

Minutes of Tuesday January 28, 2014 REGULAR MEETING OF COUNCIL OF THE VILLAGE OF NOBLEFORD IN THE PROVINCE OF ALBERTA, held in Council Chambers, at 906 Highway Avenue Nobleford, AT 7:00PM

Council Mayor Don McDowell, Councillor Marguerite Wobick, Councillor Pete Pelley, Councillor Don Holinaty, Councillor Don Vincent

Staff Kirk Hofman, Chief Administrative Officer, Karen Feenstra, Recording Secretary/Assistant to the CAO

Gallery No one in the gallery

Call to Order Mayor Don McDowell called meeting to order at 7:00 p.m.

Open floor to citizens

APPROVAL OF AGENDA

January 28, 2014 Agenda #31-2014

MOVED BY Councillor Pelley to accept the agenda for the January 28, 2014 Regular Council meeting as amended.

APPROVAL OF MINUTES

January 7, 2014 Minutes #32-2014

MOVED BY Councillor Vincent to approve the minutes of the January 7, 2014 Regular Council Meeting minutes.

DELEGATIONS
No Delegations

UNFINISHED BUSINESS

Centennial Phase 5 Residential Subdivision

Draft Concept for Phase 5 Residential Subdivision has a variety size of 35 lots from small, medium and large. All construction is built to City of Lethbridge standards. LUB, zoning, subdivision, and project timing was discussed with a tentative time line of Subdivision complete before Dec 31, 2014, tender prepared for December 2014 and awarded by Spring 2015, pre sales to take place in summer 2015, construction completed by November 2015 with development permits issued starting Fall 2015. Engineering shall be discussed at a future meeting.

#33-2014

MOVED BY Councillor Pelley to formally proceed with Phase 5 of Centennial Residential Subdivision project based on concept plan and inform ORRSC to begin subdivision process.

CARRIED

The CAO will contact ORRSC and inform them the Village is ready to proceed with Phase 5 Residential Subdivision.

Outlook Acres, Sight Pollution, County of Lethbridge

The CAO met with County Administration and owner of Outlook Acres regarding the development on Highway 519. There were no laws broken and all procedures were followed. The owner of Outlook Acres does intend to build a house there in time and will respect the height requirement as stated in the Inter municipal Development Plan. The development is the proper distance from Highway 519 and the railroad. There is no requirement to inform the Village of development. CAO suggests having general discussion with County to have better communication

#34-2014

MOVED BY Councillor Holinaty that at the February 25 joint Council meeting with the County of Lethbridge, the County be informed of the Village concerns regarding the recent development taking place in west outlook acres along highway #519 south of Nobleford.

CARRIED

This shall be an agenda item for the February 25 Joint County Council meeting.

MOVED BY Councillor Pelley to approve the amendments to policy # 01-05
HONORARIUMS, FEES, EXPENSES and to be effective January 1, 2014

#01-05, Nobleford POLICY

SUBJECT: HONORARIUMS, FEES, EXPENSES.

DEPARTMENT: LEGISLATIVE and ADMINISTRATIVE

ADOPTED & APPROVED BY COUNCIL: 2007, 2008, 2009, 2010, 2011, 2012, 2013, January 28, 2014 resolution #35-2014

PURPOSE: To establish the honorariums and fees for Council members, Administration and appointments by Council

