



**REGULAR MEETING OF COUNCIL
A G E N D A
Wednesday, March 1, 2023, 6:00 pm
Council Chambers & Zoom Access**

1. CALL TO ORDER
2. ADOPTION OF AGENDA
3. PUBLIC HEARINGS
4. DELEGATIONS
5. APPROVAL OF MINUTES
 - 5.1 Minutes of the February 9, 2023, Regular Meeting of Council
6. CONSENT AGENDA
 - 6.1 Correspondence – Camrose Resort Casino – Rural Charities
Town of Tofield -Relocation of Camrose Casino
8760 Energy Update Newsletter
 - 6.2 Council Committee Reports
7. NEW & UNFINISHED BUSINESS
 - 7.1 Bylaw # 819 – 2023 – Amend Master Rates & Schedules Bylaw - Third Reading
 - 7.2 Bylaw # 820 – 2023 – Bylaw Enforcement Officer Bylaw
 - 7.3 Bylaw # 821 – 2023 – Update Wastewater Disposal fee
 - 7.4 Household Hazardous Waste Roundup 2023
8. COMMITTEE REPORTS – action to be considered
9. CORRESPONDENCE ITEMS – Action to be considered
10. CLOSED MEETING OF COUNCIL
 - 10.1 Legal – Municipal Agreement – FOIP Section 21
11. NOTICES OF MOTION
12. NEXT MEETING: March 15, 2023 – 6:00 pm
 April Meeting Dates – April 5 and 19, 2023 – 6:00 pm
13. ADJOURNMENT



**REGULAR MEETING OF COUNCIL
MINUTES**

Thursday, February 9, 2023 @ 6:00 pm.

Blended Meeting: Council Chambers & Zoom Electronic Conference

In Person: CAO Fuller (5:30 pm), Mayor McDonald (5:50 pm), Deputy Mayor Orom (5:50 pm), and Councillor Northey (5:50 pm)

Zoom Connection: Councillor Gust

Public Zoom: None.

Recording Secretary: Theresa Fuller

Absent: Councillor McIntosh with notice, Foreman Taylor absent with notice.

Press: None

Public: None

1. CALL TO ORDER by Mayor McDonald at 6:05 pm.

2. ADOPTION OF AGENDA

MOVED by Councillor Northey to approve the February 9, 2023, Regular Meeting of Council Agenda with the addition of 7.5 Chamber of Commerce letter, late submission.

MOTION #023-2023

CARRIED.

3. PUBLIC HEARINGS - none

4. DELEGATIONS - none

5. APPROVAL OF MINUTES

5.1 Minutes of the January 18, 2023, Regular Meeting of Council

MOVED by Councillor Gust to approve the minutes of January 18, 2023, Regular Meeting of Council.

MOTION #024-2023

CARRIED

6. CONSENT AGENDA

6.1 Correspondence – Alberta Community & Social Services – Alberta Supports Contact Centre information.

- Town of Fox Creek – Ambulance Service Letter

6.2 Council Committee Reports

6.3 Town of Bashaw January 31, 2023, Monthly Statement

7. NEW & UNFINISHED BUSINESS

7.1 Emergency Advisory Committee – Emergency Management Review

The documents were reviewed, it was noted to update contact numbers on council copies. Discussion on the process of Declaring a state of local emergency. Council members have obtained the Municipal

Elected Officials course. Administration and DEM Patrick Taylor will arrange a meeting of the Emergency Management Agency of Bashaw.

7.2 Water Discussion – Consumption & Financial Data

Council discussed the information.

7.3 Water Pricing 2023

MOVED by Councillor Gust to approve Option A and proceed with a minimum of one reading for the corresponding bylaw #819-2023 that increases the Bi-monthly Flat Fee to \$75.50.

MOTION #025-2023 CARRIED

MOVED by Councillor Northey to approve first reading of Bylaw 819-2023 to amend Master Rates & Schedules Bylaw 760-2014 Utility Service Consumer Fee, Section 3, Appendix A, changing the Fixed Component /Flat Fee Bi-monthly to \$75.50.

MOTION #026-2023 CARRIED

MOVED by Councillor Gust to approve second reading of Bylaw 819-2023 to amend Master Rates & Schedules Bylaw 760-2014 Utility Service Consumer Fee, Section 3, Appendix A, changing the Fixed Component/Flat Fee Bi-Monthly to \$75.50.

MOTION #027-2023 CARRIED

MOVED by Deputy Mayor Orom to direct administration, public works and council to collaborate in identifying water loss sources and take appropriate measures to reduce water loss in the Town of Bashaw through this year; by the provision and review of water loss reports regularly at Council meetings.

MOTION #028-2023 CARRIED

7.4 Bylaw # 818-2023 – Amend Master Rates & Schedules Bylaw, Public Disturbances Penalties

MOVED by Deputy Mayor Orom to proceed with first reading of Bylaw 818-2023 amending the Master Rates & Schedules Bylaw 760-2014 to amend the Public Disturbance Penalties.

MOTION #029-2023 CARRIED.

MOVED by Councillor Gust to approve second reading of Bylaw 818-2023 amending the Master Rates & Schedules Bylaw 760-2014 to amend the Public Disturbance Penalties.

MOTION #030-2023 CARRIED

MOVED by Councillor Gust to approve unanimous consent to proceed to third reading of Bylaw 818-2023 amending the Master Rates & Schedules Bylaw 760-2014 to amend the Public Disturbance Penalties.

MOTION #031-2023 CARRIED

MOVED by Councillor Northey to approve third and final reading of Bylaw 818-2023 amending the Master Rates & Schedules Bylaw 760-2014 to amend the Public Disturbance Penalties.

MOTION #032-2023 CARRIED

7.5 Chamber of Commerce

MOVED by Councillor Northey to accept the Chamber of Commerce letter as information.

MOTION #033-2023 CARRIED

8. COMMITTEE & STAFF REPORTS

8.1 Committee Reports

- a. Mayor McDonald – Shared that he was approached by a resident concerning snow removal on sidewalks and the enforcement process. Discussion progressed regarding the current process of submitting a written complaint.

Mayor McDonald requested the ability for residents to place a complaint; for minor complaints, be available on the town website.

MOVED by Deputy Mayor Orom to accept Mayor McDonald’s report on February 9, 2023, as information.

MOTION #034-2023

CARRIED.

9. CORRESPONDENCE ITEMS - Action to be considered

MOVED by Councillor Northey to accept the February 9, 2023, Correspondence as information.

MOTION #035-2023

CARRIED.

MOVED by Councillor Northey to move into Closed Meeting of Council for item 10.1 – Land – Roll 001428 - FOIP Section 17, 10.2 Land – Roll 003714 - FOIP Section 17, 10.3 Legal – Municipal Agreement – FOIP Section 21 and 10.4 Personnel – CAO Performance Review – FOIP Section 10; at 7:15pm.

