

SMOKY LAKE COUNTY

Minutes of the **County Council Meeting** held on Thursday, **June 16, 2016** at 9:09 A.M. in the County Council Chambers.

The meeting was called to Order by the Reeve, Mr. Ron Bobocel, in the presence of the following persons:

		<u>ATTENDANCE</u>
		<u>Thursday, June 16, 2016</u>
<u>Div. No.</u>	<u>Councillor(s)</u>	
1	Dareld Cholak	Present
2	Ron Bobocel	Present
3	Craig Lukinuk	Present
4	Cary Smigerowsky	Present
5	Randy Orichowski	Present
CAO	Cory Ollikka	Present
Asst. CAO	Lydia Cielin	Present
Finance Manager	Brenda Adamson	Present
Public Works Mgr.	Doug Ponich	Present
GIS/Communication	Paul Miranda	Present
Plan/Dev Manager	Jordan Ruegg	Present
Legislative Svcs/R.S.	Patti Priest	Present

2 Members of the Media:

The Review and Smoky Lake Signal in attendance.

Jane Dauphinee, Principal/Senior Planner, Municipal Planning Services (2009) Ltd.

2. Agenda:

Agenda

752-16: Lukinuk

That the Agenda for Thursday, June 16, 2016 County Council Meeting be adopted, as amended:

Addition(s):

1. Executive Session - Legal.
2. Completion of Waste Transfer Stations

Carried Unanimously.

3. Minutes:

Minutes of May 19, 2016 – County Council Meeting

753-16: Cholak

That the minutes of the **County Council Meeting** held on Thursday, May 19, 2016, be adopted.

Carried.

Minutes of June 7, 2016 – County Council Committee of the Whole for the Purpose of Planning: Victoria District Area Structure Plan Meeting

754-16: Orichowski

That the minutes of the **County Council Committee of the Whole for the Purpose of Planning: Victoria District Area Structure Plan Meeting** held on Tuesday, June 7, 2016, be adopted.

Carried.

4. Request for Decision:

Policy Statement No. 01-08-02: Chief Administrative Officer Performance Appraisal
755-16 Lukinuk
That **Policy Statement No. 01-08-02: Chief Administrative Officer Performance Appraisal** be amended:

Title: Chief Administrative Officer - Performance Appraisal		Policy No.: 08-02
Section: 01	Code: P-1	Page No.: 1 of 8

Legislation Reference:	Alberta Provincial Statutes
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Purpose:	To provide the Chief Administrative Officer with a Performance Appraisal Evaluation.
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Policy Statement and Guidelines:	
1.	STATEMENT:
1.1	The performance of the Chief Administrative Officer (CAO) can have a direct and lasting impact on the ability of Council to carry out its mandate that a functional and successful relationship viewed is essential.
1.2	It is in everyone's best interests that an atmosphere of trust, respect and transparency develop and characterize this relationship between Council and CAO.
2.	OBJECTIVE:
2.1	In accordance with the <i>Municipal Government Act – Section 205</i> , Council must provide an annual written performance evaluation of the Chief Administrative Officer (CAO).
2.2	Systematic assessment and monitoring of the Chief Administrative Officer job performance will be measured with respect to fulfilling the responsibilities as established by <i>Bylaw No. 975: Chief Administrative Officer</i> and as stated in the <i>Municipal Government Act</i> .
3.	DEFINITION:
3.1	"Chief Administrative Officer" is the person appointed by Council as the Chief Administrative Officer pursuant to Sections 207- 210 of the <i>Municipal Government Act</i> .
3.2	"Council" means the Reeve and Councillors of the County for the time being elected pursuant to the provisions of the <i>Local Authorities Election Act</i> whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the <i>Municipal Government Act</i> .
3.3	"Performance Appraisal" also referred to as a performance review, performance evaluation or employee appraisal is a method by which the job performance of an employee is documented and evaluated performance appraisals are a part of career development and consist of regular reviews of employee performance within organizations.

Policy Statement and Guidelines:											
4.	GUIDELINES:										
4.1	A Performance Appraisal is expected:										
4.1.1	To formally discuss the relationship between the County and the CAO.										
4.1.2	To relate performance to the role, responsibilities, authority and duties as defined by the <i>Municipal Government Act</i> , bylaws and policies and the job description.										
4.1.3	To set objectives and criteria for future evaluation.										
4.1.4	To recognize strengths and weaknesses and reward or correct them.										
4.1.5	To serve as a basis for salary adjustment.										
4.2	The Performance Appraisal Format will be based on the evaluation of the following core Performance Factors as indicated in the <i>Municipal Government Act – Section 207: CAO responsibilities and Section 208: major administrative duties:</i>										
	Section A:										
4.2.1	Management and Leadership Practices										
4.2.2	Relationship with Council										
4.2.3	Relationship with Staff										
4.2.4	Relationship with Public and Media										
	Section B:										
4.2.5	Objectives										
4.2.6	Accomplishments										
4.2.7	Areas for improvement										
	Section C:										
4.2.8	Chief Administrative Officer (CAO): Comments										
4.2.9	Follow-up: Comments										
	Section D:										
4.2.10	Sign-Off: Signatures										
4.3	The Performance Appraisal Review will be based on a Rating Criteria to ensure commonality of language and consistency on overall ratings. As follows:										
	<table border="1"> <thead> <tr> <th>Rating</th> <th>Definition</th> </tr> </thead> <tbody> <tr> <td>1. Outstanding</td> <td>Performance is consistently superior.</td> </tr> <tr> <td>2. Above Standard</td> <td>Performance is routinely exceeds job requirements.</td> </tr> <tr> <td>3. Standard</td> <td>Performance is regularly competent and dependable.</td> </tr> <tr> <td>4. Below Standard</td> <td>Performance is unacceptable.</td> </tr> </tbody> </table>	Rating	Definition	1. Outstanding	Performance is consistently superior.	2. Above Standard	Performance is routinely exceeds job requirements.	3. Standard	Performance is regularly competent and dependable.	4. Below Standard	Performance is unacceptable.
Rating	Definition										
1. Outstanding	Performance is consistently superior.										
2. Above Standard	Performance is routinely exceeds job requirements.										
3. Standard	Performance is regularly competent and dependable.										
4. Below Standard	Performance is unacceptable.										
	There should be supporting comments to justify ratings of "Outstanding", and "Below Standard".										
5.	PROCEDURES:										
5.1	The County Council, as a whole leads the Performance Appraisal process , reports on the evaluation to the entire Council, and makes recommendations; in accordance to Schedule "A": Chief Administrative Officer (CAO) Performance Appraisal .										

Title: Chief Administrative Officer - Performance Appraisal		Policy No.: 08-02
Section: 01	Code: P-I	Page No.: 3 of 8

Policy Statement and Guidelines:

- 5.2 The evaluation process shall commence at a time of the choosing of Council, but generally annually beginning in January of the new year term and completed by September.
- 5.3 Council will schedule a County Council meeting to hold the Chief Administrative Officer – Performance Evaluation. This meeting shall be held in an "Executive Session" for Council to arrive at a consensus that will become the official evaluation, signed by the Reeve or Deputy Reeve. At this point the CAO shall not receive any of the input.
 - 5.3.1 Council shall review the previous year's assessment criteria, process and objectives for the current year.
 - 5.3.2 The current Job Description – **Bylaw No. 975-95: Chief Administrative Officer** - can be used to assist in the Performance Appraisal Review.
 - 5.3.3 The CAO's level of performance will be rated as per criteria outlined in Section 4.3. Each performance factor used to evaluate the CAO work performance will be reviewed with the CAO.
 - 5.3.4 Council will acquire monitoring data by Council review to assess compliance, in which the Reeve is the designated member to consolidate and composite results with the appropriate policy criteria.
- 5.4 Council will schedule a second meeting held in an "Executive Session" to meet with the Chief Administrative Officer. Council and the CAO shall subsequently discuss the feedback to enable complete feedback.
- 5.5 To complete the process:
 - 5.5.1 The CAO shall respond in writing to Council with respect to the feedback.
 - 5.5.2 The CAO shall be requested to sign the evaluation and the original copy will be kept on file in the CAO's confidential personnel file and a copy provided to the CAO.
- 5.6 County Council shall subsequently determine any Chief Administrative Officer's remuneration adjustments based on economic conditions, benchmark data, performance and any other factors; and as part of the monitoring and assessment process in order to provide fair and reasonable compensation for the quality of the job being performed by the CAO.

Section 01

Policy: 08-02

Schedule "A"



CHIEF ADMINISTRATIVE OFFICER (CAO)

PERFORMANCE APPRAISAL

**PERFORMANCE APPRAISAL
EVALUATION OF THE
CHIEF ADMINISTRATIVE OFFICER
(CAO)**

Employee's Name: Chief Administrative Officer's Name

Date Appointed to Position: Month, Date, Year

Date of Appraisal Meeting: Month, Date, Year

Date of Last Revision: Month, Date, Year

Rate each Performance Factor according to your perception of the performance of the Chief Administrative Officer (CAO).
Provide narrative comments or examples to illustrate. There should be supporting comments to justify ratings of "Outstanding", and "Below Standard".

Rating Criteria

Rating	Definition
1. Outstanding	Performance is consistently superior.
2. Above Standard	Performance is routinely exceeds job requirements.
3. Standard	Performance is regularly competent and dependable.
4. Below Standard	Performance is unacceptable.

**PERFORMANCE APPRAISAL
OF THE
CHIEF ADMINISTRATIVE OFFICER
(CAO)**

Section A: Performance Factors		
A.1	Management and Leadership Practices	Rating
1.	Display positive leadership style in his/her dealing with the public, staff, Council and the County.	_____
2.	Have a clear understanding of the background of major issues and decision-making process.	_____
3.	Model the values of the organization?	_____
4.	Ensure resources are allocated in-line with strategic objectives.	_____
5.	Planning and organizing (setting long and short-term objectives).	_____
Comments: _____ _____ _____		
A.2	Relationship with Council	Rating
1.	Presents matters to Council within appropriate timeline.	_____
2.	Acts on Council's resolutions/motions and direction in a timely manner.	_____
3.	Facilitates Council's governance, decision-making and committee work.	_____
4.	Keeps Council fully informed on all important aspects of the status and development of the County.	_____
5.	Respects the division of authority between Council and the CAO.	_____
Comments: _____ _____ _____		
Performance Appraisal: CAO - Page 1 of 4		Page 5

A.3	Relationship with Staff	Rating
1.	Actively supports and encourages professional development among the staff.	_____
2.	Communications to staff, the goals, objectives, priorities and decisions of Council.	_____
3.	Promotes a clear understanding of roles between staff and elected officials.	_____
4.	Delegates appropriate responsibilities and authority to staff. Provides follow-up assistance.	_____
5.	Provides good leadership, senses the need for direction and provides a good example.	_____
Comments: _____ _____		
A.4	Relationship with the Public and Media	Rating
1.	Serves as chief administrative spokesperson, communicating effectively with all stakeholders.	_____
2.	Appropriately represents Council's direction.	_____
3.	Appropriately represents the County and Council in the community.	_____
4.	Appropriately represents the County and Council outside of the community.	_____
5.	Ensure that the public perceive the Council and the County in a positive light.	_____
Comments: _____ _____		
Section B: Council Comments		
B.1	Objectives	
1.	Leads the operations of the County and communicates a clear plan that reflects Council's vision, mission and strategic plan, and that is well understood, widely supported, consistently applies and effectively implemented. Rating: _____ Comment: _____	
2.	Establishes objectives, operating, and financial plans for the County that meets the needs of the public, employees, and the broader community in accordance with legislation and Council policy. Rating: _____ Comment: _____	
3.	Continuously monitors and evaluates objectives, plans to ensure they are being achieved and taken action as needed. Rating: _____ Comment: _____	
4.	Ensures the County meets or exceed the financial and operating performance goals as set out in the annual plans. Rating: _____ Comment: _____	
5.	Reviews and where appropriate, adjusts the long-term strategies and objectives of the County in consultation With Council. Rating: _____ Comment: _____	
Performance Appraisal: CAO - Page 2 of 4		Page 6

RB

Key Objectives <small>(These should be developed by the Chief Administrative Officer and reviewed by Reeve and Council.)</small>	
Key Objectives	Results
Overall Impression of performance and results achieved. _____	

B.2 Accomplishments

- What are the CAO's greatest strengths?

