

PRESENT	Paul Lois Rudi	Christianson Bedwell Brockmann Shane Hertz Manfred Schroeder	Mayor Deputy Mayor Councillor Councillor Councillor
ABSENT	Doug	Lehman Gordon Thomson	Councillor Councillor
ATTENDING	Darcy Rizdale	Hermann Minderlein Dobrosky Paul Evans Lee Tucker Gajudo	Chief Administrative Officer (CAO) Public Works Foreman (PWF) Recreation Director (RD) Assistant Recreation Director (ARD) Recording Secretary (RS)

CALL TO ORDER Mayor Christianson called the meeting to order at 6:27 p.m.

AGENDA

C053(11/08/09)

RESOLUTION by Councillor Schroeder that Council adopts the agenda governing the Regular Council Meeting of August 9, 2011 as presented. CARRIED

CARRIED

MINUTES

Previous Minutes

C054 (11/08/09)

RESOLUTION by Councillor Hertz that Council approves the minutes of the July 5, 2011 Regular Council Meeting, as presented. CARRIED

Business Arising

C055(11/08/09)

RESOLUTION by Deputy Mayor Bedwell that Council approves Councillor Lehman's absence from July 5, 2011 Regular Council Meeting. CARRIED

DELEGATION(S)

Paul Goguen
6:30 p.m. Paul

Goguen from the ATCO Electric appeared before Council in order to make a presentation related to the ATCO Electric transmission project that is tentatively slated to begin this area in 2012. Mr. Goguen is the Vice President for ATCO's HTRD Project and has been working, both personally and through representatives from ATCO, with Town Administration on the potential for a temporary construction camp in Oyen.

Initials: _____
Mayor

CAO

C056(11/08/09)

RESOLUTION by Councillor Hertz that Council accepts the information in the presentation by Mr. Paul Goguen of ATCO Electric regarding the potential for a temporary construction camp in Oyen that would be required for the ATCO Electric transmission project tentatively slated to begin in this area in 2012; and direct Administration to provide Mr. Goguen and ATCO Electric with additional information and guidance to assist them in moving forward with a temporary construction camp in Oyen required for the ATCO Electric transmission project, and to bring back information and/or agreements related to the matter that will require additional direction or decision from the Mayor and Council.
CARRIED

Doug Dingman
5: p.m. Doug

Dingman, owner, Doug's AG foods appeared before council regarding two (2) separate matters. Based on the request, the topics to be discussed are as follows:

1. Request for amendment to the section pertaining to signs in the Town of Oyen Land Use Bylaw No. 723-98; and
2. Request for creation or amendment of Town of Oyen Bylaw pertaining to special events or sidewalk sales.

C057(11/08/09)

RESOLUTION by Councillor Brockmann that Council accepts the information in the presentation by Mr. Doug Dingman requesting an amendment to the Town of Oyen Land Use Bylaw No. 723-98 and requesting the creation or amendment of a Town of Oyen Bylaw pertaining to special events or sidewalk sales for information.
CARRIED

C058(11/08/09)

RESOLUTION by Councillor Hertz to accept recommendation number one (1) proposed by Palliser Regional Municipal Services, PRMS including their amendment to the Land Use Bylaw No. 723-98 and a definition for "Sandwich Board", direct administration to continue its discussions with PRMS and its own research into the creation or amendment of a Town of Oyen Bylaw pertaining to special events or sidewalk sales and to bring the matter back to Council with Administrations findings and a recommendation from PRMS.
CARRIED

PUBLIC
WRITTEN
COUNCIL
COMMITTEE &
MANAGERS

HEARING: Nothing on this agenda
REPORTS:

Councillor Reports

Council submitted written reports on the meetings they attended.

C059(11/08/09)

RESOLUTION by Councillor Schroeder that Council accepts for information the written and verbal Councillor Reports received on meetings attended for the month of July 2011.
CARRIED

TENDER
OPENINGS:

Nothing on this agenda

NEW BUSINESS:

Initials: _____
Mayor

CAO

COUNCIL

Assessment

by Marigold Library
System Marigold

Increase The Town of Oyen has received a letter from the Marigold Library System that requests the Town to sign off on an amendment to the Agreement outlining Marigold's levy rates for 2012, 2013 and 2014. The motion to increase the rates for those years was carried unanimously at the Marigold Library System AGM and Board Meeting on April 19, 2011. A change or amendment to the rates requires written notification from 60% of the Parties to the Agreement representing 60% of the people living within the boundaries of Marigold.

C060(11/08/09)

RESOLUTION by Councillor Schroeder that Council support the levy rate increases to \$4.90 per capita for 2012, \$5.25 per capita for 2013, and \$5.60 per capita for 2014 that were approved by the Marigold Library System Spring AGM and Board meeting.

