

SMOKY LAKE COUNTY

Minutes of the **County Council meeting** held on Thursday, **January 16, 2014** at 9:00 A.M. in the County Council Chambers.

The meeting was called to Order by the Reeve Mr. Cary Smigerowsky in the presence of the following persons:

A T T E N D A N C E		
<u>Div. No.</u>	<u>Councillor(s)</u>	<u>Thursday, January 16, 2014</u>
1	Dareld Cholak	Present
2	Ron Bobocel	Present
3	Craig Lukinuk	Present
4	Cary Smigerowsky	Present
5	Randy Orichowski	Present
C.A.O.	Cory Ollikka	Present
Asst CAO/R.S	Lydia Cielin	Present
Finance Manager	Brenda Adamson	Absent

3 Members of the Public in attendance.

Aline Brousseau, Planning and Development Manager; and Jeremy Smith, Planning and Development Assistant entered the Council Chambers, time 9:00 a.m.

2. Agenda:

Agenda

174-14: Cholak

That the Agenda for Thursday, January 16, 2014 County Council meeting, be adopted as presented.

Carried Unanimously.

3. Minutes:

Minutes of November 21, 2013 – County Council Budget Meeting

175-14: Bobocel

That the minutes of the County Council **Budget** Meeting held on Thursday, November 21, 2013, be adopted.

Carried.

Minutes of December 5, 2013 – County Council Meeting

176-14: Orichowski

That the minutes of the County Council Meeting held on Thursday, December 5, 2013 be adopted.

Carried.

4. Request For Decision(s):

Policy Statement No. 03-23-01: Fence Post Replacement Program

177-14: Bobocel

That **Policy Statement No. 03-23-01** entitled "Fence Post Replacement Program", be adopted

Title: Fence Post Replacement Program		Policy No.: 23-01
Section: 03	Code: P-R	Page No.: 1 of 1
Purpose:	This program is set out to replace fence posts along road allowances which have been damaged due to winter snow plowing for adjacent landowners.	
Policy Statement and Guidelines:		
1.	STATEMENT: This is a Policy of the Smoky Lake County to replace fence posts which were damaged or broken for adjacent landowners along road allowances related to the County's Winter Snow Benching Process during the Winter Snow Plowing Season.	

- 2. GUIDELINES:**
- 2.1 In order to be eligible to receive replacement fence posts, a serviceable fence must be in existence and be in a state of good repair located on the property boundary or within the landowner's property. The condition of the current posts must not reflect visible rot or instability.
 - 2.2 The condition of the fence and eligibility to receive replacement posts will be determined by the Public Works Manager and the Public Works Foreman after communicating with the affected landowner, and prior to providing replacement posts.
 - 2.3 Smoky Lake County will provide fence posts to the eligible landowner for the replacement of damaged or broken fence posts.
 - 2.4 The landowner will be responsible for the fence post installation and will be compensated by the County **five dollars (\$5.00)** per post for installation.
- 3. PROCEDURES:**
- 3.1 The affected landowner is to notify the Public Works Department to report broken fence posts.
 - 3.2 Upon inspection, and once approved by the Public Works Manager and/or the Public Works Foreman, fence posts will be provided to the landowner to replace any existing broken posts.

Carried.

2014 – 2016 Gravel Crushing Tender

178-14: Cholak

That Smoky Lake County tender for the 2014-2016 Gravel Crushing to Stockpile at the White Earth Creek Gravel Pit – NW ¼ Section 2-61-18-W4 with the 2014 Gravel Crushing of approximately 100,000 tonnes consisting of the following product designation:

- Designation 4, Class 20 (3/4”) material - 30,000 tonnes
- Designation 4, Class 25 (1”) material - 60,000 tonnes
- Designation 4, Class 40 (1 ½”) material - 6,000 tonnes
- Designation 3, Class 12.5c (½”) material - 4,000 tonnes

and Year 2015 and Year 2016 shall include no less that 85,000 tonnes of granular material to be crushed; and that the closing date of tenders to be February 18, 2014.

Carried.

179-14: Smigerowsky

That County Council recess the County Council meeting to call the Public Hearing Meeting to order, time 9:15 a.m.

Carried.

PUBLIC HEARING:

The Reeve Cary Smigerowsky called the Public Hearing to Order at 9:15 a.m. in the presence of all the Council members, the Chief Administrative Officer; and the Assistant Chief Administrative Officer/Recording Secretary.

Aline Brousseau, Planning and Development Manager; and Jeremy Smith, Planning and Development Assistant; in attendance for the Public Hearing.

General public: 6 members of the public in attendance for the Public Hearing.

Bylaw No. 1258-13:

To amend the Land Use Bylaw No. 1250-12 to re-zone the Agricultural District (AG) named as Pt. SE 33-59-12-W4 containing +/- 10.1 Hectares (24.95 acres) to Highway Commercial District C1); and re-zone the Hamlet Residential District (R4) named as Block OT, Plan 5003JY (Pt. of SE 33-59-12-W4) containing +/- 0.769 Hectares (1.9 acres) to Highway Commercial District (C1).

1.0 Opening

- Cary Smigerowsky, Reeve for the Smoky Lake County declare the Public Hearing open at 9:15 a.m.
- I will be the Chair of the hearing today. On behalf of Council, I would like to welcome you here today. I would like to take a moment to introduce Council.
- The Secretary of the Hearing is Cory Ollikka, who is the Chief Administrative Officer of the Smoky Lake County.
- Questions can be directed to Aline Brousseau, Planning and Development Manager.
- All persons wishing to be heard at this public hearing should sign in on the sign-up sheet giving their name.
- Persons who do not sign in shall speak only after all those who signed in have given their testimony. We ask that anyone who wishes to speak but has not yet signed in, please sign in now.
- I at this time asked the Chief Administrative Officer to confirm that the Public Hearing has been advertised and notice has been provided in accordance with the applicable legislation.
 - ▶ Chief Administrative Officer replied: Yes.
- The Chief Administrative Officer summarized the purpose of the Hearing is for the Council of Smoky Lake County to obtain **Public Input**, in favor and opposed to proposed **Bylaw No. 1258-13:** to Pt. of SE 33-59-12-W4M containing +/- 10.1 Hectares (24.95 acres) in size more or less, as shown on Schedule “A” be re-zoned from Agricultural District (AG) to Highway Commercial District C1); - and- Block OT, Plan 5003JY (Pt. of SE 33-59-12-W4) containing +/- 0.769 Hectares (1.9 acres) in size more or less, as shown on Schedule “A” be re-zone from the Hamlet Residential District (R4) to Highway Commercial District (C1).