- 1-The Mayor's Allowance shall be \$3000.00 per year (prorated monthly) for the brief or unscheduled activities, meeting with electorate, social activities, home office and all other miscellaneous activities in the routine of being elected.
- 2-Councillors allowance shall be \$1800.00 per year, (prorated monthly) for the brief or unscheduled activities, meeting with electorate, social activities home office and all other miscellaneous activities in the routine of being elected.
- 3- The honorarium for attendance of Regular and Special Council meetings shall be \$100 per meeting to a maximum of three, 4 hour meetings per day (morning, afternoon, evening).
- 4- The honorarium for Seminars and Committee meetings; to which the member has been appointed, providing no other remuneration is received, and a valid written report is presented to Council, shall be \$200 for a full day (8 hours) session or \$100 per ½ day (4 hours), to a maximum of three 4 hour meetings per day (morning, afternoon, evening).
- 5- Anyone appointed by Council, receiving remuneration, honorarium or expenses, shall provide valid written reports to the CAO for presentation to Council.
- 6-No member of Council shall assume any responsibility for, or be paid for any function which would otherwise be handled by a municipal employee for which the function is held.
- 7-In the event that special circumstances occur, Council shall decide on the matter prior to the event, or where short notice may occur, immediately after.
- 8-Expense records claims shall be presented to CAO and then reviewed with Mayor, amended if required and payment made, then presented to Council for ratification in APR.
- 9- Cancellation fees applicable to workshops, conventions, special events shall be paid by each individual Councillor. Councillor may appeal to Council.
- 10-In the event of dispute over honorariums, fees or expenses, the matter shall be taken up with the Mayor and C.A.O., if not resolved it shall be taken to council.

Expense rates for Nobleford Council, Administration and Staff.

- 1-Travel by personal vehicle – the current Government of Alberta rate per km will be paid.
- 2-Lodging – full cost upon submission of receipt. When receipts are not available, \$50.00 for each night will be paid.
- 3-Meals –Receipts are required for reimbursement of expenses to a maximum of: Breakfast \$15.00, Lunch 20.00, Dinner \$25.00. *Liquor purchase is not eligible for reimbursement under the meal allowance.*
- 4- Personal expenses -- a daily per diem allowance is available for meetings, conventions, workshops, special events of up to \$25.00 for incidentals without receipts. You must identify the actual value of the expense on your record claim.
- 5-Additional allowance- Under special circumstance, upon approval of the CAO, or Council, an additional daily allowance of up to \$25.00 may be granted upon presentation of receipts.
- 6-Special Events- Upon approval by CAO and Mayor or Council reimbursement for expenses shall be made, per receipts.
- 7-Reimbursements for expenses without a receipt are subject to the discretion of the CAO. Double billing is not appropriate and reimbursement without receipts will only apply if actual expenditure was made and not receipted. Example: If someone else paid for your meal or you did not incur an expense, you are not eligible for the allowance payment.

#01-05, Nobleford POLICY

Nobleford. Effective January 1, 2014

| | |
|---------------------------------|--|
| -Mayors Annual allowance | \$ 3000. |
| -Councillors Annual allowance | \$ 1800. |
| -Council and committee meetings | \$ 100. |
| -Per Diem, full day | \$ 200. |
| -Per Diem, part day | \$ 100. |
| -Travel rate | same as Alberta Government, (2014, \$.52 per km) |
| -Lodging | Per receipt or \$50 per night without receipt. |
| -Meals, per day | Per receipt maximum of: breakfast \$15. Lunch \$20. Dinner \$25. |
| -Personal expenses per day | \$25 maximum Receipt or claim submitted. |
| -Additional Allowance per day | \$25, upon CAO or Council approval, with receipt submitted. |
| -Special events | Per receipt with CAO and Mayor or Council Approval |

Honorariums, are set amounts paid per meeting, for activities such as scheduled meetings, regular and special council meetings, workshops, education sessions, conventions, approved committee meetings.
Allowances are paid to Mayor and Councillors. This is for brief or unscheduled activities, meeting with electorate, social activities, home office and all other miscellaneous activities in the routine of being elected.
Expenses are reimbursed at set rates for mileage, accommodations, and meals.

**Fire Hall Plaque, 8x10=\$80, 12x15=\$145
36-2014**

MOVED BY Councillor Vincent to approve the content and the purchase of the 12x15 dedication plaque for \$145.00 for the Fire Hall.

