option to the Rimbey Town Council to delete the 54<sup>th</sup> Street access to Highway 53 in exchange to commit the funds (\$250,000.00) that it would have cost for the construction of this access toward the construction of 46<sup>th</sup> Ave. west to 55<sup>th</sup> street. The estimated cost of construction is \$400,000.00. SJC Development Corporation would make up the difference.

**Benefits to Department of Highways:**

1. Town of Rimbey satisfies Department of Highways to delete access to Highway 53

**Benefits to SJC Development Corporation:**

1. SJC Development Corporation opens potential sale of 5 lots serviced from 46<sup>th</sup> Ave., bringing more tax revenue to the Town once development has taken place.
2. Relieves the burden of deleting the bylaw 749/03 (tax rebates for newly created lots) that protected SJC Development Corporation from tax increases on un-serviced registered lots.

**Benefits to Town of Rimbey:**

1. Direct west access for residences located in Legacy Court development (See Map)
2. Direct west access for residences located on Rimwest Crescent. (See Map)
3. Direct west access for residences located on 46<sup>th</sup> Ave., and 45<sup>th</sup> Ave. (See Map)
4. Town of Rimbey can close alley access to/from Highway 53, east of the Legacy Court development. (See Map)

This would eliminate the ongoing battle with the Department of Highways regarding the 54<sup>th</sup> Street access to Highway 53 and any commitment the Town of Rimbey has made to Cavalier Construction and SJC Development Corporation for this access.

Stan Cummings



Director SJC Development Corporation





# Council Recommendation

Date: November 8, 2011  
Title: Claim Request Letter for Damages  
Presenter: Administration

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## **Background:**

On January 11, 2011 an incident occurred where a patron of the Drop In Centre who pulled over to far and hit a rock.

The rock is located on Town Property but was not placed there by the Town and has been in place for a couple of years. There had been complaints regarding people driving over the grass when exiting the Seniors Drop In Centre on the north side. A request was made to the Town for permission to put a rock at the north entrance to curb people from driving over the condos lawn. The Town granted permission to the property owner allowing the placement of a large rock sometime in the late fall of 2009.

The incident was reported to the insurance company and a letter was received October 5, 2011 advising Ms. Maciborsky that after further review and consideration of all facts the insurance company denied the claim and there is no liability on part of the Town of Rimbey. The rock was placed on the lawn to prevent people from driving over the lawn and the rock is not on the road in the path of driving, among other factors.

## **Recommendation:**

That Council pass a resolution to deny the claim request for damages by Ms. Maciborsky as stated in the October 5, 2011 Alternative Solutions Inc. insurance Letter.

## To the Mayor's Rimby Council

On Jan 11/2011 I was driving out from the Drop In going North. when I met a Mini Van coming in to the Drop In. I got over in order to let the van by & when doing so I hit this big treacherous rock which was completely covered with snow. This was after that big snow storm. & I was unaware of any rock being there. This rock was right next to the street & on town property. There was over \$4000.00 damages on my car. I approached the town & was told later that their insurance company had checked it & said it wasn't on town property. I approached the condo assoc. & they talked with Mrs Ring so she got in touch with the town. They went & checked it & said it was on town property & was put there on Mrs Rings request to deter people from driving over the lawn. I feel the town is responsible for allowing this & therefore caused this damage to my car which they should pay for.

I'm sure that piling the rocks there in the first place is not legal.

Please tend to this matter soon & let me know.

RECEIVED

NOV 18 2011

TOWN OF RIMBEY

Sincerely  
Gladys Maciborsky  
ph. 843-2655

October 5, 2011

Gladys MaCiborsky  
Box 1657  
5513 - 46 Street  
Rimbey, AB T0C 2J0

Head Office  
Box 100  
Leduc, AB T6N 1M2  
Phone: 403-887-1001  
Fax: 403-887-1000

RE: **Date of Loss:** January 11, 2011  
**Our Insured:** Rimbey, Town of (2)  
**Our File No:** 11-10071

As you know we are the insurance adjusters assigned to handle the claims on behalf of the Town of Rimbey

We received instructions from our principals, and they determined that there is no liability on part of the Town of Rimbey.  
Their explanation is:

The rock was placed on the lawn to prevent people from driving over the lawn

The rock is not on the road in the path of driving.

In addition, we were advised by your insurance company that you swerved to avoid a collision and therefore drove to the right and hit the rock.

Taking all this into consideration, the insurance company is therefore denying your claim.