- What are the things that you have most appreciated that the CAO has accomplished so far this year?

- What are specific areas where the CAO needs to turn his/her attention in the coming year?

- Are there any specific training opportunities that the CAO should be utilizing?

B.3 Performance Areas which need Improvement

Rank in order of importance 1-5

Policy advice, development of new initiatives	_____
Leadership vis-à-vis staff	_____
Budgetary advice and control	_____
Technical Functions	_____
Public Image	_____

Performance Appraisal: CAO - Page 3 of 4 Page 7

Section C: CAO Comments

C.1 Chief Administrative Officer (CAO):

Comments:

C.2 Follow-up:

Indicate those measures or steps which should be taken by the CAO over the course of the next appraisal period to improve his/her performance. (e.g. types of external or internal development courses/seminars. Changes in management practices, etc.).

- _____
- _____
- _____
- _____
- _____

Section D: Sign Off

SIGNATURES:

Signature of the Chief Administrative Officer (CAO) - (this indicates only that this appraisal has been discussed with you, not whether you agree or not with the comments/rating).

_____ Reeve or Deputy Reeve	_____ Date
_____ Chief Administrative Officer	_____ Date

NOTE:
Signature does not necessarily denote agreement with official review and means only that the **Chief Administrative Officer (CAO)** was given opportunity to discuss the official review with Council.

Performance Appraisal: CAO - Page 4 of 4 Page 8

Carried.

Policy Statement No. 14A-10-01: Damage Claim – Vehicle Related

756-16 Cholak

That **Policy Statement No. 14A-10-01: Damage Claim – Vehicle Related** be adopted:

Title: Damage Claim – Vehicle Related	Policy No.: A.10-01
Section: 14	Code: P-S
	Page No.: 1 of 3 E

Legislation Reference:	Alberta Provincial Statutes
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Purpose:	To establish a process respecting claims submitted for damage(s) incurred on municipal (County) roads.
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Policy Statement and Guidelines:	
1.	STATEMENT:
1.1	Smoky Lake County recognizes that in the process of providing services to the public, incidents inadvertently occur which may result in claims for damages against the County.
1.2	It is not uncommon for vehicles to incur vehicle damage while travelling on rural municipality roads.
1.3	Smoky Lake County is not liable for vehicle damage if it has met its obligations under the <i>Municipal Government Act</i> .
1.4	There is some accountability on drivers to watch where they are driving and drive with due care and attention to road conditions, to avoid damage as long as this can be done safely.
2.	GUIDELINES:
2.1	Claims against Smoky Lake County normally be referred to the insurers for Smoky Lake County.
2.2	Where claims are below the applicable deductible in the Insurance Policy or where in the opinion of Smoky Lake County it is beneficial to make a settlement directly with claimant consideration may be given to a direct settlement.
2.3	In the event that a claim exceeding the County deductible is not referred to the County's insurer, the claim may be referred to Council for a decision.
3.	PROCEDURES:
3.1	Smoky Lake County requires the Claimant to provide precise detailed information about the incident regarding the reported location on the County road, which is important and helpful to the process of Risk Management to diligently develop and implement procedures to protect and enhance the County's roadways and activities.
3.2	If it is alleged that Smoky Lake County is responsible for damage incurred as a result of negligence, please complete Schedule "A": Claim Submission Procedure for Vehicle Damage form and submit to the County.

Policy Statement and Guidelines:	
3.3	The Claim Submission Procedure must be completed in order for your claim to be considered and the following report on the incident detail is requested:
3.3.1	The date and time of the incident.
3.3.2	Name, full mailing address, email address and telephone number.
3.3.3	The exact location of the incident, including highway and direction of travel.
3.3.4	A detailed description of the incident.
3.3.5	Identification of County Unit involved: Unit # or License Plate Number.
3.3.6	A description of what is damaged.
3.3.7	Two estimates for repair (attached) or receipt(s) and the name of the vendors to this form showing the damage suffered and the amount of the claim.
3.3.8	Photograph and any other supporting information, if applicable.
3.3.9	Why claimant believes the County is responsible for the damage.
	This is an outline of the County's administrative procedures to process a request for compensation due to damages caused on municipal roads.
3.4	An investigation into the circumstance of the incident will be conducted by the Safety Officer, as part of the County's risk management program, to determine if Smoky Lake County was negligent and is responsible for the damage sustained.
3.5	Smoky Lake County will only compensate damages when it is legally liable for the damage sustained, as stipulated in the <i>Municipal Government Act</i> and <i>other Provincial Legislation</i> .
3.6	Claim Reimbursement Process: After the documentation requirements of this policy are satisfied and the request for reimbursement is determined to be valid, the County will reimburse the claimant for the damages sustained to the vehicle.
3.7	If the claimant does not agree with the settlement decision, a written appeal to Council may be submitted.

Section 14

Policy A.10-01

SCHEDULE "A"

Claim Submission Procedure for Vehicle Damage	
CONTACT	Date of Incident: _____ Time: _____ Name: _____ Address: _____ <small>Street/Box Number / Town or City / Postal Code</small> Email: _____ Phone Number(s): _____ Name of Driver, if not the same: _____
INCIDENT DETAILS	Location: (Descriptive) _____ Direction of Travel: _____ <small>(Range / Road)</small> Identification of County Unit involved: Unit # or License Plate Number _____ Please describe the detail of the incident that caused the vehicle damage. _____ _____ Two Estimates - ATTACHED: _____ Photograph(s) - ATTACHED: _____ or Receipts - ATTACHED: _____ Claim Amount: \$ _____ Please provide the reason(s) why you believe that Smoky Lake County is responsible to pay for the damages to your vehicle in the incident described above. _____ _____ I, _____ attest that the information provided above is true to the best of my <small>Print Name</small> <small>knowledge and ability,</small> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; width: 150px; height: 20px;"></div> <div style="border: 1px solid black; width: 100px; height: 20px;"></div> </div> <small>Signature of Claimant</small> <small>Date</small>
INSPECTION IDENTIFICATION	COMMENTS: _____ _____ Inspected By: _____
Complaint FOLLOW-UP DATE	Notified On: _____ Compensation: <input type="checkbox"/> YES <input type="checkbox"/> NO
SIGNATURE OF Chief Administrative Officer: _____ DATE: _____	

Schedule "A": Claim Submission Procedure for Vehicle Damage

Page 3 of 3

Carried.

PUBLIC HEARING:

Bylaw No. 1289-16: The Town of Smoky Lake and Smoky Lake County Intermunicipal Development Plan

The Reeve Ron Bobocel reconvened the Public Hearing from May 19, 2016 at 9:16 a.m. in the presence of all the Council members, the Chief Administrative Officer; the Assistant Chief Administrative Officer, the Finance Manager, the GIS/Communication Director, and the Recording Secretary.

Jordan Ruegg, Planning and Development Manager in attendance for the Public Hearing.

Jane Dauphinee, Principal/Senior Planner, Municipal Planning Services (2009) Ltd. in attendance for the Public Hearing.

General public: 7 members of the public in attendance for the Public Hearing.

**Smoky Lake County
Bylaw No. 1289-16
AND
Town of Smoky Lake
Bylaw No. 003-16:**

The Town of Smoky Lake and Smoky Lake County and Intermunicipal Development Plan.

1.0 Opening

1.1 Reeve Ron Bobocel declared the Public Hearing re-open at 9:16 a.m. The Reeve stated he will Chair the Public Hearing and welcomed all persons in attendance to the Public Hearing.

- 1.2 Reeve 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:

Proposed **County Bylaw 1289-16**: Town of Smoky Lake and Smoky Lake County Intermunicipal Development Plan has been advertised and notice has been provided in accordance with Section 606 of the *Municipal Government Act, R.S.A. 2000*.

Specifically, Sec 606(2) which states:

Notice of the bylaw, resolution, meeting, public hearing or other thing must be:

- (a) *published at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held, or*
- (b) *mailed or delivered to every residence in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held.*

Please note: the Town of Smoky Lake is holding a separate public hearing scheduled on June 17, 2016 in the Town of Smoky Lake for the Town of Smoky Lake **Bylaw No. 003-16**, Intermunicipal Development Plan.

- 1.3 The purpose of this Hearing is for the Council of Smoky Lake County to obtain **public input**, in favour and opposed to proposed County Bylaw No. 1289-16 - Smoky Lake County and Town of Smoky Lake Intermunicipal Development Plan.
- 1.4 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 the

Background:

- The proposed Bylaw 1289-16: Smoky Lake County & Town of Smoky Lake Intermunicipal Development Plan began as an Intermunicipal Development Strategy developed as an initiative of the Smoky Lake Region Community Development Partnership Project - Regional Collaboration Grant.
- November 6, 2013 - establishment of an Intermunicipal Strategy Development Committee to engage the Regional Collaboration Grant.
- June 26, 2014 - Municipal Planning Services consultant Jane Dauphinee presented an overview report on the Intermunicipal Development Strategy, including the next steps for public consultation.
- February 2, 2015 - A Committee of the Whole Meeting was held with representatives of the Smoky Lake County and the Town of Smoky Lake to discuss items related to the Intermunicipal Development Strategy including changes to the future land use maps, annexation process and procedures and the composition of the Intermunicipal Development Committee.
- June 9, 2015 - an Open House was held at the Town of Smoky Lake to discuss the draft Intermunicipal Development Plan. Feedback during this meeting was incorporated into the proposed Bylaw.
- Bylaw 1289-16 was presented for 1st Reading on March 24, 2016.
- A Public Hearing on the proposed Bylaw was commenced on May 19, 2016, and was recessed until June 16, 2016, to allow County administration to distribute complete information packages to affected County landowners.
- A notice has also been posted on the County's website since May 11, 2016.
- The Public Hearing Notices were advertised in the Smoky Lake Signal and Redwater Review the weeks of April 25, 2016 May 2, 2016, June 7, 2016, and June 14, 2016. The proposed Bylaw was advertised and notice has been provided in accordance with the applicable legislation.
- This hearing has been scheduled to obtain public input on proposed Bylaw in accordance with Section 230 of the Municipal Government Act



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

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

- a. planner and/or planning staff will speak first to outline facts and present her recommendation on the proposed bylaw
- b. members of the public, who have signed in will be given the opportunity to speak in the order they signed in,
- c. anyone else, who did not sign in will be given the opportunity to speak,
- d. planner and/or planning staff will be given the opportunity to present closing remarks or address any of the issues presented,
- e. Councillors will be given the opportunity to ask questions,
- f. Council will then end the Hearing and consider the information received at the public 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 a Councillor wishes to have an answer.
- h. Council will consider the representations made regarding the bylaw and any other matter Council considers appropriate.

