

**THE TOWN OF GRANDE CACHE  
SPECIAL MEETING – PUBLIC HEARING  
February 6, 2007 at 5:00 pm  
Council Chambers**

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**Present:** Mayor Louise Krewusik  
Deputy Mayor Jackie Dube  
Councillor Paul Bailey  
Councillor Vic Beland (5:08 pm)  
Councillor Terry Coray  
Councillor Gordon Frentz  
Councillor Tony McCormick  
Darren Ottaway, Chief Administrative Officer  
Carolyn Ferraby, Chief Financial Officer  
Lisa Brown, Executive Assistant

**Regrets:** None

**1. CALL TO ORDER**

Mayor Krewusik called the meeting to order at 5:06 pm.

**2. ADOPTION OF THE AGENDA**

**Moved by Councillor Dube and seconded by Councillor McCormick  
28/07 RESOLVED THAT** the agenda is adopted as presented.

**CARRIED**

**3. BUSINESS OF THE SPECIAL MEETING**

Mayor Krewusik explained to Council and the public in attendance, that all three proposed by-laws would be discussed by Council only. No comments would be heard from the public in the gallery.

Frances Dugas asked the Mayor if he could record the meeting. Mayor Krewusik denied his request and asked him to turn off his recording equipment. She told Mr. Dugas that the meeting minutes would be made available at the Town Office or on the Town website, and that he was welcome to request a copy.

**3.1 Animal Control By-Law No. 646**

Mayor Krewusik read the Issue Sheet presented by Administration, with the following recommendation:

Sections of the draft by-law that restrict or ban specific animal breeds (section 3.4 and 3.7) should be deleted, and the draft returned to Council for second and third reading on the next available agenda.

Mayor opened the table for discussion. Councillor Frentz said he is in favour of the recommendation, and asked for clarification on the sections referring to muzzles. Mayor Krewusik said this is part of Section 3.7 that will be deleted.

Councillor Bailey asked for clarification on Section 3.6 (d) and (e), as to how this will be enforced. He said this seems to be overly restrictive. D. Ottaway answered that in regard to Section 3.6 (d) - proof of age; this will provide guidance for the By-Law Officer to enforce the number of dogs in a residence. For example, if a residence has several adult dogs, this would be enforced under Section 3.1. However, if an owner had a dog with pups, they would not be considered under Section 3.1 because of their age. D. Ottaway said that Section 3.6 (e) provides

easier tracking for the Administration Department when licensing animals. Councillor Bailey asked how the By-Law Officer will enforce these two clauses, will tickets be given to owners if they are unable to provide proof of age? D. Ottaway explained that this is a guideline for the By-Law Officer, and that most issues will require common sense when enforcing these sections.

Councillor Beland said his question regarding muzzles was answered. He did want clarification on the length of chain used to tie up dogs. Mayor Krewusik said this is part of Section 3.7 that will be deleted.

Councillor McCormick said that the number of dogs allowed in a residence is too restrictive. He asked that if a resident had two dogs in the home and a friend or relative came to visit with another dog or two, would they be charged for too many dogs? D. Ottaway explained that this is a judgment call for the By-Law Officer, because if the animals visiting are staying on temporary basis and not causing a nuisance, they probably would not be fined. He said if the dogs are permanently staying in the residence, the owners would have to comply with the by-law and reduce the number of animals.

Councillor Dube asked if there is a section covering animals on a leash in the beach area. D. Ottaway explained that the Town has no jurisdiction in that area.

Councillor Coray said that the number of dogs and cats should be the same, a maximum of three for each.

Mayor Krewusik said that the consensus of Council was that Sections 3.4 and 3.7, along with the applicable definitions be deleted from the by-law. Councillor Coray told Council that if Section 3.6 (d) is removed, than Section 3.6 (g) cannot be enforced. Council voted on Section 3.6 (d) – proof of age: in favour – 4; not in favour – 3. Section 3.6 (d) will remain in the proposed by-law.

