



**TOWN OF HINTON
REGULAR COUNCIL MEETING MINUTES
Tuesday, May 17, 2022**

COUNCIL PRESENT:

Marcel Michaels, Albert Ostashek, Brian LaBerge, Ryan Maguhn, Trevor Haas, JoAnn Race, and Stuart Taylor

COUNCIL ABSENT:

None

STAFF PRESENT:

Paul Hanlan, Interim CAO, Jennifer Davey-Campbell, Executive Assistant, Winston Rossouw, Director of Infrastructure and Development Services, Debbi Weber, Planning & Development Manager, Heather Waye, Strategic Services Manager, Heather Mark, Municipal Intern, Ruth Boden, Interim Director of Corporate Services, Lorraine Walker, Municipal Planner, Mindi Petkau, Planning Technologist, Garry Schaffel, IT Coordinator, and Fuchsia Dragon, Communications Coordinator

1. ORDER

The Town of Hinton respectfully acknowledges that it is located on Treaty 6 Territory and Métis Nation Region No. 4. These are the traditional territories and ancestral lands of Indigenous Peoples including the Plains Cree First Nations, Aseniwuche Winewak Rocky Mountain First Nations, Stoney, Tsuu T'ina, Nakota, Denesuline, Saulteaux, Mountain Métis, Michif, and many other communities that continue to enrich the land on which the Town of Hinton was established.

With this sentiment,

1.1. Call to Order

Mayor Michaels called the meeting to order at 4:02 p.m.

2. ADOPTION OF AGENDA

2.1. Regular Council Agenda

RC-220517.02

Motion by Councillor Haas that Council adopt the agenda as amended.

Carried Unanimously

3. COUNCIL MINUTES FOR ADOPTION

3.1. Regular Council Meeting Minutes - May 3, 2022

RC-220517.03

Motion by Councillor Race to adopt the meeting minutes from May 3, 2022.

Carried Unanimously

3.2. Committee of the Whole Meeting Minutes - May 10, 2022

RC-220517.04

Motion by Councillor Race to adopt the meeting minutes from May 10, 2022.

Carried Unanimously

3.3. Special Council Meeting Minutes - May 10, 2022

RC-220517.05

Motion by Councillor Race to adopt the meeting minutes from May 10, 2022.

Carried Unanimously

4. CITIZENS "MINUTE WITH COUNCIL"

- 4.1. Mr. Bernie Kreiner, Vice Chairman of the Pathway to the Park (West Yellowhead Trail Society) requesting Council to authorise the release of the allocated funds to proceed with planning and design and working through the next steps of this project.

5. DELEGATIONS AND PRESENTATIONS

- 5.1. Royal Canadian Legion - Municipal Taxes

Ms. Beryl Whitney from the Royal Canadian Legion spoke with regards to the Legion's involvement in the community with the request to receive an exemption for annual taxes.

RC-220517.06

Motion by Councillor Taylor to direct Administration to bring back a report to a Committee of the Whole Meeting prior to the third (3rd) quarter of 2022 with regards to the Royal Canadian Legion Municipal Taxes.

Carried Unanimously

- 5.2. Curtis Anderson - Bylaw No. 1162

Mr. Anderson read his submission letter with regards to Short Term Rental Bylaw No. 1162.

6. ACTION ITEMS

- 6.1. Short Term Rental Bylaw No. 1162 - Second Reading

RC-220517.07

Motion by Councillor Taylor that Bylaw No. 1126 Business License Bylaw to reflect an annual Business License fee of \$160.00 for principal resident host operators.

DEFEATED. 3-4

(In Favour: Councillor Maguhn, Councillor Race, and Councillor Taylor).

(Opposed: Councillor Ostashek, Councillor LaBerge, Mayor Michaels, and Councillor Haas).

RC-220517.08

Motion by Councillor Maguhn that Bylaw No. 1126 Business License Bylaw to reflect an annual Business License fee of 350.00 for principal resident host operators.

DEFEATED. 3-4

(In Favour: Councillor Maguhn, Councillor LaBerge, and Councillor Race).