2.0 Staff Presentation

2.1 Jane Dauphinee, Principal/Senior Planner, Municipal Planning Services (2009) Ltd. reported the following:

- This bylaw will open the door to better communication ensuring development is consistent with common goals and objectives.
- It is a guide for:
 - future land use (IF a landowner wants to change their land use)
 - the framework of cost sharing
 - the intermunicipal planning committee
 - addressing future disputes

3.0 Public Presentations Via Written Submissions

3.1 The Chief Administrative Officer reported one written submission received on June 14, 2016 from Ellen Strynadka, landowner as follows:

Personal address
Not listed in minutes

Smoky Lake County
P.O. Box 310
4612 McDougall Drive
Smoky Lake AB T0A 3C0

Attr: Jordan Ruegg
Planning and Development Manager
C.c. Chief Administrative Officer
County of Smoky Lake

Re: Proposed Bylaw 1289-16
Town of Smoky Lake and Smoky Lake County Intermunicipal Development Plan

I acknowledge receipt of your communication dated May 20, 2016 and wish to advise that this is the first notification I have received relating to this matter despite the fact that planning has been ongoing for a considerable period of time (approximately 2 ½ years or more.) I have been a taxpayer within the County since 1979, therefore contacting me should not have posed a problem. Reference my Owner No. [REDACTED] and Tax Roll No. [REDACTED]

I am deeply concerned that planning as outlined in your documents has a major impact on land owned by me for which you have not provided any details, information or justification. For these reason alone or until such time as I receive such information in writing, I feel that I am left with no option but to object to your proposal.

Review of planning documents provided by you raise a number of concerns and questions which follow:

- 1) A large portion of land along the eastern boundary of your proposed development plan are designated agricultural, yet my land was singled out for proposed Highway Commercial and Serviced Industrial use. My question is why when you have designated industrial usages at the southern extremity of your proposed development plan (albeit unserviced) and highway commercial predominately along the north side of Highway 28.
- 2) Your documents indicate little to no limitations to developing proposed industrial lands along your southern boundary. Limitations to developing industrial land designated on my property are considered to be moderately severe.
- 3) A significant portion and in fact almost all highway commercial areas are designated along the north side of high. 28 and then suddenly jump the highway to its south side onto lands owned by me. Why?
- 4) A significant portion of land owned by me is designated as historic resource for reason I understand. My planning background maybe limited but why would you mix or convert historic lands to industrial and highway commercial use.
- 5) Lands owned by me are currently used for agricultural and honey production purposes. In order to avoid any complications with current land use agreements I prefer that this land remain as such unless there is full disclosure by the Town and County authorities as to the intended use of this.

Yours truly
Ellen Strynadka
Personal Phone Numbers
Not Listed in Minutes



Responses:

Municipal Planning Services (2009) Ltd., Jane Dauphinee – Municipalities do have the authority to rezone land or redistrict, however that is not the intent of this bylaw

Chief Administrative Officer, Cory Ollikka – The bylaw is to identify future uses in a particular zone. For example: in order for a gas station to be built, there would be a number of steps to take; the owner would have to make an application to the County to rezone the land, they would also have to apply for a development permit and with that, all the conditions of a development permit would come into play, such as appeals.

4.0 Public Presentations at the Public Hearing

4.1 For Comment – Not in Favour or Against:

- Member of the General Public, Don Christianson:
 - We want to continue to operate as we are and need clarification on where it stand to affect businesses.

Comment: Municipal Planning Services (2009) Ltd., Jane Dauphinee – this has no impact on current business or land use, it will only have an effect if you want to change the land use. It provides framework in place to bargain with the province in the future.

Comment: Reeve, Ron Bobocel – it creates building blocks for the future, it is not to tell you folks what to do with your land now. The new legislation coming out of the Municipal Government Act review will require municipalities to have intermunicipal development plans with adjoining municipalities.

Comment: Chief Administrative Officer, Cory Ollikka – this is forward thinking, it is a plan; an idea. It is a plan in case a boom hits, we want to be ready; this bylaw accomplishes that.

Comment: Planning and Development Manager, Jordan Ruegg – this provides clarity to potential developers for new development.

- Smoky Lake Shooting Sports Association Representative, Dennis Holowaychuk:
 - We want to work with our neighbors.
 - We want to ensure all/any parties that are involved are aware of our operations.
 - We would be very concerned if changes in land use would affect us negatively.
 - We want to be recognized as a benefit to the community.
 - We have over 300 members.
 - We have plans for more improvements in the future and want to continue to operate in the future.
 - We want to ensure that future surrounding developers know about our shooting range.

Comment: Municipal Planning Services (2009) Ltd., Jane Dauphinee – we will ensure awareness moving forward and that there will not be an impact on current businesses.

- On the Intermunicipal Development Plan Future Land Use Concept, why isn't the Golf Course and Church quarter blue for "Community" instead of yellow for "Serviced & Unserviced Residential"? (*discussion held and clarification was made*)



Answer: Municipal Planning Services (2009) Ltd., Jane Dauphinee – thank you, we will update that.

- On the Intermunicipal Development Plan Future Land Use Concept, why isn't it color coded within the boundaries of the Town of Smoky Lake? (*discussion held and clarification was made*)

Answer: Municipal Planning Services (2009) Ltd., Jane Dauphinee – this bylaw is for land that is under Smoky Lake County's jurisdiction not the Town of Smoky Lake. The only purpose of including the grey ortho photo of the Town is to relate the exact location; to get a better sense of directional bearings with land marks.

- Member of the General Public, Richard Dubitz:
 - All the answers and clarification given today should be included in the plan, so that it does not get misinterpreted in the far into the future.

Answer: Municipal Planning Services (2009) Ltd., Jane Dauphinee – through the changes we will make to the future land use map in regards to the Golf Course and Church area, it will be clearer. With that said, we cannot prevent anyone from applying for change.

- Why was all this done without any public input?

Answer: Municipal Planning Services (2009) Ltd., Jane Dauphinee – there has been two Public Open Houses and we advertised, we have met all legislative requirements for notice.

Comment: Planning and Development Manager, Jordan Ruegg – this bylaw is framework. The plan is conceptual. Its policies do not delve into the fine details of land use, servicing, or implementation but instead set out framework of guidelines for municipal planning policies.

Comment: Municipal Planning Services (2009) Ltd., Jane Dauphinee – all bylaws are subject to amendments; if an amendment is proposed, all those affected will be given notice.

- Member of the General Public, Hank Holowaychuk:
 - Hypothetically if we became a specialize municipality like Strathcona County, I think it would lay the plan out clearly to future developers showing the Town and County color coded future land use concept on one map.

Comment: Municipal Planning Services (2009) Ltd., Jane Dauphinee – if the Town and County wanted to see either side of their land use maps, a joint GIS program would accomplish that.

Comment: Chief Administrative Officer, Cory Ollikka – it is up to a developer to understand the interplay between the municipalities.

Comment: Reeve, Ron Bobocel – if someone does not like it there is always options to appeal.

Comment: Municipal Planning Services (2009) Ltd., Jane Dauphinee – in an amalgamation situation, any Intermunicipal Development Plans are repealed.

5.0 Questions and Answers

5.1 Public: no further items.

5.2 Council: no further items.

6.0 Closing Remarks

Reeve Ron Bobocel declared discussion on the proposed Smoky Lake County Bylaw No. 1289-16: Town of Smoky Lake and Smoky Lake County Intermunicipal Development Plan, closed at 10:38 a.m.

County Council Meeting

County Council Meeting reconvened, time 10:52 a.m.

7. Delegation(s):

Riverland Recreational Trail Society

Present before County Council at 10:52 a.m. to 11:17 a.m. was Delmor Huchulak, Representative, Riverland Recreational Trail Society, to discuss a possible Legal issue in regards to the Iron Horse Trail, requested for an Executive Session.

**Executive Session:
Delegation**

757-16: Lukinuk

That County Council go into Executive Session as per request of delegation to discuss a legal concern in regards to the Iron Horse Trail, time 10:53 a.m.

Carried.

758-16: Orichowski

That County Council go out of Executive Session, time 11:17 a.m.

Carried.

759-16: Cholak

That Smoky Lake County provide in-kind donation of manpower and resources to Northeast Muni-Corr and Riverland Recreational Society to assist in the removal of the current Texas gates and the installation of twenty new wider Texas gates on the Iron Horse Trail, as per request from delegation Delmor Huchulak, Representative, Riverland Recreational Society; and not to exceed \$20,000 from the public works budget.

Carried Unanimously.

4. Request for Decision:

2017-2019 - Gravel Crushing Tender

760-16: Smigerowsky

That Smoky Lake County tender for the 2017-2019 Gravel Crushing to Stockpile at the White Earth Creek Gravel Pit – NW ¼ Section 2-61-18-W4 with the 2017 Gravel Crushing of approximately 100,000 tonnes consisting of the following product designation:

- Designation 4, Class 20 (3/4") material - 40,000 tonnes
- Designation 4, Class 25 (1") material - 47,000 tonnes
- Designation 4, Class 40 (1 ½") material - 13,000 tonnes

and Year 2018 and Year 2019 shall include no less than 85,000 tonnes of granular material to be crushed; and that the closing date of tenders to be August 16, 2016.

Carried.