MOTION #36-2023

CARRIED

10. CLOSED MEETING OF COUNCIL

10.1 Land – Roll 001428 – FOIP Section 17

10.2 Land – Roll 003714 – FOIP Section 17

10.3 Legal – Municipal Agreement – FOIP Section 21

10.4 Personnel – CAO Performance Review – FOIP Section 10

MOVED by Deputy Mayor Orom to move out of Closed Meeting of Council at 8:05pm.

MOTION #037-2023

CARRIED

MOVED by Councillor Northey to cancel the existing penalties and administration fees on Tax Roll 001428 as of February 9, 2023.

MOTION #038-2023

CARRIED

11. NOTICE OF MOTION – none presented.

12. NEXT MEETING: March 1 & 15, 2023 – 6:00pm in Council Chambers

MOVED by Deputy Mayor Orom to resume meetings as per rotation March 1 and 15, 2023 – 6:00 pm.

MOTION #039-2023

CARRIED

13. ADJOURNMENT – Councillor Gust at 8:10 pm.

CHIEF ELECTED OFFICIAL

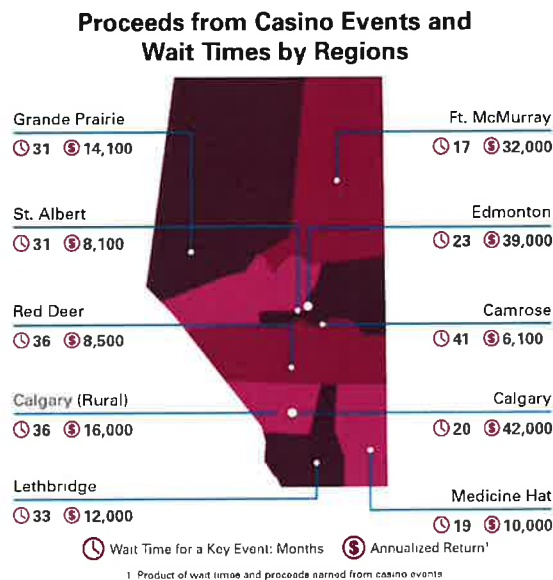
CHIEF ADMINISTRATIVE OFFICER

Alberta Rural Charities Set to Lose Out, Again

Edmonton – The Alberta Gaming, Liquor & Cannabis Commission (AGLC) has handed down a decision that will further shortchange rural charities. Already at a distinct disadvantage compared to their urban counterparts, rural charities are set to lose out once again thanks to the AGLC Board’s refusal to let the Camrose Resort Casino relocate to South Edmonton.

The disparity between urban and rural charitable event revenue is significant. It doesn’t matter if an event is held in a major urban centre or a rural community; the volunteers work the same number of hours. At the end of the night, however, a charitable event in the urban centre will bring in up to six times more revenue. What’s more, the average wait time for a gaming event is generally lower, too.

“AGLC’s unfair treatment of rural charities has been going on for decades, shortchanging rural communities hundreds of millions of dollars. Rural communities and their leaders should be alarmed by their mistreatment by AGLC and the failure by the AGLC Board to approve a relocation that would help to resolve this disparity,” said Jason Pechet, president of Capital City Casino, which owns the Camrose Resort Casino.



The proposed relocation would ensure revenues would continue to flow to rural charities. Given the pooling mechanism used by AGLC for the Camrose and St. Albert AGLC-defined regions, the proposed relocation would have benefitted hundreds of thousands of rural Albertans living in communities spanning from the B.C. border to the Saskatchewan border. According to AGLC’s own data, these two regions have the lowest revenues per gaming event (Camrose: \$6,100/event, St. Albert: \$8,100/event) and some of the highest event wait times (Camrose: 41 months, St. Albert: 31 months) in the entire province. By way of comparison, an event in Edmonton will generate \$39,000 in revenue and has a wait time of only 23 months.

“The AGLC Board’s decision is as frustrating as it is perplexing, especially given that AGLC management

approved the relocation,” said Pechet. “One of the key recommendations that came out of AGLC’s extensive Charitable Gaming Model Review was to designate a casino in Edmonton to serve rural charities exclusively, just like Calgary has. We offered AGLC the perfect project – one that would create jobs, drive economic development, increase revenues for the province, and provide parity for rural charities. In a baffling move, the AGLC Board rejected our proposal citing concerns that its own management did not feel were issues.”

As the Camrose Resort Casino struggled to generate a sustainable amount of charitable revenues, AGLC made two decisions that effectively doomed the casino’s financial viability. In 2019, AGLC approved the relocation of the Century Mile Race Track Casino from Edmonton to just 60 km away from the Camrose Resort Casino. Then, in 2022, AGLC also green-lit the construction of a new Louis Bull First Nations Casino, which is just 55 km away. The local market isn’t large enough to support a single gaming facility, let alone three. What’s more, none of the revenue from the First Nations Casino or Race Track Casino will support rural charities in the Camrose and St. Albert regions.



The Camrose Resort Casino is asking Albertans upset with the unfair treatment of rural charities to let AGLC know they support the relocation of the Camrose Resort Casino.

275 Edmonton Charities wrote to AGLC to block the Camrose Casino relocation and deny rural charitable groups the opportunity to receive a fair and equal share of charitable gaming revenues.

Please send your message of support by calling or emailing AGLC at: 780-447-8847 / nadja.lacroix@aglc.ca.

Media Contact

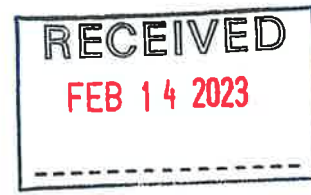
Meredith McDonald

403-803-7608

meredith@cdnstrategy.com

Background Facts and Figures

- In June 2021, Capital City Casino hired HLT Advisory Inc., a consulting firm specializing in the gaming sector (and one that AGLC regularly uses), to review its relocation proposal. HLT Advisory Inc. determined relocating the Camrose Resort Casino would generate \$28 million of new, incremental AGLC revenue.
- AGLC estimates that relocating the Camrose Casino to South Edmonton would result in \$8.8 million in new, incremental revenues for charitable groups.
- St Albert and Camrose gaming regions are the only AGLC gaming regions in the province that pool revenues together. The relocation will increase the amount of charitable revenues for both the Camrose and the St Albert regions, improving parity with large urban charitable revenues. The relocation would improve the financial disparity issue for the two rural gaming regions, not just one.
- If the relocation application is unsuccessful, the Camrose Resort Casino will need to close its doors, and 650 regional charities will lose desperately needed revenues.
- In the event that the Camrose Casino relocated to Edmonton, AGLC estimates the decline in Edmonton Urban Charity revenue as \$8,438 per Urban Charity event, which is far less than if the Camrose Casino closed and all 650 regional charities were reallocated to Edmonton casinos, which would result in a decline of approximately \$14,000 per annualized event. In short, Edmonton Urban Charities have more to lose by opposing this relocation.