CARRIED

FINANCIAL REPORT

APR

#37-2014

MOVED BY Councillor Wobick to approve the Accounts Payable Ratified in the amount of \$62,309.97.

CARRIED

AP. None

NEW BUSINESS

Tangible Capital Assets, TCA

The CAO explained the TCA spreadsheet and also reviewed the TCA Policy.

#38-2014

MOVED BY Councillor Pelley to adopt the TCA Policy and report as presented.

CARRIED

MUNICIPALITY OF NOBLEFORD, BYLAW NO. 62Z, "Chief Administrative Officer Position Bylaw".

**A BYLAW OF THE MUNICIPALITY OF NOBLEFORD TO ESTABLISH
THE POSITION OF A CHIEF ADMINISTRATIVE OFFICER
AND TO OUTLINE THE DUTIES AND RESPONSIBILITIES OF THE CHIEF ADMINISTRATIVE OFFICER**

WHEREAS, Section 205 of the Municipal Government Act of the Province of Alberta provides that a municipal council must by Bylaw establish the position of a Chief Administrative Officer,

AND WHEREAS, Sections 207 and 208 of the Municipal Government Act of the Province of Alberta provides that the Chief Administrative Officer shall exercise the powers and duties set out in the Municipal Government Act, and such other powers and duties as may voted, confirmed, or delegated by Bylaw, or resolution of council,

AND WHEREAS, council deem it proper and expedient to establish the position of Chief Administrative Officer, and define the duties, responsibilities and authority thereof;

NOW THEREFORE, THE COUNCIL OF THE MUNICIPALITY OF NOBLEFORD, DULY ASSEMBLED ENACTS AS FOLLOWS:

- I. This Bylaw shall be cited as the "Chief Administrative Officer Position Bylaw".
- II. In this Bylaw, including this section, unless the context otherwise requires:

- 1. "Act" means the Municipal Government Act, Chapter M26 of the Revised Statues of Alberta 2000 and any amendment of substitutions thereof.
- 2. "CAO" means the Chief Administrative Officer.
- 3. "Council" means the Council of the Municipality of Nobleford, acting at a duly assembled meeting.
- 4. "Department Heads" means those departments in the second line level as set out in the management charts.
- 5. "Municipality" means the corporation of the Municipality of Nobleford.

III. Appointment:

- 1. There shall be and for the Municipality, a CAO who shall be appointed by resolution of Council, for reason of his or her qualifications, be bondable, and training preferably in the field of public administration, and who shall carry out any and all of the administrative duties and other duties as Council has the power to delegate as set out in the Act and such other administrative duties as may have priority to this Bylaw or hereafter from time to time be vested, conferred, or delegated in, upon and to the CAO by Bylaw or resolution of Council.
- 2. The Council may, by resolution, appoint an acting CAO, and prescribe the duties, who shall act during illness, absence or other incapacity that may prevent the CAO from performing the duties of his or her office. The CAO shall designate an Acting CAO in planned absences from the office for any period longer than one day.

IV. Tenure:

- 1. The CAO shall be appointed with or without term and shall be continued in office at the pleasure of Council. The term may be identified in the employment / contract agreement.
- 2. The CAO may be suspended by the Council upon having been given a written statement of the reasons for the suspension and granting him or her a reasonable opportunity of being heard in person or through a solicitor or agent and after such hearing Council may by majority pass a resolution either to reinstate the CAO or make his or her removal final.
- 3. In the case of termination of appointment of the CAO, except for cause or pursuant to Section 206 of the Act, he or she shall receive one (1) month's current salary for every year of service up to (10) years, and one (1) years' current salary for services provided over ten (10) years, Or the full balance of the Contract term with benefits, whichever is greater.
- 4. The CAO shall provide to the Council a minimum of four weeks' notice of termination of employment.