Mayor Krewusik addressed Section 3.1 – number of animals allowed in a residence. Councillor McCormick said this should be more lenient, because if there are dogs temporarily staying in a residence, the owner should be shown leniency as long as the dogs are properly cared for and not causing a nuisance. Councillor Dube said there should not be a restriction on the number of dogs in a residence. D. Ottaway recommended leaving in a specific number of animals, as the Sections addressing kennels and dog sled teams will be effected. He said the By-Law Officer will use his discretion when a resident has taken in an animal until it can be transferred to a humane society or SPCA.

Mayor Krewusik asked Council if they agreed that Section 3.1 - the number of dogs in a residence, will remain at a maximum of three, and that Section 4.1 – the number of cats in a residence, be changed to a maximum of three. Council agreed unanimously to a maximum of three dogs and three cats in a residence.

Mayor Krewusik said that the by-law will be amended as recommended, and brought to the Regular Meeting of Council on February 27, 2007.

### **3.2 Smoking By-Law No. 647**

Mayor Krewusik read the Issue Sheet presented to Council by the Administration Department, with the following recommendations:

- 1) “Grandfather” the Golden Age Club for a period of two or more years to permit smoking in the ventilated room only (this is due to the fact that they are the only facility in the community that took the initiative to build such a room). All other areas of the community will remain subject to the terms of the by-law.
- 2) Proceed with second and third reading, as amended, on the next Regular Council Meeting agenda.

Mayor Krewusik said that because Councillors Beland and Coray were not in attendance at the Public Hearing for the Smoking By-Law, they are not allowed to vote. In accordance with the Municipal Governance Act of Alberta, Councillors Beland and Coray are allowed to participate in discussions and give their opinions, but will not be allowed to vote. Mayor Krewusik opened the table for discussion.

Councillor McCormick said that federal government employees are pursuing a lawsuit, which is currently in the courts, seeking a smoke-free working environment. He passed around a statement for Council perusal. He said that he agrees with the recommendation for the Golden Age Club, as they invested a lot of effort and money to build their ventilated room. He has visited the Club to assess their setup and they do not have employees being exposed to smoke in that room.

Mayor Krewusik said that there may be a timeline involved, as both the provincial and federal governments are considering laws which will, in effect, take precedence over any by-law passed by this Council.

Councillor Beland said that the current Silver Standard by-law states that no one can smoke in a public place, and if it is properly enforced, should be good enough. He said the Gold Standard by-law is too much.

Councillor Frenz agreed with Councillor McCormick's comments regarding the benefits to public health. He said that with the Silver Standard, many workers are exposed to second-hand smoke, and feels this needs to change.

Councillor Coray said the one point not mentioned, is the marketing of our community. Our 20/20 Vision states a pristine place to live, and we should promote a healthy lifestyle.

Councillor Bailey told Council that he does not smoke and lives a healthy lifestyle. He said that the Silver Standard is effective. He has heard lots of input from different perspectives. He said that the Gold Standard does not protect a child riding in a vehicle with a parent that is smoking, it won't stop kids at the high school from smoking unless it is properly enforced. The current Silver Standard is not being enforced, and we should consider getting our house in order with the current standard before trying to implement a more restrictive one.

Councillor Dube said she has been approached by many residents asking Council to pass the proposed by-law. She said many employees at local businesses are at risk to exposure from second hand smoke, and Council is responsible for the welfare of all residents in our community. She said the high school has contacted Council and Administration with their concerns over smoking near the schools and Rec Centre.

Mayor Krewusik turned the Chair over to Deputy Mayor Dube. She said she strongly supports the Gold Standard, and as an ex-smoker has come to realize the benefits of a smoke-free environment. She said not all employees have a choice of where they can work, and should be given the benefit of working in a smoke-free environment. She told Council that several communities have already adopted the Gold Standard, such as Jasper and Whitecourt. She spoke with representatives from these communities and was informed that once the gold standard was implemented, it became a non-issue in the community.