PO Box 30 5407 50th Street
Tofield, Alberta T0B 4J0
P 780 662 3269
F 780 662 3929
E tofieldadmin@tofieldalberta.ca
W www.tofieldalberta.ca

February 14, 2023

Nadja Lacroix
Senior Manager
Inspections Gaming
Nadja.lacroix@aglc.ca

Re: Letter of Support – Relocation of Camrose Casino

Dear Nadja:

Rural Alberta, and their communities are comprised of community groups, clubs, charitable organizations and societies. The culmination of these organizations leads to the betterment of communities on a whole. These organizations work tirelessly on behalf of the community to provide enhancements through projects that would not be possible without their hard work and dedication. However, the key factor to success is funding. These groups are often accessing funding through casinos. As many other communities have stated, accessing funding through casinos is often multiple months away, which could leave these important projects, or enhancements without the ability to move forward.

Having an ability for Tofield to access a larger pool of casino opportunities would provide a higher element of success. Our proximity to a larger urban location, such as Edmonton, or even Saint Albert, is no further than the distance to Camrose. Although we have been thankful when our service groups have been successful in accessing Camrose Casino, it is an exceptionally long wait, and the return is minimal, at best.

Upon review, this appears to be another slight to Rural Alberta, which as of recent seems to be continually accumulating, and enhancing barriers to provide success for the communities each of us represent. We believe there should be an allowance for relocation for the Camrose Casino. The relocation would allow for the betterment of our entire region, as well as Rural Alberta.

Nadja Lacroix
Senior Manager
Inspections Gaming
Page 2

Further, the pooling of accessible casinos in larger urban settings would provide an enhanced level of success for Rural Alberta. The major urbans have additional resources and accessing abilities, as opposed to those of us in outlying areas. Collectively, the barriers need to be reduced to allow us all to flourish and provide betterment to our communities.

Respectfully,

Debora L. Dueck

Debora Dueck
Mayor
Town of Tofield

Cc.

Jackie Lovely, MLA Jackie.Lovely@assembly.ab.ca

Brian Jean, Minister of Jobs, Economy & Northern Development – jend.minister@gov.ab.ca

Travis Toews, President of Treasury Board & Minister of Finance – tbf.minister@gov.ab.ca

Nicole Marshall, Director of Alcohol, Gaming & Cannabis – Nicole.marshall@gov.ab.ca

Kandice Machado, AGLC CEO – kandice.machado@aglc.ca

Len Rhodes, AGLC Board Chair – len.rhodes@aglc.ca

Wyatt Skabron, Manager of Policy & Advocacy, RMA – wyatt@rmaalberta.com

Dan Rude, Chief Executive Officer, AB Munis - dan@abmunis.ca



ENERGY UPDATE

Published February 2023

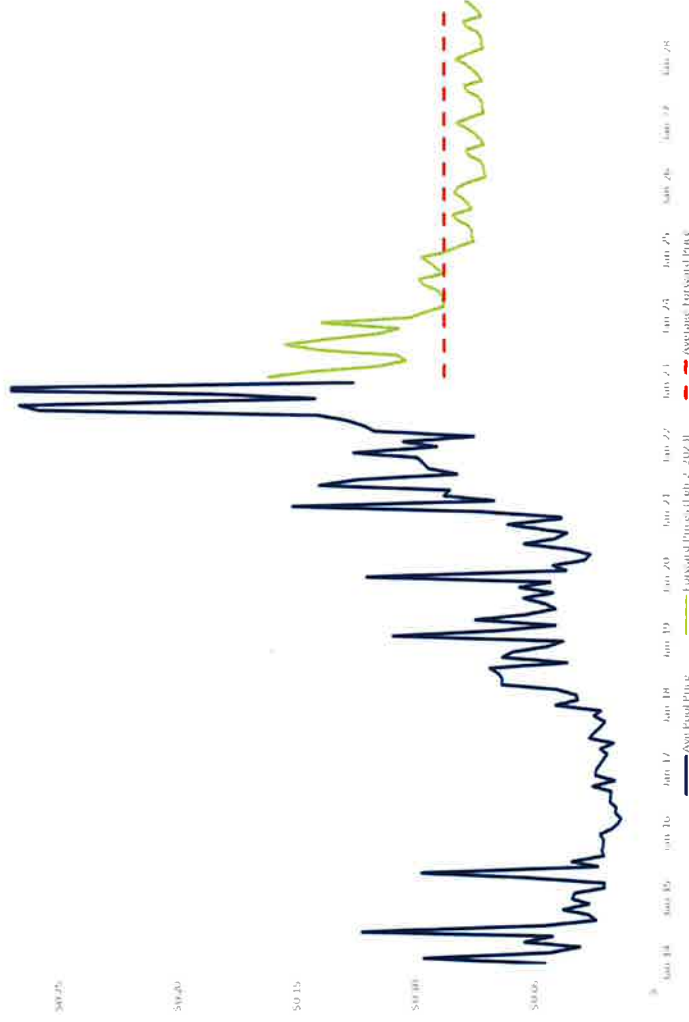
THE MOST UP TO DATE ENERGY INFORMATION TO
HELP WITH YOUR BUSINESS DECISIONS

HEADLINES:

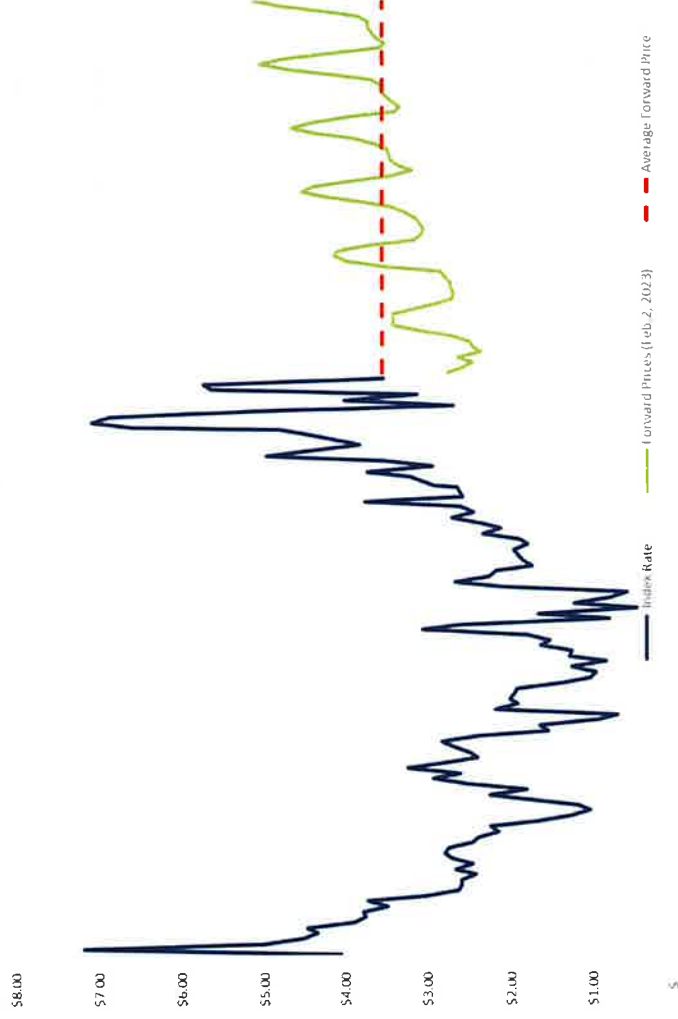
- ✓ Electricity prices remained high through calendar 2022. Average floating prices for the year were \$0.162/kWh, a 58.8% increase from \$0.102/kWh for calendar 2021.
- ✓ An all-time record monthly average floating electricity price was set December 2022 - a shocking \$0.312/kWh.
- ✓ Forward electricity prices for all years remain high for 2023 but moderate after mid-2024 and beyond.
- ✓ Natural gas prices increased significantly through 2022. Average floating prices were \$5.04/GJ compared to \$3.43/GJ for 2021. Prices have softened so far in 2023.
- ✓ Alberta government rebates for residential and small commercial sites commenced July 2022 and were increased/extended until April 2023.

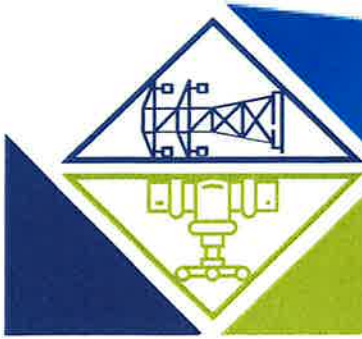
READ ON TO LEARN MORE...

Monthly Average Actual Electricity Pool Price, and Forward Prices
Jan/14 to Dec/28, in \$ per kWh



Monthly Average Actual Gas Price, and Forward Prices
Jan/14 to Dec/28, in \$ per GJ





COMMENTARY

General Overview

Our last few reports have done an in-depth review of the reasons for the large increases in electricity and natural gas through 2021 and 2022.

Currently, inflation has been dominating the headlines and this report will lead with the large increases in electricity prices experienced in the last four months of the year. We also discuss declining forward gas prices after a year of large increases.

production during both hot summer days and cold winter days, and ongoing aggressive offer strategies by electricity generators are further contributing factors to high prices, especially during extreme weather events.

The average floating price for calendar 2022 was \$0.162/kWh, an all-time annual record since the introduction of electricity de-regulation.

The warm weather in January 2023, which is generally expected to continue through most of February, has moderated prices. Actual average prices for January 2023 were \$0.126/kWh. This is still significantly higher than long-term price levels but feels like a “bargain” compared to prices experienced through much of 2022. However, volatility and high prices are still reasonably expected to occur through much of 2023. Forward prices currently suggest an average floating price for the year will be in the \$0.13/kWh range.

Overall, the rising price of electricity we have seen in the last two years is at least in part a cost of the energy transition that the entire world is undergoing. In Alberta specifically, by the end of 2023 or early 2024 the entire coal-fired generation fleet will be either outright retired or re-powered/converted to natural gas. While

the coal fleet was a source of high CO2 emissions, it was a very large source of low variable cost baseload supply, providing upwards of 70% of Alberta electricity supply. This baseload supply is now provided by natural gas fired generation. The cost of natural gas fired electricity will be influenced to some degree by natural gas prices (and also by carbon tax on the older, less-efficient units). Renewable wind and solar generation is becoming an increasingly large part of Alberta’s supply stack, however it cannot be counted on as a reliable baseload supply until battery or storage technology capabilities materially advance, which is not expected for the short-to-medium term at least.

Electricity prices are generally lower when renewable generation levels are high, but the opposite also holds true. All of this is not necessarily bad news – but it does create a new market dynamic of higher costs and increased amounts of volatility compared to historical levels – at least in the short-to-medium term.

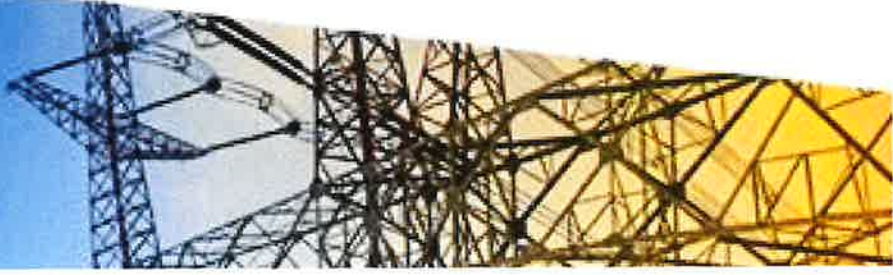
There is no question that the carbon footprint of Alberta’s electricity supply is decreasing, which is good for climate goals, but the financial impact to customers isn’t always evident or discussed.

Electricity

Current Price Environment:

Floating prices for the month of December 2022 averaged \$0.312/kWh, an all-time monthly record by a large margin since electricity de-regulation began in January 2001. The previous record high monthly average floating prices were \$0.266/kWh in September 2022 and \$0.258/kWh in August 2022. Prior to that, the record was \$0.174/kWh in October 2006.

Extreme weather conditions were the main underlying drivers for higher prices – the continuation of an extended unseasonal heatwave through September, and then at the other extreme, a severe cold stretch in later November and into mid-December. Generating unit and transmission line outages, higher natural gas prices, limited contributions from wind



Further, discussions of achieving a net-zero electricity grid, either by 2035 or 2050, has further future cost implications as additional infrastructure investment will be required to eliminate carbon emissions from natural-gas fired electricity as well.

Forward Prices:

Forward prices have increased across the board since our last update – 2023 by \$0.02/kWh, 2024 by \$0.015/kWh, and 2025 through 2027 by approximately \$0.01/kWh. The extreme volatility and high prices experienced in Q3-Q4 2022, and expectations that such events can/will continue periodically going forward, appear to be the main factor driving the increased prices.

Electricity prices had also been increasing due to rising natural gas prices during the last year – natural gas-fired generation now makes up most of the overall generation mix so changes in the price of natural gas can have a corresponding impact on the price of power generation.