(Opposed: Councillor Ostashek, Mayor Michaels, Councillor Haas, and Councillor Taylor).

RC-220517.09

Motion by Councillor Ostashek that Bylaw No. 1126 Business License Bylaw to reflect an annual Business License fee of \$500.00 for principal resident host operators.

Carried 5-2

(In Favour: Councillor Ostashek, Councillor LaBerge, Mayor Michaels, Councillor Haas, and Councillor Race).

(Opposed: Councillor Maguhn and Councillor Taylor).

RC-220517.10

Motion by Councillor Ostashek that Council give Short-Term Rentals Bylaw No. 1162 Second Reading as amended and schedule Third Reading to the Regular Council Meeting on June 21, 2022.

Carried 5-2

(In Favour: Councillor Ostashek, Councillor LaBerge, Mayor Michaels, Councillor Haas, and Councillor Race).

(Opposed: Councillor Maguhn and Councillor Taylor).

A short break was called at 5:45 p.m. and the meeting resumed at 5:57 p.m.

- 6.2. Bylaw No. 1171 to Authorize the Rates of Taxation to be levied against Assessable Property within the Town of Hinton for the 2022 Taxation Year and Supplementary Bylaw No. 1172

RC-220517.11

Motion by Councillor Maguhn that Council give First Reading of Bylaw No. 1171 – A Bylaw to Authorize the Rates of Taxation to be Levied Against Assessable Property Within the Town of Hinton for the 2022 Taxation Year as presented.

Carried Unanimously

RC-220517.12

Motion by Councillor Haas that Council give Second Reading of Bylaw No. 1171 – A Bylaw to Authorize the Rates of Taxation to be Levied Against Assessable Property Within the Town of Hinton for the 2022 Taxation Year as presented.

Carried Unanimously

RC-220517.13

Motion by Councillor LaBerge that Council give unanimous consent for Third Reading of Bylaw No. 1171 – A Bylaw to Authorize the Rates of Taxation to be Levied Against Assessable Property Within the Town of Hinton for the 2022 Taxation Year as presented.

Carried Unanimously

RC-220517.14

Motion by Councillor Haas that Council give Third Reading of Bylaw No. 1171 – A Bylaw to Authorize the Rates of Taxation to be Levied Against Assessable Property Within the Town of Hinton for the 2022 Taxation Year as presented.

Carried Unanimously

RC-220517.15

Motion by Councillor Haas that Council give First Reading of Bylaw No. 1172 – A Bylaw to Authorize Preparation of Supplementary Assessments During the 2022 Taxation Year as presented.

Carried Unanimously

RC-220517.16

Motion by Councillor Maguhn that Council give Second Reading of Bylaw No.1172 – A Bylaw to Authorize Preparation of Supplementary Assessments During the 2022 Taxation Year as presented.

Carried Unanimously

RC-220517.17

Motion by Councillor Haas that Council give unanimous consent for Third Reading of Bylaw No. .1172 – A Bylaw to Authorize Preparation of Supplementary Assessments During the 2022 Taxation Year as presented.

Carried Unanimously

RC-220517.18

Motion by Councillor LaBerge that Council give Third Reading of Bylaw No. 1172 – A Bylaw to Authorize Preparation of Supplementary Assessments During the 2022 Taxation Year as presented.

Carried Unanimously

6.3. Land Acknowledgement Working Committee Terms of Reference

RC-220517.19

Motion by Councillor Haas that Council establish the Land Acknowledgement Working Committee outlined in the Terms of Reference as presented.

Carried 6-1

(In Favour: Councillor Ostashek, Councillor LaBerge, Mayor Michaels, Councillor Haas, Councillor Maguhn and Councillor Race).

(Opposed: Councillor Taylor).

RC-220517.20

Motion by Councillor Ostashek that Council appoint two (2) Councillors and one (1) alternative to serve on the Land Acknowledgement Working Committee and that Councillor Race, Councillor Maguhn and Councillor Haas as the Alternate be appointed to this committee.

Carried Unanimously

6.4. Mobile Vendors Bylaw No. 1170

RC-220517.21

Motion by Councillor Maguhn that Council give the Mobile Vendors Bylaw No. 1170 First Reading, as presented; and That Council direct Administration to schedule a Public Hearing at the Regular Council Meeting on June 21, 2022, in the Council Chambers to hear public comments on the Mobile Vendors Bylaw No. 1170.

Carried Unanimously

6.5. Pathway to the Park Funding Release

RC-220517.22

Motion by Councillor Haas that Council direct Administration to release the allocated \$50,000.00 from the 2022 Operating Budget for the purpose of funding design documents, required permits, and applications in preparation for the 2023-2024 construction phase of the Pathway to the Park project.

Carried Unanimously

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6.6. Yellowhead County Tower Network System

RC-220517.23

Motion by Councillor Haas that Council allows Yellowhead County to erect a 29-metre self-supporting tower in Mary Reimer Park and to trench fiber from this new tower through the Park and to East River Road as per its letter and attachments dated May 5th, 2022, and to authorize Administration to negotiate the preparation of necessary right-of-way documents to protect these installations in and through the Park.

Carried Unanimously

7. INFORMATION ITEMS

7.1. Proclamation - Seniors' Week

- o Mayor Michaels read the Proclamation for Seniors Week.

7.2. Proclamation - Alberta Rural Health Week

- o Mayor Michaels read the Proclamation for Alberta Rural Health Week.

8. REPORTING

8.1. Council Reports

- Boards and Committees of Council
Council reported on events and meetings they attended in the Community.

8.2. Chief Administrative Officer

- Reporting
- Status Report
ICAO Hanlan provided an update on the organization and operations.

9. CORRESPONDENCE

9.1. Council Information Package for May 4, 2022.

RC-220517.24

Motion by Councillor LaBerge to accept the package for information.

Carried Unanimously

10. NOTICES OF MOTION

10.1. None.

11. CLOSED SESSION

Section 197(2) of the Municipal Government Act specifies that a Council may close all or part of a meeting to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of FOIP. The exceptions include matters where disclosures could be harmful to personal privacy, individual or public safety, law enforcement, intergovernmental relations, or economic or other interests. No bylaw or resolution can be passed at a closed meeting except a resolution to revert to the open Council meeting in public or to recess.

11.1. Interim CAO Contract - Closed per s.17 of FOIP

RC-220517.25

Motion by Councillor Haas that Council move into Closed Session at 7:20 p.m.

Carried Unanimously

RC-220517.26

Motion by Councillor LaBerge that Council move out of Closed Session at 7:37 p.m.

Carried Unanimously

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The Regular Council Meeting resumed at 7:42 p.m.

RC-220517.27

Motion by Councillor Ostashek that Council agrees mutually with Interim Chief Administrative Officer Hanlan to an extension of the January 14th, 2022, Independent Contractor Agreement to September 30th, 2022, as per today's Closed Session discussion.

Carried Unanimously

RC-220517.28

Motion by Councillor Ostashek that Council move to Closed Session at 7:43 p.m.

Carried Unanimously

RC-220517.29

Motion by Councillor Ostashek that Council move out of Closed Session at 7:46 p.m.

Carried Unanimously

RC-220517.30

Motion by Councillor Haas that Council extend the Meeting past 8:00 p.m.

Carried Unanimously

RC-220517.31

Motion by Councillor LaBerge that Council return to Closed Session at 7:47 p.m.

Carried Unanimously

- 11.2. Evergreens Foundation - Closed per s.16 of FOIP
Winston Rossouw, Debbi Weber, and Kristen Chambers joined the meeting.
- 11.3. CAO Recruitment Committee Update - Closed per s.17 of FOIP

RC-220517.32

Motion by Councillor LaBerge that Council come out of Closed Session at 9:05 p.m.

12. ADJOURNMENT

- 12.1. Call for Adjournment of Meeting

RC-220517.33

Moved by Councillor LaBerge that the meeting adjourn at 9:05 p.m.



Mayor



Interim Chief Administrative Officer



TOWN OF HINTON Administrative Report

DIRECTION REQUEST REQUEST FOR DECISION INFORMATION ITEM

DATE: Regular Council Meeting of May 17, 2022

PRESENTED BY: Paul Hanlan, Interim Chief Administrative Officer

RE: **BYLAW NO. 1171 TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF HINTON FOR THE 2022 TAXATION YEAR AND SUPPLEMENTARY BYLAW NO. 1172**

Recommended Action

That Council give First Reading of Bylaw No. 1171 – A Bylaw to Authorize the Rates of Taxation to be Levied Against Assessable Property Within the Town of Hinton for the 2022 Taxation Year as presented.

That Council give Second Reading of Bylaw No. 1171 – A Bylaw to Authorize the Rates of Taxation to be Levied Against Assessable Property Within the Town of Hinton for the 2022 Taxation Year as presented.

That Council give unanimous consent for Third Reading of Bylaw No. 1171 – A Bylaw to Authorize the Rates of Taxation to be Levied Against Assessable Property Within the Town of Hinton for the 2022 Taxation Year as presented.

That Council give Third Reading of Bylaw No. 1171 – A Bylaw to Authorize the Rates of Taxation to be Levied Against Assessable Property Within the Town of Hinton for the 2022 Taxation Year as presented.

That Council give First Reading of Bylaw No. 1172 – A Bylaw to Authorize Preparation of Supplementary Assessments During the 2022 Taxation Year as presented.

That Council give Second Reading of Bylaw No. 1172 – A Bylaw to Authorize Preparation of Supplementary Assessments During the 2022 Taxation Year as presented.

That Council give unanimous consent for Third Reading of Bylaw No. 1172 – A Bylaw to Authorize Preparation of Supplementary Assessments During the 2022 Taxation Year as presented.

That Council give Third Reading of Bylaw No. 1172 – A Bylaw to Authorize Preparation of Supplementary Assessments During the 2022 Taxation Year as presented.

Background

Tax Rate Bylaw No. 1171 (Attachment #1)

The tax rate bylaw is an annual legislative requirement of the MGA which outlines the property tax rates that are required to levy sufficient funds to support the municipality's annual operational budget and to collect on behalf of the Province of Alberta the requisitions for the Provincial Education Tax and the Senior's Housing Tax.

The property tax rates of the municipality are comprised of 4 components: the Municipal component, the Provincial Education tax component, the Senior Housing component, and the Designated Industrial component. The municipality influences only the municipal component and the Province of Alberta and the Senior's Housing Authority maintain control over the requisitions. The municipality is simply charged with collecting levies on behalf of those agencies.

Council is reminded that the timely passing of the tax rate bylaw ensures that taxpayers of the are provided with their tax notices in a timely manner. Delays approving the tax rate bylaw affect the timeline of tax notice, tax deadlines, tax penalties, tax collection, assessment complaints and tax recovery.

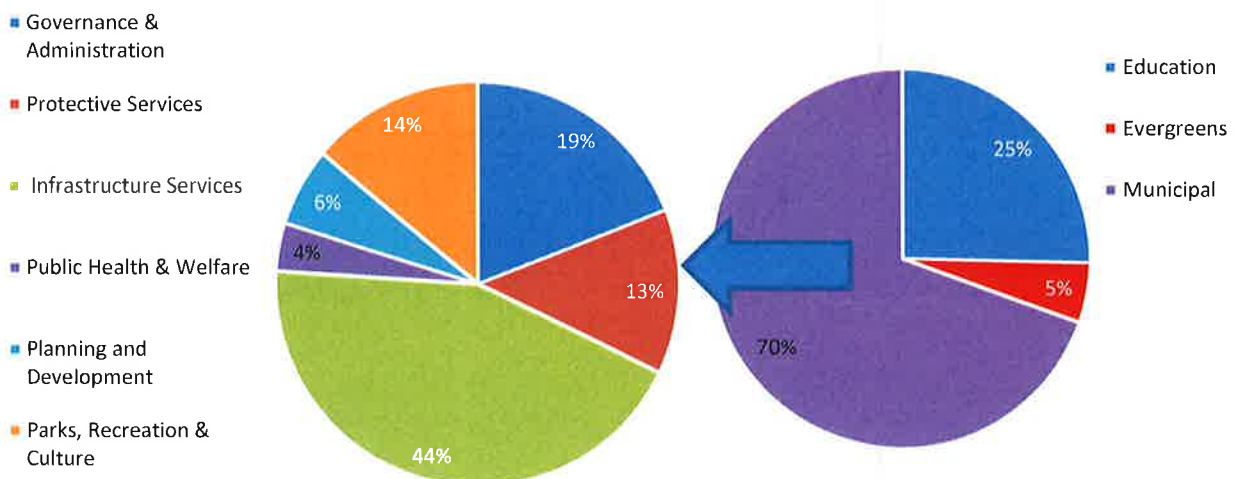
Supplementary Assessments Bylaw No. 1172 (Attachment #2)

The supplementary tax bylaw is an annual legislative requirement of the MGA in those municipalities that choose to levy taxation on development and improvement completed during the tax year. The Bylaw authorizes the municipality to conduct a supplementary assessment of these properties and tax new assessment as per Sections 313 to 316.1 of the MGA. Although the decision to continue with supplementary taxation is reviewed annually by Council, a decision to forego supplementary taxation in any given year can create a public perception of inequitable application of taxation. Also, Council is reminded that a decision on supplemental taxation made today cannot be reviewed again until 2023.

Analysis

Administration has prepared the Tax Levy Bylaw based on the approved 2022 operational budget. The Bylaw contains all components (Municipal, Education, Evergreens Foundation and Designated Industrial requisition). As this is an annual Bylaw adopted by Council, providing all three reading on May 17th, 2022, follows standard procedure after Council's approval of the budget and is the option recommended by Administration. However, Council may opt to delay third and final reading; however, as mentioned above this will affect Administration's timelines for property tax invoicing.

The 2022 Operational Budget was approved with a revenue requirement of \$13,033,131 from municipal taxation. The requisition for the educational property tax from the Province of Alberta is \$4,747,030, the requisition for the senior's housing from the Evergreens Foundation is \$959,564 (which comprises both operating and capital requirements) and the requisition for the Designated Industrial costs is \$28,758. Council was also presented with projections of the total municipal impacts of the budget on the overall tax rate increase of +/- 1%. The projection for an average residential property to see a \$19 or 0.99% increase and an average non-residential property to see a \$100 or 1.0% increase remains consistent.



As a result of updated Education requisitions and over/under levies, the total property tax projections for a home assessed at \$345,000 in 2022 has decreased by a total of 15% or (\$162) and increase on an average commercial property by a total of 10.3% or \$427. The increase in the rate for commercial property is due to a drop in assessed values thereby reducing the amount of property value to absorb the tax burden.

In 2022 the municipality will collect from the residential tax base and non-residential tax base 52% and 48% of the total municipal taxes collected, respectively.

Municipal Levy

The municipal levy is the only portion of the tax bill over which Council has control. This component is derived by calculated the rates which will generate from the property assessment sufficient revenue to support the operating budget's revenue requirement. For 2022 the municipal levy for residential properties is calculated at 5.5123 mills (this represents the number of dollars for every \$1,000 of assessment) and 9.3709 mills for non-residential properties. This represents a .99% increase over 2021 in both classes.

Education Property Tax Levy

The education property tax levy is collected on behalf of the Province of Alberta. The Town does not have any ability to control or an opportunity to participate in the setting of the requisition. This component is derived by calculating the rates which will generate for the revenue required to meet the requisition (net of any over/under levy from the previous year) demanded from the province. For 2022 the education property tax levy for residential properties is calculated at 2.5855 (representing the number of dollars for every \$1,000 of assessed property value) and 4.2006 mills for non-residential properties creating a decrease of 15.4% in residential levies and an increase of 10% in non-residential levies.