Policy Statement No. 61-20-01: Heritage Management Plan

761-16: Lukinuk

That Policy Statement No. 61-20-01: Heritage Management Plan:

Title: Heritage Management Plan	Policy No.: 20-01
Section: 61	Section: P-I
	Page No.: 1 of 16 E

Legislative Reference:	Historical Resources Act, R.S.A. 2000, Chapter H-9
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Purpose:	To implement a useful and proactive framework to encourage the effective management and maintenance in facilitating heritage conservation activities in Smoky Lake County.
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Policy Statement and Guidelines:

<p>1. STATEMENT:</p> <p>1.1 In 2007, Smoky Lake County in conjunction with the Town of Smoky Lake, Village of Waskatenau, and Village of Vilna applied for a Municipal Heritage Partnership Program (MHPP) Grant to conduct survey and inventory of Historical Assets in the Region.</p> <p>1.2 In 2009, Community Design Strategies Inc. implemented a Smoky Lake Region Heritage Survey and Inventory project.</p> <p>1.3 Smoky Lake County is committed to support the promotion and protection of the County's historic heritage and has established legislation and an agency for this purpose. In 2012, Smoky Lake County adopted the Smoky Lake Region "Heritage Management Plan", <i>an exhibit to this Policy</i>. This policy is a further demonstration of the County's leadership role in heritage management.</p>  <p>Municipal File: 61-36</p>

<p>2. DEFINITION:</p> <p>Heritage Management Plan: is a document that assists and guides Smoky Lake County's stewardship of its historic resources. The plan will capture policy, guidelines, incentives and strategy for implementation for heritage planning and conservation.</p> <p>3. OBJECTIVES:</p> <p>3.1 Historic preservation is a formal priority for County Council. Smoky Lake County is focused on maintaining the integrity of its heritage assets and its strategic long term vision to support the preservation of the County's historic resources.</p> <p>3.2 To foster an appreciation of and pride in the County's heritage by establishing consistency of practice to ensure historic heritage values are taken into account.</p> <p>3.3 The Heritage Management Plan is a non-statutory policy document and does not supersede any other existing approved plans, policies, or bylaws. It specifically supports a Council priority.</p> <p>4. GUIDELINES:</p> <p>The Heritage Management key principles designed to inform a best practice approach addresses four main topic areas:</p> <p>4.1 Structure and Governance: Support to provide guidance for the basic historic preservation, fundamental, operational, and sustaining principles that encourage creativity, and alignment for the identification, protection and management of historic resources.</p> <p>4.2 Heritage Policies: Develop best practices that will continue to increase the profile of heritage conservation.</p> <p>4.3 Incentives: An acknowledgement of the need for, and a commitment to continue to find effective and creative means to support the preservation and protection of historic resources.</p>
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<p>Policy Statement and Guidelines:</p> <p>4.4 Awareness and Education: A commitment to continue to support creative initiatives to help ensure County residents have opportunity to learn from and appreciate its historic resources which will build support and heighten awareness of the value and issues regarding preservation of Smoky Lake County's historic resources.</p> <p>5. PROCEDURES:</p> <p>5.1 The Smoky Lake County Regional Heritage Board was first established in 2006 as the Heritage Advisory Board. This Council appointed body identifies significant historic resources and provides advice to Council on heritage related matters.</p> <p>5.1.1 The Smoky Lake Regional Heritage Board incorporated lead roles and target dates with recommendations of strategies, activities and tasks for the implementation of the Heritage Management Plan.</p> <p>5.2 Smoky Lake County on October 24, 2013 adopted a Heritage Management Plan – 20 Year Action List (2012 to 2032) on the recommendations of strategies and activities/tasks, as per <i>Schedule "A": 20 Year Action List – Heritage Management Plan</i>.</p> <p>5.3 Smoky Lake County Regional Heritage Board and Smoky Lake County are responsible for the implementation of the 20 Year Action List – Heritage Management Plan.</p> <p>5.4 Smoky Lake County Planning and Development Manager will:</p> <p>5.4.1 Liaise with the Smoky Lake County Regional Heritage Board on all heritage matters including the Heritage Management Plan 20 Year Action List;</p> <p>5.4.2 Attend meetings of the Smoky Lake County Regional Heritage Board and report the Board's activities to Council;</p> <p>5.4.3 Ensure that heritage conservation, protection and enhancement policies are incorporated into future statutory planning documents (Land Use Bylaw, Municipal Development Plan);</p> <p>5.4.4 Maintain, update and review the Smoky Lake County Inventory and Register of Historic Resources to ensure that important resources are identified and recorded;</p> <p>5.4.5 Research grant opportunities for the conservation, protection, enhancement and promotion of heritage and historic resources;</p> <p>5.4.6 Maintain, update and review the 20 Year Action Plan checklist and report progress on checklist items to Council periodically;</p> <p>5.4.7 Work with the Communications Director to develop a communication plan to promote the Region's heritage resources through print material, web-based and social media tools;</p> <p>5.4.8 Process applications for Municipal Historic Resource Designation and draft designating bylaws to be considered by Council as per County Policy 61-15-01: <i>Designation of Municipal Historic Resources</i>;</p> <p>5.4.9 Ensure that the Heritage Management Plan is included as part of Council Orientation;</p> <p>5.4.10 Research opportunities for partnerships with the Regional Community Development Committee (RCDC);</p> <p>5.4.11 Advertise the recruitment for Heritage Board members and an Administrative Assistant whenever positions are vacant.</p>
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SCHEDULE "A"



20 Year Action List - Heritage Management Plan

The Heritage Management Plan ("HMP") was adopted by County Council on June 21, 2012. This Action List was developed out of a public workshop including residents from all municipalities within the County of Smoky Lake.

1.0 Structure and Governance:

Goal: Smoky Lake County and volunteer groups will collaborate to structure their planning, operations, and initiatives to acknowledge the vital role that heritage plays in our community and economy.

Objectives:

1. Adopt the new Heritage Management Plan to implement a consistent approach to incorporate heritage decisions in ongoing planning and operations.
2. Pursue economic opportunities to fund the implementation of the Heritage Management Plan.
3. Develop a more effective volunteer base and public involvement.
Celebrate and communicate the importance of all heritage work to those in leadership roles, stakeholders, and the general public.

2.0 Heritage Promotion or Substantiation:

Goal: Smoky Lake County will develop heritage practices that will increase the profile of heritage conservation.

Objectives:

1. Celebrate heritage conservation in Smoky Lake County.
2. Increase the profile of heritage and facilitate potential financial support through various sources.
3. Maintain, update, and review the Inventory and Register of Historic Resources to ensure that important resources are identified and recorded.
4. Support and encourage heritage conservation in the County.

3.0 Incentives:

Goal: Smoky Lake County will pursue creative initiatives to fund, and recognize local heritage conservation.

Objectives:

1. Provide municipal support to landowners for designation and restoration of heritage resources within the Smoky Lake Region.
2. Support and encourage partnerships between government, and local organizations, to further heritage conservation in the Smoky Lake Region.
3. Collaborate with federal and provincial programs that support and promote heritage preservation at the municipal level.

4.0 Awareness and Education:

Goal: Smoky Lake County will strive to conserve and collect historical resources and engage and interpret both within and outside the community.

Objectives:

1. Engage and integrate heritage conservation into the broader community.
2. Collect, preserve, and make accessible historical images, collections and information.
3. Interpret, make accessible, and promote heritage resources outside the Region.
4. Engage all levels of government and community members for the conservation of historic sites.

SCHEDULE "A"



20 Year Action List - Heritage Management Plan

1.0 STRUCTURE AND GOVERNANCE				
Possible Strategies and Activities/Tasks	HMP Work Plan Reference	Target Date Year Only	Lead Role B= Board C= County	Additional Comments
Objective #1: Adopt the Heritage Management Plan to implement a consistent approach to incorporate heritage decisions into ongoing planning operations.				
1. Smoky Lake County will adopt the Heritage Management Plan to increase long-term political support for heritage conservation.	S&G; Objective 1; Strategy 1		<input checked="" type="checkbox"/>	Complete
Present the Heritage Management Plan at Joint Municipalities Meeting and have it endorsed by Joint Council.	S&G; Objective 1; Strategy 1; Task 1		<input checked="" type="checkbox"/>	Complete
Ensure each municipality has copy of final Heritage Management Plan.	S&G; Objective 1; Strategy 1; Task 2		<input checked="" type="checkbox"/>	Complete
Have the Heritage Management Plan placed on each of Council's next Meeting Agenda to be adopted.	S&G; Objective 1; Strategy 1; Task 3		<input checked="" type="checkbox"/>	Complete
Report the adoption of the Heritage Management Plan to Smoky Lake County, managing partner for the Project.	S&G; Objective 1; Strategy 1; Task 4		<input checked="" type="checkbox"/>	Complete
Attendance by the Heritage Board at Joint Municipalities Meetings to report on initiatives and encourage support for the continued implementation of the Heritage Management Plan by all municipalities.	S&G; Objective 1; Strategy 1; Task 5	2014; annual	B	County must invite Board to meetings.
Review of the Heritage Management Plan by Smoky Lake County to evaluate progress and consider new initiatives.	S&G; Objective 1; Strategy 1; Task 6	2015; every two years	B/C	
2. Each municipality will adopt the Inventory of Historic Places for their respective municipality.	S&G; Objective 1; Strategy 2		<input checked="" type="checkbox"/>	Complete
Adopt the Inventory of Historic Places that is provided in the Heritage Management Plan, in bylaw or policy.	S&G; Objective 1; Strategy 2; Task 1		<input checked="" type="checkbox"/>	Complete
3. Include the Heritage Management Plan as part of the Council Orientation Package.	S&G; Objective 1; Strategy 3;			
Include the Heritage Management Plan and Municipal Inventory of Historic Places as part of Council Orientation.	S&G; Objective 1; Strategy 3 Task 1	January 2014; every four years	C	For every new election/ councillor.

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Provide advice and guidance to Council related to heritage and policy.	S&G; Objective 1; Strategy 3 Task 2	As required	B	
Arrange for MHPP to make presentation at Joint Municipalities Meeting.	S&G; Objective 1; Strategy 3 Task 3	As required	C	
4. Municipalities to implement the use of templates given in the Heritage Management Plan to provide guidance and consistency region-wide.	S&G; Objective 1; Strategy 4		<input checked="" type="checkbox"/>	Complete
Provide a half-day workshop for CAOs/Development Officers/Heritage Board to become familiar with the Heritage Management Plan, designation and conservation process, and how to use the templates provided.	S&G; Objective 1; Strategy 4; Task 1	As required by staff/Heritage Board changes	B/C	
Provide advice and guidance to CAOs/Development Officers regarding heritage conservation.	S&G; Objective 1; Strategy 4; Task 2	As required	B/C	
Utilize the templates provided in the Heritage Management Plan.	S&G; Objective 1; Strategy 4; Task 3	As required	B/C	

5. The Heritage Management Plan will be considered and integrated as part of the development and use of other land use planning documents.	S&G; Objective 1; Strategy 5			
Forward a copy of the Heritage Management Plan to any municipal planner, Subdivision Authority and planning consultant, to be considered in any draft planning documents.	S&G; Objective 1; Strategy 5; Task 1		<input checked="" type="checkbox"/>	Complete
Refer to the Inventory of Historic Places when considering Development Permit Applications and Subdivision Applications, and if there is potential impact to a heritage resource, refer applications to the Heritage Board for comment prior to making a decision.	S&G; Objective 1; Strategy 5; Task 2	As required	C	
Respond to referral requests using the Resource Evaluation Form, Statements of Significance (from the Inventory Report) and photographs on file for the subject site, to determine if the proposed Development Permit Application has any potential for negative impacts to the historic integrity of the resource.	S&G; Objective 1; Strategy 5; Task 3	As required	B/C	
Objective #2: Pursue economic opportunities to fund the implementation of the Heritage Management Plan.				
1. Work with the Regional Community Development Committee.	S&G; Objective 2; Strategy 1			
Identify opportunities that could create a partnership between the Heritage Board and the Regional Community Development Committee.	S&G; Objective 2; Strategy 1; Task 1	2014; annually	C	County representative to the RCDC should have this task applied to their portfolio/job description.