We have seen forward electricity prices decrease so far in 2023 and to a degree in 2024, due to warmer weather and the sharp decrease in natural gas prices as discussed below. However, on a relative basis, longer-term forward electricity prices have remained stable despite the sharp decrease in long-term forward gas prices. This may be an initial or early indication that longer-term electricity prices have found a “floor” level and may not have much potential to materially decrease going forward.

8760 Recommendations:

Our recommendations remain consistent to those outlined in our last report. We continue to suggest that a floating price strategy is generally not appropriate for most customers, and we continue to recommend contracting a fixed price for electricity to protect from the extreme price volatility and go forward market uncertainty.

Forward prices remain at absolutely high levels, compared to prior years and even compared to our last report. Contracting for most terms is now generally in the \$0.09 to \$0.11/kWh range depending on term, at the higher end of this range if the more expensive forward prices for years 2023 and 2024 are included. Forward prices decrease somewhat after early-mid 2024, as expected new supply additions come on-line and provide some additional supply cushion.

We appear to be entering an era where a “new normal” has arrived and long-term history may no longer be a useful guide for determining what is considered reasonable pricing. Contracting on a fixed price basis may be “expensive” today compared to historical averages, but on balance we believe it still does represent a prudent “insurance policy” that most customers should not be without to prevent undue exposure to significant and wildly unpredictable floating prices. Contracting for a four- or five-year period starting in 2023 does result in a reasonable average price, with the lower-priced years of 2026 and 2027 averaging

down the higher-priced 2023 and 2024 years. An alternative strategy could be to contract now on a short-term basis, for example 2023 to 2024, or 2023 to 2025, and revisit contracting for later years six months or a year from now as we get better visibility of supply additions and their impact to the market.

As usual, the appropriate strategy for specific situations will depend on appetite for risk, long-term business plans, budget flexibility and your ability to stomach the rollercoaster effect associated with a very volatile price market.

Natural Gas

Current Price Environment:

Floating natural gas prices for calendar 2022 were \$5.04/GJ, compared to prices of \$3.43/GJ for calendar 2021. Floating prices moderated from August to October but were at \$5.66/GJ for November 2022 and \$5.75/GJ for December 2022 with the arrival of some colder weather.

As noted in our last report, general reasons for the increase in natural gas prices include increased demand from improving economic activity, increasing amounts of natural gas fired electricity generation, a still recovering supply from drilling activity, and strong demand for liquefied natural gas (LNG) exports out of North America, and the geo-political impacts from the Russian invasion of Ukraine in February 2022 and the ongoing war since.





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EXPENSE MANAGEMENT

Market fundamentals were so stressed in 2022, there was speculation natural gas futures could exceed \$10/GJ. However, prices have significantly decreased in 2023 to date – averaging only \$3.54/GJ in January 2023 and at somewhat lower levels to date in early February 2023. Despite some shorter stretches of extreme cold weather, winter weather across North America has been warmer than expected, reducing expectations of high demands and resulting large drawdowns from storage levels. Europe has also seen warmer weather which, combined with the European countries obtaining both additional sources of supply and implementing some energy conservation measures, has mitigated the earlier extreme concerns of gas shortages this winter due to the Russia-Ukraine conflict.

Forward Prices:

Forward prices have significantly decreased since our last report. Forward prices are now in the low-to-mid \$3/GJ range for the balance of 2023 and into 2024, and into the higher \$3/GJ range for 2025 to 2027.

8760 Recommendations:

Our recommendations generally remain consistent with those outlined in our last report. We continue to suggest that a fully floating price strategy for natural gas is no longer a prudent strategy for most

customers. Conversely, we also suggest a fully fixed natural gas price strategy is also not prudent at this time.

We continue to suggest a blended approach using a block product whereby a portion of your consumption is at a fixed price while the remaining volumes float at the market price. Typical strategies are 50% fixed and 50% floating, with a more conservative strategy being 75% fixed and 25% floating. Other variations of this strategy, in % hedges or timing, could be pursued for more complicated customers that consume larger volumes of gas.

We suggest current forward gas prices for all years do represent a good buying opportunity, particularly for 2023 to 2025. A 50% fixed strategy is prudent if your organization can be less conservative and tolerate some variability from the 50% floating portion. A 75% fixed strategy is appropriate for conservative customers.

Carbon Taxes

The Federal Carbon Tax will increase by 30% on April 1, 2023, to \$3.42/GJ. It was previously at \$2.63/GJ.

The newly emerging price relief on the commodity price of natural gas is being largely, if not fully offset, by another \$0.79/GJ increase in carbon tax.

Carbon tax will now continue to increase annually by \$15/tonne, until it reaches

\$170/tonne by April 1, 2030. At this level, the carbon tax will be just under \$9/GJ.

Alberta Government Rebates

Electricity Rebates

All residential and small commercial sites (defined as those sites with annual consumption less than 250,000 kWh per year), received a \$50 per month rebate on their utility bill for July 2022 to December 2022. This program was extended in the fall, and the rebate amounts will be \$75 per month for January 2023 and February 2023, and \$25 per month for March 2023 and April 2023. This rebate applies whether you are on regulated rates or on competitive rates.

Natural Gas Rebates

The natural gas rebate is also intended for residential and small commercial customers (defined as those with annual consumption less than 2,500 GJs) and will apply for the period from October 2022 to March 2023. A rebate will be triggered if the natural gas benchmark price (defined as the rate established by the regulated gas suppliers) exceeds \$6.50/GJ. This rebate has not been triggered so far this winter, and based on current forward prices it is also not expected to apply during February 2023 or March 2023.

Council Committee Reports – March 1, 2023

Mayor Rob McDonald – February 22, 2023 – CAO performance Review

Deputy Mayor Cindy Orom – February 22, 2023 – CAO performance Review

Councillor Jackie Northey – February 22, 2023 – CAO performance Review

Councillor Bryan Gust – February 22, 2023 – CAO performance Review

Councillor McIntosh – February 22, 2023 – CAO performance Review



BY-LAW NO. # 819 - 2023

BY-LAW NO. 819 - 2023 A By-law of the Town of Bashaw in the Province of Alberta, introduced for the purpose of amending Master Rates and Schedules By-law No. #760 - 2014 to amend the Utility Service Consumer Fee, Section 3, Appendix A.

WHEREAS Bashaw Town Council choosing to change the Fixed Component Charge. Metered rate charge will remain the same.