In 2020 and 2021 there was as sharp fluctuation in mill rates due to COVID-19 related amendments. These costs were to be spread over two years which has carried over into 2022 with the prior years over collection being included in the 2022 mill rate calculations. This combined with the sharp fluctuations between the municipal assessment and the equalized assessment for 2020 (the base year used for the equalized assessment) caused a sharp increase in the mill rate for 2021. This should be the last of the sharp fluctuations for the foreseeable future.

Evergreens Foundation

The seniors' housing levy is collected on behalf of the Evergreens Foundation, the local seniors' housing authority. The Evergreens Foundation is a regional body serving Edson, Greenview M.D., Hinton, Jasper, Parkland County, and Yellowhead County. The Town does not have an ability to direction control this requisition, although the Town is represented on the Evergreens Foundation's Board. This component is derived by calculating the rate which will generate from the revenue required to meet the requisition (net of over/under levy from the previous year) required by the Authority. For 2022 the seniors' housing levy is calculated at .51969 mills (this represents the number of dollars for every \$1,000 of property assessment) an increase of 18.9% from 2021.

The significant increase in operating costs for the Foundation are due to COVID related staffing increases; additional facilities coming on stream and continued subsidization of seniors' rents, as per Legislation.

Designated Industrial (DI) Property Tax Requisition

The Province of Alberta is responsible for the assessment of designated industrial property. The cost of this program is recovered through a requisition paid by the DI property assessed properties and is remitted to the province. For 2022, the designated industrial levy is calculated at 0.07662 mills (this represents the number of dollars for every \$1,000 of property assessment) and decrease of 1.0% from 2021.

Implications of Decision

Financial Implications

The decision provides the legislative tools to raise the funds previously approved by Council with 2022 Operational Budget. Additionally, this decision provides the legislative tools to levy funds sufficient to cover the requisitions made of the Town of Hinton.

Level of Service Implications

The tax rate bylaw follows through on the service level discussions that form the budget deliberations. This bylaw does not establish, modify, or eliminate service levels which have previously been established, modified, or eliminated in Council's approval of the budget.

Public Engagement

Although public engagement plays a significant role in budgeting, it is not typically a part of tax rate setting as discussed above.

Communications

Administration will ensure the tax rates and impacts contemplated in these bylaws are communicated to the public through standard communication channels.

Risk/Liability

The approval of the tax rate bylaw and supplementary tax bylaw in municipalities that levy a supplement tax are required action in the MGA. Failure to pass a tax rate bylaw to support the approved budget would leave the Town unable to support the programs and services outlined in the budget.

Legislative Implications		
Conforms with:	Yes/No/Partial	Comments
Council's Strategic Plan	Yes	Economic Strength, infrastructure - Preservation and Growth
Community Sustainability Plan	Yes	Governance – Provides fiscally responsible & accountable leadership. Ensuring programs & services support the needs of the community.
Municipal Policies or Bylaws	Yes	In accordance with the Municipal Government Act (313), (353).
Provincial Laws or MGA	Yes	Section 242(1), 245, 313 Municipal Government Act.
Other plans or policies	Yes	Taxes are the largest revenue stream to maintain Town programs and services and invest in infrastructure and Civic facilities.

Options / Alternatives

1. That Council give First, Second, Unanimous Consent for Third, and Third Reading of Tax Rate Bylaw No. 1171 as well as First, Second, Unanimous Consent for Third, and Third Reading of Supplemental Assessment Bylaw No. 1172.
2. That Council give First and Second Reading of Tax Rate Bylaw No. 1171 as well as First, Second of Supplemental Assessment Bylaw No. 1172.

Option 2 will require a special meeting within 24 hours to ensure that all legislated timelines can be met. This is provided as an option should Council require additional information to move ahead with passing the Bylaws.

Attachment(s)

Attachment 1 - Bylaw No. 1171 A Bylaw to Authorize the rates of Taxation to be Levied Against Assessable Property Within the Town of Hinton for the 2022 Taxation Year.

Attachment 2 – Bylaw No. 1172 A Bylaw to Authorize Preparation of Supplementary Assessments during the 2022 Taxation Year 2022.