Proposed Bylaw No.:	1258-13
Application:	Delamarter, Dwight
Requested Rezoning:	Pt. of SE 33-59-12-W4M containing +/- 10.1 Hectares (24.95 acres) in size more or less, as shown on Schedule “A” be re-zoned <u>from</u> Agricultural District (AG) <u>to</u> Highway Commercial District C1). - AND - Block OT, Plan 5003JY (Pt. of SE 33-59-12-W4) containing +/- 0.769 Hectares (1.9 acres) in size more or less, as shown on Schedule “A” be re-zone <u>from</u> the Hamlet Residential District (R4) <u>to</u> Highway Commercial District (C1).
Background:	<ul style="list-style-type: none"> ▪ Rezoning Application was submitted on November 21, 2013. ▪ Bylaw No. 1258-13 was given 1st reading on December 5, 2013. ▪ The Public Hearing Notices were advertised in the Smoky Lake Signal and Redwater Review between December 18, 2013 and January 8, 2014. The proposed Bylaws were advertised and notice has been provided in accordance with the applicable legislation. ▪ A notice has also been posed on the County’s website regarding same. ▪ The hearing has been scheduled to obtain public input on proposed Bylaw 1258-13 in accordance with Section 230 of the Municipal Government Act.

▪ **ATTACHMENTS:**

1. Draft Bylaw 1258-13 with attached Schedule "A".
2. Rezoning Application.
3. Aerial Photo (Ortho Image).
4. General Location Map.
5. Tentative Plan of Subdivision.
6. Highway Commercial District (C1).
7. ESA Phase 1.
8. Certificate of Title.

- The Reeve outlined the ground rules of the hearing and the order of speaking will be:

The **ground rules of the hearing and the order of speaking will be:**

- a. Members of the public, who have signed in will be given the opportunity to speak in the order they signed in.
- b. Anyone else, who did not sign in will be given the opportunity to speak.
- c. The Planning and Development Manager will be given the opportunity to answer any questions or to comment on any of the issues presented.
- d. Councillors will be given the opportunity to ask questions.
- e. Council will then end the Hearing and retire to make consider the information received at the Public Hearing.
- f. Council will only consider matters raised at the Hearing.
- g. Only Councillors may ask questions of speakers during the Hearing, If any persons wish to ask questions of a speaker, they must ask Council to ask the question on their behalf during their presentation, and Council will only ask the question if it feels it wishes to have an answer in order to undertake its consideration.

2.0 Public Testimony and Written Submissions

- The Chief Administrative Officer reported that no written submission has been received In Favour and no written submission has been received Opposed to the proposed Bylaw No. 1258-13.
- The Chief Administrative Officer reported that the following agencies indicated they have no objections to the proposed bylaw: Atco Electric, Stry REA Ltd. Lakeland Credit Union, Telus Communications, Canada Post, Canadian National Railway, Aspen View Public Schools, Alberta Transportation, and Alberta Health Services. The deadline to response to the referral letter was January 7, 2014.

3.0 Public Testimony in attendance of the hearing

3.1 In Favour of the Bylaw:

- **Fred Matwychuk:**
 - In favour of the Bylaw: I am an adjacent landowner and have no objections to change to commercial district. This will enhance the community status.
- **Ben Dyck:**
 - In favour of the Bylaw: No concerns.
- **Dwight Pelamarter:**
 - In favour of the Bylaw: I am the applicant. Provided a brief history of the land. Benefits are obvious – property will be more approachable. There is no fuel available now. This is a good community; and will be applying for a Business Permit.
- **Question - Deputy Reeve, Randy Orichowski:**
 - The area is currently too small and are you looking at expanding it?
 - **The Applicant Reply:** Yes – larger parking lot.

3.2 Opposed of the Bylaw:

- **No members Opposed of the Proposed Bylaw.**

4.0 Questions and Answers

4.1 Public Response:

- **Public: Fred Matwychuk:**
 - This land was commercial before – why now residential?
 - **Council Reply:** Building was built prior to the County’s Land Use Bylaw was in effect.

4.2 Council:

- **Council:** No further questions or points of clarification.

4.3 Planning and Development:

- **Planning and Development Manager:** No further questions or points of clarification.

5.0 Closing

- Reeve thanked all presenters for their comments. Council will take your comments into consideration when deciding on this matter.

Reeve Cary Smigerowsky declared discussion on the proposed Bylaw No. 1258-13, closed at **9:29 a.m.**

180-14: Cholak

That the recommendation to the County Council for **Bylaw No. 1258-13:** to authorize the Municipal Council of Smoky Lake County to amend the Land Use Bylaw No. 1250-12 to re-zone the Agricultural District (AG) named as Pt. SE 33-59-12-W4 containing +/- 10.1 Hectares (24.95 acres) to Highway Commercial District C1); and re-zone the Hamlet Residential District (R4) named as Block OT, Plan 5003JY (Pt. of SE 33-59-12-W4) containing +/- 0.769 Hectares (1.9 acres) to Highway Commercial District (C1), be given **second and third readings.**

Carried.

181-14: Smigerowsky

That the Public Hearing be adjourned, time 9:30 a.m.

Carried.

County Council Meeting

County Council Meeting reconvened, time 9:30 a.m.

4. Request for Decision:

Bylaw No. 1258-13: Rezoning

182-14: Orichowski

That **Bylaw No. 1258-13:** authorize the Municipal Council of Smoky Lake County to amend the Land Use Bylaw No. 1250-12 to re-zone the Agricultural District (AG) named as Pt. SE 33-59-12-W4 containing +/- 10.1 Hectares (24.95 acres) to Highway Commercial District C1); and re-zone the Hamlet Residential District (R4) named as Block OT, Plan 5003JY (Pt. of SE 33-59-12-W4) containing +/- 0.769 Hectares (1.9 acres) to Highway Commercial District (C1), be given **SECOND READING.**

Carried.

Moved by Councillor Cholak that **Bylaw No. 1258-13:** authorize the Municipal Council of Smoky Lake County to amend the Land Use Bylaw No. 1250-12 to re-zone the Agricultural District (AG) named as Pt. SE 33-59-12-W4 containing +/- 10.1 Hectares (24.95 acres) to Highway Commercial District C1); and re-zone the Hamlet Residential District (R4) named as Block OT, Plan 5003JY (Pt. of SE 33-59-12-W4) containing +/- 0.769 Hectares (1.9 acres) to Highway Commercial District (C1), be given **THIRD and FINAL READING** and that the Reeve and the Chief Administrative Officer are hereby authorized to fix their signatures to all necessary documents and that the corporate seal also be fastened where it is deemed to be necessary.

Carried.

Aline Brousseau, Planning and Development Manager; and Jeremy Smith, Planning and Development Assistant left the Council Chambers, time 9:31 a.m.

5. Issues for Information:

Chief Administrative Officer's Report

The Chief Administrative Officer gave an updated report to Council for the period of December 6, 2013 to January 15, 2014.

Legislative / Governance:

- Elections Alberta has asked municipal CAOs in Alberta to send a list of owned, controlled, associated and affiliated entities. I will send the reply to include the Smoky Lake Foundation, Muni-Corr, Evergreen Waste Management Commission, Highway 28/63 Regional Water Services Commission. I have explained our relationship with CCI Wireless to Elections Alberta (Michael Opara) and asked for their opinion. They seem to think that because we are a minority shareholder, we pay no requisitions to CCI, and do not appoint any Board members, we are not "affiliated" according to the criteria listed by Elections Alberta. However, they suggested we list them with the above explanation below our official list just for transparency purposes. Pending any other suggestions from Council, I will report the above to Elections Alberta, and report any feedback to Council.
- The Council Management Strategic Priorities/Planning retreat with Gord McIntosh has been set as previously reported to Council for March 25 and 26 and the facility will be the Fantasyland Hotel. The annual Managers' retreat will follow on March 27. Rooms have tentatively been reserved for Council for one night (25th) and management for two nights (25th and 26th). This had been included in the training budgets throughout the functions for 2014. The attached Municipal World Article (January 2014) is a timely piece on Strategic Priorities/Planning.
- We require a Departmental Operations meeting to be held in March if Council can find a suitable date.

Aline Brousseau, Planning and Development Manager entered the Council Chambers, time 9:35 a.m.

Elections Alberta

183-14: Bobocel

That County Council submit to Elections Alberta prior to January 31, 2014 the following list of owned, controlled, associated and affiliated entities with Smoky Lake County:

- Smoky Lake Foundation
- North East Muni-Corr Ltd.
- Evergreen Regional Waste Management Commission
- Highway 28/63 Regional Water Services Commission
- Corridor Communications Incorporated

(with explanation as to the unique affiliation with CCI)

as per letter received from Glen Resier, Chief Electoral Officer, Elections Alberta, dated December 19, 2013.

Carried.

Reeve's Report

Reeve Cary Smigerowsky presented the following report:

- Met with MLA Honourable Jeff Johnson on Monday, January 6, 2014.
 - Discussed Highway 855, Smoky Lake Foundation Grant Funding (whether additional funding is available). Invited him to a County Council meeting with prepared Questions.

- MLA Honourable Jeff Johnson to stop at Pepper's Service Station on return to Athabasca.
- RCDC: Regional Community Development Committee:
 - Smoky Lake Regional Community Development Committee – Terms of Reference and Cost-sharing proposals to be presented and discussed at the Joint Municipalities Meeting on February 3, 2014.
 - Oil Sands Community Alliance Meeting on Highway 855 completion to Atmore – meeting tentatively scheduled for January 27, 2014 in Edmonton.
 - Handout: Priority of Upgrading Highway 855 Between the Hwy 63/Hwy 55 Intersection and the Hwy 663/Hwy 855 Junction – Presentation to Oil Sands Community Alliance by: Smoky Lake Regional Community Development Committee.
 - The Committee is working on Community Presentation Booth and Brochures to attend Trade Shows.
 - Working on trying to facilitate a Job Fair in Smoky Lake.

184-14: Bobocel That the Reeve's report received, be accepted.

Carried.

Chief Administrative Officer's Report: *Continued*

Policy Committee Meeting

185-14: Cholak That the **Policy Committee Meeting** be re-scheduled from Friday, February 21, 2014 to Monday, **February 24, 2014** at 10:00 a.m. to be held in the County Council Chambers.

Carried.

County Council Departmental Operations Meeting

186-14: Orichowski That County Council schedule a **County Council Departmental Operations Meeting** for Monday, **March 3, 2014** at 10:00 a.m. to be held at the County Council Chambers.

Carried.

7. Delegation:

MP Brian Storseth

Present before County Council at 10:05 a.m. to 10:40 a.m. was Brian Storseth, Member of Parliament, House of Commons, Westlock-St. Paul Constituency, and Ameer Pundick, Assistant, St. Paul Constituency office to discuss with Council on Federal update(s): Economic Development Program, Student Summer Jobs grants available; Canada Job Fair and discuss Council priorities.

5. Issues for Information:

Chief Administrative Officer's Report: *Continued*

Administration:

- The North Saskatchewan Watershed Alliance (NSWA) has forwarded a copy of their 2013 Annual Report and requested financial assistance of \$0.50/capita. This would mean \$860.50 if the County agreed to contribute.

Financial:

- No report.

Human Resources:

- Have approved 4 hours of our Safety Officer’s time (1 hour/week for 4 weeks) to assist the Town of Smoky Lake assess their needs for setting up a top notch Safety Program such as ours.

Community:

- The Alberta Order of Excellence Council is asking for communities to nominate deserving citizens to become members of the Alberta Order of Excellence.
- Vilna High School grades 10 – 12 students are requesting financial assistance for a ski trip to Lake Louise. This falls outside the auspices of our policy, as it is not an official school “team”.
- For Council’s information, \$500.00 has been approved as per Policy for the H.A. Kostash Senior Girls Volleyball Team to attend provincial championships.
- Provided a letter of support in principle for the proposed mezzanine renovation concept that the Smoky Lake Ag Society is seeking grant dollars for.

Financial Update:

As annexed to the minutes:

- ↳ Financial Statement for the Month: November 2013.

Action List(s):

↳ **Action List(s):**

- County Council **Budget Meeting:** November 21, 2013.
- County **Council Meeting:** December 5, 2013.

North Saskatchewan Watershed Alliance Society

187-14: Cholak

That the correspondence received from the North Saskatchewan Watershed Alliance Society – Your Watershed – Your Voice, dated March 31, 2013 in regards to 2012 - 2013 Annual Report, be filed for information.

Carried.

North Saskatchewan Watershed Alliance Society

188-14: Bobocel

That Smoky Lake County take no action to the invoice request for financial commitment received from the North Saskatchewan Alliance Society in regards to 2014 support of \$.50 per capital contribution; totaling \$860.50.

Carried.

Vilna High School

189-14: Bobocel

That Smoky Lake County contribute in the amount of **\$500.00** to the Vilna High School – Grade 10-12 students to assist for a ski trip to Lake Louise on March 7 – 9, 2014.

Carried.

Smoky Lake Agricultural Society

190-14: Lukinuk

That County Council approve action taken in providing a letter of support to the Smoky Lake Agricultural Society, dated December 9, 2013 in regards to upgrade and renovate the mezzanine level of the complex.

Carried.

191-14 Cholak

That the updated report for the period of December 6, 2013 to January 15, 2014 by the Chief Administrative Officer, be accepted and filed for information.

Carried.

Rose Lyle, Tax and Accounting Clerk entered the Council Chambers, time 10:45 a.m.

Finance Manager's: Report

On behalf of Brenda Adamson, Finance Manager – Rose Lyle, Tax and Accounting Clerk provided an updated Finance report for the period of November 25, 2013 to January 9, 2014.

Property Tax: Penalty Cancellation

192-14: Bobocel That Smoky Lake County cancel the 2013 November Property Tax Levy Penalty Charge for Tax Roll Account Number 14582823 in the amount of **\$366.26** and for Tax Roll Account Number 54000091 in the amount of **\$1,214.46**.

Carried.

Waskatenau Fire Department: Write-off Invoice

193-14: Orichowski That Smoky Lake County write-off the Invoice Number 3744 in the amount of **\$732.67** and penalties in the amount of **\$68.45** for a total amount of **\$801.12** issued to the Waskatenau Fire Department for 2013 **VFIS: Volunteer Firefighter Insurance Services** – Volunteer Fire Brigade 24 hours Policy; as per Waskatenau Fire Department indicating they do not want the coverage.

Carried.

194-14: Orichowski That the Finance Manager's Report received by Brenda Adamson for the period of November 25, 2013 to January 9, 2014, be accepted and filed for information.

Carried.

Rose Lyle, Tax and Accounting Clerk left the Council Chambers, time 10:50 a.m.

Management Reports

195-14: Cholak That the management reports received for the period of December 6, 2013 to January 9, 2014 from Doug Ponich, Public Works Manager; Bob Novosiwsky, Public Works Foreman; Dave Kully, Public Works Shop Foreman; Ed English, Peace Officer; John Malysh, Natural Gas Manager; Dave Franchuk, Environmental Operations Manager; Kurt Holdis, Agricultural Fieldman; Aline Brousseau, Planning and Development Manager; Trevor Tychkowsky, Safety Officer; and Scott Franchuk, Fire Chief, be accepted and filed for information.

Carried.

7. Delegation:

Go East of Edmonton

Present before County Council at 11:00 a.m. to 11:20 a.m. was Kevin Kisilevich, Marketing Manager, Go East of Edmonton – Non-Profit – Regional Tourism Organization to update Council on the Regional Tourism Development News.

■ Handouts:

- 2013 Go East of Edmonton Travel Guide.
- Fall 2013 Newsletter: Regional Tourism Development News.
- Annual Membership Promotions and Benefits

Go East of Edmonton: Annual Membership

196-14: Cholak

That Smoky Lake County purchase a 2014 Annual Membership in the amount of **\$450.00** with Go East of Edmonton – Regional Tourism Organization, in accordance with the Municipal Commitment Agreement Section: Population of 2500 – 4999.

Carried.

Go East of Edmonton: 2014 Travel Guide – Ad

197-14: Bobocel

That Smoky Lake County purchase an Advertisement in the 2014 Go East of Edmonton Travel Guide in the amount of **\$3,600.00** – Ad design to be Regular 2 page as Smoky Lake Region and to include: Smoky Lake County, Town of Smoky Lake, Village of Waskatenau and Village of Vilna, published by The Marketer; in conjunction with the RCDC: Regional Community Development Committee Program.

Carried.

9. Public Question and Answer Period:

11:30 a.m. to 11:49 a.m.

Dominique Cere

Question: Hamlet of Warspite – Status on the Abandoned Buildings?

Council Reply: Currently Smoky Lake County – by Tax Recovery has two buildings: 1st property - interest to purchase is being addressed. 2nd property – County will look into it. There was a 3rd Building – was reverted back to the owner. County will look at its Nuisance and Unsightly Premises Bylaw.

Question: Hamlet of Warspite – Regional Water Line usage?

Council Reply: The Regional Water Line should be in usage in the Hamlet of Warspite by February 7, 2014.

Question: County Snow Fence – process of installation and removal in a more consistent manner?

Council Reply: Management will be approached to incorporate a system for Snow Fence installation and removal in the Hamlet of Warspite.

Question: County donation to Nutrition (Hot Lunch Program) - it's a great idea – but individuals are upset of the intent. What motivate this?

Council Reply: The intent was “Grab n’ Go” Process. Provide assistance for more food – the schools and teachers should not have to subsidize for food. Reeve, Cary Smigerowsky indicated that he initiated this and apologized for any mis-perceptions. Four schools were provided with \$1,000.00 as seed money and are to reply if this intent is feasible.

Comment: Extend a “Thank You” to the Public Works Department Crew that cleans the street in the Hamlet of Warspite? You have excellent workers and they do a fantastic job.

Meeting Recessed

Meeting recessed for Lunch, time 11:50 a.m.

Meeting Reconvene

The meeting reconvened on a call to order by Reeve Cary Smigerowsky at 12:40 p.m. in the presence of all Council members, and the Chief Administrative Officer and Assistant Chief Administrative Officer/Recording Secretary.

Bob Novosiwsky, Public Works Foreman entered the Council Chambers, time 12:56 p.m.

7. Delegation:

JLG Ball Enterprises Ltd.

Present before County Council at 12:41 p.m. to 1:18 p.m. were Lisa Ball, President and Gilles Melanson, Office Manager, representatives of JLG Ball Enterprises Ltd. to address with County Council for a possible *draft* Haul Road Agreement for Winter Hauling Months on Twp 604 in the Smoky Lake County.

Executive Session

198-14: Bobocel

That County Council go into Executive Session to discuss a legal issue, time 12:55 p.m.

Carried.

199-14: Cholak

That County Council go out of Executive Session, time 1:12 p.m.

Carried.

JLG Ball Enterprises Ltd.: Haul Road Agreement

200-14: Orichowski

That County Council deny the request(s) from JLG Ball Enterprises Ltd., Lisa Ball, President, date of letter, December 13, 2013 for a Haul Road Agreement to allow Winter Hauling on Twp 604 and year-round empty truck use of Twp 604 in the Smoky Lake County.

Carried.

Hillside Acres

Present before County Council at 1:20 p.m. to 1:54 p.m. was Roy Shupenia, Developer, Hillside Acres to address with County Council the Subdivision File No. 10-N-592- Hillside Acres.

Executive Session

201-14: Bobocel

That County Council go into Executive Session to discuss a legal issue, time 1:25 p.m.

Carried.

Roy Shupenia, Developer, Hillside Acres was present for the Executive Session.

202-14: Cholak

That County Council go out of Executive Session, time 1:52 p.m.

Carried.

Roy Shupenia: Subdivision Authority File No. 10-N-592

Pt. of SW 9-62-13-W4M - Hillside Acres

203-14: Cholak

That Smoky Lake County execute the Development Agreement with Roy Shupenia, Developer for Subdivision Authority File No. 10-N-592 for Pt. of SW 9-62-13-W4M - Hillside Acres, as amended with Section 8:

DEVELOPMENT AGREEMENT	
This Agreement made this 16th day of January, 2014.	
BETWEEN	
<p>SMOKY LAKE COUNTY a Municipal Corporation Box 310 4612 McDougall Drive Smoky Lake, Alberta T0A 3C0 Phone: 780-656-3730 (hereinafter called "the County")</p>	OF THE FIRST PART
- AND -	
<p>ROY SHUPENIA Box 2 Smoky Lake, Alberta T0A 3C0 (hereinafter called "the Developer")</p>	OF THE SECOND PART
<p>WHEREAS, the Developer is the owner and desires to subdivide the Lands and has applied for and obtained subdivision within the boundaries of Smoky Lake County and legally described as:</p> <p>Legal Land Description: Pt. of SW 9-62-13-W4M (hereinafter referred to as "said lands")</p> <p>AND WHEREAS the County and the Developer wish to into an Agreement and further agreement regarding the subdivision of said Lands.</p> <p>THE PARTIES of this Agreement, in consideration of the promises and the mutual terms, covenants and conditions to be observed and performed by each party, agree as follows:</p> <ol style="list-style-type: none"> 1. The Developer shall be responsible for the installation of necessary utility services within or upon the Lands, including the granting of such easements or other right-of-way as are necessary and required for the supply of utilities to the Lands. To this end, the Developer shall cause a utility easement to be registered in favour of Smoky Lake County concurrently with the Descriptive Plan or Plan of Survey effecting the subdivision should the County so wish. 2. After entering into this Agreement, the Developer shall cause the Descriptive Plan or Plan of Survey effecting the subdivision to be prepared and submitted to the subdivision authority for endorsement. 3. After obtaining the necessary endorsement of the subdivision authority and after the County has filed a Caveat (at the County's discretion) against the Lands to protect its interests under this Agreement, the Developer may proceed to register documents that will affect the subdivision at the Lands Titles Office. 4. All covenants, undertakings, obligations, and conditions set out in this Agreement shall constitute covenants running with the Lands and the County may register a Caveat at the Lands Titles Office against the Lands to protect its interest under this Agreement. Smoky Lake County may grant a postponement of the caveat as to any of the land in development. Smoky Lake County will discharge the caveat promptly upon acceptance of the various matters required to be performed by the Developer under this Agreement. 5. The Developer shall indemnify and save harmless the County from any and all losses, costs, damages, actions, cause of actions, suits, claims and demands resulting from anything done or omitted to be done by the Developer in pursuance of purported pursuance of this Agreement. 6. The County makes no representation and gives no warranty whatsoever as to the adequacy of services, soil conditions, land use districting, building and development conditions, or presence of environment contamination or the develop-ability of the subject land for any intended use by the Developer. 	

- 7. The Developer shall pay to the County all outstanding taxes, to date, including the current year taxes.
- 8. The Developer shall pay the County an administrative fee of **two hundred dollars (\$200.00)**, for each of the ~~4 lots~~ 3 lots (3 residential lots and 1 public utility lot) registerable parcel created under this proposal, totalling **hundred dollars (~~\$800.00~~) (\$600.00)**, at the time of signing this agreement.
- 9. The Developer shall provide the County with **certification**, from an accredited inspector that the function and location of any existing sewage disposal system on the proposed parcel will satisfy the **Private Sewage Disposal Regulations** and is suitable for the intended subdivision.
- 10. This Agreement shall not be assignable by the Developer without the written consent of the County.
- 11. This Agreement shall not be assignable by the Developer without the written consent of the County.
- 12. This Agreement is binding on the heirs, executors, successors and assigns of the parties hereto.
- 13. Notwithstanding the provisions contained in this agreement, the Developer undertakes, warrants and agrees that the Developer shall not register the plan of the Subdivision at the Land Titles Office for the North Alberta Land Registration District nor shall Smoky Lake County be required to provide Smoky Lake County's consent to the registration of the plan of the Subdivision at the said Land Titles Office until such time as all conditions of this agreement have been satisfied:
 - 13.1 The Developer agrees that the subdivision of the Lands is subject to the terms and conditions of this Agreement. The "Lands" shall mean the Lands delineated attached hereto as **"Appendix A – Tentative Plan of Subdivision"**. *This plan shall be registered* at the Land Titles Office within one year of signing this Development Agreement.
 - 13.2 That prior to endorsement effecting this plan, approaches, including culverts and crossings to the proposed parcel and to the residual of the land, be approved at the owner's and/or developer's expense and to the specifications and satisfaction of Smoky Lake County as per County Policy shown on **"Appendix B – Approaches."**
 - 13.3 That the plan of subdivision shows three 0.5 acre lots along the lake shore with the remnant 5.6 acre parcel dedicated as a Public Utility Lot. The form and area of the PUL will be approved by and granted to Smoky Lake County. The PUL will be identified by a plan of survey.
 - 13.4 That prior to endorsement of an instrument effecting this plan, the registered owner and/or developer enter into a development agreement with Smoky Lake County pursuant to section 655 of the Municipal Government Act.
 - 13.5 All other conditions of the Subdivision Approval are met.

14 Any notice required by one party to be given to the other shall be given at the following address:

Roy Shupenia
Box 2
Smoky Lake, Alberta T0A 3C0

AND

Smoky Lake County
Box 310
Smoky Lake, Alberta T0A 3C0

IN WITNESS WHEREOF the Parties here have caused their signature to be hereunto affixed the day and year first above written.

SMOKY LAKE COUNTY

CHIEF ADMINISTRATIVE OFFICER

_____) }
WITNESS

ROY SHUPENIA

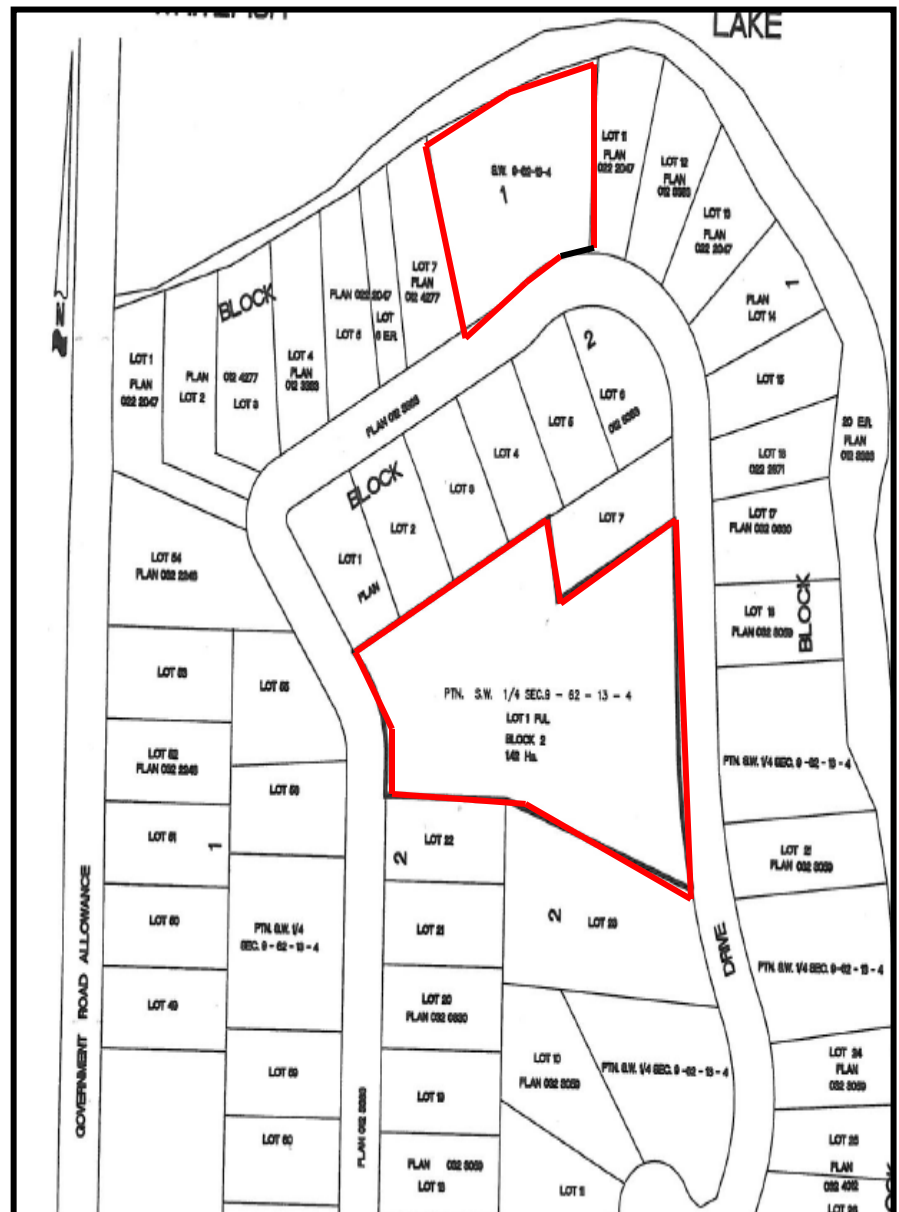
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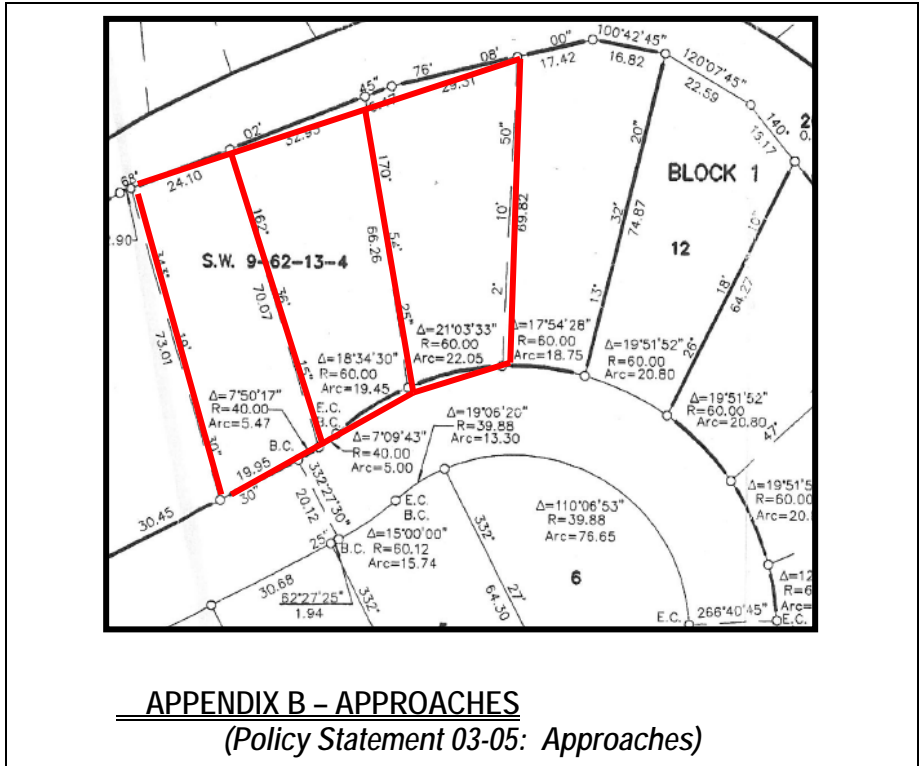
CANADA) I, _____,
 PROVINCE OF ALBERTA) of the Smoky Lake County,
 TO WIT:) in the Province of Alberta,
) MAKE OATH AND SAY:

1. THAT I was personally present and did see **ROY SHUPENIA**, named in the within instrument, on the basis of the identification provided to me, duly sign and execute the same for the purpose named therein;
2. THAT the instrument was executed at the Smoky Lake County, Alberta and that I am the subscribing witness thereto;
3. THAT I believe the person(s), whose signature(s) I witnessed, is (are) at least eighteen (18) years of age.

Sworn before me at the Smoky Lake County, in)
 the Province of Alberta)
 this ____ day of _____, 2014)
 _____)
 A Commissioner for Oaths in and for the)
 Province of Alberta)

APPENDIX A – Tentative Plan of Subdivision
Subdivision Authority's File No. 10-N-592





Carried.

Jean and Maurice Chomik

Present before County Council at 2:09 p.m. to 2:34 p.m. were Jean and Maurice Chomik, Landowners to address with County Council the proposal to purchase undeveloped Road Allowance – South of Victoria Trail adjacent of RR 194.

204-14: Bobocel

That County Administration research options for possible action to resolve the unauthorized development located on property NW 32-58-19-W4 along the river bank, not placed by the current landowner.

Carried.

Bob Novosiwsky, Public Works Foreman left the Council Chambers, time 2:35 p.m.

Smoky Lake Trail Twisters

Present before County Council at 2:35 p.m. to 2:56 p.m. was Vern Billey, President, Smoky Lake Trail Twisters Snowmobile Club to address the Winter Maintenance on the Iron Horse Trail, as per letter written to Smoky Lake County on November 26, 2013.

205-14: Orichowski

That Smoky Lake County contribute in the amount of **\$1,500.00** to the Smoky Lake Trail Twister Snowmobile Club for the 2014 Year only - towards the Winter Maintenance Program for the Iron Horse Trail; and funds to be allocated from the 2014 Budget entitled “Grants to Individuals and Organizations”.

Carried.

Aline Brousseau, Planning and Development Manager left the Council Chambers, time 2:59 p.m.

Committee Task Forces and Boards: Reports**Alberta Care**

- 2014 Alberta Recycling Spring Seminar in High River, Alberta on February 26 – 28, 2014.

206-14: Cholak That the Environmental Operations Manager attend the Alberta Care (Alberta Coordinated Action for Recycling Enterprises – 2014 Alberta Recycling Spring Seminar on February 26 – 28, 2014 at the Heritage Inn and Conference Centre in High River, Alberta.

Carried.

Corridor Communications Incorporated

- Spectrum Auction – January 2014.
- Nomination for Director to the CCI Board for Three-Year Term.

Corridor Communications Incorporated

207-14: Smigerowsky That Smoky Lake County nominate Councillor Dareld Cholak for Director to the Corridor Communications Incorporated Board for a Three-Year Term.

Carried.

Doctor Retention & Recruitment Committee

- No Report.

Evergreen Regional Waste Management Commission

- 2013 Budget: In defect position.
- Ordered new equipment “Track Hoe” for the Pit.

Family Community Support Services Committee

- Letter: Jeff Carlson, President, FCSS Association / Councillor for City of Lethbridge, dated November 22, 2013 – Re: 2013 FCSS Story Book.

208-14: Bobocel That the correspondence received from Jeff Carlson, President, FCSS Association – Councillor for City of Lethbridge, dated November 22, 2013 in regards to the 2013 FCSS Storybook, be filed for information.

Carried.

Family-School Liaison Committee

- Organizational Meeting held on December 16, 2013.
- Chairperson: Smoky Lake County – Randy Orichowski.
- 2014 Budget: No change.
- Lakeland Catholic School Division: has a person in the jurisdiction to assist. Will help our Family-School Liaison staff with case loads.
- Next meeting scheduled for March 3, 2014 at 1:00 p.m..

Fire and Rescue Committee**Smoky Lake:**

- No report.

Vilna:

- Vilna Firemen’s Dine and Dance: January 25, 2014.

Waskatenau:

- No report.

Government Liaison Committee

- No report.

Highway 28/63 Regional Water Services Commission

- Conference Call held on January 15, 2014.
- Discussion held in regards to the Regional Water Line from Smoky Lake to Spedden.
- Commission passed a Motion to proceed with commissioning the Regional Water Line from Smoky Lake to Spedden. Additional costs saving of funds in the amount of \$50,000.00 – if the commission did not proceed now – costs increases to \$100,000.00.
- Meeting scheduled for February 6, 2014 in Smoky Lake.

In-House Safety Committee

- Minutes: November 20, 2013.
- No major incidents
- Training continues.
- 2014 County Annual Safety Meeting: Tentative dates: March 7, 2014; March 14, 2014; and March 21, 2014 at 8:00 a.m..
- Smoky Lake County to extend invitation to adjacent Municipalities – Public Works Department(s).

Municipal Planning Commission

- No report.

North East Muni-Corr. Ltd.

- Beaver River Trestle Replacement Project: Developing Policy for the Trestle Funding.
- Elk Point and Cold Lake committed funding to the rebuilding of the Trestle.
- Beaver River Trestle committed funding to date: \$ 256,000.00.
- Discussion held to sell the 4.52 Acres of land by the Hamlet of Edwand (Bin Site).
- Next meeting scheduled for February 10, 2014.

Northern Lights Library System

- No report.

Policy Committee

- Meeting scheduled for February 24, 2014.

R.C.M.P. Liaison Committee

- No report.

Regional Community Development Committee

- Addressed during the Reeve's report.

Regional Disaster Services Agency Committee

- No report.

Risk Pro Control Management Committee

- **Minutes:** Added Named Insured: No
 - **Smoky Lake Town and Country Golf Club:** Financial Statement for Year-Ended February 28, 2013.
 - **Smoky Lake Agricultural Society:** Financial Statement for Year-Ended September 30, 2013 (Unaudited).

Smoky Lake Agricultural Society

- Maintenance: Mezzanine renovation concept – in progress of applying for Grants (CFIP Grant).
- Agricultural Society will be taking over the 2014 Raffle.

Smoky Lake Foundation

- Minutes: November 18, 2013.
- Continuing with the Alberta Seniors and Community Supports Affordable Supportive Living Initiative – Project.
- Smoky Lake Foundation – possible delegation at the Joint Municipalities Meeting scheduled for February 3, 2014.

Smoky Lake Heritage Board

- No Minutes.

Joint Municipalities

- Next Joint Municipalities Meeting has been re-scheduled to **February 3, 2014** hosted by the Village of Vilna.
- Possible start meeting time: 5:00 p.m. to accommodate Smoky Lake Foundation - Delegation.

209-14: Orichowski That the Committee Task Force and Board Reports presented by Councillors be accepted.

Carried.

6. Correspondence:

210-14: Cholak That the following correspondence received from the Alberta Association of Municipal Districts and Counties, be filed for information:

- a. Contact Newsletter:
 - December 4, 2013.
- b. Contact Newsletter:
 - December 11, 2013.
- c. Contact Newsletter:
 - December 18, 2013.
- d. AAMD&C Minutes – District No. 5:
 - September 13, 2013.
 - **District Motion:** District No. 5 – schedule two meeting each year.
 - **Resolution** submitted by Camrose County: Infrastructure Funding as a Result of Dissolution.

Carried.

Procurement: Domestic and International Trade Agreement

211-14: Bobocel That the letter received from Cal Dallas, Minister of International and Intergovernmental Relations, dated November 25, 2013 in regards to the Guidelines to the Procurement Obligations of Domestic and International Trade Agreements – developed in collaboration with the Governments of Alberta, British Columbia and Saskatchewan, be accepted for information.

Carried.

Kalyna Country Performing Arts Association

212-14: Cholak That Smoky Lake County take no action to the request for donation of \$200.00 to the performing arts program, as per letter received from Judy Taylor, President, Kalyna Country Performing Arts Association, dated December 1, 2013.

Carried.

Royal Canadian Legion Smoky Lake Branch #227

213-14: Lukinuk That Smoky Lake County approve to provide access link to Internet Connection Use at no cost for the Royal Canadian Legion Smoky Lake Branch #227 to help assist with the Branch Accounting Package Program Grant, as per letter received from Bernadette Dalpe, Secretary, Royal Canadian Legion Smoky Lake Branch #227, dated December 9, 2013.

Carried.

Alberta Environment and Sustainable Resource Development

214-14: Cholak That Smoky Lake County acknowledge receipt of the letter received from Randall Barret, Director, Red Deer North Saskatchewan Region, Alberta Environment and Sustainable Resource Development, dated December 4, 2013 in regards to the 2013 Fall Alberta Association of Municipal District and Counties (AAMDC) Convention Meeting held on November 14, 2013.

Carried.

Municipal Planning Services Ltd.

215-14: Bobocel That the letter received from Jane Dauphinee, Principal / Senior Planner, Municipal Planning Services (2009) Ltd., dated December 2013 in regards to the coming Year 2014, be filed for information.

Carried.

Northern Alberta Development Council

216-14: Orichowski That the correspondence received from Northern Alberta Development Council entitled "This is the Magnetic North" – 2012 – 2013 Annual Report, be file for information.

Carried.

Clearwater County: Letter of Support

217-14: Bobocel That Smoky Lake County acknowledge receipt of the letter received from Patrick Alexander, Reeve, Clearwater County, dated December 10, 2013; and write a letter of support for the Province to reinstate funding for bridge an culvert maintenance.

Carried.

Thank You: Summary Listing

218-14: Orichowski That Smoky Lake County file for information the January 2014 Summary Listing of Thank You received from organizations extending appreciation of support:

- No submissions.

Carried.

2014 Minister's Seniors Service Award

219-14: Cholak That the Smoky Lake County advertise in the Smoky Lake County Grapevine and post on the County Website the 2014 - 17th Year Minister's Seniors Service Award for self-nominations to interested applicants, as per the correspondence received from the Alberta Health, Government of Canada to help recognize individuals and organizations whose volunteer to assist Alberta's seniors – submission deadline of February 28, 2014.

Carried.

Sustainable Resource Development

Miscellaneous Lease No. MLL 960120

220-14: Bobocel That the c.c. letter received from Shelly Currie, Approvals and Disposition Section, Government of Alberta Environment and Sustainable Resource Development, dated December 12, 2013 in regards to formally Miscellaneous Lease No. MLL 96-12- LSD 6 of 3-062-13-W4M (1.42 acres) for Monica Cecilia Cardinal from Mary Senger, be filed for information.

Carried.

Alberta Transportation

221-14: Cholak That Smoky Lake County acknowledge receipt of the letter received from Michael Botros, P. Eng., Regional Director, Alberta Transportation, dated December 9, 2013 in regards to the 2013 Fall - Alberta Association of Municipal District and Counties (AAMDC) Convention Meeting held on November 14, 2013 in regards to the updates concerning issues forward by County Council.

Carried.

Alberta Transportation: Meeting

222-14: Cholak That County Council approve for the Reeve, Councillor Dareld Cholak, in the absence of Deputy Reeve, and the Chief Administrative Officer attend a meeting with Alberta Transportation officials to discuss approach removals: Peppers/Petro Canada at Waskatenau; when notified by Alberta Transportation of an appropriate date.

Carried.

County of Wetaskiwin No. 10: Letter of Support

223-14: Orichowski That Smoky Lake County acknowledge receipt of the letter received from Kathy Rooyakkers, Reeve, County of Wetaskiwin No. 10, dated December 16, 2013; and write a letter of support for the Province to reinstate funding for replacement, repair and maintenance of bridge and culverts.

Carried.

Alberta Association of Municipal Districts & Counties

224-14: Cholak That County Council who can attend and relevant administration attend the 2014 Spring AAMDC – Alberta Association of Municipal Districts and Counties – 2014 on March 17 – 19, 2014 at the Shaw Convention Centre in Edmonton.

Carried.

Alberta Environment and Sustainable Resource Development

225-14: Bobocel That Smoky Lake County acknowledge as received the letter from Provincial Approvals Section, Provincial Programs Branch, Alberta Environment and Sustainable Resource Development, dated December 2013 in regards to the update of Disposition Numbers and distribute to each County department for information.

Carried.

Information Releases

226-14: Lukinuk That the Information Releases for the Month of December 2013 and January 2014, be accepted and filed for Information.

Carried.

Reading File

No correspondences in the Reading File.

Federation of Canadian Municipalities

227-14: Cholak That County Council and Administration who can attend – attend the Federation of Canadian Municipalities (FCM) 77th – 2014 Annual Conference “Strong Communities, Strong Cities, Strong Canada” in Niagara Falls, Ontario on May 30, 2014 to June 2, 2014.

Carried.

Bills & Accounts:

228-14: Orichowski That all the Bills and Accounts approved for payment, including the bills and accounts recommended for payment by the Natural Gas Council, including transfers to the Payroll Account be filed for information:

Batch #	Cheque Numbers	Total of Batch
28247	34925 to 34937	\$ 171,667.10
28269	34938 to 34987	\$ 416,863.17
28277	34988	\$ 16,716.02
28295	34989 to 35015	\$ 36,995.02
28323	35016 to 35068	\$ 327,120.39
28347	35069	\$ 278,719.35
28353	35070 to 35114	\$ 237,034.72
28361	35115 to 35130	\$ 104,629.37
28376	35131 to 35143	\$ 171,217.97
28415	35144 to 35169	\$ 262,499.33
28448	35170 to 35201	\$ 131,603.56
Total Cheques		\$ 2,155,066.00
Direct Debit Register		
28451	Smoky Lake County	\$ 286,076.61
Total Direct Debits		\$ 260,059.79
Grand Total Bills and Accounts		\$ 2,441,142.61

Carried.

County Council Meeting(s)

229-14: Cholak That the next **County Council Meeting(s)** be scheduled for Thursday, **February 20, 2014**; Thursday, **March 13, 2014**; Thursday, **April 24, 2014**; Thursday, **May 22, 2014**; and for Thursday, **June 26, 2014** at 9:00 a.m. to be held at the County Council Chambers.

Carried.

8. Executive Session:

230-14: Bobocel That County Council go into an Executive Session to discuss a legal, issue, time 3:50 p.m.

Carried.

231-14: Bobocel That County Council go out of an Executive Session, time 3:57 p.m.

Carried.

James H. Brown & Associates

232-14: Orichowski That Smoky Lake County refer to Jubilee Insurance Agencies Ltd. the letter received from Richard J. Mallett, James H. Brown & Associates, Barristers & Solicitors, dated January 6, 2014 in regards to Client: File No. 2014-4/RJM – Date of Accident: December 5, 2013 on location approximately 6 kms east of the Town of Smoky Lake.

Carried.

ADJOURNMENT:

233-14: Smigerowsky That this meeting be adjourned, time 4:00 p.m.

Carried.

REEVE

S E A L

CHIEF ADMINISTRATIVE OFFICER