Deputy Mayor Dube turned the Chair back over to Mayor Krewusik.

Councillor McCormick said that the Golden Age Club does not employ any workers, they have volunteers. He feels that enforcement will not be an issue any longer, as we now have a By-Law Officer. Councillor Dube agreed that the Golden Age Club has a good system in place.

Council took a vote on the recommendations presented to amend the Smoking By-Law: In favor of amendments – 4; Councillors Beland and Coray did not vote. Council agrees unanimously to amend the proposed by-law as recommended.

### 3.3 Bed and Breakfast By-Law No. 648

Mayor Krewusik told Council that they must focus on the Bed and Breakfast By-Law, and consider that if they were traveling to our community what choice of accommodation would you choose, and what are the expectations if you choose a Bed and Breakfast operation. She read the Issue Sheet presented to Council from the Administration Department, with the following recommendations:

- 1) To amend the draft by-law to allow for non-family, off-site employees, to a maximum of one, to provide support to the Bed and Breakfast operations where the operator is called away for a temporary absence, vacation or is physically unable to adequately run the business.
- 2) Amend the draft by-law to extend the maximum stay to thirty (30) consecutive days, and not more than sixty (60) days in a calendar year.
- 3) Allow all operators, licensed as of December 31, 2006, one year (to January 1, 2008) to comply with all aspects of the by-law. All new licenses issued for 2007 (new operations) must meet the standards of the by-law, and be verified by inspection of the By-Law Officer before a license is issued.

Mayor Krewusik said that although several other issues came forward, such as lodging and boarding houses, this is not what we need to focus on. These operations belong under a different by-law, perhaps the Land Use By-Law, and they will be addressed at another time.

Mayor Krewusik told Council that Recommendation No.1 refers to Section 4.1 (a) in the proposed by-law; Recommendation No. 2 refers to Section 4.1 (e); and Recommendation No. 3 refers to compliance of an operation within one year, if the proposed by-law is passed. She opened the table for discussion.

Councillor Frentz asked why place a limit on non-family employees, as some operations may require two people. He said he did not want any restriction, but could agree with a maximum of two. D. Ottaway said that there should be a restriction, otherwise it would be like running a hotel, and having five or six additional employees working in a residential-area business may cause a disturbance in the neighbourhood.

Councillor Bailey said that most operators own their property and pay their taxes and invest in the business to promote tourism. He questions why Council would consider changing the rules mid-stream for this type of operation. He said that just because an owner does not live here full time, they still have property and have invested in this community. He suggested that the existing businesses be grandfathered in, and that only the new operations comply with the proposed by-law.

Councillor Coray said that it is his understanding that Bed and Breakfast operations are intended for single-family dwellings, where the owner resides. If the owner does not live there, it is considered a rental unit.

Mayor Krewusik said that the intent for one year to comply was recommended so that operators can address any issues, and decide if they want to provide and Bed and Breakfast or not.

Councillor Dube said that traditionally, a Bed and Breakfast provides the type of accommodation where an owner resides and is able and willing to provide information about the area and provide a breakfast to guests.

Mayor Krewusik asked Council to consider the following options:

- Give the proposed by-law second reading
- Amend the by-law with the recommendations presented

- Defeat the by-law as presented, and draft a new by-law that includes lodging and boarding houses

Mayor Krewusik said the community needs something in force now, as there are some issues. Councillor Frentz asked for clarification on Recommendation No. 3, that if this is approved as recommended, will existing businesses be allowed to operate for the next year. D. Ottaway said that all Bed and Breakfast businesses, registered as of December 31, 2006, would be allowed to continue to operate in 2007. This will give the owners time to decide what type of business they will operate, and if they choose a Bed and Breakfast, it will allow time for compliance.

Councillor McCormick said it would be negligent on Council's part to fix something that is not a problem. He said that Bed and Breakfast operations are to promote tourism, and accommodations for workers is an entirely different issue. There should be a separate by-law to govern accommodations for workers.