Yours truly,

Katrin Wuesten, C.P  
Email: kwuesten@asiinc.ab.ca

**Street Address**  
**13 Mission Avenue**  
**St. Albert, Alberta T8N 1H6**



# Big Brothers Big Sisters of Rimbey

8 November 2011

Tony Goode  
Town of Rimbey

Our goal at Rimbey Big Brothers Big Sisters is that:

“Every child who needs a mentor will have a mentor”

One of our most successful programs is In-School Mentoring. It is a fun and rewarding program that matches an adult volunteer with a child in need of a positive role model. The volunteer meets the child within the school for one hour a week, to play games, make crafts, or talk. We are currently serving six schools within the Wolf Creek School Division. It is our goal to increase the number of In-School Mentoring matches to meet the needs of an ever-increasing number of children who would benefit from having a mentor.

Rimbey Big Brothers Big Sisters would like to invite you to partner with us as a corporate volunteer. With your help, more children will benefit from the In-School Mentoring Program. We are asking employers to be flexible, and allow their staff to leave for one hour a week to meet at the school with their mentee. Servus Credit Union, ATB Financial, Ponoka FCSS, Ponoka News, and Ponoka Youth Centre are currently involved in the program. Some of these businesses pay their employees while they mentor.

According to employers, participation in the program creates greater consumer loyalty, improves customer relations, staff motivation, job performance, staff morale, and enhances positive public image.

I would appreciate the opportunity to discuss the program and its benefits further with you and your staff, and am available at your convenience. Please contact me at (403) 843-1066 to schedule an appointment. Thank you for your consideration.

Paula Madu  
Program Director

**Office Location:**  
4907 49 Street  
Rimbey, AB

**Mailing Address:**  
Box 4115  
Ponoka, AB T4J 1R5

**Phone:**  
403-843-1066

**Fax:**  
403-843-1077

**Email:**  
rimbeybbbs@yahoo.ca

October 25, 2011

To: All registered parties and registered persons

AltaLink Management Ltd.  
Western Alberta Transmission Line application  
Application No. 1607067  
Proceeding ID No. 1045

RECEIVED

NOV 02 2011

TOWN OF RIMBEY

On October 19, 2011, Minister of Energy Ted Morton, advised the AUC that the government of Alberta was reviewing its approach to three critical infrastructure projects, including the Western Alberta Transmission Line, and requested the Commission suspend or adjourn its consideration of these applications.

The Alberta Utilities Commission has suspended its review process and public hearing for the Western Alberta Transmission Line at the request of the Alberta government, as stated in its letter dated October 21, 2011. The public hearing scheduled to begin on November 7, 2011 in Red Deer will not commence as previously planned.

The Minister issued a second letter on October 21, 2011 advising that the government of Alberta will not review the Heartland project and withdrew his request to suspend or adjourn the Commission's consideration of the Heartland application. The government of Alberta still plans to review the Western Alberta Transmission Line and the Eastern Alberta Transmission Line. Copies of both Minister Morton's letters are attached.

The outcome of the government's review of its approach to critical transmission infrastructure projects may or may not have implications for the Western Alberta Transmission Line application.

Yours truly,

Giuseppa Bentivegna  
Commission counsel

Attachments



ALBERTA  
ENERGY

---

*Office of the Minister  
MLA, Foothills-Rockyview*

October 19, 2011

Mr. Willie Grieve  
Chair  
Alberta Utilities Commission  
Fifth Avenue Place  
425 - 1 Street SW, Suite 400  
Calgary, Alberta T2P 3L8

Dear Mr. Grieve:

The Government of Alberta is reviewing its approach to certain critical transmission infrastructure (CTI) projects. I understand that the Alberta Utilities Commission (AUC) has four applications for CTI currently before it: the Heartland Transmission project, the Western Alberta Transmission Line, the Eastern Alberta Transmission Line, and the south Calgary substation.

The AUC's jurisdiction to consider these applications is unquestioned. However, the government is reviewing its approach to three of these CTI projects: the Heartland Transmission project, the Western Alberta Transmission Line and the Eastern Alberta Transmission Line. Until the government completes its review of those three projects, I respectfully request that the AUC suspend or adjourn its consideration of those three applications.

Sincerely,

< original signed by >

Ted Morton  
Minister of Energy

404 Legislature Building, Edmonton, Alberta T5K 2B6 Canada Telephone 780-427-3740 Fax 780-422-0195  
Constituency Office 6, 160 MacLaurin Drive, Calgary, Alberta T3Z 3S4 Canada Telephone 403-216-2221 Fax 403-216-2225



**Electronic Notification**

October 21, 2011

**To: All registered parties and interested persons**

**AltaLink Management Ltd.  
Western Alberta Transmission Line application  
Application No. 1607067  
Proceeding ID No. 1045**

**Adjournment of Western Alberta Transmission Line application, Suspension of Process Schedule, and No Hearing on November 7, 2011 in Red Deer, Alberta**

On October 19, 2011, the Honourable Ted Morton, Minister of Energy, wrote to the Chair of the Commission to advise that the Government of Alberta was reviewing its approach to three critical infrastructure projects including the Western Alberta Transmission Line. Minister Morton requested that the Commission suspend or adjourn its consideration of the applications for these three projects, including the Western Alberta Transmission Line application, while the government's review is on-going. A copy of Minister Morton's letter is attached.