2. Consider the allocation of new budgetary dollars for the implementation of strategies within the Heritage Management Plan.	S&G; Objective 2; Strategy 2	2014; annually	C	
Prepare a Heritage Financial Strategy (detailed alternatives and action steps for implementation) and present to Council for consideration.	S&G; Objective 2; Strategy 2; Task 1	2014; every 5 years	B	
Survey the Region's residents to gauge support of funding heritage conservation projects through tax incentives, grant programs or other sources.	S&G; Objective 2; Strategy 2; Task 2	2014; every 5 years	C	
3. Empower persons and organizations to pursue existing grant programs and potential partnership opportunities.	S&G; Objective 2; Strategy 3			
Create an Information package of existing provincial grant programs.	S&G; Objective 2; Strategy 3; Task 1	2015	C	
Promote an Information Session/Open House to provide an opportunity for residents to learn about heritage conservation.	S&G; Objective 2; Strategy 3; Task 2	2016; every 5 years	B/C	
Encourage and assist persons and organizations in the preparation of funding applications to existing grant programs.	S&G; Objective 2; Strategy 3; Task 3	As required	B/C	
Assist Heritage Board Society to submit application for federal charitable tax status.	S&G; Objective 2; Strategy 3; Task 4		<input checked="" type="checkbox"/>	Complete
4. Increase the profile of heritage conservation in municipal service delivery and promote heritage as an economic driver rather than as a "soft-service".	S&G; Objective 2; Strategy 4			
Prepare a presentation to demonstrate the economic benefits of heritage conservation.	S&G; Objective 2; Strategy 4; Task 1	2014; update as required	B	
Objective #3: Develop a more effective volunteer base and public involvement.				
1. Establish new Heritage Board Committees to help establish a strong volunteer base.	S&G; Objective 3; Strategy 1			
Advertise the recruitment of Heritage Board Committee Members for specific projects (i.e. marketing, fundraising, construction, etc.).	S&G; Objective 3; Strategy 1; Task 1	As required	C	
Make presentations to other organizations to increase interest in heritage conservation.	S&G; Objective 3; Strategy 1; Task 2	2018; as required	B	I.E. schools, community organizations, etc.
Produce media releases in local newspapers about heritage conservation activities.	S&G; Objective 3; Strategy 1; Task 3	As required	B	

2. Clarify to individuals and organizations the role and mandate of the Heritage Board and how it integrates with other heritage organizations in the Region.	S&G; Objective 3; Strategy 2			
Develop an information brochure about the Smoky Lake County Regional Heritage Board, clarifying its role and mandate.	S&G; Objective 3; Strategy 2; Task 1	2015; update as required	C	
Develop a separate page on Smoky Lake County's website promoting the Smoky Lake County Regional Heritage Board.	S&G; Objective 3; Strategy 2; Task 2		<input checked="" type="checkbox"/>	Complete
3. Use the Victoria District Area Structure Plan (one adopted) to further engage the public in heritage conservation.	S&G; Objective 3; Strategy 3			
Ensure that Municipal Planning Services (2009) Ltd. has a copy of the Heritage Management Plan to consider during the drafting of the Victoria District Area Structure Plan.	S&G; Objective 3; Strategy 3; Task 1		<input checked="" type="checkbox"/>	Complete
Hold additional public engagement sessions during the development of the Victoria District Area Structure Plan to encourage widespread consensus, with the desire to create a leading-edge Area Structure Plan that allows a balance between development activity and heritage conservation activities.	S&G; Objective 3; Strategy 3; Task 2	TBA; before and throughout process	C	
Advocate heritage conservation when attending Victoria District Area Structure Plan public engagement sessions.	S&G; Objective 3; Strategy 3; Task 3	During ASP development	B	

Objective #4: Celebrate and communicate the importance of all heritage work to date to those in leadership roles, stakeholders, and the general public, in order to sustain the momentum of the Heritage Management Plan.				
1. Celebrate the completion of the Heritage Management Plan.	S&G; Objective 4; Strategy 1		<input checked="" type="checkbox"/>	
Utilize social media tools used by Smoky Lake County to celebrate completion of the Heritage Management Plan.	S&G; Objective 4; Strategy 1; Task 1			Complete
Consider developing other creative, low-cost projects to engage public in heritage resources in the Region (i.e. calendar, colouring book, posters, puzzles, etc.).	S&G; Objective 4; Strategy 1; Task 2	2020		
2. Communicate the importance of the Heritage Management Plan to those in leadership roles in heritage and community organizations to further implementation of the Heritage Management Plan into the future.	S&G; Objective 4; Strategy 2			
Present the Heritage Management Plan to the other regional organizations and the general public.	S&G; Objective 4; Strategy 2; Task 1	2020; every ten years		

2.0 HERITAGE PROMOTION OR SUBSTANTIATION				
Possible Strategies and Activities/Tasks	HMP Work Plan Reference	Target Date Year Only	Lead Role B= Board C= County	Additional Comments
Objective #1: Celebrate heritage conservation in Smoky Lake County.				
1. Recognize and owner's initiative and investment to designate their building as an historic resource.	Heritage Policies; Objective 1; Strategy 1			
Draft a media release to profile each of the historic resources already municipally designated to date.	Heritage Policies; Objective 1; Strategy 1; Task 1	As required.	C	Publish in newspaper, not just website.
Draft a media release when any historic resource is officially designated.	Heritage Policies; Objective 1; Strategy 1; Task 2	2014; As required.	C	Publish in newspaper, not just website.
Be present at a ceremony at the site of the historic resource and acknowledge the owner's initiative to designate the site.	Heritage Policies; Objective 1; Strategy 1; Task 3	As required.	B/C	Publish in newspaper
Implement a commemorative plaque program, which would have the Smoky Lake Regional Heritage Board commemorative plaque placed on each of the buildings municipally designated in the Region.	Heritage Policies; Objective 1; Strategy 1; Task 4	2014		
Objective #2: Increase the profile of heritage within the County and facilitate potential financial support through various sources.				
1. Provide information on available grant funding.	Heritage Policies; Objective 2; Strategy 1			
Objective #3: Maintain, update, and review the County's Inventory and Register of Historic Resources to ensure that important resources are identified and recorded.				
1. Prioritize sites for future designation.	Heritage Policies; Objective 3; Strategy 1			
Complete a Site Evaluation Criteria Rating Form for each site listed on each Inventory of Historic Places.	Heritage Policies; Objective 3; Strategy 1; Task 1	As needed	B	
Endorse and give direction to pursue the municipal designation for specific sites.	Heritage Policies; Objective 3; Strategy 1; Task 2	As needed	B	

2. Facilitate the municipal designation of heritage resources in Smoky Lake County.	Heritage Policies; Objective 3; Strategy 2			
Meet with site owners and discuss the opportunities of designating a resource.	Heritage Policies; Objective 3; Strategy 2; Task 1	As needed	B	
Encourage and assist site owners to complete and submit applications for Municipal Historic Resource Designation.	Heritage Policies; Objective 3; Strategy 2; Task 2	As needed	B	
Complete a detailed Historic Resource Integrity Review to ensure the accuracy of Statements of Significance at the time of the Designation Bylaw presentation.	Heritage Policies; Objective 3; Strategy 2; Task 3	As needed	B	
Make recommendations to County Council for Municipal Historic Resource Designation.	Heritage Policies; Objective 3; Strategy 2; Task 4	As needed	B	
3. Investigate and identify new sites worth of being recognized as historic resources.	Heritage Policies; Objective 3; Strategy 3			
Complete a Heritage Resource Integrity Review on new sites submitted for review.	Heritage Policies; Objective 3; Strategy 3; Task 1	As needed	B	May require trained Board Members or a hired consultant.
Group heritage resources into appropriate category, based on the total scored in the Heritage Resource Integrity Review.	Heritage Policies; Objective 3; Strategy 3; Task 2	As needed	B	May require trained Board Members or a hired consultant.

Objective #4:

Support and encourage heritage conservation in the County.

1. Adopt policies and/or bylaws that encourage protection of historic resources and heritage districts.	Heritage Policies; Objective 4; Strategy 1			
Develop policies, regulations or guidelines in statutory plans, zoning bylaws and heritage district overlays, to identify special areas and sites that require heritage conservation and protection.	Heritage Policies; Objective 4; Strategy 1; Task 1	2013; as needed	C	Completed via LUB
Amend Smoky Lake County's Land Use Bylaw to incorporate heritage conservation policies and regulations.	Heritage Policies; Objective 4; Strategy 1; Task 2	As needed	C	

2. Prevent inappropriate renovations and alterations of historic resources.	Heritage Policies; Objective 4; Strategy 2	When a building is designated	C	County must inform landowners of their legal responsibility towards heritage resources on their property.
Identify and/or create all policies, programs and incentives that could prevent potential historic resources from being demolished.	Heritage Policies; Objective 4; Strategy 2; Task 1	2017	C	

3.0 INCENTIVES

Possible Strategies and Activities/Tasks	HMP Work Plan Reference	Target Date Year Only	Lead Role B= Board C= County	Additional Comments
Objective #1: Establish municipal incentives that encourage landowners to designate and restore heritage resources within Smoky Lake County.				
1. Complete a Heritage Financial Strategy to determine appropriate municipal incentives for the County.	Incentives; Objective 1; Strategy 1			
Survey and analyze other municipalities across Canada to determine best practices for providing municipal incentives for heritage conservation.	Incentives; Objective 1; Strategy 1; Task 1	2012; every 10 years	C	
Explore the feasibility of establishing a site where historic resources facing demolition can be relocated.	Incentives; Objective 1; Strategy 1; Task 2	2020	B	
Consolidate information gathered and prepare alternatives for Council's consideration.	Incentives; Objective 1; Strategy 1; Task 3	2020	B	
Present alternatives to Council and walk them through incentive solutions.	Incentives; Objective 1; Strategy 1; Task 4	2020	B	
2. Explore the feasibility of a municipal Heritage Grant Program that financially supports sites that are designated as Municipal Historic Resources.	Incentives; Objective 1; Strategy 2	2020; every 10 years	C	
Objective #2: Promote and encourage applications to existing provincial heritage conservation incentive programs.				
1. Promote and encourage applications to existing Alberta Culture and Tourism Heritage Preservation Partnership Program, managed by the Alberta Historical Resources Foundation.	Incentives; Objective 2; Strategy 1			
Assist site owners to access monies available through the Historic Resource Conservation category, Transportation/Industrial Artifact Conservation category which funds conservation, preservation and restoration of Provincial and Municipal Historic Resources as well as funds architectural/engineering feasibility studies, reports and plans that have significant connections with Alberta's history.	Incentives; Objective 2; Strategy 1; Task 1	As needed	B	

Objective #3: Support and encourage partnerships between all levels of government and local organizations to further heritage conservation in Smoky Lake County.				
1. Work in conjunction with the Chamber of Commerce and Smoky Lake County Regional Heritage Board.	Incentives; Objective 3; Strategy 1			
Create an information package for the Chamber of Commerce, highlighting the importance of heritage as an economic driver in the community.	Incentives; Objective 3; Strategy 1; Task 1	2020	B	
Give a presentation at a Chamber of Commerce meeting in each community to increase heritage awareness and support.	Incentives; Objective 3; Strategy 1; Task 2	2020; as appropriate	B	
2. Work with other organizations across the Region.	Incentives; Objective 3; Strategy 2			
Identify potential opportunities to collaborate with other organizations that share similar objectives.	Incentives; Objective 3; Strategy 2; Task 1	2015; every 5 years	B	
Identify potential opportunities to work jointly with other organizations on fundraising projects.	Incentives; Objective 3; Strategy 2; Task 2	2015; as appropriate	B	
Objective #4: Collaborate with federal and provincial programs that support and promote heritage preservation at the municipal level.				
1. Encourage the Government of Alberta to increase its annual budget towards heritage conservation grant programs.	Incentives; Objective 4; Strategy 1	2025	B	
2. Identify how Smoky Lake County can enable the provincial government to encourage the federal government to develop a federal heritage incentive program.	Incentives; Objective 4; Strategy 2	2030	C	

4.0 AWARENESS AND EDUCATION				
Possible Strategies and Activities/Tasks	HMP Work Plan Reference	Target Date Year Only	Lead Role B= Board C= County	Additional Comments
Objective #1: Engage and integrate heritage conservation into the broader community.				
1. Create a list of Designated Municipal Historic Resources.	A & E; Objective 1; Strategy 1	2014	C	
2. Engage the community to participate in heritage conservation and promotion activities.	A & E; Objective 1; Strategy 2			
Encourage residents to volunteer on the Smoky Lake County Regional Heritage Board or Committee(s).	A & E; Objective 1; Strategy 2; Task 1	2014; ongoing	C	
3. Create display materials and/or display booth for promotional use.	A & E; Objective 1; Strategy 3	Complete/ongoing	C	

Produce backdrop/display materials of heritage sites.	A & E; Objective 1; Strategy 3; Task 1	Complete/ongoing	C	
Produce print materials (pamphlets, brochures, walking/driving booklets) to have on display.	A & E; Objective 1; Strategy 3; Task 2	Complete/ongoing	C	
Have display booth and promotional materials available at municipal offices and visitor information centers.	A & E; Objective 1; Strategy 3; Task 3		C	
Objective #2: Collect, preserve and make accessible historical images and information.				
1. Create an Oral History Program to engage long-time community members and capture oral histories.	A & E; Objective 2; Strategy 1	2013; ongoing	B	
Establish a program to interview community members and record their oral histories.	A & E; Objective 2; Strategy 1; Task 1	2016; ongoing	B	Regional archives have not been created. Consider establishing an archive.
2. Maintain and retrieve copies of archival photos of buildings of interest.	A & E; Objective 2; Strategy 2			
Make photos available to use during Resource Integrity Reviews and planning decisions.	A & E; Objective 2; Strategy 2; Task 1	As needed	B	
Maintain and update the digital filing system of all heritage photos on the County's server.	A & E; Objective 2; Strategy 2; Task 2	2012; ongoing	C	
Draft a media release to solicit photos of buildings identified as part of the Survey and Inventory of Historic Places project.	A & E; Objective 2; Strategy 2; Task 3		<input checked="" type="checkbox"/>	Complete
3. Launch the Smoky Lake County Heritage Inventory website, which includes the photos and text information of all inventoried sites.	A & E; Objective 2; Strategy 3			
Complete testing of the Heritage Inventory website.	A & E; Objective 2; Strategy 3; Task 1		<input checked="" type="checkbox"/>	Complete
Officially launch the Heritage Inventory website.	A & E; Objective 2; Strategy 3; Task 2		<input checked="" type="checkbox"/>	Complete
Objective #3: Interpret, make accessible and promote our heritage resources outside of Smoky Lake County.				

1. Develop a self-guided walking/driving tour for the Region's historic resources.	A & E; Objective 3; Strategy 1			
Develop a brochure to promote a self-guided walking/driving tour for visitors from outside the Smoky Lake Region.	A & E; Objective 3; Strategy 1; Task 1	2025	B	
Identify which designated historic resources are to be included on the brochure/tour.	A & E; Objective 3; Strategy 1; Task 2	2025	B	
Produce a self-guided tour that invites a traveler to visit historic resources throughout the County and Interpret each site.	A & E; Objective 3; Strategy 1; Task 3	2025	B	
Distribute brochures to visitor information centres across Alberta.	A & E; Objective 3; Strategy 1; Task 4	2027	B	
Display brochures at trade show booths manned by County employees.	A & E; Objective 3; Strategy 1; Task 5	2027	B	
2. Market Smoky Lake County as a heritage destination.	A & E; Objective 3; Strategy 2			
Use existing District Marketing Organizations (DMOs), such as Alberta's Lakeland, Kalya Country, Alberta HUB to market the Region as a place to experience heritage.	A & E; Objective 3; Strategy 2; Task 1	As needed	C	
Submit new pictures and provide new content for DMOs to create new advertisements and promotional information in their magazines and websites.	A & E; Objective 3; Strategy 2; Task 2	As needed	C	

3. Utilize web-based and social media tools to promote Smoky Lake County's historical sites.	A & E; Objective 3; Strategy 3			
Create a "heritage" page for Smoky Lake County's website and provide relevant content.	A & E; Objective 3; Strategy 3; Task 1		<input checked="" type="checkbox"/>	Complete
4. Create an Interpretation Program	A & E; Objective 3; Strategy 4			
Update the County's website with information on designated historical sites.	A & E; Objective 3; Strategy 4; Task 1	Ongoing	C	
Develop interpretive plaques for all sites designated as Municipal Historic Resources.	A & E; Objective 3; Strategy 4; Task 2	2013; ongoing	B	

Objective #4:				
Engage all levels of government and community members in the conservation of historic sites in the County.				
1. Engage youth to learn about the heritage of Smoky Lake County.	A & E; Objective 4; Strategy 1			
Offer presentations to the school social studies classes about heritage conservation.	A & E; Objective 4; Strategy 1; Task 1	2020	B	
Encourage youth representation on the Smoky Lake County Regional Heritage Board (ages 16-18)	A & E; Objective 4; Strategy 1; Task 2	2016	B	
As part of an existing event, participate in a Heritage Fair and for schools in the Region.	A & E; Objective 4; Strategy 1; Task 3	2023	B	
2. Develop a volunteer recognition program.	A & E; Objective 4; Strategy 2			
Recognize our volunteers.	A & E; Objective 4; Strategy 2; Task 1	2015	C	
Place media releases or advertisements in the local newspapers recognizing the contributions of volunteers.	A & E; Objective 4; Strategy 2; Task 2	As needed; ongoing	C	
Explore the possibility of a Volunteer Appreciation Night.	A & E; Objective 4; Strategy 2; Task 3	2014	C	
3. Encourage Heritage Board Members, Councilors, CAOs and Development Officers to learn about heritage conservation.	A & E; Objective 4; Strategy 3			
Consider participation and attendance at provincial and federal workshops and conferences that are related to heritage.	A & E; Objective 4; Strategy 3; Task 1	Ongoing as available	C	
4. Develop a program to provide heritage awareness training to County staff and Council.	A & E; Objective 4; Strategy 4			
Organize a tour (on-site or virtual) of all heritage resources in the County.	A & E; Objective 4; Strategy 4; Task 1	2017	C	
Deliver a presentation to Council focusing on heritage conservation initiatives within the County.	A & E; Objective 4; Strategy 4; Task 2	Regularly and as required.	B	

Carried.

Policy Statement No. 61-21-01: Encroachment Agreement

762-16: Cholak

That Policy Statement No. 61-21-01: Encroachment Agreement:

Title: Encroachment Agreement	Policy No: 21-01
Section: 61	Code: P-I
	Page No.: 1 of 17 E

Legislative Reference:	Municipal Government Act, R.S.A. 2000, Chapter M-26, Sec. 651.2; Land Titles Act, R.S.A. 2000, Chapter L-4, Sec. 72.
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Purpose:	To implement a policy that will provide clarity and guidance to County administration and landowners with respect to encroaching structures and improvements on Municipally-Owned Lands and Road-Allowances.
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Policy Statement and Guidelines:

1. STATEMENT:

- 1.1 Smoky Lake County recognizes that Encroachments exist and will continue to be discovered on Municipally-Owned Lands and Road Allowances.
- 1.2 Smoky Lake County receives requests from private landowners to allow an Encroachment to remain on Municipally-Owned Lands and/or Road Allowances.
- 1.3 Smoky Lake County has established this Policy and related procedures to provide a clear and consistent process for evaluating applications to allow for Encroachments onto Municipally-Owned Lands and Road Allowances.

2. OBJECTIVES:

- 2.1 Smoky Lake County recognizes the importance of assisting the public by effectively managing Encroachments and wishes to provide a consistent approach in processing applications for Encroachment Agreements.
- 2.2 Smoky Lake County must ensure that Encroachments onto Municipally-Owned Lands and Road Allowances do not adversely affect these lands and rights-of-way, or the County's ability to maintain effective services or restrict public access and enjoyment of lands for public use.

3. DEFINITIONS:

For interpretation purpose:

- 3.1 **Council:** the Municipal Council of Smoky Lake County.
- 3.2 **County:** the Municipal Corporation of Smoky Lake County, resolution, an advertisement will be placed in the local newspaper for (2) two consecutive weeks.
- 3.3 **Encroachment:** anything placed, constructed or erected below, on or above ground, or attached to something placed, constructed or erected below, on or above ground, that extends on, over or under municipal lands including, but not limited to the following:
 - 3.3.1 Buildings and all projections (including eaves, footings, foundations, weeping tiles, cantilevers, etc.) and siding;

- 3.3.2 Sheds (including those attached to a dwelling and/or fence);
- 3.3.3 Extensions of adjacent lands by fill or any deposit of fill;
- 3.3.4 Fences;
- 3.3.5 Sidewalks, curbs, parking pads, aprons or driveways made from concrete asphalt, brick or similar materials;
- 3.3.6 Structures (including decks, patios, gazebos, satellite dishes, antennae, decorative walls, etc.);
- 3.3.7 Retaining walls;
- 3.3.8 Swimming pools and hot tubs;
- 3.3.9 Shrubs, trees and other organic landscaping planted in Reserve Parcels or Municipally-Owned Lands;
- 3.3.10 Hard landscaping (including asphalt, concrete paving stones, retaining walls, structures, planters, etc.);
- 3.3.11 Light standards;
- 3.3.12 Permanent signs; and
- 3.3.13 Underground electrical/irrigation systems (excluding utilities authorized by the County).

- 3.4 **Encroachment Agreement:** An agreement between the applicant and the County authorizing an Encroachment(s). The Encroachment Agreement shall include, but not be limited to, the following:

- 3.4.1 The nature and location of the Encroachment(s);
- 3.4.2 The Owner's responsibilities to maintain the Encroachment(s);
- 3.4.3 Terms and conditions under which the Agreement may be terminated;
- 3.4.4 The County's right to have access to the land subject to the Encroachment(s);
- 3.4.5 Indemnification of the County, its agents and its licensees; and
- 3.4.6 Any other condition or provision that Council deems appropriate.

- 3.5 **Municipally-Owned Lands:** Collectively or individually, all titled land owned by the County, including, but not limited to, all Municipal Reserves, School Reserves, Municipal and School Reserves, Community Services Reserves, Environmental Reserves and Public Utility Lots.

- 3.6 **Owner:** The person, persons or corporation or other entity registered under the *Land Titles Act*, R.S.A. 2000, as the owner of the fee simple estate in the land. In the context of municipal lands, "owner" shall mean the owner of the adjacent land which has an encroachment into the municipal lands.
- 3.7 **Reserve Parcel:** A parcel that is registered at the Alberta Land Titles Office as a Municipal Reserve, School Reserve, Municipal and School Reserve, Community Services Reserve or Environmental Reserve, as defined by the *Municipal Government Act*, R.S.A. 2000.
- 3.8 **Road Allowance:** land shown as a road on a plan of survey that has been filed or registered at the Alberta Land Titles Office, whether it has been developed as a road or not, and includes a bridge forming part of a public road.

4. GUIDELINES:

- 4.1 When an Encroachment(s) onto Municipally-Owned Lands or a Road Allowance is identified, the County will send a Notice in writing that the Owner must enter into an Encroachment Agreement with the County to allow said Encroachment(s) to remain.
- 4.2 The Planning and Development Manager will review all applications for an Encroachment Agreement and provide a recommendation to Council.
- 4.3 Council will retain the right to refuse any request for an Encroachment Agreement and will also retain the right to force the Owner of the Encroachment(s) to remove said Encroachment(s) at the Owner's sole expense.

5. PROCEDURES:

- 5.1 An application form for an Encroachment Agreement must be submitted to the Planning and Development Manager before an Encroachment Agreement will be considered by Council. Application forms are available at the Smoky Lake County office or at the County's website at www.smokylakecounty.ab.ca ("**Schedule "A" Application for Encroachment Agreement**")
- 5.2 The applicant must provide, solely at the applicant's expense, a Real Property Reported, dated within **three (3) months** of the application date, showing the exact nature and location of the Encroachment(s) and a current copy of the Certificate of Title.
- 5.3 The applicant must pay the County an application fee of **\$500.00 or the cost of legal fees, whichever is greater**, as per Smoky Lake County **Policy 61-11-04: Planning and Development Fees**.
- 5.4 Upon submitting a completed application form and application fee, the Planning and Development Manager will review the request and provide a recommendation to Council at the next possible Council meeting.

- 5.5 The Planning and Development Manager will refer the application to other departments when necessary. County administration will evaluate the application, giving consideration to such factors as public safety, future development plans, environment/wildlife sensitivities, existing and future requirements of utilities, existing easements and any other factor deemed relevant to the Encroachment(s).
- 5.6 The Planning and Development Manager will present the evaluation of the application and a draft Encroachment Agreement ("**Schedule "B" - Encroachment Agreement**") to Council for consideration. Council reserves the right to amend the draft Agreement as it deems necessary, or refuse to allow the Encroachment.
- 5.7 If Council approves the Encroachment(s), the County and the Owner will jointly enter into an Encroachment Agreement, and both parties will be bound by the terms and conditions within said Encroachment Agreement. A copy of said Encroachment Agreement will be registered at the North Alberta Land Titles Office by caveat.
- 5.8 If the Encroachment Agreement is refused by Council, the Owner will be notified of the decision in writing, and a Notice will be issued to the Owner, requiring removal of said Encroachment(s) within a specified timeframe.
- 5.9 If an Encroachment Agreement is refused by Council and a Notice has been sent to the Owner requiring said Encroachment(s) to be removed and said Encroachment(s) is(are) not removed within the timeframe specified in said Notice, the County shall be at liberty to remove said Encroachment(s) at the sole expense of the Owner.
- 5.10 Unless an Encroachment(s) is(are) explicitly permitted by means of an Encroachment Agreement, the County reserves, upon Notice being given to the Owner, the right to remove said Encroachment(s) from Municipally-Owned Lands or Road Allowances at the sole cost of the Owner.
- 5.11 If, after having been sent Notice of an Encroachment(s) by the County, and an application for an Encroachment Agreement has not been received from the Owner by the County within the timeframe specified by said Notice, the County reserves the right to remove said Encroachment(s) at the sole expense of the Owner.
- 5.12 An authorized and executed Encroachment Agreement does not release the Owner from the responsibility to comply with provincial or federal requirements, or other municipal bylaws and policies.
- 5.13 All expenses, costs, liabilities and other risks associated with an Encroachment, including but not limited to costs of utility relocation/reconstruction and removal/relocation of public property, shall be borne solely by the Owner.
- 5.14 Unless explicitly provided for in the Encroachment Agreement, an Encroachment once authorized by Council may continue to exist, but said Encroachment shall not be added to, rebuilt or structurally altered, except:
 - 5.14.1 as may be necessary to remove the Encroachment; or
 - 5.14.2 as may be necessary for the routine maintenance of the Encroachment.
- 5.15 If an authorized Encroachment is damaged or destroyed to the extent of more than or equal to 75% of the replacement value of said Encroachment, said Encroachment shall not be repaired, rebuilt or reconstructed, and said Encroachment shall be removed by the Owner within **thirty (30) days** of Notice being given to the Owner by the County.
- 5.16 Notwithstanding any of the above, in the event that an Encroachment poses a clear and present danger to the public as determined solely by the County, Notice shall be given to the Owner, and the Owner shall remove said Encroachment immediately upon receipt of said Notice, solely at the expense of the Owner. Should the Owner for any reason be unable or unwilling to remove said Encroachment, the County will remove said Encroachment, and all costs incurred by the County pursuant to the removal of said Encroachment shall be borne by the Owner.
- 5.17 An Encroachment shall not interfere with the County's or other utility operator's need to access any easement or right-of-way.
- 5.18 Existing Encroachments authorized by Licenses of Occupation, Encroachment Agreements, Roadway Licensing Agreements or any other existing agreement with the County authorizing said Encroachment shall be deemed to be an authorized Encroachment and be subject to the terms and conditions of the existing agreement.

ENCROACHMENT AGREEMENT APPLICATION

Application Requirements:

- 1. Signed and Completed Encroachment Agreement Application Form
- 2. Application fee of \$500.00 or the cost of legal fees, whichever is greater
- 3. 3 copies of a Real Property Report dated within 3 months of the application date (faxed, emailed, spliced or altered copies will not be accepted)
- 4. A current copy of the Certificate of Title

Internal Use Only		
Our File Number: _____	Roll Number: _____	Date: _____
Registered Landowner Information		
Registered Owner: _____	Phone: _____	
Address: _____	Fax: _____	
City/Prov: _____	Postal Code: _____	Signature: _____
Right of Entry		
Pursuant to Section 542 of the Municipal Government Act, I hereby do ____ or do not ____ grant consent for a designated officer of Smoky Lake County to enter upon the land as described above, for a site inspection.		
Print Name: _____	Signature: _____	
Section A - Property Information		
Legal: Lot ____ Block ____ Plan _____ Part of ____ ¼ Sec ____ Twp ____ Rge ____ W4M		
Subdivision Name (if applicable) or Area of Development _____		
Rural Address/Street Address _____	Parcel Size _____	

ENCROACHMENT AGREEMENT
BETWEEN TITLED PARCELS OF LAND

THIS AGREEMENT MADE EFFECTIVE this ____ day of _____, ____.

BETWEEN:

SMOKY LAKE COUNTY
Box 310, 4612 McDougall Drive, Smoky Lake, AB, T0A 3C0
a municipal corporation pursuant to the laws
of the Province of Alberta
(hereinafter called the "Grantor")

- and -

OWNER'S NAME
Owner's Address
(hereinafter called the "Owner")

WHEREAS:

- A. The Owner is the registered owners of the lands located in Smoky Lake County, in the Province of Alberta, municipally described as (INSERT MUNICIPAL ADDRESS), and legally described as:

(INSERT LEGAL LAND DESCRIPTION)
(hereinafter referred to as the "Owner's Land")

- B. The Grantor is the registered owners of the lands located in Smoky Lake County, in the Province of Alberta, municipally described as (INSERT MUNICIPAL ADDRESS), and legally described as:

(INSERT LEGAL LAND DESCRIPTION)
(hereinafter referred to as the "Grantor's Land")

- C. The Owners have constructed/placed a **(INSERT NATURE OF THE ENCROACHMENT)** (hereinafter referred to as the "Encroachment") which encroaches upon the Grantor's Land.
- D. The Grantor is prepared to authorize the Encroachment to exist upon the Grantor's Land, subject to the terms and conditions contained within this Encroachment Agreement (hereinafter referred to as the "Agreement").

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the payment of **(INSERT PAYMENT AMOUNT)** paid by the Owners to the Grantor, the receipt of which is hereby acknowledged, and in consideration of the mutual covenants and agreements contained herein, the Grantor and Owners hereby agree as follows:

GRANT OF ENCROACHMENT

- 1. The Grantor hereby permits the Encroachment to exist upon the Grantor's Land in the manner and location as shown on the Real Property Report **(INSERT FILE #)** prepared by **(INSERT NAME OF SURVEYOR)**, dated **(INSERT DATE OF SURVEY)**, attached hereto as Schedule "A" to this Agreement, subject to the terms, covenants and conditions contained within this Agreement. The Owners shall pay any and all costs associated with obtaining the Real Property Report. *[NOTE: It is essential that the Encroachment is accurately depicted and located].*

TERM AND TERMINATION

- 2. The terms of this Agreement shall be for the lifetime of the Encroachment, subject to the earlier termination of this Agreement due to breach of contract or as provided for within this Agreement.
- 3. In the event that the Grantor deems it necessary for the Encroachment to be partially or completely removed from the Grantor's Lands for a temporary period of time, the Owner shall remove it within ninety (90) days at the Owner's sole expense.
- 4. In the event that the Encroachment must be immediately removed, in whole or in part, due to an emergency situation (as defined by the Grantor at its sole discretion), the Grantor shall remove the Encroachment at the Grantor's sole expense. The Owner shall be permitted to replace the Encroachment at the Owners' sole expense, upon receiving written confirmation from the Grantor that the emergency situation has been resolved.
- 5. In the event that the Encroachment at any time after the date that this Agreement takes effect, is destroyed or by any other means removed from the Grantor's Land in circumstances other than contemplated in **Section 3** or **Section 4** of this Agreement:
 - 5.1 this Agreement shall automatically terminate, save and except for those terms which survive termination, and all rights and privileges granted to the Owner pursuant to the terms of this Agreement shall immediately expire; and
 - 5.2 the Encroachment, or any structure constructed as a replacement for the Encroachment, shall not be replaced or rebuilt on the Grantor's Lands.
- 6. In the event that the Encroachment is only partially destroyed, the rights and privileges granted to the Owner pursuant to the terms of this Agreement shall expire with respect to the partially destroyed portion of the encroachment, PROVIDED ALWAYS that it is reasonable for the Owner to rebuild the partially destroyed portion of the Encroachment having regard to the nature of the structure, and the extent and the nature of the damage.
- 7. Notwithstanding anything contained within this Agreement, this Agreement and the rights and privileges granted to the Owner may be unilaterally terminated by the Grantor providing thirty (30) days written notice of such termination to the Owner.