NOW THEREFORE Pursuant to the Municipal Government Act, Section 42, the Council of the Town of Bashaw duly assembled, hereby enacts as follows:

That By-law No. #760 – 2014 be amended as follows:

- 1. Metered Rates (two-month billing cycle)
 - a. In-Town Customer (Code 400) \$ 3.69
Variable Component/Consumption per m3
 - b. In-Town Customer (Code 401) \$ 75.50
Fixed Component/Flat Fee Bi-monthly

RECEIVED FIRST READING THIS
9th DAY OF February, A.D. 2023
IN THE TOWN OF BASHAW, IN THE
PROVINCE OF ALBERTA

* _____
*MAYOR
*
*
* _____
*CAO

RECEIVED SECOND READING THIS
__ DAY OF _____, AD 2023
PROVINCE OF ALBERTA
IN THE TOWN OF BASHAW, IN THE
PROVINCE OF ALBERTA

* _____
*MAYOR
*
*
* _____
*CAO

UNANIMOUS CONSENT TO PROCEED
TO THIRD READING THIS __ DAY

* _____

OF _____, A.D. 2023, IN THE
TOWN OF BASHAW,
IN THE PROVINCE OF ALBERTA

*MAYOR

*

*

*CAO

THIRD AND FINAL
READING THIS ___DAY OF _____,
A.D. 2023, IN THE TOWN OF BASHAW,
IN THE PROVINCE OF ALBERTA

*

*MAYOR

*

*

*CAO

Town of Bashaw

Request for Decision



Meeting:	Regular Council
Meeting Date:	March 1, 2023
Originated by:	Theresa Fuller, Chief Administrative Officer
Agenda Item:	7.2 Bylaw #820-2023 – Bylaw Enforcement Officer Bylaw

Background/Proposal:

Municipal Affairs completed their Municipal Accountability review in 2021. Administration has been implementing the required changes as advised. This bylaw is a requirement they have imposed.

Discussion/Options/Benefits/Disadvantages:

Excerpted from their information; below:

5. Bylaw Enforcement Officers

Legislative requirements: MGA 555-556

1. Has the municipality passed a bylaw enforcement officer bylaw?
2. Are the powers and duties established within the bylaw for the bylaw enforcement officer?
3. Does the bylaw include:
 - disciplinary procedures;
 - penalties; and
 - an appeal process?
4. Have all individuals who perform bylaw enforcement within the municipality taken the official oath?

Comments/Observations: Bylaw 604-95 was passed on March 15, 1995, regarding bylaw enforcement officers and has the required content listed above; however, the bylaw has been marked as repealed and a replacement bylaw could not be located.

Meets Legislative Requirements: No

Recommendations/Action Items: The town must pass a bylaw specifying the powers and duties of bylaw enforcement officers, as well as establishing disciplinary procedures including penalties and an appeal process for allegations of abuse of authority as required by section 556 of the MGA.

Resources: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Response: Response to the findings, or comments, status, or action to be taken including key milestones and deadlines. Where resolutions of council are required, please provide the date of approval and resolutions of council and/or bylaw numbers.

The Town of Bashaw will pass the required bylaw specifying the powers and duties of bylaw enforcement officers.

Currently, the Town of Bashaw uses Community Peace Officers, which are contracted through Camrose County. All references to Bylaw officers have been removed from our bylaws; which reference Community Peace Officers.

The Municipal Affairs advisor will not accept the absence of this Bylaw.

Costs/Source of Funding (if applicable)

None.

Applicable Legislation:

MGA 555 and 556

Recommended Action:

Proceed with the readings of the Bylaw to comply with Municipal Affairs.

Community Engagement Consideration:

Administration is willing to proceed upon council request.

Discussion Result:

Additional research Requested:



TOWN OF BASHAW

BYLAW NO. 820 - 2023

BEING A BYLAW OF THE TOWN OF BASHAW, IN THE PROVINCE OF ALBERTA TO ESTABLISH THE POSITION OF A BYLAW ENFORCEMENT OFFICER.

WHEREAS, under the Authority of the *Municipal Government Act*, being Chapter M-26 Statutes of Alberta, 2000 and amendments thereto, Council may, by bylaw, authorize an Enforcement Officer to enforce the bylaws established by the Council of the Town of Bashaw.

WHEREAS, Section 556 of the *Municipal Government Act*, being Chapter M-26 Statutes of Alberta, 2000, and amendments thereto, requires a municipality to adopt a bylaw that establishes disciplinary procedures for misuse of power, including penalties and an appeal process applicable to misuse of power by bylaw enforcement officers.

THEREFORE, the *Municipal Council* of the Town of Bashaw, duly assembled, enacts as follows:

1) TITLE:

This Bylaw may be cited as the Bylaw Enforcement Officer Bylaw.

2) DEFINITIONS:

- a) "Bad Faith" filing the complaint with intentional dishonesty or with intent to mislead;
- b) "Bylaw" means Bylaw of the municipality;
- c) "Bylaw Enforcement Officer" means a person appointed to the position of Bylaw Enforcement Officer and has taken the official oath prescribed by the Oaths of Office Act;
- d) "Chief Administrative Officer" means the Chief Administrative Officer of the municipality of their designate;
- e) "Council" means Council of the Municipality;
- f) "Frivolous" a complaint merely to harass or embarrass.
- g) "Misuse of Power" by a Bylaw Enforcement Officer shall mean any one of more of the following:
 - i. Failure to perform or carry out his duties according to law;
 - ii. Failure to carry out the duties and responsibilities given to him within the terms of his appointment as a Bylaw Enforcement Officer;
- h) "Municipality" means the corporation of the Town of Bashaw.
- i) "Vexatious" complaint that has no basis in fact or reason, with its purpose to bother, annoy, and embarrass the Bylaw Enforcement Officer or Employer.

3) THE POWERS AND DUTIES OF A BYLAW ENFORCEMENT OFFICER:

- a) To enforce the municipal bylaws within the boundaries of the municipality;
- b) To follow the directions of the Chief Administrative Officer and to report to the Chief Administrative Officer as required;

Bylaw No. 820 – 2023 Bylaw Enforcement Officer

- c) To respond and investigate complaints related to animal control, untidy/unsightly's and various other municipal bylaws. To respond and investigate contravention of other bylaws of the Municipality, when specifically directed to by the Chief Administrative Officer.
- d) To conduct routine patrols;
- e) To issue notices, tickets or tags;
- f) To assist in the prosecution of bylaw contravention, including appearances in court to provide evidence,
- g) To perform all other duties as may from time to tome be assigned by the Chief Administrative Officer;
- h) Take the official oath prescribed by the *Oaths of Office Act* upon being appointed as a Bylaw Enforcement Officer and to carry upon his person at all such times as he/she is acting as a Bylaw Enforcement Officer evidence in writing of his appointment as a Bylaw Enforcement Officer of the Municipality;
- i) The Bylaw Enforcement Officer will be appointed as a Designate Officer under this Bylaw for the purpose of enforcement of orders issued under section 545 or 546 of the Municipal Government Act;

4) COMPLAINTS:

- a) Any complaint concerning the misuse of power of a Bylaw Enforcement Officer shall be dealt with in accordance under the provisions set out in this Part and shall be forwarded directly to the Chief Administrative Officer.
- b) All complaints shall be in writing and forwarded to the Chief Administrative Officer.
- c) Upon receipt of any complaint, it shall be immediately forwarded to the Chief Administrative Officer.
- d) The Chief Administrative Officer shall provide with thirty (30) days and in writing, acknowledging receipt of the complainant's complaint.
- e) The Chief Administrative Officer shall notify the Bylaw Enforcement Officer involved in the complaint if appropriate. In circumstances where such notification may unduly have a negative impact on an internal investigation or place the complainant in an unfavourable position, the Bylaw Enforcement Officer's notification may be delayed for a period of time.