V. Responsibility/Authority:

1. The CAO is responsible to the Council for the overall administration of municipal operations of the municipality in accordance with objectives, policies and plans approved by Council. In carrying out these responsibilities, the CAO shall work in close liaison with the Mayor and supervise administrative personnel in the performance of their duties. He or she shall direct, control, and coordinate the activities of the various departments as per the attached position description, Appendix A and or Employment Agreement.

VI. Personnel Administration:

1. The CAO shall supervise all agents and employees of the municipality to the extent allowed by the Bylaw and the Act.
2. All employees and agents of the municipality shall be appointed or engaged for the employment with the municipality on the basis of qualifications and merit.
3. The CAO shall make recommendations on all salaries of those employees subject to his or her supervision, within the limitations of any salary plan or salary contract agreement, after which plan or agreement has been adopted by Council.

VII. Purchasing Authority:

1. The CAO shall be the Chief Purchasing Agent of the municipality with authority to purchase all material, supplies and services and to enter into contracts when so required by Council.
2. An annual budget of expenditures shall be approved by Council, and the CAO is authorized to expend funds to the limits identified within that budget.
3. Council must approve the amount of any purchase of materials, goods or services exceeding the sum identified in the budget.

VIII. Delegation of CAO

1. It is expressly implied that Council authorizes the CAO to delegate such responsibilities as herein assigned to his or her office for the purpose of establishing an efficient and workable administrative structure. The delegation of authority shall be superintendents, department heads, and officials of the municipality provided that it is in keeping with provisions of this Bylaw, and is not inconsistent with the Act or and other Act of the Province of Alberta. In all instances, Council shall hold the CAO responsible for his or hers duties.
2. To the extent that it is necessary to bring to bear on a given subject several disciplines, the CAO is hereby authorized to establish committees for the proper and efficient administration of the municipal business. Such committees may be used for coordination of daily operations as well as for the furnishing of full information to Council upon inquiry.

IX. Organization

1. The organizational chart, as approved by Council from time to time, shall indicate the reporting and responsibility of the municipality.
2. Except for the purpose of official inquiry, and emergency, the Council shall deal with and control the administrative service through the CAO and the Council shall as normal practice require that its directives be carried out through the offices of the CAO.

X. Compensation

1. Council shall decide the salary and fringe benefits to be paid or provided to the CAO and shall review the salary and benefits provisions not less than once in each calendar year of employment.
2. The CAO shall be provided annually with funding for professional development in accordance with an agreed upon development program and within an annually approved budget.
3. Council, in recognizing the value of the CAOs participation in appropriate Administrators Association, will reimburse to the CAO the annual membership fee(s) and any associated expenses in attending either the annual meeting, regional meetings or Board of Directors meetings of the Association(s).
4. Council retains the right to negotiate adjustments to the contract during the term of contract in good faith.

This Bylaw shall take force and effect upon final reading and signing thereof.

First Reading Bylaw #627 Chief Administrative Officer Position

#39-2014 MOVED BY Councillor Wobick to give first reading to Bylaw #627 Chief Administrative Officer Position.

CARRIED


Second Reading Bylaw #627 Chief Administrative Officer Position

#40-2014 MOVED BY Councillor Vincent to give second reading to Bylaw #627 Chief Administrative Officer Position.

CARRIED

READ a third time and adopted on this ____ day of ____ 2014


Mayor


Chief Administrative Officer

REPORTS**CAO Report –
January 28, 2014****PAVING Industrial 13 Street**

With the sale of all the properties, and development permits issues, in Phase 1 Industrial, there is interest from some property owners in having 13 Street paved. The following is an option to consider

- Pave 13 Street and fund via a Local Improvement Levy Bylaw. Property owners would have input into repayment options. Village would self finance the project or secure debenture that Local Improvement Levy pays for.
- Section of road on Railway Avenue and Highway Avenue up to 13 Street should be paved at the same time and funded by Village. Village/County. Village would try to secure grant for a portion.
- Same approach may be applied on 14th Street in the future.
- As December 31, 2013, 12 of 12 lots sold in Phase 1 Industrial, 3 of 12 lots sold in Phase 2 Industrial, 15 permits issued.

