



AGENDA
Bentley Town Council Regular Meeting
Tuesday February 14, 2023
6:45pm Regular Meeting

1. Call to Order

2. Indigenous Acknowledgement

“We acknowledge that we are meeting on Treaty 6 Territory and Home of Metis Nation Region 3, on land that is part of a historic agreement involving mutuality and respect. We recognize all the many First Nations, Metis, Inuit, and non-First Nations whose footsteps have marked these lands.”

3. Amendments & Acceptance of Agenda

4. Adoption of Previous Minutes:

- a) Regular Meeting of Council January 24, 2023**
- b) Council Remuneration Listing January 2023**

5. Financial:

- a) Prepaid Cheque Listing – Cheques No. 20230034 to 20230096**

6. New Business

- a) 2022 Grain Elevator Recommendation for Recovery of Costs**
 - Delegation Patrick Morrison – Healthy Herds**
- b) Bylaw 238/2023 – Bylaw to establish the position of assessor and declare the position as a designated officer for the Town of Bentley**
- c) Bylaw 239/2023 – Bylaw to amend bylaw 211/2019 to include terms of repayment as per MAP audit findings**

7. Correspondence

- a) Council Highlights Lacombe County January 26, 2023**
- b) February 22, 2023, 7:30pm to 9:30pm – (Bentley Community Hall) Public Engagement & Survey - Medicine Lodge Ski Hill Masterplan and Asset Utilization Study**

8. Other Business

9. Adjournment



Minutes of the Regular of the Council of the Town of Bentley

January 24, 2023

Date and Place Minutes of the Regular Meeting of the Council of the Town of Bentley held Tuesday, January 24, 2023, at 6:45 p.m., in the Bentley Municipal Office

In Attendance Mayor Greg Rathjen
Deputy Mayor Valiquette
Councillor Hansen
Councillor Dale Grimsdale
Councillor Eastman
CAO, Marc Fortais

Call to Order Mayor Rathjen called the regular meeting to order at 6:45pm,

Indigenous Acknowledgement “We acknowledge that we are meeting on Treaty 6 Territory and Home of Metis Nation Region 3, on land that is part of a historic agreement involving mutuality and respect. We recognize all the many First Nations, Metis, Inuit, and non-First Nations whose footsteps have marked these lands”

Read by Mayor Rathjen

Agenda

Motion 22/2023 Moved by Councillor Grimsdale, “THAT the agenda of the January 24, 2023, Regular Meeting of Council be amended to include the following as other business:

b) Outdoor Rinks – to discuss a request received by residents regarding the outdoor rinks

c) In-camera – item regarding public communication on behalf of council in accordance with the freedom of information and privacy act, Division 2 – Exceptions to Disclosure, Advice from officials 24(1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to reveal (b) consultations or deliberations involving (ii) a member of the Executive Council.”

Carried

Motion 23/2023 Moved by Councillor Hansen, "THAT the agenda of the January 24, 2023, Regular Meeting of Council be amended to include the following as other business:

d) In-camera – item regarding confidential CAO evaluations in accordance with the freedom of information and privacy act, Division 2 – Exceptions to Disclosure, Disclosure Harmful to personal privacy 17(1) The head of a public body must refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's personal privacy. (2e) the information is about the third party's classification, salary range, discretionary benefits or employment responsibilities as an officer, employee, or member of a public body or as a member of the staff of a member of the Executive Council."

Carried

Motion 24/2023 Moved by Councillor Eastman, "THAT the amended agenda of the January 24, 2023 Regular Meeting of Council be accepted."

Carried

Previous Minutes

Motion 25/2023 Moved by Councillor Hansen, "THAT the minutes of the January 10, 2023, Regular Meeting of Council be accepted."

Carried

Motion 26/2023 Moved by Deputy Mayor Valiquette, "THAT the minutes of the January 13, 2023 Special Meeting of Council, including the waiver of notice signed by council and the letter to Canada Post be accepted."

Carried

Financial

a) Prepaid Cheque Listing – Cheques No. 20230001 to 20230033

Motion 27/2023 Moved by Councillor Grimsdale, "THAT Cheques No. 20230001 to 20230033 be received for information."

Carried

New Business

a) Annual Recreation, Cultural, Historical and Tourism Funding Support 2023

Motion 28/2023 Moved by Deputy Mayor Valiquette, "THAT funding in the amount of \$3,503 be provided to the Bentley Museum Society as a grant to support the hiring of an additional summer student at the tourism information centre." ***(It should be noted that Councillor Grimsdale did not vote on the motion due to a potential conflict of interest as he is a municipal representative attending board meetings for the Bentley Museum, and left the room for the discussion)***

Carried

Motion 29/2023 Moved by Councillor Eastman, "THAT funding in the amount of \$1,500 be provided to the Bentley Municipal Library as a grant to support the 2023 Mini Libraries program." ***(It should be noted that Councillor Hansen did not vote on the motion due to a potential conflict of interest, as she is a municipal representative to the board of the Bentley Municipal Library, and left the room for the discussion)***

Carried

Motion 30/2023 Moved by Councillor Hansen, "THAT the grant application from the Bentley Farmers Market for \$5,000 for the proposed Double Up Bucks program is not approved for funding at this time."

Carried

Motion 31/2023 Moved by Mayor Rathjen, "THAT Deputy Mayor Valiquette assume the role as chair of the meeting at 7:19pm for consideration of the grant application from the Bentley community Van Society, due to a potential conflict of interest."

Carried

Motion 32/2023 Moved by Councillor Hansen, "THAT funding in the amount of \$2,000 be provided to the Bentley Community Van Society as a grant to assist with 2023 operational costs." ***(It should be noted that Mayor Rathjen did not vote on the motion due to a potential conflict of interest, as Mayor Rathjen serves on the board of the Bentley Community Van Society and left the room for the discussion)***

Carried

Motion 33/2023 Moved by Deputy Mayor Valiquette, "THAT Mayor Rathjen re-assume the role as chair of the meeting at 7:21pm."

Carried

Motion 34/2023 Moved by Deputy Mayor Valiquette, "THAT funding in the amount of \$1,850 be provided to Bentley Minor Ball as a grant to assist with the purchase of a portable pitching mound."

Carried

Motion 35/2023 Moved by Councillor Grimsdale, "THAT funding in the amount of \$2,000 be provided to the Bentley Rodeo Committee as a grant to assist with the purchase of the high point saddle to be awarded as a trophy saddle at the Bentley Rodeo to the high point cowboy or cowgirl."

Carried

Motion 36/2023 Moved by Deputy Mayor Valiquette, "THAT funding in the amount of \$2,500 be provided to the Bentley Show N Shine Kurzin West as a grant to assist with the drive-in movie night for the Bentley Car Show."

Carried

Motion 37/2023 Moved by Councillor Hansen, "THAT funding in the amount of \$6,500 be provided to the Bentley Curling Club as a grant to replace one of the on-ice gas heaters at the curling rink."

Carried

Motion 38/2023 Moved by Councillor Hansen, "THAT the grant application from the Medicine Lodge Ski Club for \$5,000 for miscellaneous care and maintenance, not be approved for funding, due to not meeting the requirements of policy 52/2015 because of not providing the necessary reporting that all funds granted in the prior year were spent; AND

THAT the Medicine Lodge Ski Club is authorized to carry forward any unspent grant funds awarded in the 2022 year to the 2023 year; AND

THAT the required reporting once the funds are spent be submitted to the Town of Bentley in 2023."

Carried

Motion 39/2023 Moved by Councillor Hansen, "THAT the grant application from Bentley Minor Hockey for \$8,000 to assist with renovations not completed in 2022, not be approved for funding, due to not meeting the requirements of policy 52/2015 because of not providing the necessary reporting that all the funds granted in the prior year were spent; AND

THAT Bentley Minor Hockey is authorized to carry forward any unspent grant funds awarded in the 2022 year to the 2023 year; AND

THAT the required reporting once the funds are spent be submitted to the Town of Bentley in 2023."

Carried

Correspondence

- a) Council Highlights Lacombe County January 12, 2023**
- b) Canada Post Update January 14, 2023**

Motion 40/2023 Moved by Councillor Eastman, "THAT correspondence items a) and b) be accepted as information."

Carried

Other Business

- a) Deputy Mayor Changing from Councillor Valiquette to Councillor Grimsdale** on January 25, 2023. Councillor Grimsdale will serve as Deputy Mayor from January 25, 2023, to April 25, 2023, in accordance with the organizational meeting which took place on October 25, 2022.

Motion 41/2023 Moved by Councillor Hansen, "THAT Councillor Grimsdale be appointed Deputy Mayor from January 25, 2023 to April 25, 2023 and that Deputy Mayor Grimsdale shall have signing authority for all Town of Bentley accounts including the accounts at Servus Credit Union during this time."

Carried

b) Outdoor Rink

Councillor Grimsdale asked council to consider adding hockey nets to the outdoor rinks to be purchased by the Town of Bentley. Council discussed the matter including the risk of theft, vandalism etc and did not feel the cost was warranted. Council felt that if someone wanted to play hockey at the rinks, they should be supplying their own nets. No motion was made.

Break

Motion 42/2023 Moved by Councillor Hansen, "THAT Mayor and Council take a 10 minute break at 7:50pm."