CARRIED

Public Works
/Recreation

Foreman's Report

The Public Works Foreman, Interim Recreation Director, and Assistant Recreation Director presented a verbal report to Council on matters related to Public Works and Recreation.

C061(11/08/09)

RESOLUTION by Councillor Schroeder that Council accepts for information the Public Works Foreman, Interim Recreation Director and Assistant Recreation Director's verbal reports, as presented.

CARRIED

Bylaw 806-11 to
Amend Bylaw
723-98 Bylaw 806-

11, a bylaw of the Town of Oyen to amend the Town of Oyen Land Use Bylaw No. 723-98 was prepared by Palliser Regional Municipal Services (PRMS) Ltd. at the request of Administration. This was done in anticipation of a request from ATCO Electric to place a Temporary Construction Camp within the boundaries of the Town of Oyen.

There are

two (2) parts to the proposed amendments, the first expands the definition of 'Temporary Development' in Part I Section 2 and the second extends the period of time that the Development Officer of Municipal Planning Commission is permitted to issue a temporary Development Permit for under Part III Section 9.

C062(11/08/09)

RESOLUTION by Deputy Mayor Bedwell to Provide 1st reading to Bylaw 806-11.

CARRIED

RESOLUTION by Councillor Hertz Direct Administration to schedule and advertise a Public Hearing as part of the September 2011 Regular Council Meeting with regards to the proposed amendment to Land Use Bylaw 723-98 as per the requirements of the Municipal Government Act.

CARRIED

RESOLUTION by Councillor Brockmann Direct Administration to place Bylaw 806-11 on the Agenda of the September 2011 Regular Council meeting following the Public Hearing

Initials: _____
Mayor

CAO

**for second and third reading.
CARRIED**

Town of Oyen
Centennial

Committee Administration is bringing this item back to Council as per Resolution C008(11/06/07) that directed Administration to advertise for volunteers from community organizations, the business community, and residents of the Town of Oyen to sit on a committee to formed to organize events to mark the Town of Oyen's 100th anniversary of incorporation as a town and to bring back any applications or letters of interest to the August, 2011 Regular Council Meeting.

C063(11/08/09)

RESOLUTION by Deputy Mayor Bedwell that Council appoint Councillor Hertz and Debbie Ross or an alternate from Town of Oyen Staff representing the Town of Oyen, and the following volunteers; Adrian Hartman, representing the Chamber of Commerce and ATB Financial, and Pat Merkl and Roger Bedwell representing the Citizens of the Town of Oyen to sit on a committee formed to coordinate events in 2013 to recognize and celebrate the January 17th, 2013 100th Anniversary of the Town of Oyen's Incorporation, and to request that the committee meet as soon as possible, to set agendas and record minutes for such meetings, and to make proposals for Council's approval regarding the committee and the Town of Oyen's 100th anniversary of incorporation.

CARRIED

Leave of Absence:
Councillor Lehman
Councillor

&
Thomson Council approval is being sought for a Leave of Absence for Councillor Lehman and Thomson from the August 9, 2011 Regular Council Meeting.

C064(11/08/09)

RESOLUTION by Councillor Brockmann that Council approves Councillor Lehman and Councillor Thomson's absence from the August 9, 2011 Regular Council Meeting.

CARRIED

Palliser Futures
Regional and
Community Action
Plan The

application submitted by the Town of Oyen on behalf of the Economic Partnership for \$158,133 in grant funding under the 2011/2012 Regional Collaboration Program has been approved by Municipal Affairs.

C065(11/08/09)

RESOLUTION by Councillor Schroeder provide Administration direction to work with Palliser Economic Partnership on local and regional media releases pertaining to the grant approval and information on the Palliser Futures – Regional and Community Action Plans.

CARRIED

Acadia Foundation
Life Lease Taxes

The Acadia Foundation has submitted a formal request regarding property taxes assessed by the Town of Oyen on their "Oyen Life Lease" property in order that it could be properly researched, discussed and responded to as requested by Town of Oyen RESOLUTION C038(11/07/05). Administration is providing additional information for Council's consideration regarding the matter.

Initials: _____
Mayor

CAO

C066(11/08/09)

RESOLUTION by Councillor Schroeder that Council deny the Acadia Foundation relief from property taxes on the basis that Council does not consider it equitable to do so as per section 347(1) of the Municipal Government Act, and that Council provides Administration direction to draft a letter for the Mayor's signature to the Board of Directors of the Acadia Foundation advising them of Council's decision.

CARRIED

Town of Oyen –
Procedural Bylaw

This item has been placed on this agenda as directed by Resolution C045(11/07/05) that stated that Council would conduct a review of the Town of Oyen Procedural Bylaw, including a review of the timings of Regular Council Meetings, at this meeting.