5) INVESTIGATION:

- a) The Chief Administrative Officer or their designate shall investigate the complaint by interviewing, the complainant, any witnesses, the Bylaw Enforcement Officer(s) involved if they so consent, and any other person who may have knowledge relevant to the occurrence and take statements.
- b) The Bylaw Enforcement Officer shall be allowed the opportunity to make a full response to the allegations and investigations. The response shall be in writing and directed to the Chief Administrative Officer.
- c) Upon reviewing the Bylaw Enforcement Officer's response and any other information the Chief Administrative Officer believes appropriate in the circumstances to determine the facts, the Chief Administrative Officer shall either dismiss the complaints as unfounded or as unsubstantiated or find that the Bylaw Enforcement Officer has misused their power.
- d) If the Chief Administrative Office determines that a misuse of power has occurred, corrective disciplinary procedures shall be commenced.
- e) Upon conclusion of the investigation, the Chief Administrative Officer shall provide notice in writing within five (5) business days to the Bylaw Enforcement Officer of the allegations made and the findings of the investigation.

Bylaw No. 820 – 2023 Bylaw Enforcement Officer

- f) The Chief Administrative Officer may choose not to investigate a complaint if it is the opinion of the Chief Administrative Officer that the complaint falls into one of the noted categories:
- i. Frivolous: a complaint merely to harass or embarrass;
 - ii. Vexatious: complaint that has no basis in fact or reason, with its purpose to bother, annoy, and embarrass the Bylaw Enforcement Officer or Employer,
 - iii. Bad Faith: filing the complaint with intentional dishonesty or with intent to mislead.

Reasons for not investigating complaints must be explained in written format to the complainant and advise them of the ability to appeal to Council.

- g) The Chief Administrative officer may resolve complaints informally, arriving at a solution that is satisfactory to the complainant and the Bylaw Enforcement Officer against whom the complaint was directed. Written notice that the complaint has been resolved will be provided to the complainant within five (5) business days.

6) DISCIPLINARY ACTION:

- a) If it has been determined that a misuse of power has been committed by the Bylaw Enforcement Officer, any one of the following measures may be taken by the Chief Administrative Officer:
- i. a warning;
 - ii. a written reprimand;
 - iii. forfeiture of hours of work accumulated through overtime, not to exceed 10 hours;
 - iv. suspension from duty without pay for a period not to exceed 10 hours of work;
 - v. dismissal
- b) Where the discipline to be imposed on the Bylaw Enforcement Officer is dismissal, the Chief Administrative Officer may warrant the Bylaw Enforcement Officer to resign from the Municipality within the specified time by the Chief Administrative Officer instead of being dismissed if, in their opinion and circumstances warrant it.
- c) Where the Bylaw Enforcement Officer is to be dismissed or permitted to resign from the Municipality under section 6(b),
- i. that action shall be held in abeyance, and
 - ii. the Bylaw Enforcement Officer shall be placed under suspension without pay, until a period of appeal to Council has lapsed or until the appeal has been concluded.
- d) Where a Bylaw Enforcement Officer is found to have misused their powers but on appeal is found that they have not misused their powers, any disciplinary action imposed on the Bylaw Enforcement Officer shall be rescinded and any pay, benefits, or time forfeited or lost because of suspension shall be returned to the Bylaw Enforcement Officer.
- e) Where requested in writing by the Bylaw Enforcement Officer, the Employer shall provide the Bylaw Enforcement Officer with a copy of the transcript and any document and reports used in the Bylaw Enforcement Officer's hearing.
- f) When a period of three (3) years has elapsed from the day an official warning or reprimand was issued to a Bylaw Enforcement Officer, the official warning shall:
- i. be removed from the Bylaw Enforcement Officer's file and destroyed, and
 - ii. not to be used or referred to in any future proceedings respecting that Bylaw Enforcement Officer.

Bylaw No. 820 – 2023 Bylaw Enforcement Officer

- g) When a period of five (5) years has elapsed from the day the disciplinary action was imposed on a Bylaw Enforcement Officer, any record of the disciplinary proceedings respecting the discipline or contravention shall:
 - i. be removed from the Bylaw Enforcement Officer's file and destroyed, and
 - ii. not be used or referred to in any future proceedings respecting that Bylaw Enforcement Officer.

7) **APPEAL PROCEDURES:**

- a) A Bylaw Enforcement Officer may appeal in writing the decision of the Chief Administrative Officer, within thirty (30) days from the day that the final notification is received by the Bylaw Enforcement Officer.
- b) The appeal shall be filed with the Mayor;
- c) Council shall hold a hearing into the appeal within forty-five (45) days of the receipt of the appeal by the Mayor.
- d) Council shall give reasonable notice of the hearing to the appellant, to the Chief Administrative Officer, and to such other parties as considered to be affected by the hearing.
- e) Council shall review the complaint, investigation report, and review any other related documents associated with the complaint.
- f) Council, in considering the appeal, may dismiss the appeal; may allow the appeal and impose or vary the discipline, as outlined in section 6.
- g) Within thirty (30) days of concluding the appeal, the Mayor shall send written notice of Council's decision to the Bylaw Enforcement and complainant.
- h) The written notice of decision must include reason for Council's decision.
- i) Council's decision regarding an appeal is final and conclusive with no further right of appeal to the court.

THIS BYLAW SHALL COME INTO FULL FORCE AND EFFECT UPON THIRD AND FINAL READING THEREOF.