Carried

Motion 43/2023 Moved by Councillor Grimsdale, "THAT the regular meeting of council is back in session at 7:58pm"

Carried

In-Camera

Motion 44/2023 Moved by Councillor Eastman, THAT the Regular Meeting of Mayor and Council be closed to the public at 7:58pm to discuss two items as other business in-camera as follows:

- c) public communication on behalf of council** in accordance with the freedom of information and privacy act, Division 2 – Exceptions to Disclosure, Advice from officials 24(1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to reveal (b) consultations or deliberations involving (ii) a member of the Executive Council.”
- d) confidential CAO evaluations** in accordance with the freedom of information and privacy act, Division 2 – Exceptions to Disclosure, Disclosure Harmful to personal privacy 17(1) The head of a public body must refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party’s personal privacy. (2e) the information is about the third party’s classification, salary range, discretionary benefits or employment responsibilities as an officer, employee, or member of a public body or as a member of the staff of a member of the Executive Council.”

Carried

Motion 45/2023 Moved by Councillor Hansen, “THAT the regular meeting of Mayor and Council be resumed in public at 9:45pm

Carried

Adjournment

Mayor Rathjen adjourned the meeting, at 9:46pm

Mayor Greg Rathjen

CAO Marc Fortais



TOWN OF BENTLEY

Cheque Listing For Council

Cheque		Vendor Name	Invoice #	Invoice Description	Invoice Amount	Cheque Amount
Cheque #	Date					
20230034	2023-01-18	LACOMBE COUNTY	IVC00043075	PAYMENT 4TH QUARTER FIRE DEPARTMEI	6,954.98	6,954.98
20230035	2023-01-19	ACCESS COPYRIGHT	59742/56072	PAYMENT LICENSE FEE FOR 2023	220.50	220.50
20230036	2023-01-19	ADT SECURITY SERVICES CANADA INC.	30839732	PAYMENT PUMPHOUSE SECURITY	42.00	42.00
20230037	2023-01-19	CANOE PROCUREMENT GROUP OF CANADA, D	AB147665	PAYMENT OFFICE SUPPLIES	213.37	213.37
20230038	2023-01-19	CENTRAL SHARPENING LTD.	29816 29884	PAYMENT ARENA 84 INCH BLADES AND FR ARENA-SHARPEN ICE KNIFES AI	1,086.75 204.75	1,291.50
20230039	2023-01-19	CLEARTECH INDUSTRIES INC.	INV1053177	PAYMENT CHEMICALS AND CONTAINER DE	1,194.48	1,194.48
20230040	2023-01-19	GREGG DISTRIBUTORS LP	059-512354 059-512759	PAYMENT WATER- ADAPTER & COUPLING P.W. SHOP SUPPLIES	8.29 41.48	49.77
20230041	2023-01-19	HHID	01012023	PAYMENT DEM JANUARY PAYMENT	787.50	787.50
20230042	2023-01-19	HI-WAY 9 EXPRESS LTD.	66041425	PAYMENT WATER - DELIVERY FOR CLEAR	538.60	538.60
20230043	2023-01-19	HOMEWOOD HEALTH INC.	H558317	PAYMENT EMPLOYEE & FAMILY ASSISTAN	100.80	100.80
20230044	2023-01-19	INNOV8, DIGITAL SOLUTIONS INC.	IN388631	PAYMENT FCSS PHOTOCOPIER	16.76	16.76
20230045	2023-01-19	LACOMBE COUNTY	IVC00043071	PAYMENT 2023 CARB & LARB MEMBER FEI	997.50	997.50
20230046	2023-01-19	MCLAREN, IAN	JAN42023	PAYMENT FIRST AID COURSE FOR STAFF	455.00	455.00
20230047	2023-01-19	PARKLAND REGIONAL LIBRARY	230021	PAYMENT QUARTERLY REQUISITION PAYM	2,370.38	2,370.38
20230048	2023-01-19	PITNEY BOWES LEASING	3202115163	PAYMENT POSTAGE METER	242.24	242.24
20230049	2023-01-19	SHAW CABLE	12012023 21122022 23122022	PAYMENT OFFICE INTERNET FOR JANUAR FCSS INTERNET P.W. SHOP INTERNET	262.50 124.95 73.50	460.95
20230050	2023-01-19	SYLVAN LAKE SUMMER HOCKEY CAMP LTD	01312023	PAYMENT JANUARY ARENA CONTRACTOR	10,500.00	10,500.00
20230051	2023-01-19	TELUS COMMUNICATIONS INC.	04012023 040123 JAN042023	PAYMENT TELUS BILL FOR JANUARY ARENA WIFI INTERAC LINE	762.73 68.25 37.55	868.53
20230052	2023-01-19	TELUS MOBILITY INC.	09012023	PAYMENT P.W. CELL PHONES & FIRE DEPT	121.77	121.77
20230053	2023-01-19	UNIVERUS SOFTWARE CANADA INC.	INV-0657	PAYMENT BOOK KING ANNUAL SUBSCRIP	2,564.73	2,564.73
20230054	2023-01-19	UTILITY SAFETY PARTNERS	IN175066	PAYMENT ANNUAL MEMBER FEE	171.84	171.84
20230055	2023-01-19	WASTE CONNECTIONS OF CANADA INC.	7425-00002489	PAYMENT COMMERCIAL WASTE PICK UP	1,107.35	1,107.35
20230056	2023-01-19	WILD ROSE ASSESSMENT SERVICES		PAYMENT		1,330.88



TOWN OF BENTLEY

Cheque Listing For Council

2023-Feb-8
8:22:58AM

Cheque #	Cheque Date	Vendor Name	Invoice #	Invoice Description	Invoice Amount	Cheque Amount
20230056	2023-01-19	WILD ROSE ASSESSMENT SERVICES	8850	PROGRESS PAYMENT FOR JANU	1,330.88	1,330.88
20230057	2023-01-19	WOLF CREEK BUILDING SUPPLIES	499767	PAYMENT WATER - MAINTENANCE SUPPLI	124.08	124.08
20230058	2023-01-19	ENTANDEM	283227	PAYMENT LICENSING FEE 2023	208.51	208.51
20230059	2023-01-19	KANSAS RIDGE MECHANICAL	222162-2	PAYMENT WATER - INDUCER ASSEMBLY AI	866.67	866.67
20230060	2023-01-19	W.E. GREER LIMITED	0518855	PAYMENT ARENA - T290 SCRUBBER	9,033.60	9,033.60
20230061	2023-01-26	CITY OF LACOMBE	32239	PAYMENT GRAIN ELEVATOR FIRE ASSISTA	5,250.00	5,250.00
20230062	2023-01-26	INNOV8, DIGITAL SOLUTIONS INC.	IN377893	PAYMENT FCSS PHOTOCOPIER INVOICE N	17.96	17.96
20230063	2023-01-26	LACOMBE COUNTY	IVC00043067 IVC00043095 IVC00043105 IVC00043113	PAYMENT 2022 FIRE PAYROLL FIRE PAYROLL VACATION PAY 20 COUNTY FIRE CHIEF COSTS 202 PEACE OFFICER SERVICES 2022	26,370.11 700.91 6,213.60 35,684.91	68,969.53
20230064	2023-01-26	CITY OF RED DEER	434699	PAYMENT FIRE DISPATCH FEES 2023	2,896.76	2,896.76
20230065	2023-01-26	DRAIN DOCTOR	5933	PAYMENT MAINTENANCE CALL FOR AREN.	409.50	409.50
20230066	2023-01-26	GREGG DISTRIBUTORS LP	059-516375 059-516376	PAYMENT FIRST AID LARGE REFILL KIT FO FIRST AID SUPPLIES FOR AREN/	77.19 72.19	149.38
20230067	2023-01-26	INNOV8, DIGITAL SOLUTIONS INC.	IN389401	PAYMENT OFFICE PHOTOCOPIER	319.62	319.62
20230068	2023-01-26	MCLAREN, CAROLYN	166	PAYMENT STAY AND PLAY HOURS FOR JAN	225.00	225.00
20230069	2023-01-26	MEDICINE LODGE SKI CLUB	20224068	PAYMENT DONATION FROM STEVEN AND I	200.00	200.00
20230070	2023-01-30	CARSON, BARBARA J				
20230071	2023-01-30	JENSEN, DARREN J				
20230072	2023-01-30	MEREDITH, SANDRA L				
20230073	2023-01-30	GIBSON, COLE C				
20230074	2023-01-30	DENNEHY, NATHAN				
20230075	2023-01-30	GREAVES, LORYANNE				
20230076	2023-01-30	FORTAIS, MARC C				
20230077	2023-01-30	KIKSTRA, ROBERT B				
20230078	2023-01-30	LOOV, CHRISTOPHER D				
20230079	2023-01-31	OLDS CONCRETE SERVICES (2014) LTD	2679	PAYMENT 2022 CONCRETE PROGRAM HOI	17,163.82	17,163.82
20230080	2023-02-01	CANOE PROCUREMENT GROUP OF CANADA, D	AB150566 AB150957	PAYMENT OFFICE SUPPLIES OFFICE SUPPLIES - BLACK TONI	335.17 166.41	501.58
20230081	2023-02-01	GREAVES, LORYANNE	16012023	PAYMENT OFFICE SUPPLIES - COFFEE, W/	48.69	48.69
20230082	2023-02-01	HOLDEN, KARI	31012023	PAYMENT OFFICE JANITORIAL FOR JANUA	135.00	585.00



TOWN OF BENTLEY

Cheque Listing For Council

Cheque		Vendor Name	Invoice #	Invoice Description	Invoice Amount	Cheque Amount
Cheque #	Date					
20230082	2023-02-01	HOLDEN, KARI	31012023. 31012023.. JAN312023	BASEMENT JANITORIAL FOR JAI SENIORS DROP IN JANITORIAL F BENTLEY FIREHALL JANITORIAL	60.00 90.00 300.00	585.00
20230083	2023-02-01	RECEIVER GENERAL	31012023	PAYMENT REDUCED EMPLOYMENT INSUR	19,608.69	19,608.69
20230084	2023-02-01	RIMBEY EXPRESS	1963 2626	PAYMENT WATER SAMPLES AND RETURN WATER SAMPLES AND RETURN	106.52 82.50	189.02
20230085	2023-02-01	SHAW CABLE	01212023 23012023	PAYMENT FCSS INTERNET PW SHOP INTERNET	124.95 73.50	198.45
20230086	2023-02-01	TAXERVICE	01312023	PAYMENT TAXERVICE FEES FOR JANUARY	425.00	425.00
20230087	2023-02-01	WASTE CONNECTIONS OF CANADA INC.	7425-00002498	PAYMENT COMMERCIAL WASTE PICKUP F	1,107.35	1,107.35
20230088	2023-02-01	WILD ROSE ASSESSMENT SERVICES	8889	PAYMENT PROGRESS PAYMENT FOR FEBF	1,330.88	1,330.88
20230090	2023-02-06	BENTLEY CURLING CLUB	06022023	PAYMENT 2023 ANNUAL RECREATION, CUI	6,500.00	6,500.00
20230091	2023-02-06	BENTLEY MINOR BALL	06022023	PAYMENT 2023 ANNUAL RECREATION, CUI	1,850.00	1,850.00
20230092	2023-02-06	BENTLEY MUNICIPAL LIBRARY	06022023	PAYMENT 2023 ANNUAL RECREATION, CUI	1,500.00	1,500.00
20230093	2023-02-06	BENTLEY MUSEUM SOCIETY	06022023	PAYMENT 2023 ANNUAL RECREATION, CUI	3,503.00	3,503.00
20230094	2023-02-06	BENTLEY RODEO	06022023	PAYMENT 2023 ANNUAL RECREATION, CUI	2,000.00	2,000.00
20230095	2023-02-06	BENTLEY SHOW N SHINE KRUZIN WEST	06022023	PAYMENT 2023 ANNUAL RECREATION, CUI	2,500.00	2,500.00
20230096	2023-02-07	BENTLEY COMMUNITY VAN SOCIETY	REPL-20230089 REPL-20230089	Replacement Cheque Replacement Cheque	2,000.00	2,000.00

Total 199,693.04

*** End of Report ***



TOWN OF BENTLEY

Cheque Register

2023-Feb-9
10:31:47AM

Pay Period M202301 Batch # 15450

Cheque #	Cheque Date	CEO	CAO	Employee	Amount
20230107	2023-02-15			17 RATHJEN,ARTHUR	834.81
20230108	2023-02-15			84 VALIQUETTE,BRENDA	783.48
20230109	2023-02-15			85 HANSEN,PAMELA	530.94
20230110	2023-02-15			86 GRIMSDALE,DALE	653.83
20230111	2023-02-15			87 EASTMAN,LENORE	422.84
Totals					3,225.90

*** End of Report ***



Agenda Date: February 14, 2023

Agenda Item: New Business: 2022 Grain Elevator Fire and Recovery of Costs

LEGISLATIVE REQUIREMENT/AUTHORITY

The Municipal Government Act (MGA), RSA 2000, Chapter M-26 of the Revised Statutes of Alberta, as amended, Division 1 provides the Council of a Municipality may pass By-laws for the safety, health and welfare of people and the protection of people and property. Further, section 553(1)(g) and 553(2) of the MGA also allows for the transfer or any unpaid costs of fire extinguishment to be added to the tax roll if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on a parcel.

Further Bylaw 128/2008 a bylaw of the Town of Bentley in the Province of Alberta to provide for the establishment and operation of a volunteer fire department (**Attachment #1**) and to provide for the protection and preservation of life and property within the Town of Bentley, was passed on August 12th, 2008.

October 14, 2014, Policy 50-2014 Bentley District Fire Department Fire Protection and Emergency Response, Part C – Charges for Fire and Emergency Response Equipment and Personnel (**Attachment #2**) was approved. The policy also provides guidance for rates and costs that can be recovered in relation to fire and emergency response equipment and personnel.

SUMMARY AND BACKGROUND

On December 23, 2022, at approximately 1:30am, it was reported that the iconic Bentley Grain Elevator was on fire. The Bentley Fire Department and Lacombe Fire Department responded immediately. The fire engulfed the grain elevator quickly and firefighting efforts focused on containment, to ensure no additional spread to the community and other buildings. The cause of the fire remains unknown due to the significant heat generated by the blaze.

The property owner has worked hard to ensure that the site was cleaned up in a timely manner, while working with their insurance to address the issue. The Town of Bentley would like to thank the property owner for undertaking the cleanup efforts diligently and as quickly as possible.

The loss of the elevator is significant to the community and to the property owner. Typically, in a situation where property loss occurs, the property owner's insurance will cover not only the loss of structures, equipment etc., but also costs associated to that loss and any required efforts to undertake firefighting and clean up.

Policy 50/2014 – Bentley District Fire Department Fire Protection and Emergency Response was adopted and approved on October 14, 2014. The policy provides for the following rates of charge for fire and emergency response equipment and personnel responding to a fire:

- | | | |
|------|--|-------------------------|
| I. | Town or County Engine | \$500.00 per hour |
| II. | Rescue Truck | \$500.00 per hour |
| III. | Equipment and supplies other than the Engine or Rescue Truck
Costs + 15% Administrative Fee | Town of Bentley |
| IV. | Personnel other than Fire Department Members
15% Administrative Fee | Town of Bentley Costs + |

Man Hours - \$15.00 per hour for all hours exceeding a total of 10-man hours at the same response within the Town Limits and mutual aid to other municipalities.

It should be noted that the policy should be updated to reflect new rates and charges associated with the Fire Departments response and the current verbal arrangement with the County (while the policy is being amended), however for this report and for the associated recommendation to recover costs, the above rates have been used as per the established policy.

Administration has confirmed with several neighboring communities that it is typical in these situations that they would seek reimbursement of cost for fire response from a private landowner for fires that occur on their private property. As mentioned earlier typically reimbursement for these costs would come through the insurance of a private landowner. However, it is also our understanding, that typically in the case of grain elevators, the insurance cost to insure grain for fire response and cleanup is significantly high, and in many cases, they are not insured for those costs. Costs are usually high due to the risk of combustion from the grain itself, which can heat up internally and combust.

The property owner has been cooperative with the Town and has worked collaboratively to address the ongoing issues. Administration is recommending a recovery of costs associated to the initial response only in December. It should be noted that there were some additional charges incurred in January to do with smoke and follow up as well as support for the cleanup efforts. Administration is treating these additional costs in January as regular business as they relate to continued 911 calls by residents, concerned with smoke and to supply fire support for the cleanup effort, which was undertaken as quickly as possible. Administration is not recommending billing the property owner for these additional costs in January.

FINANCIAL

Recoverable Costs

Hourly Honorarium Costs	639.77hrs @ \$15.00 per hour	\$ 9,596.55
City of Lacombe Tower Response		\$ 6,037.50
DB Bobcat Equipment Support		\$ 7,020.75
Engine and Rescue (s/b 18 hrs. ea.)	16hrs. @ \$500 per hour	<u>\$ 8,000.00</u>

Total Recoverable Costs as per Policy 50/2014	\$30,654.80
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RECOMMENDATION

THAT Mayor and Council authorize CAO Marc Fortais to issue an invoice to the property owner of the property located at 4801 51st Street, Legal Description Lot 3, Block A, Plan 0321787 in the amount of \$30,654.80. The invoice to be issued to recover costs of fire response throughout December 2022 and in relation to the grain elevator fire which occurred on said property and for which the recoverable costs have been charged in accordance with Bylaw 128/2008 and Policy 50/2014 of the Town of Bentley; AND

THAT the amount invoiced and payable by the property owner be payable within 60 days from the date of issue of the invoice; AND

THAT if the invoice remains unpaid after 60 days, the amount be transferred to the associated property tax account in accordance with the Municipal Government Act, RSA 2000, Chapter M-26 of the Revised Statutes of Alberta, Section 553(1)(g)

ATTACHMENTS

- 1) **Bylaw 128/2008** a bylaw of the Town of Bentley in the Province of Alberta to provide for the establishment and operation of a volunteer fire department.
- 2) **Policy 50/2014** Bentley District Fire Department Fire Protection and Emergency Response, Part C – Charges for Fire and Emergency Response Equipment and Personnel

Marc Fortais, CAO

By-law No. 128/2008

A BY-LAW OF THE TOWN OF BENTLEY IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF A VOLUNTEER FIRE DEPARTMENT AND TO PROVIDE FOR THE PROTECTION AND PRESERVATION OF LIFE AND PROPERTY WITHIN THE TOWN OF BENTLEY

WHEREAS, the Municipal Government Act, RSA 2000, Chapter M-26 of the Revised Statutes of Alberta, as amended, (herein after referred to as the "ACT") provides that a Council of a Municipality may pass By-laws for the safety, health and welfare of people and the protection of people and property.

AND WHEREAS, the Council of the Town of Bentley wishes to establish a fire protection and emergency response service within the Town and provide for the efficient operation of such a service.

NOW THEREFORE, the Council of the Town of Bentley, in the Province of Alberta, duly assembled, enacts as follows;


1. Title

- a. This By-law may be cited as the Fire Protection Emergency Response By-law

2. Definitions

- a. **Apparatus** shall mean any vehicle provided with machinery, devices, equipment or materials for fire fighting as well as vehicles used to transport fire fighters, equipment and/or supplies .
- b. **Board** shall mean the Board of the Lacombe Regional Fire Service Association
- c. **Burning Barrel** shall mean a non-combustible structure or container covered with a heavy gauge metal screen having a mesh size not larger than 13 millimeters and is used for the purpose of burning household refuse
- d. **Council** shall mean the Council of the Town of Bentley
- e. **CAO** shall mean the Chief Administrative Officer of the Town of Bentley or his/her designate



- f. **Dangerous Goods** shall mean any product, substance or organism specified in the regulation or included by its nature in any of the classes listed in the regulations under the Dangerous Goods Transportation and Handling Act, Chapter D-4, as amended, of the RSA 2000
- g. **Deputy Fire Chief** shall mean that person who is the second highest ranking Member who shall, in the absence of the Fire Chief, carry out the duties of the Fire Chief
- h. **Director of Disaster Services** shall mean that person appointed by Council to act as the Town's Director of Disaster Services, or his/her designate
- i. **Disaster** shall mean a natural or manmade event that results or may result in serious harm to safety, health or welfare of persons, property or the environment
- j. **Enforcement Officer** shall mean a member of the R.C.M.P., a Lacombe County Community Peace Officer or any person appointed by the Town to enforce the provisions of this By-law.
- k. **Equipment** shall mean any tools, devices or materials used by the Fire Department for the purpose of providing Fire Protection and Emergency Response services
- l. **False Alarm** shall mean any fire alarm that is set through willful, accidental, human or mechanical error and causes the Fire Department to respond to a fire or emergency which in fact is not in existence
- m. **Fire Ban** shall mean the prohibition of the lighting of fires in the Town
- n. **Fire Chief** shall mean that person appointed by Council to act as the Chief of the Bentley Fire Department
- o. **Fire Department** shall mean the department established by this By-law for the purpose of providing Fire Protection and Emergency Response services
- p. **Fire Protection and Emergency Response** shall mean all aspects of fire department responses including, but not limited to, fire prevention, fire fighting and suppression, pre-fire planning, fire inspections, fire investigation, public education and information, training, and responses to disasters and accidents, including motor vehicle accidents
- 

- q. **Illegal Fire** shall mean any fire that is set in contravention of this By-law
- r. **Inspection Officer** shall mean the Regional Fire Chief, the Fire Chief, Enforcement Officer or any other person so authorized to undertake inspections
- s. **Member** shall mean any person that is a duly appointed Member of the Bentley Fire Department and shall include the Fire Chief
- t. **Member in Charge** shall mean the Fire Chief, or in the absence of the Fire Chief, the Deputy Fire Chief, or in the absence of the Deputy Fire Chief, the highest ranking Member who first arrives at the site of an incident
- u. **Prohibited Debris** shall mean any flammable debris or waste material that when burned may result in the release to the atmosphere of dense smoke, offensive odors or toxic air contaminants pursuant to Alberta Regulation 110/93
- v. **Quality Management Plan** shall mean the Quality Management Plan, Joint Accredited Municipalities, Fire Safety Discipline, established pursuant to the Alberta Safety Codes Act
- w. **Recreation Fire** shall mean a fire contained within a non-combustible container which is set for the purpose of cooking, obtaining warmth or viewing for pleasure and may only be fueled with wood, charcoal briquettes, fireplace pellets, manufactured fire logs, coal, natural gas or propane
- x. **Regional Fire Chief** shall mean the Regional Fire Chief appointed by the Lacombe Regional Fire Services Association
- y. **Safety Codes Officer** shall mean any person designed as a Safety Codes Officer for the Town of Bentley, pursuant to the Safety Codes Act
- z. **Structure Fire** shall mean a fire confined to or within any building, structure, machine or vehicle, which will, or is likely to cause the destruction of or damage to such building, structure, machine or vehicle
- aa. **Town** shall mean the Town of Bentley



3. Establishment of Fire Department

The Bentley Fire Department is hereby established for the purpose of providing Fire Protection and Emergency Response Services in the Town of Bentley

4. Lacombe Regional Fire Service Association

The Town of Bentley is hereby authorized to maintain membership in the Lacombe Regional Fire Service Association

5. Fire and Mutual Aid Agreements

The Town is hereby authorized to enter into agreements with other municipalities and agencies for the purchase, use, operation and management of fire apparatus, equipment and facilities and for the purpose of providing Fire Protection and Emergency Response Services in the Town and in those municipalities participating in such agreements

6. Operation of Fire Department

The Town shall establish, by policy;

- a. The types of Fire Protection and Emergency Response Services and to what level these services will be provided
- b. The authority and/or procedure for recruiting, appointing and terminating the Fire Chief and Members of the Fire Department
- c. The Organizational Structure of the Fire Department
- d. The lines of communication and chain of command for the Fire Department
- e. The job descriptions for the Members of the Fire Department
- f. The Code of Conduct for the Members of the Fire Department
- g. The amount of remuneration paid to the Fire Department and its Members



- h. The Fire Department shall establish Standard Operating Guidelines for the provision of Fire Protection and Emergency Response Services that are consistent with this By-law and other applicable policies of the Town
- i. Notwithstanding Section 6 a to h of this By-law, the Fire Department shall provide Fire Protection and Emergency Response Services within the scope that the Fire Department's manpower, equipment and training permits, as determined by the Fire Chief.

7. Authority and Responsibility of Fire Chief

- a. The Fire Chief shall be responsible to the CAO for the performance of his/her duties pursuant to this By-law and other applicable policies of the Town
- b. The Fire Chief shall make and submit such reports and plans to the Town and the Board, as may be required by each respectively
- c. The Fire Chief shall maintain and submit to the Town, on a timely basis;
 - i) a record of all fires and emergency responses attended by the Fire Department in a form prescribed by the Town
 - ii) a record of all fire inspections carried out and actions taken on account of fire inspections according to the Quality Management Plan
 - iii) any other records incidental to the operation of the Fire Department
- d. The Fire Chief shall prepare and submit to the Town annually, for approval, a list of apparatus, equipment and supplies that may be required for the administration and operation of the fire department for the subsequent or future years
- e. The Fire Chief is authorized to purchase or otherwise direct the purchase of equipment and supplies previously approved by the Town
- f. The Fire Chief may obtain assistance from other officials of the Town as he deems necessary in order to discharge his duties and responsibilities under this By-law and other applicable policies of the Town.
- g. The Fire Chief shall be responsible for the use, care and protection of the Fire Department property



- h. The Fire Chief shall manage and administer the affairs of the Fire Department pursuant to this By-law and other applicable policies of the Town
- i. The Fire Chief may appoint other Members to the Fire Department, pursuant to policies of the Town.
- j. The Fire Chief may appoint the Deputy Fire Chief, or in his/her absence, another Member of the Fire Department to act as the Fire Chief in his/her absence for a period not to exceed thirty (30) days
- k. The Members of the Fire Department shall be responsible to the Fire Chief for the performance of their duties pursuant to this By-law and other applicable policies of the Town and such other duties as may be assigned by the Fire Chief from time to time
- l. In the event an emergency or disaster is declared, the Fire Chief shall be responsible to the Town's Director of Disaster Services, or designate, for the conduct of emergency operations

8. Authority and Responsibility of Member in Charge

- a. The Member in Charge at an incident in the Town of Bentley shall be responsible for the control, direction and management of all apparatus, equipment and manpower assigned to that incident and shall continue to act as the Member in Charge until relieved by a Member authorized to do so.
- b. The Member in Charge shall be responsible to direct and manage the operations necessary as reasonably as can be expected for a Volunteer Fire Department for the extinguishing of a fire or controlling other emergency incidents
- c. The Member in Charge shall take action as deemed necessary for preserving lives and property and protecting persons and property from injury or destruction from fire or other emergency incidents
- d. The Member in Charge is empowered to cause a building or structure to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings or structures



- e. The Member in Charge is authorized to enter premises or property without permission where an incident is occurring and to cause any Member or apparatus to enter without permission, as the Member in Charge deems necessary
- f. The Member in Charge is authorized to enter, pass through or over buildings, structures or property adjacent to the incident and to cause Members or apparatus to enter or pass through or over the building, structure or property without permission, if the Member in Charge deems it necessary to gain access in the incident or protect any persons or property
- g. The Member in Charge may request Enforcement Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 8.f
- h. The Member in Charge is authorized to require any adult person who is not a Member to assist in;
 - i) extinguishing a fire or prevent the spread thereof
 - ii) removing furniture, good and merchandise from any building or structure on fire or in danger thereof and in guarding and securing same
 - iii) demolishing a building or structure at or near the fire or other incident
- i. The Member in Charge is authorized to secure Town manpower and equipment which he considers necessary to deal with an incident
- j. The Member in Charge is authorized to secure and/or command privately owned equipment which he considers necessary to deal with an incident and authorize payment for the use of said equipment
- k. After the Fire Department assumes care and control of a fire, should an owner or representative of the owner of a building, structure, property or other thing request that the fire department cease fire extinguishing activities, the Member in Charge, at his discretion, may cease fire extinguishing activities and transfer responsibility for care and control of the fire to the owner or representative's owner subject to the execution of a "Property Release After Emergency Incident" form



9. Fire Hydrants

- a. No person, other than Members, Employees or Agents of the Town, shall, without prior approval from the Town, affix any tool, hose or other device to any fire hydrant or fire hydrant valve
- b. No person shall, without prior approval from the Town, paint or otherwise tamper with any fire hydrant or portion thereof

10. Recreation Fires (Fire Pits and Barbeques)

- a. Recreational Fires are permitted, subject to the following specifications;
 - i) a required minimum of 3.3 metres (10 feet) clearance, measured from the nearest fire pit edge to building, property line or other combustible materials
 - ii) the height does not exceed 0.6 metres (23.4 inches) when measured from the surrounding grade to the top of the pit opening
 - vi) the pit opening does not exceed 1 metre (39 inches) in width or in diameter when measured between the widest points or the outside edge
 - vii) it is constructed of enclosed sides made from bricks, concrete blocks, heavy gauge metal or other suitable non-combustible material
 - viii) it must be supervised at all times by a responsible adult person over the age of 18 until such time as the fire has been completely extinguished. For the purposes of this clause, a fire shall be deemed to include hot ashes and smoldering embers resulting from the fire.
 - ix) it has a spark arrester mesh screen with openings no larger than 1.25 centimetres (.75 inch), constructed of expanded metal (or equivalent) to cover the fire pit opening in a manner sufficient to contain and reduce the hazard of airborne sparks
 - x) only wood, charcoal briquettes, manufactured fire logs, fireplace pallets, propane or natural gas are used

- xi) the flames do not exceed a height of 91 centimetres (3 feet) above the barbeque or fire pit

11. Burning Barrels

- a. The use of a Burning Barrel for the purpose of burning household refuse is permitted, pursuant to Town of Bentley By-law 100/06 and amendments thereto.

12. Fire Works

- a. Subject to the exceptions set out in Section 12.b, no person shall discharge any fireworks within the corporate limits of the Town of Bentley
- b) The Fire Chief may, upon written application, permit qualified personnel to ignite fireworks and conduct fireworks displays. The Fire Chief may impose such conditions and restrictions on the use of fireworks and fireworks displays as may be deemed appropriate. Such conditions and restrictions may address;
 - i. hours of the day
 - ii. days of the week
 - iii. length of display
 - iv. geographic location
 - v. requirements for notification of adjacent residents
 - vi. safety precautions
- c) All fireworks shall be stored, used and ignited in accordance with the provisions of the Explosives Act (Canada) and Alberta Fire Code and associated regulations
- d) No person or business shall be permitted to sell fireworks within the Town of Bentley

13. Fire Bans

- a) The Fire Chief is hereby granted the authority to impose Fire Bans from time to time, depending on weather conditions and any other conditions as may be deemed appropriate by the Fire Chief
- b) A fire ban may be imposed, with or without conditions

- c) A Fire Ban declared by the Province of Alberta and the conditions imposed thereto take precedence over the Fire Ban provisions of this By-law.

14. Control of Fire Hazards

- a) Inspection Officers shall be given access at reasonable hours to both private and public land for the purpose of inspecting the property to determine whether a fire hazard exists
- b) If an Inspection Officer determines, in his/her sole discretion, that a fire hazard exists on private or public land, the CAO may order the owner or person in control of the land on which the fire hazard exists to reduce or remove the hazard within a specified period of time and in a manner prescribed by the CAO
- c) If an order made pursuant to 14.b has not been carried out within the time specified, the Town may enter the land with any equipment or personnel it considers necessary and perform any work required to reduce or remove the fire hazard.
- d) The owner or person in control of the land, in which work was performed by the Town pursuant to 14.c, shall, on demand, reimburse the Town for the cost of the work performed, and in default of payment, the amount levied and unpaid shall be charged against the land as taxes due and owing in respect of that land

15. Illegal Fires

- a) Any Enforcement Officer or Member or Employee of the Town may extinguish an illegal fire using whatever apparatus or procedure, at his sole discretion, is deemed appropriate
- b) The costs of controlling or extinguishing any illegal fire shall be recovered from the person causing the illegal fire.

16. Recovery of Costs

- a) When the Fire Department has taken any action whatsoever for the purpose of providing Fire Protection and Emergency Response Services in or outside of the Town, the CAO may, in respect of any costs incurred by the Town in taking such action, charge any costs



so incurred to the owner or occupant of the property or any thing in respect to which the action was taken.

- b) The costs and fees to be charged by the Town for services rendered pursuant to this By-law shall be determined by resolution of Council from time to time.
- c) In the event that the owner or operator of the property or any other thing in respect to which the Fire Department action was taken feel aggrieved by any action taken pursuant to Section 16.a), such owner or occupant shall have a period of thirty (30) days from the date of mailing of the notice of the action taken, by the CAO, to appeal to Council. The decision of Council on any such appeal shall be final and Binding upon the owner or occupant and shall not be subject to further appeal.

This By-law rescinds By-law 80/03.

This By-law shall come into effect on the date of the final passing thereof.

Read a first time this 12th day of August, 2008

Read a second time this 26th day of August, 2008

Read a third and final time this 26th day of August, 2008



Mayor



Chief Administrative Officer



Policy No. 50/2014

Policy Title: **Bentley District Fire Department
Fire Protection and Emergency Response**

Date Adopted: **October 14, 2014**

Replaces: Policy 28/2008

Purpose: Town of Bentley By-law No. 128/2008 provides for the establishment and operation of the Bentley District Fire Department to provide fire protection and emergency response services to residents, ratepayers, other municipalities and the general public within the Town of Bentley and Lacombe County.

The Bentley Fire Department Policy Manual was adopted by Town of Bentley Council on February 12, 2008.

The Town of Bentley recognizes and greatly appreciates the members of the Bentley District Fire Department for the many hours of dedicated, volunteer services, often under extreme and adverse conditions or situations.

It is further recognized that members of the Bentley District Fire Department require specialized training and qualifications in order to provide their services.

The purpose of this Policy is to set out the guidelines for honorariums to the Bentley District Fire Department and its members and the charges for fire and emergency response equipment and personnel.

Statement: **Part A – Fire Department Honorarium**

Honorarium will be paid to the Bentley District Fire Department as follows;

- a) Engine Unit** - \$100.00 per response to emergencies located within the Town limits and mutual aid to other municipalities
- b) Rescue Unit** - \$100.00 per response to emergencies located within the Town limits and mutual aid to other municipalities

- c) **Man Hours** - \$15.00 per hour for all hours exceeding a total of 10 man-hours at the same response within the Town limits and mutual aid to other municipalities.
- d) **Fire Department Members** - \$100.00 per volunteer member, per annum, will be paid to the Bentley District Fire Department for discretionary items such as jackets, uniforms, badges, social functions, etc.
- e) **Fire Chief** - \$1,500.00 per annum will be paid to the Bentley District Fire Department to recognize the additional duties and responsibilities of the position of Fire Chief.
- f) **Members** - \$2,000.00 per annum will be paid to the Bentley District Fire Department to recognize the services of the volunteer members.
- g) The honorarium referred to in a) to f) is inclusive of meals and refreshments and the completion of fire reports, fire investigations and associated expenses such as mileage.
- h) **Firefighter Training** – the Town of Bentley supports and encourages formal training designed to improve the knowledge and abilities of the fire department members by providing financial support as follows;
 - I. Payment of 50% of the course registration fees for each fire department member participating in an feTS course or any other course directly associated with fire fighting duties and responsibilities (i.e. Safety Codes, Class 3 Driver training)
 - II. \$250.00 will be paid to each fire department member who successfully passes an feTS course or any other course directly associated with fire fighting duties and responsibilities
 - III. \$250.00 and 50% of the registration fee will be paid to the Fire Chief (or his designate) for attendance at the Alberta Fire Chiefs Association Annual Conference. Accommodation and meal expenses will be reimbursed in accordance with the Town of Bentley's current Council Remuneration and Expense Policy.

Policy Amendment approved by Town Council on September 12, 2017 – retroactive to January 1, 2017

NFPA 1001 (Level 1 & 2))	A series of courses/practicum taken over the period of one year or two years - Fire Fighter Professional Qualifications
NFPA 1002 (Levels 1 & 2)	Fire Department Vehicle Driver/Operator Professional Qualifications - including all water operations and aerial operator.
NFPA 472	Operations level
NFPA 1051	Wildland Firefighter Professional Qualifications
NFPA 1021 (Levels 1 & 2)	Fire Officer Professional Qualifications
NFPA 1041 (Levels 1 & 2)	Fire Service Instructor Professional Qualifications
NFPA 1033	Fire Investigator Professional Qualifications

Lacombe County and Town of Bentley to cost share on a 50/50 basis. Upon a Firefighter successfully completing an NFPA level, Bentley District Fire Dept will submit a request to the Town of Bentley for 50% of the remuneration rates listed below:

NFPA 1001 (up to Levels 1 & 2 and Including NFPA 472 Operations level)	If taken in one year: \$900.00 upon successful completion and \$900.00 for the following 2 years to a total of \$2,700.00	
NFPA 1001 (up to Level 2 and Including NFPA 472 Operations level) over a 2 year period	\$ 1,350.00	Level 1
	\$ 900.00	Level 2
	\$ 450.00	NFPA 472
NFPA 1002 (including Aerial) (all water pump operations)	\$1,050.00	
NFPA 1051 (Wild land fires)	\$ 450.00	
NFPA 1021 Level 1 (Officer Training)	\$1,000.00	
Level 2	\$ 800.00	
NFPA 1041 Level 1 (instructor training)	\$ 500.00	
Level 2	\$ 300.00	
NFPA 1033 (investigations training)	\$ 600.00	

Motion 166/2017: Moved by Deputy Mayor Howard that Council amend Policy 50/2014 Bentley District Fire Department – Fire Protection and Emergency Response – Clause h) Fire Fighter Train – to include the payment schedule for the successful completion of NFPA level courses, as presented, further that this amendment be retroactive to January 1, 2017.

Carried

Part B – Fire Department Authority & Reporting Requirements

Actions taken in response to a fire or emergency response are pursuant to the Bentley District Fire Department Policy Manual adopted by Bentley Town Council on February 12, 2008 and the corresponding Standard Operating Procedures.

- a) The Bentley District Fire Chief or the Incident Commander is in charge at the fire or emergency response within the Town. This individual is authorized to arrange for any additional equipment as required, at the expense of the Town of Bentley
- b) Fire reports are to be completed for all fires and emergencies responded to, within the Town of Bentley or mutual aid to another municipality, with Town of Bentley or Lacombe County equipment and submitted to the Town of Bentley.
- c) The Bentley District Fire Department is authorized to charge accounts to the Town of Bentley for regular equipment maintenance and operational items. All invoices received by the Town shall be signed by the Fire Chief or Deputy Fire Chief prior to payment.
- d) Major equipment purchases and replacement will normally be considered as a budget item. Annual budget estimates are to be submitted by the Fire Chief to the Chief Administrative Officer prior to October 30th of each year.
- e) Approval from the Chief Administrative Officer is required for the replacement and/or purchase of equipment not provided for in the annual budget.

Part C – Charges for Fire and Emergency Response Equipment and Personnel

- a) Subject to the exceptions listed, nor charge will be made for fire or emergency responses to residents and ratepayers of the Town of Bentley, Lacombe County and other municipalities of which a mutual aid agreement is in effect.
- b) A charge will be levied for responses involving;
 - I. a motor vehicle accident

- II. a fire or emergency response involving a railway or originating on a railway right-of way
- c) The rate of charge for fire and emergency response equipment and personnel referred to in Section b) is as follows;
- I. Town or County Engine \$500.00 per hour
 - II. Rescue Truck \$500.00 per hour
 - III. Equipment & supplies other than the Engine or Rescue Truck costs plus Town of Bentley 15% administration fee
 - IV. Personnel other than Fire Department members costs plus Town of Bentley 15% administration fee
- d) The rate of charge referred to in Section c) above shall be applied for the period commencing from when the vehicles and equipment leave the fire hall until the vehicles and equipment are back in the fire hall and deemed to be in service, rounded up to the next one-half hour.
- e) At the discretion of the Chief Administrative Officer;
- I. The charge levied for responses may be adjusted based on the level of service provided at the incident
 - II. Other costs may be charged for items including but not limited to:
 - Replacement of basic supplies such as foam
 - Meals and refreshments for the fire fighters
 - Equipment fuel costs
 - Lost or damaged equipment and protective clothing
 - Fire investigation costs
 - Specialty services

Effective Date:

This policy shall come into effect on the date of adoption by Bentley Town Council.

Mayor

Chief Administrative Officer



Agenda Date: February 14, 2023

Agenda Item: **New Business:**
Municipal Accountability Program Audit

Bylaw 238-2023 - Designated Officer Bylaw (Municipal Assessor)

LEGISLATIVE REQUIREMENT/AUTHORITY

WHEREAS pursuant to section 210 of the Municipal Government Act, R.S.A 2000, Chapter M-26, as amended, requires that an Assessor be appointed as a Designated Officer;

AND WHEREAS Section 284 of the Municipal Government Act, R.S.A 2000, M-26 as amended, requires that an Assessor be appointed as a Designated Officer;

SUMMARY AND BACKGROUND

On June 28, 2022, at the Regular Meeting of Council, the findings from the Municipal Accountability Program Audit were presented to Mayor and Council.

Subsequently on August 29, 2022, the Town of Bentley submitted an action plan in response to the report that outlined a plan to address the legislative gaps that were identified in the report.

The Town of Bentley Administration is on track to complete all actions to rectify the legislative gaps within the required timelines established. There are few remaining items including:

- Police funding model is not a requisition and cannot be shown separately on the tax notice, we can however include a note to disclose the amount to residents **(will be addressed with 2023 Tax Notice)**
- The Tax notice needs to be amended to include a note that advises residents how to request a receipt for taxes paid. **(will be addressed with 2023 Tax Notice)**
- We must send out an advertisement in the local paper after the assessment notices are mailed and after the tax notices are mailed to advise residents of the date these notices were mailed. **(will be addressed with 2023 Tax Notice)**
- There is also an additional bylaw amendment required for establishment of a local and composite assessment review board **(it is anticipated this will be complete by the end of March)**
- Appoint the Assessor as a Designated Officer **(addressed with this report)**
- Amend Borrowing Bylaw 211-2019 to include repayment terms.

This report has been prepared to provide you with an update on progress to rectify the legislative gaps identified through the MAP Audit and to address the bylaw change required to appoint the Assessor as a Designated Officer for the Town of Bentley.

Bylaw 84-04 (**Attachment #1**) for the Town of Bentley was passed on February 24, 2004, establishing the position of assessor for the town, however the bylaw does not establish the position as a designated officer as required by section 284.2(1) of the MGA.

Therefore, administration has prepared Bylaw 238-2023 (**Attachment #2**) It should be noted that passing this bylaw will also repeal and replace Bylaw 84-04 and will correct the issue that was identified through the MAP audit.

BUDGET AND FINANCIAL CONSIDERATIONS

None

RECOMMENDATION

THAT Mayor and Council give three readings to Bylaw No. 238-2023 being a bylaw to establish the assessor as a designated officer for the Town of Bentley and to repeal and replace Bylaw No. 84-04.

ATTACHMENTS

- 1) Bylaw 84-04 a bylaw to establish the position of Assessor.
- 2) Bylaw 238-2023 a bylaw to establish the position of Assessor as a Designated Officer

Marc Fortais, CAO

BY-LAW NO. 84/04

**OF THE TOWN OF BENTLEY
IN THE PROVINCE OF ALBERTA**

A BY-LAW TO ESTABLISH THE POSITION OF ASSESSOR

WHEREAS, under the authority, and subject to the provisions of the Municipal Government Act, being chapter M-26, Revised Statutes of Alberta, 2000 and amendments thereto, Town Council must pass a bylaw to establish the position of Assessor.

NOW THEREFORE the Council of the Town of Bentley in the Province of Alberta, duly assembled and under the powers conferred upon it by the Municipal Government Act, RSA 2000, Chapter M-26, and amendments thereto, enacts as follows:


1. The position of Assessor for the Town of Bentley be established pursuant to Section 284 of the Municipal Government Act.
2. The position of Assessor be given the duties and responsibilities pursuant to Section 293 of the Municipal Government Act.
3. Council shall, by resolution, appoint a person to carry out the powers, duties and functions of the position of Assessor.

READ A FIRST TIME in Council assembled this 24th day of February, 2004.

READ A SECOND TIME in Council assembled this 24th day of February, 2004.

READ A THIRD TIME in Council assembled and passed this 24th day of February, 2004.

And finally passed and adopted by the Council of the Town of Bentley this date in open Council.


MAYOR


CHIEF ADMINISTRATIVE OFFICER



BYLAW 238/2023

DESIGNATED OFFICER BYLAW

A BYLAW OF THE TOWN OF BENTLEY BEING ENACTED FOR THE PURPOSE TO APPOINT AN ASSESSOR AS A DESIGNATED OFFICER FOR THE TOWN OF BENTLEY AND ASSIGNING THE DUTIES OF THE POSITION

WHEREAS pursuant to section 210 of the Municipal Government Act, R.S.A 2000, Chapter M-26, as amended, requires that an Assessor be appointed as a Designated Officer;

AND WHEREAS Section 284 of the Municipal Government Act, R.S.A 2000, M-26 as amended, requires that an Assessor be appointed as a Designated Officer;

NOW THEREFORE the Council of the Town of Bentley duly assembled, hereby enacts as follows:

1. In this Bylaw:

- a) “Assessor” shall mean a person who has the qualifications set out in the Municipal Government Act Qualifications of Assessor Regulation – Alberta Regulation 233/2005 with amendments up to and including Alberta Regulation 63/2012 and is appointed by the municipality by resolution of Council to the position of designated officer to carry out the duties and responsibilities of Assessor under the MGA (Alberta, R.S.A 2000, M-26, as amended)
- b) “Council” shall mean the Council of the Town of Bentley.
- c) “Designated Officer” shall mean the person designated pursuant to this Bylaw.
- d) “Contractor” shall mean an independent party to the Town of Bentley servicing under a contract to provide assessment services and shall not be deemed to be an employee of the Town of Bentley.

2. That the position of Assessor for the Town of Bentley is hereby established.

3. That the Assessor for the Town of Bentley:

- a) Is a Designated Officer and shall carry out the duties of Assessor as described in Parts 9,10, 11 and 12 of the MGA (Alberta), M-26 as amended.

4. Council, by resolution, will:

- a) Appoint a person by resolution to the position of Assessor,
- b) This position will be held via an independent contract based on a term determined through negotiations and formal contract award

5. Severance:

a) If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.

6. This Bylaw hereby repeals and replaces Bylaw 84-04 A Bylaw to establish the position of Assessor for the Town of Bentley.

Read a First Time in Council this _____ day of _____, 2023.

Read a Second Time in Council this _____ day of _____, 2023.

Read a Third Time in Council this _____ day of _____, 2023.

TOWN OF BENTLEY

MAYOR

CHIEF ADMINISTRATIVE OFFICER



Agenda Date: February 14, 2023

Agenda Item: **New Business:**
Municipal Accountability Program Audit

Bylaw 239-2023 – Amendment to Bylaw 211-2019 to include repayment terms.

LEGISLATIVE REQUIREMENT/AUTHORITY

Municipal Government Act (MGA), Revised Statutes of Alberta (2000), Chapter M-26, Sections 251-259 provide guidance regarding borrowing for municipalities. It outlines the requirements to ensure that the borrowing has been authorized by bylaw and if that bylaw sets out:

- The amount of money to be borrowed and, in general terms, the purpose for which the money is borrowed.
- The maximum rate of interest, the term, and terms of repayment of the borrowing; and
- The source or sources of money to be used to pay the principal and interest owing under the borrowing.
- Was the borrowing bylaw advertised (if required)

SUMMARY AND BACKGROUND

On June 28, 2022, at the Regular Meeting of Council, the findings from the Municipal Accountability Program Audit were presented to Mayor and Council.

Subsequently on August 29, 2022, the Town of Bentley submitted an action plan in response to the report that outlined a plan to address the legislative gaps that were identified in the report.

The Town of Bentley Administration is on track to complete all actions to rectify the legislative gaps within the required timelines established. There are few remaining items including:

- Police funding model is not a requisition and cannot be shown separately on the tax notice, we can however include a note to disclose the amount to residents (***addressed with 2023 Tax Notice***)
- The Tax notice needs to be amended to include a note that advises residents how to request a receipt for taxes paid (***addressed with 2023 Tax Notice***)
- We must send out an advertisement in the local paper after the assessment notices are mailed and after the tax notices are mailed to advise residents of the date these notices were mailed (***addressed with 2023 Tax Notice***)
- There is also an additional bylaw amendment required for establishment of a local and composite assessment review board (***it is anticipated this will be complete by the end of March***)

- Appoint the Assessor as a Designated Officer (**addressed on February 14, 2022, Regular Meeting of Council**)
- Amend Borrowing Bylaw 211-2019 to include repayment terms. (**addressed this report**)

This report has been prepared to provide you with an update on progress to rectify the legislative gaps identified through the MAP Audit and to address the bylaw amendment required to correct Bylaw 211-2019 to include repayment terms.

Bylaw 211-2019 (**Attachment #1**) was approved on the 28th day of May 2019 for the purpose of authorizing borrowing of \$512,000 to complete servicing of lots contained within Town of Bentley Subdivision Plan 152-1374.

Clause 3 of Bylaw 211-2019 states: “The Town of Bentley shall repay the indebtedness according to the repayment structure, terms, and interest rate, set from time to time, by the authorized financial institution, with an interest rate not to exceed 4 per cent. However, Bylaw 211-2019 does not contain provision respecting the term of borrowing or the terms of repayment of the borrowing as required by section 251 (2)(b) of the MGA.

Therefore, administration has prepared Bylaw 239-2023 (**Attachment #2**) to remove clause 3 from Bylaw 211-2019 and replace it with the following:

“3. Term and Terms of Repayment Loan Facility #9593831-07 with Servus Credit Union Ltd

Purpose: To assist with the cost of servicing lots in residential subdivision

Interest Rate: An annual rate of interest of 3.49%, fixed calculated daily and payable monthly in arrears.

Repayment Terms: Repayable with monthly blended installments of \$9,320 commencing one month after the Interest Adjustment Date (IAD) based on a fixed interest rate of 3.49% per annum, applied first to interest and secondly to principle; originally amortized over a 5-year period with a term expiring sixty (60) months after the Interest Adjustment Date. An interest adjustment on the principal amount advanced will be calculated from the date of initial advance and will be due and payable on the 1st day of the month following the initial advance (IAD).

Prepayment Privileges: Minimum (\$100.00) to a maximum of 20% of the original principle per year

(Payments began October 1, 2019, and will continue until September 1, 2024)

This amendment to Bylaw 211-2019 will resolve the outstanding issue identified through the MAP audit and add the terms of payment to Bylaw 211-2019 as required by the MGA.

RECOMMENDATION

THAT Mayor and Council give three readings to Bylaw No. 239-2023 being a bylaw to amend Bylaw No. 211-2019 to include repayment terms in the bylaw.

ATTACHMENTS

- 1) Bylaw 211-2019 Borrowing Bylaw New Beginnings Servicing.
- 2) Bylaw 239-2023 a bylaw to amend Bylaw 211-2019 to include repayment terms.

Marc Fortais, CAO



By-law No. 211/2019

Town of Bentley, in the Province of Alberta

This by-law authorizes the Council of the Town of Bentley to incur an indebtedness by the issuance of a short term borrowing for the capital expenditure in the amount of \$512,000.00, for purpose of financing the completion of the servicing of Subdivision Plan 152-1374 for the investment of the future growth and development of the Town of Bentley.

WHEREAS, the servicing of the lots contained within Town of Bentley Subdivision Plan 152-1374 has not been completed and the servicing of the said subdivision must be completed in order for the Town of Bentley to increase its population and property assessment base through the construction of residential housing,

AND WHEREAS, the Council of the Town of Bentley has decided to issue a by-law, pursuant to Section 257 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000, to authorize the financing of the completion of the servicing of Subdivision Plan 152-1374 consisting of

Lots 1 to 34, Block 1, Plan 152-1374 and
Lots 1 to 6, Block 2, Plan 152-1374

AND WHEREAS, cost estimates obtained by the Town of Bentley indicate the estimated cost to complete the servicing of the above described lands will be \$672,000.00 and the Town has a credit on deposit in the amount of \$160,000.00, dedicated for the servicing of this Subdivision, leaving a balance of \$512,000.00 required to complete the servicing of the subdivision, above described,

AND WHEREAS, in order to complete the servicing of the above described land, it will be necessary for the Town of Bentley to borrow the sum of Five Hundred and Twelve Thousand (\$512,000.00) Dollars, for a period of five (5) years, from Servus Credit Union, by the issuance of a debenture and on the terms and conditions referred to in this by-law.

AND WHEREAS, The estimated lifetime of the purchase financed under this by-law is equal to or in excess of five (5) years.

AND WHEREAS, The principal amount of the outstanding debt of the Town of Bentley at December 31, 2018 is \$1,138,301.00.

The debt limit of the Town of Bentley, at December 31, 2018, as defined by Alberta Regulation 255/00 and set out in the 2018 Audited Financial Statement of the Town of Bentley is as follows:

Total debt limit	\$3,989,384.00
Total debt	<u>1,138,301.00</u>
Amount of debt limit unused	\$2,851,083.00
Service limit of debt	\$ 664,897.00
Service on Debt	<u>345,981.00</u>
Amount of debt servicing limit unused	\$ 318 916.00

AND WHEREAS, pursuant to Section 257 of the Municipal Government Act, a borrowing by-law for a term of five (5) years or less, that authorizes the borrowing, does not have to be advertised.

NOW THEREFORE, THE COUNCIL OF THE TOWN OF BENTLEY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. That for the purpose of financing the completion of the servicing of the land, as above described, for the purpose of the future growth and development of the Town of Bentley, the sum of Five Hundred and Twelve Thousand Dollars will be borrowed from Servus Credit Union for a period not to exceed five (5) years, by way of debenture on the credit and security of the Town of Bentley at large, of which the full sum of Five Hundred and Twelve Thousand (\$512,000.00) Dollars, is to be paid by the Town of Bentley at large.
2. The proper officers of the Town of Bentley are hereby authorized to issue the debenture on behalf of the Town of Bentley for the amount and purpose of this by-law, namely, to complete the servicing of Subdivision Plan 152-1374
3. The Town of Bentley shall repay the indebtedness according to the repayment structure, terms and interest rate, set from time to time, by the authorized financial institution, with an interest rate not to exceed 4 per cent.
4. The Town of Bentley shall levy and raise in each year, municipal taxes sufficient to pay the indebtedness. Payments may be accelerated through receipt of additional funds from other sources, such as lot sales.



Initial

5. The indebtedness shall be contracted on the credit and security of the Town of Bentley.
6. The net amount borrowed under this by-law shall be applied only to the project specified in this by-law. In the event the actual project costs are lower than the estimates, the surplus funds shall be applied towards the loan principal.
7. This by-law shall come into force on the date of the final reading thereof.

Read a first time this 28th day of May, 2019.

Read a second time this 28th day of May, 2019.

Read a third and final time this 28th day of May, 2019.



Mayor Greg Rathjen



Chief Administrative Officer
Elizabeth Smart



BYLAW 239/2023

Amendment to Bylaw 211-2019 to include Repayment Terms

A BYLAW OF THE TOWN OF BENTLEY BEING ENACTED TO AMEND BYLAW 211-2019 TO INCLUDE REPAYMENT TERMS FOR THE SHORT-TERM BORROWING FOR THE CAPITAL EXPENDITURE IN THE AMOUNT OF \$512,000, FOR THE PURPOSES OF FINANCING THE COMPLETION OF SERVICING OF SUBDIVISION PLAN 152-1374

WHEREAS Bylaw 211-2019 was approved on the 28th day of May, 2019 for the purpose of authorizing the borrowing of \$512,000 to complete servicing of lots contained within Town of Bentley Subdivision Plan 152-1374; AND

WHEREAS clause 3 of Bylaw 211-2019 states: “The Town of Bentley shall repay the indebtedness according to the repayment structure, terms and interest rate, set from time to time, by the authorized financial institution, with an interest rate not to exceed 4 per cent; AND

WHEREAS Bylaw 211-2019 does not contain provision respecting the term of borrowing or the terms of repayment of the borrowing as required by section 251 (2)(b) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26;

NOW THEREFORE the Council of the Town of Bentley duly assembled, hereby amends Bylaw 211-2019 by replacing clause 3 of Bylaw 211-2019 with the following clause:

“3. Term and Terms of Repayment Loan Facility #9593831-07 with Servus Credit Union Ltd

Purpose: To assist with the cost of servicing lots in residential subdivision

Interest Rate: An annual rate of interest of 3.49%, fixed calculated daily and payable monthly in arrears.

Repayment Terms: Repayable with monthly blended installments of \$9,320 commencing one month after the Interest Adjustment Date (IAD) based on a fixed interest rate of 3.49% per annum, applied first to interest and secondly to principle; originally amortized over a 5-year period with a term expiring sixty (60) months after the Interest Adjustment Date. An interest adjustment on the principal amount advanced will be calculated from the date of initial advance and will be due and payable on the 1st day of the month following the initial advance (IAD).

Prepayment Privileges: Minimum (\$100.00) to a maximum of 20% of the original principle per year

(Payments began October 1, 2019, and will continue until September 1, 2024)

6. This Bylaw hereby amends Bylaw 211-2019, a Bylaw to authorize the borrowing of \$512,000 to complete the servicing of lots contained within the Town of Bentley Subdivision Plan 152-1374.

Read a First Time in Council this _____ day of _____, 2023.

Read a Second Time in Council this _____ day of _____, 2023.

Read a Third Time in Council this _____ day of _____, 2023.

TOWN OF BENTLEY

MAYOR

CHIEF ADMINISTRATIVE OFFICER



WHERE PEOPLE ARE THE KEY

HIGHLIGHTS OF THE REGULAR COUNCIL MEETING January 26, 2023

HAMLET OF MIRROR TRAIL

The County Manager was authorized to proceed with the community trail development in the Hamlet of Mirror as proposed by the Mirror Community Network following consultation with adjacent landowners.

PURCHASE OF PUBLIC LANDS ADJACENT TO LACOMBE LAKE

The County Manager was authorized to proceed with the purchase of the Pt. SE-10-40-27-W4 for the upset limit of \$10,000.00 per acre and to enter into an agreement with Public Lands according to Section 21(1) of the Public Lands Act.

2022 ENVIRONMENTAL ACTION PLAN UPDATE

An update on the 2022 Lacombe County Environmental Action Plan was received for information.

2023 ENVIRONMENTAL ACTION PLAN

The five Environmental Management Plan Priority Areas for the Lacombe County Environmental Action Plan (EAP) are Energy Efficiency, Waste Creation and Disposal, Land Use in the Built and Natural Environment, Water Quality and Security, and Climate Change Adaptation and Mitigation. A detailed overview of the projects proposed for the 2023 EAP was approved as presented.

AGRICULTURE SERVICE BOARD MEETING – RECOMMENDATIONS

Council approved the following recommendations from the January 10, 2023 Lacombe County Agriculture Service Board:

- *That the Agricultural Service Board meetings be scheduled for March 15 and October 18, 2023.*
- *That the Confined Feeding Operation Stocking Threshold Report be received for information*
- *That the 2023 Provincial Agricultural Service Board Resolutions be received for information*
- *That the proposed amendments to the Provincial and Regional ASB Conference Rules of Procedure be received for information*
- *That the information items, Weed Control on Abandoned Well Sites, ASB Town Hall Meeting, and 2023 Extension Dates, be received for information*

BYLAW NO. 1385/23 RATES AND FEES 2023

Bylaw No. 1385/23, a bylaw of Lacombe County to authorize the establishment of fees for various services, supplies, information, applications and appeals provided to the public was read a first, second and third time and so passed by Council.

GULL LAKE WATERSHED SOCIETY

A presentation by the Gull Lake Watershed Society was received for information. The County Manager was directed to prepare a report and recommendation for Council's deliberation at a future Council meeting regarding the Society's request for County support in requesting Alberta Forestry, Parks and Tourism's timely consideration of the Society's filtration system proposal for Gull Lake.



WHERE PEOPLE ARE THE KEY

LACOMBE HISTORICAL SOCIETY

A presentation by the Lacombe and District Historical Society was received for information. Council directed the County Manager to collaborate with the LDHS regarding entering into a partnership for hosting an Agricultural Tour in 2024.

ANNUAL AUDIT PLANNING

Council received for information BDO Canada LLP's plan for the audit of the consolidated financial statements of Lacombe County for the period ended December 31, 2022.

AGRICULTURAL TOUR PARTNERSHIP PROPOSAL

A proposal from the Lacombe and District Historical Society (LDHS) that Lacombe County partner in an Ag Tour in 2023 was received for information. The County Manager was directed to collaborate with the LDHS regarding entering into a partnership for hosting an Agricultural Tour in 2024.

ASPELUND INDUSTRIAL PARK SERVING

The County Manager was authorized to enter into discussions with the Town of Blackfalds regarding additional wastewater capacity for the Aspelund Industrial Park.

The County Manager was further authorized to enter into discussions with Stantec Engineering regarding the preparation of a technical memo for additional servicing for the Aspelund Industrial Park.

Next Regular Council Meeting is
Thursday, February 9, 2023 - 9:00 a.m.

Next Committee of the Whole Meeting is
February 7, 2023 – 9:00 a.m.

Lacombe County Administration Building

****For more details from Lacombe County Council meetings, please refer to the meeting minutes. All meeting minutes are posted on the website (www.lacombecounty.com) after approval.**

Public Notice

Community Engagement

Medicine Lodge Ski Hill Masterplan and Asset utilization study



The Town of Bentley / Central Alberta Economic Partnership in conjunction with Planvision Consulting Ltd and supported by the Medicine Lodge Ski Club are inviting you to attend an evening engagement session on **Wednesday February 22, 2023, 7:30pm to 9:30pm** at the Bentley Community Hall located at 4821 50th Street in Bentley AB.

As many of you know the Medicine Lodge Ski Hill and club have been a part of the community for over 70 years and we would like to keep it that way. We are undertaking an analysis of existing infrastructure and at this time we would like to get your feedback on how the hill can continue to support recreational skiing/snowboarding and potentially find other ways to serve the region and community. We want the Medicine Lodge Ski Hill to continue to be an important part of the community now and into the future, so please come to the meeting to share your thoughts, ideas and feedback regarding the hill.

We would love to see you in person on the 22nd of February but, if you cannot attend, you also have the option of completing an online survey form. We also encourage you to do both, attend the session and complete the survey.

Please also Share the survey with your friends and family we want to hear from everyone. It will be available at www.yourviews.ca/medicinelodge **between February 20 and 28.**

If you have any questions about the project, please contact Joe Pavelka at planvision@shaw.ca and if you have any questions about the survey or open house please contact Jon Hartenberger at admin@hargroup.ca