

Assessment Review Board Hearing Oct.31/24  
Complainant Rebuttal  
Roll 1929070000, Legal S-7-19-29 W4  
Appellant: Brenda Prestie

Dear Sir/Madam,

The respondent disclosure was sent to me on Wednesday Oct. 23/24 @ 4:01 PM. I did not receive it until Thursday Oct. 24/24. I called Foothills County office on Friday Oct.25/24 to ask Teresa Lemon for clarification on her presentation. Teresa was not in the office on Friday Oct.25/24. I did speak with Michael Brennan on Friday Oct.25/24. He was unable to comment on Teresa's email as he has not seen it, and advised me he is not working on my appeal.

The italicized text below was sent to Michael Brennan and appeals on October 10, 2024. I was not asked to send it to Teresa Lemon. I now choose to include my response to Michael Brennan as part of my rebuttal.

*Assessor Michael Brennan called me on October 9, 2024. I was asked how I determined the requested assessed value of \$522,080 on my Assessment Review Board Complaint dated August 9, 2024. In order to file my complaint on August 9, 2024 I was told I had to supply a number. With the deadline quickly approaching, I chose a number without any research.*

*On October 9, 2024 Michael Brennan asked me to place a dollar value on each issue.*

*We (Barry and I) have since realized our requested assessed value is far too low. We are now both retired and spend most of our time on our property.*

*We have identified two major issues which affect our quality of life and enjoyment of our property. They are odour and the designated truck route.*

*Issue #1 - Odour. We have become aware that Foothills County has set a precedent in 2011 with the Eco Ag Facility regarding the negative impact of odour to market value. Foothills County had used a percentage to apply an adjustment to both the land and building component of the assessment. The amount of adjustment applied was -20% for properties within 1 mile of both the Feedlots and Eco Ag Facility; -10% for properties within 2 miles and -5% for properties within 3 miles. Being that we are in close proximity to Rimrock Feedlot (1/2 mile from property line) we would expect the same consideration. I have sent appeals the August 24, 2024 Western Wheel issue to substantiate there is an odour issue from Rimrock Feedlot.*

*Issue #2 -Foothills County designated truck route. Due to the fact that Foothills County upgraded Meridian Street South of #543 to Coal Trail, then East past Rimrock Feedlot to Lafarge gravel pit and designated these roads as the official truck route, all the feedlot and gravel pit truck traffic goes past our residence. Not only is there a huge volume of truck traffic, the truck traffic creates an excessive amount of noise (engine noise, engine retarder brake noise and road noise). This is as much, if not more, a negative impact as odour. We cannot escape the noise, we hear it inside our home.*

*In addition, Meridian Street is also a connector road between Coal Trail and #543 for local traffic, recreational vehicles and motorcycles.*

*We would anticipate an additional -30% on our assessment for the negative impact.*

*The Municipal Government Act, section 687, states in part "a development should not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land".*

*In conclusion, we are requesting our property assessment value be reduced to \$250,832.*

**Please note:** The sentence, We (Barry and I) have since realized our requested assessed value is far too low is an error. The sentence should have read: We (Barry and I) have since realized our requested assessed value is far too high.

#### Complainant Rebuttal to Respondent Disclosure

Teresa Lemon presented: The assessment department is tracking, measuring and applying adjustments for proximity to: feedlots, highways and gravel pits. The current amount of adjustment applied for properties in proximity to feedlots is -10% for properties within 1 mile of the feedlots and EcoAg facility; -5% for properties within 2 miles and no adjustment for properties within 3 miles. The current adjustment amounts for proximity to highways varies depending on the distance to and type of highway. Properties within 1 mile of a gravel pit have an adjustment applied for this influence.

Rebuttal: A precedent was set in 2011 regarding odours, a -20% for properties within 1 mile of both the Feedlots and Eco Ag Facility. We would expect the same consideration. See above Oct.9/24 response to Michael Brennan's request for information. I interpret Theresa's current reduction of -10% is for the EcoAg facility, Tongue Creek Feeders and Roseburn Ranches. I assume the implementation of the indoor compost facility has changed the assessed value reduction from -20% to -10%.

I would like to know when this -10% came into effect and how. Was it arbitrarily changed by the assessment department or was there a council resolution?

We experience horrendous odours, often, from Rimrock Feeders. When Western Feedlot existed, we did not experience the horrendous odour which occur today. The odours have been documented in the Western Wheel August 24, 2024 issue. The NRCB has been working with Rimrock Feeders for several years to find a solution to the odour issue. There has been no improvement. Each year the odours get worse.

Teresa Lemon presented: The Appellant indicates being located along an Industrial Truck route as an issue. There is no market evidence to suggest or measure an appropriate adjustment for this concern. Sale 2 shares this attribute and the ASR is within legislated requirements. The Appellant indicates an asphalt plant near their property. The Assessment department has no records of an asphalt plant near the subject property. The gravel pit mentioned in the Appellants disclosure as the Lafarge gravel pit is 2 miles from the subject property. The subject property is within 1 mile of the Rimrock feedlot, similar to Sale 2. Applying the same adjustment factor of -10% to the land and residential improvements results in a revised assessment of \$569,850.

Rebuttal: Our location on the County's designated truck route is an issue. When we moved here in 1989 Meridian Street in front of our property was a gravel road. In the early 1990's the County upgraded and

paved Meridian Street from #543 to Coal Trail, then East on Coal Trail past the former Western Feedlot to the former Alberta Transportation gravel pit and designated it as the truck route.

Prior to the road improvement, truck traffic would travel Meridian Street or 48 Street East. We did not experience the volume of heavy truck traffic when Western Feedlot was in operation.

We did not have as much traffic from the gravel pit when Alberta Transportation owned it. When Lafarge took ownership of this pit it became a sales pit and the heavy truck traffic increased.

Sale 2. This property was originally developed by Meridian Farms as a breeding operation for Standardbred racing horses. The current owner is breeding performance horses.

The developed property is specific to the horse breeding industry, attracting that type of buyer, willing to pay for the facility. It is not comparable to our property.

The assessment department does not have record of an asphalt plant at the Lafarge gravel pit because it is a portable plant. For a number of years the asphalt plant is hauled in on semi truck trailers and assembled on site. When a paving project is complete, the asphalt plant is disassembled, loaded on semi truck trailers and hauled away. When there is asphalt production, we smell that odour at the same time as the feedlot odours. This past summer, the asphalt for the Deerfoot paving project came from this pit, a night haul from 7:00PM to 7:00 AM seriously compromising our sleep. Never was there a lull in the traffic. The previous two years included paving of highway #22 from Black Diamond South and paving of highway #22 around Chain Lakes. Both of these projects were day time hauls, every load past our residence.

Teresa Lemon presented: The Appellant has brought forward concerns regarding the assessed value being too high due to the issues of proximity to a feedlot, location along an Industrial Truck route, proximity to an asphalt plant and dying trees. The Appellant has requested an assessed value of \$522,080. There has been no evidence or reasoning supplied by the Appellant to support the requested value as a whole or the specific issues individually.

Rebuttal: I supplied my reasoning to Michael Brennan on Oct. 9/24. In this letter I also addressed the fact that our requested assessed value of \$522,080 was far too high as we are negatively impacted by odour from Rimrock Feeders and the volume of heavy truck traffic on the County's designated truck route. I sent in the Western Wheel article substantiating the odour issue. I sent in the 2011 letter and map from the County assessment department which set the adjustment of -20% for those within 1 mile of the feedlots and the EcoAg facility.

Teresa presented: There are a total of 16 sales within the legislated time frame within a 2 mile radius of the Rimrock feedlot. Fifteen properties are within a 2 mile radius and 1 sale within a 1 mile radius.

Rebuttal: Although these properties are within the two mile radius of the feedlot, most of them are not on the designated truck route. Of the 16 sales only 1 is on the County's designated truck route.

Sale #2. The property is specific to a horse breeding operation and is not comparable to our property.

Sale #1 is on a gravel road, does not receive the heavy truck traffic and is not on the County's designated truck route.

Sales 7, 11, 12, 13, 15 & 16 are on Coal Trail which has a road ban of 90% year round. They do not experience any heavy truck traffic and are not on the County's designated truck route.

Sales 3, 4, 5, 6, 8, 9, 10 & 16 are all in Tongue Creek Estates and are not on the County's designated truck route.

In my opinion, none of these properties are comparable to ours.

Teresa Lemon Presented: The Assessment Department respectfully requests the board to revise the assessment of \$627,080 to \$569,850 given the information that has been presented.

Rebuttal: When viewing our current assessment of \$627,080, we cannot identify any adjustment for any of our concerns. We don't understand how the \$569,850 was determined. It is not a 10% reduction of the current assessment.

We have lived at this location for 35 years.

Since Rimrock Feedlot purchased the former Western feedlot, we are subjected to horrendous odours from their 35,000 head of feeder cattle operation, an increase in the volume of heavy truck traffic and the noise created by the heavy truck traffic.

We did petition the County for signage to prohibit the use of engine retarder brakes. We understood the County could not prohibit the use of engine retarder brakes on a designated truck route.

Instead, "Truckers please avoid the use of engine retarder brakes" were erected, strictly a voluntary request and not enforceable. Therefore, we depend on the decency of truckers to consider us as they drive by our residence. We have not noticed a reduction in the use of engine retarder brakes. We cannot escape the sound of engine retarder brakes or the road noises. We hear it inside our home.

Since Lafarge purchased the former Alberta Transportation gravel pit we are experiencing an increase of heavy truck traffic. During the months when the portable asphalt is hauled to the site, we experience the smell of asphalt production and an increase in heavy truck traffic.

Since we have owned this property, we have been negatively affected by circumstances beyond our control.

We have seen no consideration for the negative impacts.

Brenda & Barry Prestie

# New name given to Centennial Arenas, events centre



BRENT CALVER/Western Wheel File Photo

The Okotoks Oilers take on the Blackfalds Bulldogs at Okotoks Centennial Arenas on Sept. 22, 2023. The Okotoks Centennial Arenas, along with the Foothills Centennial Centre, will now be known as Viking Rentals Centre.

By Western Wheel Staff

The Town of Okotoks has announced a naming rights deal with Viking Rentals for Centennial Arenas and Foothills Centennial Centre.

This 10-year partnership to create the Viking Rentals Centre will unify the arenas and event centre under a single, cohesive identity, enhancing the facility's recognition and accessibility, the Town said in a statement released last week.

Financial details of the sponsorship weren't made public as the Town said it cannot disclose the annual dollar figure on behalf of Viking Rentals as it is contractually protected as confidential.

"We are thrilled to partner with Viking Rentals

and bring their name to our outstanding sports and event centre," said Christa Michailuck, the Town's parks and recreation director. "This sponsorship will not only provide significant support for the ongoing operations and enhancements of our facilities but also foster a stronger sense of community pride and engagement."

The facility includes two ice surfaces, an unboarded leisure ice surface, a walking track and versatile, multi-purpose event space.

It's home for the Okotoks Junior A Oilers and provides a top environment for both athletes and community members.

"My family and I are very excited to work with the Town of Okotoks and

to sponsor these exceptional venues that serve so many members of our community as well as surrounding areas," said Lars Pettersen, owner of Viking Rentals.

"We are especially proud that Viking Rentals' sponsorship will directly benefit athletes, spectators and all visitors to the facilities. Sports, particularly hockey, have given me so much in my life, and I have always wanted to give back and help athletes to have the kinds of opportunities that I did.

"I have always admired people who contribute positively to their community and have been driven to be able to do the same. Together with the Town, I believe we will be able to achieve both goals."

# Over 400 odour complaints made near High River in July



ROBERT KOROTYSZYN/Western Wheel File Photo

Rimrock Feeders in Foothills County, west of High River. The body that oversees feedlots in Alberta said it was recently doing around-the-clock odour monitoring in High River.

By Robert Korotyszyn

Staff Reporter

A high number of complaints during the recent heatwave have led the province's feedlot regulator to step up odour monitoring efforts in High River.

The Natural Resources Conservation Board (NRCB) said on Aug. 1 it received 404 alleged odour complaints related to Rimrock Feeders during the month of July.

In response, the NRCB has stepped up inspections by conducting in-person, 24-hour monitoring over several days in High River, the agency said in a July 25 bulletin on its webpage.

The complaints came from residents in High River, Foothills County and

Okotoks, but information about how many households lodged the complaints was not readily available, the NRCB said.

The regulator said it is looking at ways the feedlot six kilometres west of High River can alter management practices and is working with feedlot operators to lower levels in catch basins that are higher than normal after spring rains.

Next steps include evaluating emissions at specific odour sources within the feedlot, the NRCB said.

July's complaint numbers are up significantly from June, when 154 feedlot-related complaints were received, but they are comparable to May, when the regulator took 401 complaints.

JOIN US AT THE ROTHNEY ASTROPHYSICAL OBSERVATORY.

# HOWDY NEIGHBOUR BBQ

Thursday September 12th, 2024  
5 pm - 9 pm

Beef on a bun by All Beef Catering

RSVP AT [jihowse@ucalgary.ca](mailto:jihowse@ucalgary.ca)

Details found on RAO website



Beef on a bun and astrophysics on the grill

Learn more about the latest research at the RAO

RSVP

[jihowse@ucalgary.ca](mailto:jihowse@ucalgary.ca)

Event is free and open to our Foothills County neighbours, limited space

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## Municipal District of Foothills No. 31

309 Macleod Trail, Box 5605

High River, Alberta T1V 1M7

Telephone: (403) 652-2341 OR (403) 931-1905

Fax: (403) 652-7880

[www.mdfoothills.com](http://www.mdfoothills.com)

May 23, 2011

Dear Property Owner

The Assessment Department have recently been made aware of the odor concerns regarding the operations on the SE  $\frac{1}{4}$  of 16 19 01 W5. It is our understanding that **until the indoor Eco Ag Facility is in operation**, some of the material being composted outside in the compost facility, also on the SE  $\frac{1}{4}$  of 16, is producing a significant odor problem for surrounding residents.

The assessment you have received with your 2011 tax notice reflects the condition and status of a property as of December 31, 2010. The assessments in Alberta are based on a market value standard. **Since this negative impact existed prior to December 31 and likely has an impact on the market value of surrounding properties**, we are able to recognize this in the market value component of the assessment.

By looking at Alberta Department of Agriculture web sites we have determined the prevailing wind directions for this area are primarily west to east and southwest to northeast. This information as well as comments from area residents, was used to establish the area affected by the odor from the compost facility. The attached map outlines the area we feel is affected and the properties within 1, 2 and 3 miles of both the feedlots and Eco Ag Facility are identified.

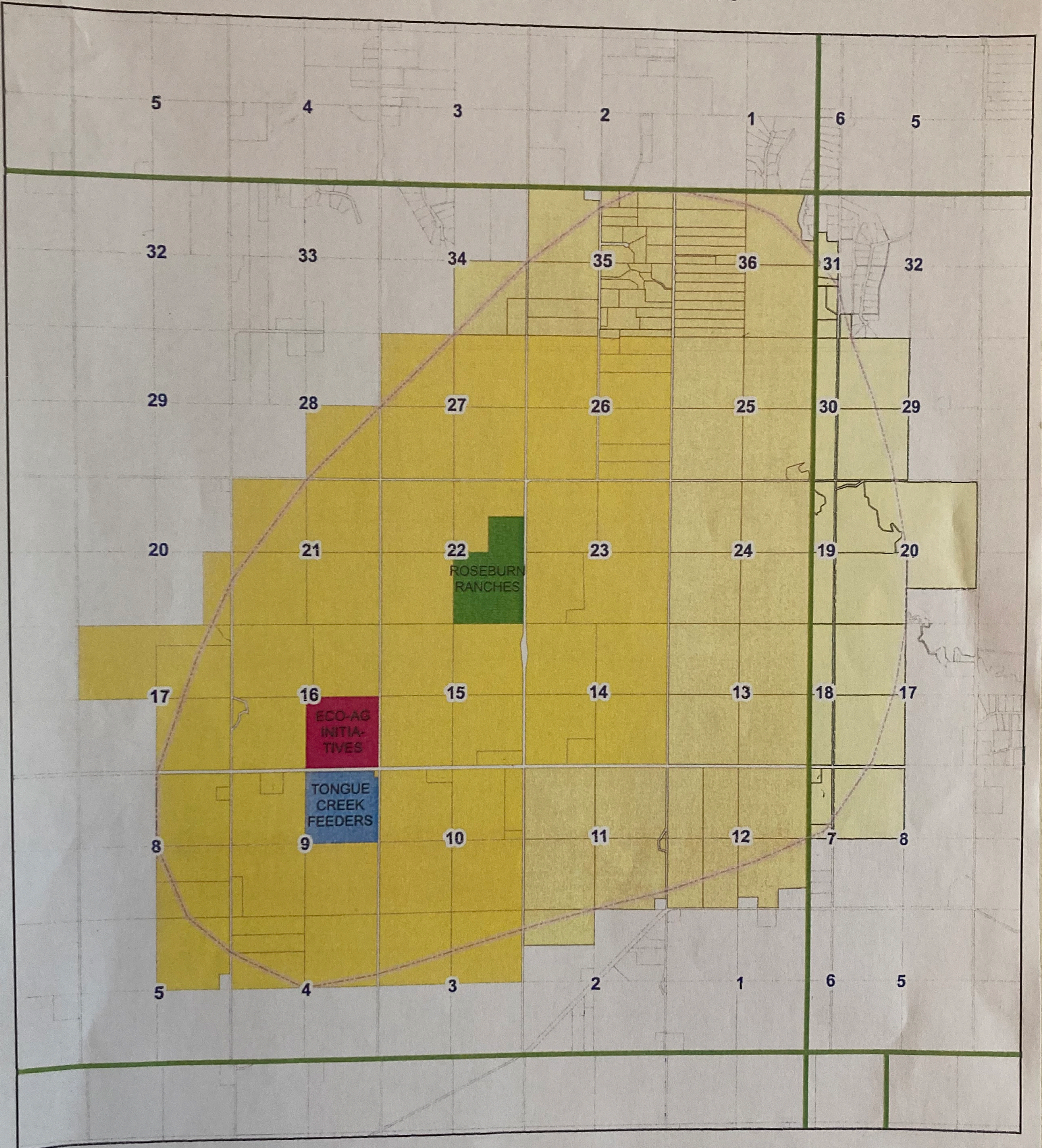
**We do not have any definitive market evidence as to how much the market value is affected, but we have had two recent property purchasers within 1 mile indicate to us it was a factor with the purchase.** Two other sales within 2 and 3 miles made no mention of it.

Generally we apply this type of adjustment to only the land portion of the assessment, but due to the extent of odor experienced we have chosen to apply an adjustment to both the land and building component of the assessment. The amount of adjustment applied is **-20% for properties within 1 mile of both the feedlots and Eco Ag facility; -10% for properties with 2 miles and -5% for properties within 3 miles.**

The enclosed amended assessment/tax notice for 2011 includes this adjustment to your assessment. This odor issue will be monitored annually and the adjustment removed if the odor is resolved once the indoor facility is in operation. Please contact either Stan Penchuk or Diane Fraser at 403-652-2341 or email [MD-Assessment@mdfoothills.com](mailto:MD-Assessment@mdfoothills.com) for any questions or concerns.

# Parcels Affected by Feedlot Operations & EcoAg Facility

## Townships 19-29 W4 & 19-01 W5



**Affected Area**  
**Parcel Distance**  
 1 mile  
 2 miles  
 3 miles  
 Affected Area Boundary

May 12, 2011

1:55,000  
 Custom 3TM NAD83 projection  
 Produced by the MD of Foothills Taxes & Mapping  
 Department. Do not duplicate without permission.