RECEIVED FIRST READING THIS
1st DAY OF March, A.D. 2023
IN THE TOWN OF BASHAW, IN THE
PROVINCE OF ALBERTA

* _____
*MAYOR
* _____
*CAO

RECEIVED SECOND READING THIS
__ DAY OF ____, AD 2023
PROVINCE OF ALBERTA
IN THE TOWN OF BASHAW, IN THE
PROVINCE OF ALBERTA

* _____
*MAYOR
* _____
*CAO

UNANIMOUS CONSENT TO PROCEED
TO THIRD READING THIS __ DAY
OF ____, A.D. 2023, IN THE

* _____
*MAYOR

Bylaw No. 820 – 2023 Bylaw Enforcement Officer

TOWN OF BASHAW,
IN THE PROVINCE OF ALBERTA

*

*

*CAO

THIRD AND FINAL
READING THIS ___DAY OF _____,
A.D. 2023, IN THE TOWN OF BASHAW,
IN THE PROVINCE OF ALBERTA

*

*MAYOR

*

*

*CAO

Approved: yes /no Motion # _____
Account Code: _____

Town of Bashaw

Request for Decision



Meeting:	Regular Council
Meeting Date:	March 1, 2023
Originated by:	Theresa Fuller, Chief Administrative Officer
Agenda Item:	7.3 Bylaw #821-2023 Update Wastewater Disposal Fee – Septic Receiving Station Fee

Background/Proposal:

Since 2012 the fees were:

Wastewater Classification	Charge
Effluent Wastewater	\$1.36 per cubic meter
Domestic Wastewater	\$3.70 per cubic meter
Commercial/Industrial Wastewater	\$3.70 per cubic meter

Discussion/Options/Benefits/Disadvantages:

The new bylaw attached provides updated fees. Other municipalities charge by the load, and there was minimal means to obtain comparison charges.

Costs/Source of Funding (if applicable)

Revenue to become part operating budget. Users of the service would continue to pay the fee for service.

Applicable Legislation:

MGA 187 – 189, 191.

Recommended Action:

Administration recommends proceeding with a minimum of first reading.

MOVED BY _____ to proceed with first reading of Bylaw 821-2023 to provide updated Wastewater disposal fees, amending bylaw 683-2004 Bylaw to provide for the establishment of effluent, domestic and commercial/industrial wastewater disposal services.

Community Engagement Consideration:

Administration is willing to proceed upon council request.

Discussion Result:

Additional research Requested:



**TOWN OF BASHAW
BY-LAW 821-2023**

BY-LAW NO 821-2023 BEING A BY-LAW TO AMEND BY-LAW NUMBER 683:2004, a Bylaw to provide for the establishment of effluent, domestic and commercial/industrial wastewater disposal services.

WHEREAS it is deemed necessary to amend By-Law Number 683:2004, to provide updated Wastewater disposal fees;

NOW THEREFORE under the authority of the Provisions of the MUNICIPAL GOVERNMENT ACT, Chapter M-26, RSA 2000, AND amendments thereto, the Municipal Council of the Town of Bashaw in the Province of Alberta duly assembled **HEREBY ENACTS AS FOLLOWS:**

1. That By-Law Number 683:2004 be amended as follows:
That Schedule "B" attached to and forming part of By-Law 683:2004 is hereby deleted and Schedule "B" as attached hereto is substituted therefore.
2. Bylaw 745 – 2012 is hereby rescinded.
3. That this By-Law shall come into effect upon third and final reading thereof.

RECEIVED FIRST READING THIS
1st DAY OF March, A.D. 2023
IN THE TOWN OF BASHAW, IN THE
PROVINCE OF ALBERTA

* _____
*MAYOR
*
* _____
*CAO

RECEIVED SECOND READING THIS
__ DAY OF ____, AD 2023
IN THE TOWN OF BASHAW, IN THE

* _____
*MAYOR
*

Bylaw 821-2023

PROVINCE OF ALBERTA

* _____
*CAO

UNANIMOUS CONSENT TO PROCEED
TO THIRD READING THIS ___ DAY
OF _____, A.D. 2023, IN THE
TOWN OF BASHAW,
IN THE PROVINCE OF ALBERTA

* _____
*MAYOR
*
* _____
*CAO

THIRD AND FINAL
READING THIS ___ DAY OF _____,
A.D. 2023, IN THE TOWN OF BASHAW,
IN THE PROVINCE OF ALBERTA

* _____
*MAYOR
*
* _____
*CAO

SCHEDULE B

WASTEWATER DISPOSAL FEES

Wastewater Classification	Charge
Effluent Wastewater	\$1.50 per cubic meter
Domestic Wastewater	\$4.10 per cubic meter
Commercial/Industrial Wastewater	\$4.10 per cubic meter

Town of Bashaw

Request for Decision



Meeting:	Regular Council
Meeting Date:	March 1, 2023
Originated by:	Theresa Fuller, Chief Administrative Officer
Agenda Item:	7.4 Household Hazardous Waste Roundup 2023

Background/Proposal:

The Town of Bashaw provides a Household Hazardous Waste Roundup every second year. In 2021 the town hosted a roundup, and the processing fee was \$4,266.15. We were planning to host another event this year, however we received 2023 processing fee at a total of \$ 7, 131.00. The quote was based on the volume of product processed in 2021.

Discussion/Options/Benefits/Disadvantages:

The quote is higher than we expected. In the past we accessed the Alberta Recycling roundup grant. The grant only covers promotional costs and if we offer prizes and make it a community event.

Processing fees for paint, and hazardous waste handling charges are not eligible event expenses under the terms of the grant.

Camrose County at the landfill no longer receives Household Hazardous Waste products. Upon discussion with them; they forward their residents to Centra Cam in the City of Camrose.

Administration spoke with staff at West Dried Meat Lake Landfill and the City of Camrose, to confirm the process and seek options. Staff at the city of Camrose shared that if Bashaw was willing to collaborate on the costs; they would be willing to receive Bashaw resident product. It would be on a percentage basis, counting the number of people that brought product for disposal.

Option A – Proceed with the event; aware that we are paying for it through taxation.

Option B – Cancel the event, and direct patrons to access larger municipalities that offer the service.

Option C – Contact the City of Camrose and formalize an agreement to pay for processing Bashaw resident product. Notify Bashaw residents when the event is occurring at the city of Camrose.

Costs/Source of Funding (if applicable)

The full cost of hosting the event would be funded through tax dollars. This program has been historically accessible to anyone residing within the Bashaw area to drop items off. We do not have a breakdown as to how much product was submitted by Bashaw residents, vs Camrose County residents.

Applicable Legislation:

Household Hazardous Waste programs remain a voluntary program.

<https://www.albertarecycling.ca/programs/household-hazardous-waste/>

MGA – does not appear to list any municipal requirements for HHW programs.

Recommended Action:

Administration recommends Option C.

MOVED BY _____ to direct administration to contact the City of Camrose and formalize an agreement to pay for processing Bashaw resident product; and notify Bashaw residents when the event is occurring at the city of Camrose.

Community Engagement Consideration:

Administration is willing to proceed upon council request.

Discussion Result:

Additional research Requested: