

PRESENT

Doug Jones	Mayor
Stacey Wiechnik	Deputy Mayor
Blake Hertz	Councillor
Ed Hogan	Councillor
Joseph Lazzari	Councillor
James Walker	Councillor

ABSENT

None.

ATTENDING

Charmain Snell	Chief Administrative Officer (CAO) & Recording Secretary
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CALL TO ORDER

Mayor Jones called the meeting to order at 6:58 p.m.

AGENDA  
**C804(18/02/13)**

**RESOLUTION by Councillor Hogan that Council adopt the agenda governing the regular Council meeting of February 13, 2018 as presented. CARRIED**

DELEGATION(S)

Michelle Toombs,  
Marigold Library  
System

Michelle Toombs, CEO of the Marigold Library System was in attendance to update Council on the services available and benefits offered to our residents when we continue to support the public library system. Council was informed that Marigold serves 44 municipalities, reaching over 320,000 people.

In addition, she presented the proposed levy rates for 2019 and 2020 and requested that Council sign Schedule C, the amendment to the Marigold Agreement that outlines Marigold's per capita levy rates for municipalities, and return the document to the Marigold office prior to September 30, 2018.

Shane Ellis and  
Brett Fraser,  
ATCO Gas

Shane Ellis and Brett Fraser, both of ATCO Gas were in attendance to discuss with Council the renewal of the current Franchise Agreement. ATCO has served this community since 1958. The current franchise agreement expired on January 8, 2018, however, ATCO will continue to honour this agreement beyond the term expiry until a new agreement can be made or the agreement is terminated.

Dan Smith,  
Smith & Hersey  
Law Firm

Dan Smith, the Town legal representative was in attendance to discuss with Council the implications of creating a Part 9, Not-For-Profit Corporation (Special Areas and Oyen Development Corporation) to take over the operations of the Oyen Logistic Project.

Mayor Jones called for a recess of the regular Council meeting at 8:43 p.m.

Mayor Jones reconvened the regular Council meeting at 8:49 p.m.

Initials: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
CAO

**C805(18/02/13)**

**RESOLUTION by Deputy Mayor Wiechnik that Council authorize the Mayor and Chief Administrative Officer, on behalf of the Town of Oyen, to enter into an agreement with the Special Areas Board to form a Part 9, Not-for-Profit Corporation to be named the Special Areas and Oyen Development Corporation to take over the operations of the Oyen Logistics Park.**

**CARRIED**

MINUTES

Regular Council  
Meeting held  
January 10, 2018

**C806(18/02/13)**

**RESOLUTION by Councillor Walker that Council approves the minutes of the January 10, 2018 regular Council meeting as presented.**

**CARRIED**

BUSINESS  
ARISING  
FROM PREVIOUS  
MINUTES

None.

CONSENT  
AGENDA

Transfer of Agenda  
Items from Consent  
Agenda

There were not items that Council requested to be transferred from the Consent Agenda.

**C807(18/02/13)**

**RESOLUTION by Deputy Mayor Wiechnik that Council accept for information the Public Works Foreman's, the Recreation Director's, and the Project Manager's report as presented.**

**RESOLUTION by Deputy Mayor Wiechnik that Council support the Special Areas Board's application to the Alberta Community Partnership Program for the East Central Alberta Community Resiliency Project.**

**RESOLUTION by Deputy Mayor Wiechnik that Council accept for information the correspondence as it is presented.**

**CARRIED**

NEW BUSINESS

Calendars

Council was provided with an updated calendar of upcoming events and meetings for the period February, 2018 through April, 2018.

**C808(18/02/13)**

**RESOLUTION by Councillor Hertz that Council accepts for information the calendar of upcoming events and meetings for the period of February, 2018 through April, 2018 with the following changes:**

1. February 23 – Oyen Golf and Country Club Executive Board – Councillor Hogan
2. February 26 – Oyen Library Board – CANCELLED

**CARRIED**

Mayor Jones requested that Council pause for a moment to acknowledge the passing of Councillor Douglas Lehman.

Initials: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
CAO

Change of Meeting  
Date

The Municipal Leader's Caucus (formally known as the Mayor's Caucus) will be in Edmonton from March 14-15, 2018 and those attending this caucus will not be available to attend the regular Council meeting that is scheduled on Tuesday, March 13, 2018.

**C809(18/02/13)**

**RESOLUTION by Councillor Walker that Council approve a change of date for the regular Council meeting scheduled for Tuesday, March 13, 2018 to Monday, March 12, 2018 to accommodate the absence of those members of Council and Administration who will be attending the Municipal Leaders Caucus in Edmonton, on March 14-15, 2018. CARRIED**

Council Vacancy

As per Section 165 of the MGA, "Unless a council sets an earlier date, election day for a by-election under section 162 or 163 is 90 days after the vacancy occurs" which means that the by-election must be held no later than Tuesday, May 1, 2018.

In addition to setting an election date, Administration is requesting that Council appoint a returning officer as per Section 13 of the Local Authorities Election Act for the purpose of conducting an election under the Local Authorities Election Act.

**C810(18/02/13)**

**RESOLUTION by Deputy Mayor Wiechnik set Monday April 16, 2018 as Election Day for a by-election under Section 162 of the Municipal Government Act (MGA), and further that Council appoint Charmain Snell as the returning officer for this by-election as per Section 13 of the Local Authorities Election Act. CARRIED**

Request for Sub-  
Division Time  
Extension

Ken Drake, Drake Surveyors Ltd. was hired in September, 2017 to complete the survey and register the subdivision plan with Alberta Land Titles for the proposed medical clinic subdivision. However, due to increment weather since October, 2017 he has been unable to complete the work and has requested an extension on the one-year time limit from Palliser Regional Municipal Services.

Under Section 657(1) of the Municipal Government Act, an applicant for subdivision approval must submit to the subdivision authority (PRMS) the plan of subdivision or other instrument that effects the subdivision within one year from the date on which the subdivision approval is given to the application. However, under Section 657(6) the municipal council may extend that time period for an additional year.

**C811(18/02/13)**

**RESOLUTION by Councillor Walker that Council give approval for the time extension received from Palliser Regional Municipal Services from February 13, 2018 to February 13, 2019 to allow for the completion of the survey and registration of the subdivision plan with Alberta Land Titles for the Medical Clinic subdivision application #2016-043. CARRIED**

Franchise  
Agreement – ATCO  
Gas

ATCO has served the Town of Oyen since 1958. The current franchise agreement expired in January 8<sup>th</sup>, 2018 however, ATCO Gas is honoring this agreement and will continue to do so until the Agreement is terminated or renewed.

The current agreement is based upon the AUMA template that was developed in 2003, however, this new proposed agreement is now based upon the new AUMA template that was negotiated and approved in early 2015. Under the new agreement Council will need to determine the term agreement (minimum of 10 years to a

Initials: \_\_\_\_\_  
Mayor

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CAO

maximum of 20 years), in return for the grant of franchise, ATCO Gas will give the Town a franchise fee current set at 30% of ATCO's revenue, excluding commodity cost of gas. This fee can be adjusted annually, up to a prescribed cap of 35%. In addition, the agreement provides for the opportunity for the Town of Oyen to collect linear taxes in addition to the franchise fee.

**C812(18/02/13)**

**RESOLUTION by Councillor Hertz that Council direct Administration to proceed with the renewal of the Franchise Agreement with ATCO Gas for a period of ten (10) years to 2028 at the existing franchise fee rate of 30%. CARRIED**

ITEM REMOVED  
FROM THE  
CONSENT  
AGENDA

None.

BYLAWS  
Bylaw 862-18  
ATCO Gas  
Franchise  
Agreement

Council was presented with Bylaw 862-18 being a bylaw to authorize the Mayor and Chief Administrative Officer to enter into a renewal agreement granting ATCO Gas and Pipelines Ltd. the right to deliver natural gas to customers within the Town of Oyen.

**C813(18/02/13)**

**RESOLUTION by Deputy Mayor Wiechnik that Council provide 1<sup>st</sup> reading to Bylaw 862-18 being a bylaw to authorize the Mayor and Chief Administrative Officer to enter into a renewal agreement granting ATCO Gas and Pipelines Ltd. the right to deliver natural gas to customers within the Town of Oyen. CARRIED**

COUNCILLOR  
REPORTS

Mayor and Council submitted verbal reports on activities and meetings since the January 10, 2018 regular Council meeting.

Councillor Walker requested to be excused from the meeting at 10:46 p.m.

**C814(18/02/13)**

**RESOLUTION by Councillor Hogan that Council appoint Sarah Grover to the Oyen Municipal Library Board for the three (3) year term to February 2021. CARRIED**

**C815(18/02/13)**

**RESOLUTION by Deputy Mayor Wiechnik that Council accept for information the verbal Councillor reports received on activities and meetings that were attended since the January 10, 2018 regular Council meeting. CARRIED**

Councillor Walker returned to the meeting at 10:48 p.m.

CAO REPORT &  
ACTION LIST

The CAO provided a written report with verbal updates to Council.

**C816(18/02/13)**

**RESOLUTION by Councillor Hertz that Council go in Camera at 10:59 p.m. to discuss matters related to Labour as per Section 17 of the *Freedom of Information and Protection of Privacy Act (FOIP)*. CARRIED**

**C817(18/02/13)**

**RESOLUTION by Councillor Lazzari that Council come out of Camera at 11:06 p.m. CARRIED**

Initials: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
CAO

**C818(18/02/13)**

**RESOLUTION by Deputy Mayor Wiechnik that Council accept for information the CAO report and action list as presented. CARRIED**

CORRESPONDENCE

1. Email received from Barry Morishita, President AUMA re: Police Funding Letter Writing Campaign
2. Letter received from Gordon Johnsen re: Tribute to the Late Councillor Doug Lehman
3. Letter received from Jeff Amos, Head Coach Badlands Badgers Baseball Academy re: Tribute to the Late Councillor Doug Lehman
4. Training Event for Board Members
5. Email received from Mischaela Fisler re: Request for land to create a personal garden
6. Request from Marigold Library System for Council to Proclaim Freedom to Read Week, February 25-March 3, 2018
7. Audit Service Plan – MNP

**C819(18/02/13)**

**RESOLUTION by Councillor Walker that Council honour the late Councillor Douglas Lehman’s contribution to baseball in our community by naming the Senior Baseball Diamond in RCMP Centennial Park the “Doug Lehman Field”. CARRIED**

Councillor Hertz requested to be excused from the meeting at 11:12 p.m.

Councillor Hertz returned to the meeting at 11:14 p.m.

**C820(18/02/13)**

**RESOLUTION by Councillor Hogan that Council grant permission to Mishaela Fisher in her request to utilize the vacant land directly behind her residence at #12 Byler Place for the purpose of creating a small garden. CARRIED**

**C821(18/02/13)**

**RESOLUTION by Deputy Mayor Wiechnik that Council proclaim February 25-March 3, 2018 as Freedom to Read Week in the Town of Oyen. CARRIED**

CONFIDENTIAL

Matters of a confidential matter were discussed earlier in the meeting so this item was removed from the agenda.

ADJORNMENT

Mayor Jones adjourned the regular Council meeting of February 13, 2018 at 11:17 p.m.

\_\_\_\_\_  
DATE

*Original Signed by  
Doug Jones*

\_\_\_\_\_  
MAYOR

*Original Signed by  
Charmain Snell*

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

Initials: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
CAO