Minimum Land Purchase Agreement Levy and Possible minimum/ maximum property tax levy.

For 2013, Council chose to eliminate the minimum \$1000 per property Land Purchase Agreement (LPA) levy on some selected property classes as well as limit the Minimum Land Purchase Agreement levy to 5 years. The impacts of this change impact revenues for the Village. The advantage to the LPA Levy is that 100% of the \$1000 goes directly to the Village, compared to property assessed with \$1000 property tax where in 2013 only \$100 goes to the Village and the \$900 to School and Seniors Tax. This is a complicated issue in order to provide service, opportunities, competitive advantage, quality of life and prosperity for most.

Here are some suggestions:

- Keep the 5 year ceiling on Land Purchase Agreement Levy, it is difficult to back track on this.
- Through Bylaw, create a Minimum residential tax of \$50 per month (\$600 per year) on all residential properties that would include seniors and school tax.
- Through Bylaw, create a MAXIMUM residential property tax of \$150 per month (1800 per year) on all residential properties that would include Seniors and School Tax. If Senior Housing and School Tax is over \$1800, property owner would pay for it.
- Maintain low mill rates as planned.

Industrial and Commercial LPA levy and Tax

There is an in equity on Taxation in the Industrial developments in Nobleford. Some properties were not subject to Development in a specified time, some do not pay minimum Land Purchase Agreement Levy.

School tax is the majority of the property assessment taxation.

- Minimum Levy Land Purchase Agreement (\$1000 per acre) stay in place for ever as planned.
- Through Bylaw, Minimum Industrial Tax of \$50 per month (\$600 year) on Municipal Levy, School and Senior Housing added on top.
- 2013 Average Sample: \$1828. total tax. Municipal portion \$74, School \$947, Seniors Housing \$32
- 2013 High Sample: \$58,684. total tax. Municipal portion \$5478, School \$50,279, Seniors Housing \$2,232. And, OR
- Raise Industrial/Commercial Mill Rate.
- You impose tax levy for industrial/commercial of about 8 x the 2013 rate (mill rate of 0.284 x 8 = 2.272) to achieve a minimum municipal levy of \$600 per year.
- Impact on above samples would equate to \$592 and \$43,824

**CAO Report
#41-2014**

MOVED BY Councillor Vincent to accept CAO Report.

Mayors Report

Very quiet as most January's are.

Jan 22 I attended a Community Futures meeting. Coaldale reporting some exciting new activity in their industrial area. A large company employing 40 people is reported to be moving in. Great for them. I wonder why we missed out? I have a Waste Management meeting coming up on Monday. I'll bring any news to the Tues meeting. Don't figure out the obstacle

CARRIED

**Mayor Report
#42-2014**

MOVED BY Councillor Pelley to accept Mayor Report.

CARRIED

**Councillor Reports
Councillor Wobick
Centennial Society, Use of Logo
#43-2014**

MOVED BY Councillor Pelley approval be given to allow the Nobleford Centennial Society to use the Village of Nobleford BLADE logo for promotional items and including it in the design of a Centennial pin for our 2018 celebrations.

CARRIED

Councillor Pelley

Has had residents having concern about the ice around the Village. The CAO made comment that the Village will make arrangements for the residents to have access to sand.

Councillor Vincent

I have nothing to report as no meetings were scheduled. There is a Fire Dept AGM which I will be attending next week. I had a phone call from a concerned citizen regarding speeders in school zone, the next day the RCMP were doing traffic enforcement. Also received a concern regarding flags in Blade Park, I see they have been replaced.

Councillor Holinaty

Subdivision Approval Board - Resolution was signed and sent to homeowners.

**Councillor Reports
#44-2014**

MOVED BY Councillor Wobick to accept Councillor Reports.