C067(11/08/09)

RESOLUTION by Deputy Mayor Bedwell that Council direct Administration to draft an updated procedural bylaw based on the Clear Hills County Procedural Bylaw, prepared if possible, in a format utilizing bookmarks such as used by the Town of Cochrane, and that respects the current Town of Oyen Procedural Bylaw except that:

Regular Council Meeting are to be scheduled to begin at 6:30PM on the 1st Tuesday of each month;

are to last no longer than three and a half (3.5) hours, unless a motion is passed before 9:30 pm by a majority of council to extend the meeting for an additional sixty (60) minutes, and

to bring back a copy of the draft and the current Town of Oyen Procedural Bylaws to this Council once completed for additional review and direction.

CARRIED

NEW BUSINESS:

ADMINISTRATION

Farmer's Market
Request – Placard
Erection The

Town of Oyen has received a request from Betty Walker on behalf of the Oyen and District Farmers' Market requesting that Town Council provide its consent for their non profit organization to erect placard signs on town property on the days that Farmers' Markets are held.

C068(11/08/09)

RESOLUTION by Councillor Schroeder that Mayor and Council provides consent to the Oyen and District Farmers' Market to erect a placard signage on the Town of Oyen public property located at the end of Main Street, in the intersection of Main Street and 1st Avenue, Main Street and 5th Avenue, at 5th Avenue across from the Arena, and adjacent to the Highway 41 approach into Town on the dates that Farmers' Markets are held provided that such signage

Initials: _____
Mayor

CAO

does not pose any hazard to foot and/or vehicular traffic at those locations and is erected no sooner than one (1) hour prior to the start and removed no later than one (1) hour following the finish, of the time scheduled for such Farmers' Markets.

CARRIED

UFA Request-A-
Signage Erection

frame

The Town of Oyen has received a request from Frank Hauck, the UFA Manager at the Oyen UFA Farm Store, requesting that Town Council provide its consent for the Oyen UFA Farm Store to erect A-frame signs on town property, that being the boulevards outside of UFA Farm Store fence along both 1st Avenue and 4th Street East.

C069(11/08/09)

RESOLUTION by Councillor Hertz that Mayor and Council provided their consent to the Oyen UFA Farm Store to place two (2) A-frame signs on town property, that being the of the UFA Farm Store fence along both 1st Avenue and 4th Street East provided that such signage does not pose any hazard to foot and/or vehicular traffic at those locations and that the car, maintenance, and liability for the signs would remain the responsibility of the Oyen UFA Farm Store.

CARRIED

JD's Liquor Store &
Doug's AG Foods
Request-To Place
on Public Property

signs

The Town of Oyen has received a request from Kay Dingman, owner of JD's Liquor Store and Doug's AG Foods, requesting that Town Council provide its consent for JD's Liquor Store and Doug's AG Foods to place signs on town property. The exact location of the request is not specifically detailed in Ms. Dingman's letter, and Council should therefore consider both sidewalks that parallel their property, those being the sidewalks along Main Street and 1st Avenue, as potential sites for the signs.

C070(11/08/09)

RESOLUTION by Councillor Schroeder that Mayor and Council provides consent to JD's Liquor Store and Doug's AG Foods to place the two (2) 32" x 42" signs refereed to in Schedule "D" of Ms. Dingman's letter on the sidewalk adjacent to those businesses provided that the care, maintenance, and liability for those signs remain the responsibility of JD's Liquor Store and Doug's AG Foods, and that the signs are place in such a manner that a minimum clearance of 65" is maintained between the inside edge of the curb and the portion of the sign that is closest to the street.

CARRIED

Issue of Dev.
For Signs or Ad.
Structures

Permits

Administration is seeking direction from Council related to the enforcement of Town of Oyen Bylaws, including Land Use Bylaw No. 723-98.

C071(11/08/09)

RESOLUTION by Councillor Hertz to waive the requirement for a development permit for any existing signs installed in the Town of Oyen provided that those signs meet the remaining requirements of Section 45 Subsection (6) of the Town of Oyen Land Use Bylaw No. 723-98.

CARRIED

Initials: _____
Mayor

CAO

C072(11/08/09)

RESOLUTION by Deputy Mayor Bedwell to direct Administration to enforce the Bylaws of the Town of Oyen based on complaints, or when violations are observed by staff that endanger the property or people in the Town of Oyen or result in an expense or loss of revenue to the Town of Oyen.

CARRIED

Memorandum of Agreement – (Old) S.A. Fire Hall

Special Areas is seeking to transfer ownership and responsibility of the (Old) Special Areas Fire Hall Structure to the Town of Oyen. This information had been previously provided to attendees to our joint meeting with Special Areas on June 14, 2011.