The outcome of the government's review of its approach to critical transmission infrastructure projects may or may not have implications for the Western Alberta Transmission Line application. Accordingly, the Commission has decided to adjourn the Western Alberta Transmission Line application and suspend the process schedule for the Western Alberta Transmission Line application until further notice. Therefore, the hearing on the Western Alberta Transmission line application will not commence on November 7, 2011, as planned.

Yours truly,

Giuseppa Bentivegna  
Commission Counsel

Attachment



*Office of the Minister  
MLA, Foothills-Rockyview*

AR8997

OCT 21 2011

Willie Grieve  
Chair  
Alberta Utilities Commission  
Fifth Avenue Place  
425 -1 Street S.W., Suite 400  
Calgary, Alberta T2P 3L8

Dear Mr. Grieve:

The Government of Alberta is not reviewing the Heartland project. Please be advised that I am withdrawing my request for the Alberta Utilities Commission to suspend or adjourn its consideration of the Heartland application.

Sincerely,

< original signed by >

Ted Morton  
Minister of Energy

404 Legislature Building, Edmonton, Alberta T5K 2B6 Canada Telephone 780-427-3740 Fax 780-422-0195  
Constituency Office 6, 160 MacLaurin Drive, Calgary, Alberta T3Z 3S4 Canada Telephone 403-216-2221 Fax 403-216-2225

**Family and Community Support Services (FCSS)  
Rimbey Community Home Help Services (RCHHS)  
BOARD MEETING MINUTES  
September 21, 2011  
10:00 a.m. Rimbey Provincial Building**

Present:

Nancy Teeuwsen-Hartford, Chairperson  
Irene Steeves, Vice Chairperson  
Viola Schneider, Board Member  
Sheldon Ibbotson, Board Member  
Paul McLauchlin, Board Member  
MaryAnn Josephison, Board Member  
Peggy Makofka, Executive Director  
Pat Weeks, Board Member  
Christine Simpson, Recording Secretary

Regrets:

Bill Coulthard, Board Member

1. CALL TO ORDER

The Meeting was called to Order by: Nancy Teeuwsen- Hartford, Chairperson at 10:10 a.m.

2. APPROVAL OF AGENDA

**11-09-01 MOTION:** By: P. McLauchlin: That the agenda is adopted as presented:

CARRIED.

3. PREVIOUS MEETING MINUTES –June 22, 2011

**11-09-02 MOTION:** By: S. Ibbotson: That the Minutes of the June 22, 2011 meeting be adopted as presented.

CARRIED.

4. BUSINESS ARISING FROM THE MINUTES

5. OLD BUSINESS

- 5.1 FCSS Summer Barbeque
- 5.2 STEP Employee/report
- 5.3 Board Members retreat plans

6. FINANCE

- 6.1 July 20, 2011, August 16, 2011 Finance Committee Meeting Minutes/Highlights

**11-09-03 MOTION:** By: P. Weeks: To accept the 2012 Budget Proposal. Seconded by: M. Josephison.

CARRIED.

**11-09-04 MOTION:** By: M. Josephison: To explore pricing on a new copier for the main office. Seconded by: V. Schneider.

CARRIED.

**11-09-05 MOTION:** By: I. Steeves: That the Minutes of the July 20, 2011, August 16, 2011 Finance Committee Meeting be accepted as information.

CARRIED.

6.2 September 21, 2011 Finance Committee Meeting Minutes/Highlights

**11-09-06 MOTION:** By: I. Steeves: That the Minutes of the September 21, 2011 Finance Committee Meeting be accepted as information.

CARRIED.

7. WRITTEN REPORTS

7.1 Meals on Wheels

**11-09-07 MOTION:** By: P. Weeks: To approve the spending of \$100.00 for a tea and appreciation gift for the Volunteer Drivers that drive for the Meals on Wheels program. Seconded by: M. Josephson.

CARRIED.

7.2 Volunteer Income Tax Program

7.3 Medical Alert

7.4 Kitz 4 Kidz

7.5 Big Brothers and Big Sisters

7.6 Food Bank

**11-09-08 MOTION:** By: P. McLaughlin: To allow any changes to the Christmas Hamper food intake list be left up to the discretion of the Executive Director.

CARRIED.