CARRIED

A suggestion by Council is to put an announcement on the Electronic Sign stating the dates of Council meetings and that everyone is welcome.

E-mails Circulated

Transportation Strategy, Feb 3, 1:30-4:30 pm, Fort Macleod, Community Hall #45-2014
 MOVED BY Councillor Pelley to approve two members of council to attend the Transportation Strategy on Feb. 3, 2014 at the Fort Macleod Community Hall.
 CARRIED

Badlands, March 25-27, Conference in Lethbridge, \$200 early registration, Mayor & CAO #46-2014
 MOVED BY Councillor Wobick to approve the Mayor and CAO to attend the Canadian Badlands Conference and AGM on March 25-27, 2014 at the cost of \$200 each for registration fee.
 CARRIED

MGA Education Session, Jan 31, 9:00-3:00 pm, \$78.75 #47-2014
 MOVED BY Councillor Wobick to approve the Mayors attendance at the MGA Education Session on January 31, 2014 at the cost of \$78.75.
 CARRIED

Noble Central School Announcement, Jan 28, 2 pm
 Palliser Superintendent Darren and Consultant will be working together on the modernization for Noble Central School.
 CARRIED

BEW All-Councils Meeting Invitation, March 13, 6 pm, Taber #48-2014
 MOVED BY Councillor Pelley to approve the Mayor and CAO to attend the BEW All-Councils Meeting on March 13, 2014 in Taber.
 CARRIED

Holding the Reins, Land Owner Summit for Oldman Water Shed, Feb 11, 8:30 am, Fort Macleod

Centennial Society, Community Foundation Grant, Charitable Status Request #49-2014
 MOVED BY Councillor Pelley to allow the Nobleford Centennial Society to use the Village of Nobleford charitable status for a grant application to the Community Foundation of Lethbridge and Southwestern Alberta.
 CARRIED

MEETING DATES

- Jan 29, 2014 ORRSC Orientation – All of Council, CAO, Development Officer
- Feb 4, 2014 Regular Council meeting King Street commercial Developer presentation
- Feb 11, 2014 SPECIAL BUDGET MEETING, Audit Committee, Council as a Whole
- Feb 18, 2014 Regular Council meeting
- Feb 25, 2014 Joint County Council dinner meeting 6:00 pm @ Nobleford Fire Hall
- March 4, 2014 Regular Council meeting CAO ay LGAA Mar 6-7
- March 18, 2014 Regular Council meeting – Emergency-Response-Plan--PP
- April 1, 2014 Regular Council meeting Audit presentation YPM
- April 15, 2014 Regular Council meeting Final budget, Tax bylaw
- May 6, 2014 Regular Council meeting – May 13-16, SLGM
- May 20, 2014 Regular Council meeting
- June 3, 2014 Regular Council meeting
- June 17, 2014 Regular Council meeting
- July 8, 2014 Regular Council meeting
- August 5, 2014 Regular Council meeting
- Sept 2, 2014 Regular Council meeting
- Sept 16, 2014 Regular Council meeting
- Oct 7, 2014 Regular Council meeting
- Oct 21, 2014 Regular Council meeting
- Nov 4, 2014 Regular Council meeting
- Nov 18, 2014 Regular Council meeting
- Dec 2, 2014 Regular Council meeting
- Dec 18, 2014 Regular Council meeting

#50-2014 MOVED BY Councillor Holinaty to accept the meeting dates as presented.
 CARRIED

In Camera 9:36 pm; #51-2014 Labor, Legal; CUPE, CAO Employment / contract
 MOVED BY Councillor Vincent to go in camera.
 CARRIED

CAO Assistant/Recording Secretary left Council Chambers.

Out Camera 9:59pm #52-2014 MOVED BY Pete Pelley Councillor to go out of camera.
 CARRIED

ADJOURNMENT

10:00 pm Mayor Medowell moves the meeting to be adjourned.


 MAYOR 
 ADMINISTRATOR