C073(11/08/09)

RESOLUTION by Councillor Brockmann that Council provide authority for the Town of Oyen to enter into an agreement with the Special Areas Board to transfer the ownership of the (Old) Special Areas Fire Hall structure located on Plan 8451 GT, Block 21, Pt. Lot 2 (south side) for the sum of One Dollar (\$1.00). CARRIED

NEW BUSINESS:
PUBLIC WORKS

Oyen C.I.B. –
For Temporary
Closure Oyen

Request
Road

Communities in Bloom/Grow Oyen has requested the Town of Oyen grant a Road Closure in order for that group to hold the Annual U-nite Night and Bedlam Bed Races. Details surrounding the request are as follows:

Date:
Time:
Location:

Thursday, August 25, 2011
5:30PM to 9:30PM
Main Street from Friendship Park to Allen’s Agro; and
Railway Avenue from Fountain Tire to the alley behind the hotel lot.

C074(11/08/09)

RESOLUTION by Councillor Schroeder that Council approves the request from Oyen Communities and Bloom/Grow Oyen for the temporary closure of Main Street from Friendship Park to Allen’s Agro and of Railway Avenue from Fountain Tire to the alley behind the Hotel lot from 5:30PM to 9:30PM on Thursday, August 25, 2011.

CARRIED

NEW BUSINESS:
RECREATION

Chamber of
Request for Use of
Friendship Park

Commerce

Oyen and District Chamber of Commerce has request the Town of Oyen permit their organization to use Friendship Park for their organization’s Annual BBQ and Fundraiser. This event is scheduled to coincide with the Oyen Communities in Bloom/Grow Oyen Annual U-Nite Night and Bedlam Bed Races. Details surrounding the request are as follows:

Date:
Time:
Location:

Thursday, August 25, 2011
5:30PM to 7:00PM
Friendship Park

Initials: _____
Mayor

CAO

C075(11/08/09)

**RESOLUTION by Deputy Mayor Bedwell that Council approves the request from the Oyen and District Chamber of Commerce for the use of Friendship Park for their organization's Annual BBQ & Fundraiser from 5:30PM to 7:00PM on Thursday August 25, 2011.
CARRIED**

Replacement of
S.M.A.C. Boiler

Resolution C044(11/07/05) adjusted the 2011 Capital Budget to provide up to \$25,000 to fund the replacement of the boiler at the Shirley McClellan Aquatic Centre. Recreation Director Paul Evans has been attempting to get quotes for this, but has experienced difficulty in obtaining a quote from outside of the local area, and Administration is therefore seeking direction from Council as to how to proceed.

C076(11/08/09)

**RESOLUTION by Councillor Brockmann that Council provides authority to award a Purchase Order to Kevin's Plumbing and Heating for \$16,720.59 (including 5% GST) for all costs related to the supply and installation of a new RAYPAC P-1223 1.2MBBH pool heater for the Shirley McClellan Aquatic Center.
CARRIED**

COUNCIL
INFORMATION

Council was presented with the following information for review:

- a) Letter from ATCO Gas with 2010 Actual and 2012 Forecasted Franchise Revenue
- b) Letter LAPP confirming rates for 2011, 2012, & 2013
- c) Oyen RCMP Detailed Mayor's Report
- d) Letter from TransCanada Keystone Pipeline LP Ltd. (Keystone)
- e) Letter from the Minister of Transportation regarding Travis MJ (attachment available for viewing at Town Office)

C077(11/08/09)

**RESOLUTION by Councillor Hertz that Council receives for information the correspondence presented at the August 9, 2011 Regular Council Meeting.
CARRIED**

CALENDARS

Council is being provided with a calendar of upcoming events and meetings for the period August through October 2011.

C078(11/08/09)

RESOLUTION by Deputy Mayor Bedwell that Council accepts for information the calendar of upcoming events and meetings for the period of August through October 2011 as amended. CARRIED

Mayor

Christianson Calls a recess at 8:30PM

CONFIDENTIAL
ITEMS

C079(11/08/09)

**RESOLUTION by Councillor Schroeder to go In Camera at 8:38 PM to discuss a legal matter.
CARRIED**

C080(11/08/09)

RESOLUTION by Mayor Christianson that Council comes out of camera at 9:35 PM. CARRIED

C081(11/08/09)

RESOLUTION by Councillor Brockmann that Council direct Administration to enter into discussions, and work with Smith & Hersey Law Firm and Badlands Baseball Academy to finalize the

Initials: _____
Mayor

CAO

**License and Use Agreement for Badlands Baseball Academy.
CARRIED**

ADJOURNMENT

Mayor Christianson adjourned the Regular Council Meeting of Tuesday, August 9, 2011 at 9:38 PM.

DATE

MAYOR

DATE

CHIEF

ADMINISTRATIVE
OFFICER (CAO)

Initials: _____
Mayor

CAO