7.7 Home Support/Personal Care

7.8 Adult Day Support

7.9 Community Kitchen

7.10 Healthy Families/Babies First

7.11 Rimbey Parent Link Centre

7.12 Family Resource Library

7.13 Volunteer Centre

**11-09-09 MOTION:** By: V. Schneider: To support the nomination of Vi Christianson for the Stars of Alberta Volunteer Award.

CARRIED.

7.14 Education Co-ordinator

7.15 Internet Technology

7.16 Rainbows

7.17 Office Manager/Quality Control

**11-09-10 MOTION:** By: S. Ibboston: That the Written Reports be accepted as information.

CARRIED.

8. POLICY/RISK MANAGEMENT COMMITTEE

9. DIRECTOR'S REPORT

9.1 Alberta Health Services Zone Information/Contract Process

9.2 Lacombe FCSS update

9.3 Contract Extension-insurance clause clarified

9.4 Alberta Health Services/U of C Technology initiative

- 9.5 Team Leaders Retreat update
- 9.6 Senior and Community Supports update
- 9.7 Early Childhood Development Coalition
- 9.8 Knowledge Connector
- 9.9 Food Banks Canada/Safe Food Handling
- 9.10 Telecare Development Day

**11-09-11 MOTION:** By: I. Steeves: That the Director's Report be accepted as information.

CARRIED.

10. NEW BUSINESS

- 10.1 Central Alberta Seniors Service Provider Workshop

**11-09-12 MOTION:** By: I. Steeves: That the board approves up to 12 staff and volunteers to attend the Golden Circle, at a cost of no more than \$100.00, at the expense of the agency. Seconded by: S. Ibbotson.

CARRIED.

- 10.2 Volunteer Alberta request
- 10.3 FCSS 30<sup>th</sup> Anniversary plans

**11-09-13 MOTION:** By: V. Schneider: To proceed with setting up a budget of \$6000.00 for the 30<sup>th</sup> anniversary plans. Seconded by: I. Steeves.

CARRIED.

- 10.4 New Horizons Project Application

**11-09-14 MOTION:** By: P. Weeks: That the Board approves the application to be completed for the New Horizons Project.

CARRIED.

**11-09-15 MOTION:** By: S. Ibboston: That the Volunteer Centre apply for the Community Spirit Grant.

CARRIED.

- 10.5 SIRC Volunteer training

**11-09-16 MOTION:** By: V. Schneider: To contribute \$250.00 to the Volunteer development. Seconded by: P. Weeks.

CARRIED.

- 10.6 Agency Data base update

**11-09-17 MOTION:** By: V. Schneider: That after a two year time frame of inactivity by a volunteer, the volunteer be removed from the Agency Data base.

CARRIED.

- 10.7 Charity Golf Tournament

**11-09-18 MOTION:** By: V. Schneider: To transfer \$16,700.00 to the Food Bank from proceeds of the 1<sup>st</sup> Annual Charity Golf Tournament. Seconded by: S. Ibbotson.

CARRIED.

10.8 Charity Workshop

**11-09-19 MOTION:** By: I. Steeves: To send two staff members to the Charity Workshop at the expense of the agency. Seconded by: M. Josephison.

CARRIED.

10.9 Central Alberta Community Legal Clinic

**11-09-20 MOTION:** By: P. Weeks: To enter into an agreement for satellite program.

CARRIED.

10.10 Provincial Workforce Planning Forum

**11-09-21 MOTION:** By: V. Schneider: That one staff member attend the Provincial Workforce Planning Forum in Calgary at the expense of the agency. Seconded by: I. Steeves.

CARRIED.

10.11 Telecare Contract

**11-09-22 MOTION:** By: P. Weeks: To enter into new agreement with Telecare.

CARRIED.

10.12 Chamber of Commerce request

**11-09-23 MOTION:** By: V. Schneider: That the Board feels because the "Santa Night" project does not fit into the FCSS Mandate, the agency is unable to take this project on in its entirety.

CARRIED.

11. CORRESPONDENCE

- 11.1 Thank you- A. Ring
- 11.2 Thank you- Bluffton 4-H
- 11.3 CSRS Brochure
- 11.4 CFSA 2011-2014 Business Plan
- 11.5 Building Incredible Babies fundraiser

12. NEXT MEETING DATE. – October 19, 2011

**11-09-24 MOTION:** By: V. Schneider: That the agency spends \$300.00 on a gift for P. Makofka's anniversary gift, and \$400.00 for the appreciation supper. Seconded by: P. Weeks.

CARRIED.

13. ADJOURNMENT

**11-09-25 MOTION:** By: N. Teeuwsen-Hartford: That the Meeting adjourns at 12:00 noon.

CARRIED.

14. BOARD SHARING TIME

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N. Teeuwsen-Hartford, Chairperson

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C. Simpson, Recording Secretary