Mayor Krewusik asked Council if they agreed to amend the by-law with Recommendation No. 1. Council agreed, and the by-law will be amended with Recommendation No. 1.

Mayor Krewusik asked Council if they agree with Recommendation No. 2. Councillor McCormick said this recommendation is too restrictive, and Council should not specify to owners how long guests can stay. Councillor Beland said we can recommend any length, why not ninety days or more? Mayor Krewusik said that this type of accommodation is not for a long-term stay. The Tourism Centre often receives requests for available Bed and Breakfast accommodations in our community, and if we allow extended lengths of stay, there will not be any units available. Council agreed to amend the proposed by-law with Recommendation No. 2. Council also recommended that a by-law for lodging and boarding houses and other residential rentals be drafted.

Mayor Krewusik warned Mr. Dugas to refrain from making any more comments, or he would be asked to leave Council Chambers.

Councillor Bailey said he does not agree with this by-law, because there is no by-law for long-term accommodations. This by-law is too restrictive, the standards too strict. Councillor Bailey gave examples, including fingerprints and dust in the kitchen, the condition of bedding and linens, a keyed lock for each bedroom, types of smoke detectors, continent breakfasts containing proteins. He said there are just too many standards that are overly restrictive. Mayor Krewusik said these standards were taken from the Alberta Bed and Breakfast Association. Councillor Bailey said the Association can change these standards at any time, suggested to just reference these standards instead of incorporating them into this by-law.

Councillor Dube said she does not agree with Section 4.8(a), hard-wire smoke detectors. She said this is unnecessary if there are battery operated smoke detectors in the residence. Councillor Coray said that insurance companies specify hard-wired smoke detectors for Bed and Breakfast operations.

Councillor McCormick agreed with Councillor Bailey to reference the Alberta Bed and Breakfast Association standards, as they are always making changes.

Mayor Krewusik summarized the recommendations as follows:

- Recommendation No. 1 be changed to two employees instead of one.
- Recommendation No. 2 remains unchanged.
- Recommendation No. 3 remains unchanged, and that Administration draft a by-law governing lodging and boarding houses.

D. Ottaway said that the guidelines for lodging and boarding houses would be an amendment to the existing Land Use By-Law, not a new by-law.

Council agreed that reference to the Alberta Bed and Breakfast Association standards be incorporated, and that Section 4.8(a) be deleted. Mayor Krewusik said that this by-law will be amended as recommended and brought to the Regular Council Meeting on February 27, 2007.

Mayor Krewusik concluded discussion on all three proposed by-laws and called a five minutes recess in the meeting at 6:33 pm.

The Special Meeting reconvened at 6:38 pm.

#### **4.0 NEW BUSINESS**

None

#### **5.0 OLD BUSINESS**

##### **5.1 Milner Power Presentation**

Mayor Krewusik said she and D. Ottaway were not in attendance at the Special Meeting held on January 23, 2007. She would like further discussion on this matter. She said that Milner Power was forthcoming in providing information on their plans to Council and the community. She said the proposed plans for Grande Mountain brought forth issues, especially with increased traffic and dust. She said she read the report submitted by T. Wignes, Community Development Officer. She said she also read the minutes from the meeting on January 24, and there didn't appear to be any concerns expressed by Council. She said that in previous discussions with Milner Power, they stated that there would be one truck every hour through Town, but at this last meeting, it was recorded there would be a truck every five minutes. Mayor Krewusik said it must be made clear that there are concerns with this project that must be addressed. As per that meeting's minutes, Councillor Frentz stated we didn't want to divert traffic from Town, and this must also be further discussed.

Councillor Frentz clarified his statement that a by-pass route would not be supported because it would divert more than just big truck traffic. Councillor Beland said he was not in attendance, but read the information and there are alternatives. Councillor McCormick agreed there were options, but they had all been rejected. He said he chaired the original meeting with Milner, and expressed concerns with them hauling through Town from the start.

Councillor Dube said that Milner is planning an open public meeting, and Council asked to meet with them prior to an open house, and they agreed. Council also requested that a truck and trailer unit, which is being proposed for the coal haul, be brought for display and demonstration.

Councillor Frentz said that Milner provided information on the options available, and most were rejected because of expense and environmental impact. He said a partial by-pass route might work, and the issue with coal dust would be alleviated by the sealed trailer units.

Mayor Krewusik said that D. Ottaway spoke with Mr. Knutson from Milner, and he is willing to meet with herself, Councillor Beland and D. Ottaway to discuss the information provided at the January 24 meeting.

Councillor Bailey said the report submitted by T. Wignes was well written, and brought up several points, including dangerous goods transports, by-pass route to divert traffic and diversify the local economy.

D. Ottaway said he spoke with Milner today, and they are requesting a written endorsement from Council to proceed with this project. He said it is important for Council to address this issue and decide on a course of action. He said an Issue

Sheet will be drafted and presented to the Community Development Committee to make a recommendation to Council.

Councillor Frenz said that Council as a whole should meet with Milner and discuss Council's position and make a decision as soon as possible.

Councillor Dube said she does not agree with the Chamber of Commerce survey that states 85% of the residents do not support this project. She asked how many surveys were actually submitted. T. Wignes told Council that 1200 surveys were distributed and 233 were returned. Out of the 233, 85% did not support the proposed coal haul through Town. Councillor Dube said when she asked Mr. Knutson how many people turned out for their open meeting, he told her approximately 100 were in attendance.

Councillor McCormick disagreed with the 'full Council support' statement. He said there were concerns expressed, and he is of the opinion that Council did not give their full support and had asked for more information, including a truck unit and demonstration of the washing process before the trucks leave the pit.

Councillor Beland asked for clarification of the where this road is proposed.

Mayor Krewusik said that there is obviously more issues for discussion, and a meeting with Milner should be set up as soon as possible.

## 5.2 Other Business

Councillor Frenz asked if the proposed by-laws can be passed tonight. D. Ottaway recommended that Council wait until the by-laws have been amended, and address them at the next Regular Meeting or set a date for a Special Meeting. Council decided to address the amended by-laws at the next Regular Meeting of Council on February 27, 2007. Councillor Dube will not be in attendance, but agreed to participate via telephone conference call on that date.

Councillor Frenz requested an In-Camera session.

**Moved by Councillor Frenz and seconded by Councillor Bailey**  
**29/07 RESOLVED THAT** Council enters into a Closed Session Meeting at 7:03 pm.

**CARRIED**

**Moved by Councillor Coray and seconded by Councillor Beland**  
**30/07 RESOLVED THAT** Council ends the Closed Session Meeting and reverts back to the Special Meeting at 7:13 pm.

**CARRIED**

## 6.0 ADJOURNMENT

**Moved by Councillor Frenz and seconded by Councillor Bailey**  
**31/07 WHEREAS** the business of this meeting has now been completed;

**BE IT RESOLVED THAT** Council does now adjourn.

**CARRIED**

The meeting concluded at 7:14 pm.

**RECAPULATION**

**Moved by Councillor Dube and seconded by Councillor McCormick**  
**28/07 RESOLVED THAT** the agenda is adopted as presented.

**CARRIED**

**Moved by Councillor Frenz and seconded by Councillor Bailey**  
**29/07 RESOLVED THAT** Council enters into a Closed Session Meeting at 7:03 pm.

**CARRIED**

**Moved by Councillor Coray and seconded by Councillor Beland**  
**30/07 RESOLVED THAT** Council ends the Closed Session Meeting and reverts back to the Special Meeting at 7:13 pm.

**CARRIED**

**Moved by Councillor Frenz and seconded by Councillor Bailey**  
**31/07 WHEREAS** the business of this meeting has now been completed;

**BE IT RESOLVED THAT** Council does now adjourn.

**CARRIED**