REMOVAL AND RECLAMATION

- 8. Upon the termination of the rights and privileges granted to the Owner pursuant to the terms of this Agreement, the Owner shall:
 - 8.1 remove the Encroachment from the Grantor's Land; and
 - 8.2 attend to the repair and reclamation of the Grantor's Land to the reasonable satisfaction of the Grantor.
- 9. If, upon termination of this Agreement, the Owner has failed to perform its obligations under **Section 3** and **Section 8** of this Agreement, the Grantor is hereby authorized to enter onto the Owner's Land if necessary and perform such obligations, at the sole expense of the Owner.

MAINTENANCE EASEMENT

- 10. In conjunction with the Grantor's grant of the right of encroachment as contained within this Agreement, the Grantor hereby grants to the Owner, the right, license, privilege and easement across, over, under and upon the Grantor's Land as is reasonably required in order to allow the Owner to inspect the condition of the Encroachment, and to attend to routine maintenance and repairs of the Encroachment, as may be necessary.
- 11. The Owner's right to enter upon the Grantor's Land for the purposes permitted pursuant to **Section 10** of this Agreement is subject to the reasonable restrictions and limitations imposed from time to time by the Grantor in order to minimize disruption of the Grantor's use and enjoyment of the Grantor's Land, and minimize damage to the Grantor's Land and any improvements or chattels located thereon. Such restrictions may include, without restriction, limitation as to the time of day any entry upon the Grantor's Land by the Owner, and the equipment, if any, permitted to be placed upon the Grantor's Land for the purpose of assisting the inspection, maintenance or repair of the Encroachment.

12. The Owner shall maintain and repair the Encroachment in a good and workmanlike manner, having regard to the nature of the Encroachment any structure incorporating the Encroachment, the nature and condition of the Grantor's Land, and the nature and extent of the Encroachment upon the Grantor's Land.
13. The Owner shall be responsible for the repair and restoration of the Grantor's Land after each and every entry upon the Grantor's Land pursuant to the rights of easement granted within Section 10 of this Agreement. Without restricting the generality of the foregoing, the Owner shall be responsible for the repair and restoration of any fences or other structures or chattels damaged by the Owner, its agents or its contractors as a result of the exercise of purported exercise of any of the rights granted within this Agreement.
14. The Owner's signature to this document shall serve as acknowledgement of the Grantor's infrastructure which lies beneath the surface of the Encroachment, and the Owner shall be responsible for the cost of repair of any and all damages resulting from the presence, use, repair or maintenance of the Encroachment, to this infrastructure, to the Grantor's satisfaction.

LIABILITY

15. The Owner shall indemnify and hold harmless the Grantor, its employees, agents, franchisees and licensees from and against any and all claims, damages, costs (including, without restriction, all legal and other professional costs on a solicitor and his own client fill indemnity basis), losses, expenses, actions and suits of every kind and nature caused by, or arising directly or indirectly out of the existence of the Encroachment, the exercise or purported exercise of any of the rights granted within this Agreement, or by reason of any matter or anything done, permitted or omitted to be done by the Owner or their heirs, executors, administrators and assigns, and whether occasioned by negligence or otherwise.
16. The Owner hereby assumes, and shall remain responsible for, all risk of personal injury and damage to all real or personal property, including the Owner's property comprising the Encroachment upon the Servient Tenement, regardless of how such injury or damage is caused.
17. The Owner's obligations under Section 15 and Section 16 of this Agreement shall survive the termination of this Agreement for any reason whatsoever, and shall remain binding upon the Owner until all such obligations are satisfied in full.

18. Throughout the existence of this Agreement, the Owner shall take out and maintain insurance in such form and in such amounts as may be satisfactory to the Grantor, acting reasonably, and upon request provide the Grantor with written confirmation of the existence of such insurance (including but not limited to providing copies of the insurance policies). Without limiting the generality of the foregoing, the insurance shall have at least the following coverage, and contain the following terms:
 - 18.1 comprehensive general liability insurance covering all risks associated with the use and occupation of the Encroachment by the Owner including, without limitation, extended coverage, coverage for public liability, and such other coverage and in such amounts as the Grantor may reasonably require;
 - 18.2 such policies shall name the Grantor as an additional loss payable with respect to the Encroachment and the portion of the Grantor's Land occupied by the Encroachment; and
 - 18.3 such policies of insurance shall contain an undertaking by the insurers to notify the Grantor in writing of any material change, cancellation or termination of any provision of any policy not less than thirty (30) days prior to the material change, cancellation or termination thereof.

ENVIRONMENTAL

19. The Owner hereby represents, covenant sand warrants to and in favour of the Grantor that the Owner:
 - 19.1 shall not allow any Hazardous Substances to be placed, held, located or disposed of on, under or at the Grantor's Land without the prior consent of the Grantor, which consent may be arbitrarily or unreasonably withheld;
 - 19.2 shall not allow the Grantor's Land to be utilized in any manner in contravention of any applicable laws intended to protect the environment, including without limitation, laws respecting the handling, disposal and emission of Hazardous Substances;
 - 19.3 to the extent that Hazardous Substances are, with the Grantor's consent, placed, held, located or disposed of on, under or at the Grantor's Land in accordance with the terms hereof, the Owner shall:



19.3.1 comply with, or cause to be complied with, all applicable laws and regulations relating to the use, storage and disposal of the Hazardous Substances, as well as all terms or conditions required by the Grantor; and

19.3.2 at the request of the Grantor, provide evidence to the Grantor of compliance with all applicable laws and regulations, such evidence to include inspection reports and such tests as the Grantor may reasonably require, all at the Owner's expense.

20. The Owner shall indemnify and save harmless the Grantor and its successors and assigns from and against any and all losses, liabilities, damages, costs and expenses of any kind whatsoever including, without limitation:
- 20.1 the costs of defending, counter-claiming or claiming over against third parties in respect of any action or matter including fees, cost and disbursements on a solicitor and his own client full indemnity basis and at all court levels;
 - 20.2 any cost, liability or damage arising out of a settlement of any action entered into by the Grantor with or without the consent of the Owner; and
 - 20.3 the costs of repair, clean-up or restoration paid by the Grantor and any fines or levies against the Grantor or owner,
- which at any time or from time to time may be paid, incurred or asserted against the Grantor as a direct or indirect result of the presence on or under, or the escape, seepage, leakage, spillage, discharge, emission or release of Hazardous Substances from the Grantor's Land either onto any lands (including the Owner's Land), into the atmosphere or into any water. This indemnification shall survive the expiration of the term of this Agreement, the termination of this Agreement for whatever cause, and any renewal of this Agreement.
21. That for purposes of this Agreement, the term "Hazardous Substances" shall mean any substance which is hazardous to persons or property and includes, without limiting the generality of the foregoing:
- 21.1 any form of radioactive materials;
 - 21.2 explosives;

- 21.3 any substance that, if added to any water, would degrade or alter or form part of a process of degradation or alteration of the quality of that water to the extent that it is detrimental to its use by man or by any animal, fish or plant;
- 21.4 any solid, liquid, gas or odour or combination of any of them that if emitted into the air, would create or contribute to the creation of a condition of the air that:
 - 21.4.1 endangers the health, safety, or welfare of any persons or the health of animal life;
 - 21.4.2 interferes with normal enjoyment of life or property; or
 - 21.4.3 causes damage to plant life or property; and
- 21.5 substances declared to be hazardous or toxic under any law or regulation now or hereafter enacted or promulgated by any governmental authority having jurisdiction over the Grantor's Land.

22. The Owner shall:
- 22.1 notify the Grantor, in writing, of any sale of the Owner's Land; and
 - 22.2 notify any purchaser of the Owner's Land of the terms of this Agreement.

GENERAL

23. This Agreement, and each of the terms, covenants and conditions contained herein, shall be of the same force and effect for all intents and purposes as a covenant running with the Grantor's Land and the Owner's Land, respectively, and subject to the terms of this Agreement shall be binding upon, and ensure the benefit of, all future owners of the Grantor's Land and the Owner's Land throughout the existence of this Agreement.
24. Subject to acceptance by the Alberta Land Titles Office, the parties shall be at liberty to register by way of Caveat or otherwise against the title to the lands affected in order to protect the parties' respective interests under the terms of this Agreement. Any such Caveat or other registration shall expire and shall forthwith be discharged by the parties upon the termination of this Agreement.

25. All notices to be given in relation to the Agreement, as well as all requests for prior written consent required under this Agreement, may be hand delivered or sent by prepaid courier or registered mail addressed to the parties as follows:

25.1 to the Owner at: (INSERT OWNER'S ADDRESS)

25.2 to the Grantor at: **SMOKY LAKE COUNTY**
Box 310
Smoky Lake, AB, T0A 3C0

or at such other address, in either case, as the Owner or the Grantor respectively may from time to time appoint in writing. Any notice sent in accordance with this paragraph shall be deemed to be given to and received by the addressee seven (7) days after the mailing thereof, postage prepaid, save and except for during periods of postal interruption and seven (7) days thereafter, in which case all notices required herein shall be sent by pre-paid courier or hand delivered and shall be deemed to have been given upon delivery.

26. The terms contained within this Agreement, including any recital and any Schedules attached hereto, shall constitute the entire Agreement between the parties. Words within this Agreement importing number or gender shall be construed in grammatical conformance with the context or the party or parties in reference. Any term or provision of this Agreement which is found to be invalid or unenforceable shall be severed from the balance of the document, and shall not affect the enforceability of the remainder of this Agreement.

IN WITNESS WHEREOF the parties have executed this Agreement to be effective the year and date first above written.

SMOKY LAKE COUNTY

Per: _____
Ron Bobocel, Reeve
- SEAL -

Per: _____
Cory Ollikka, Chief Administrative Officer

SIGNED, SEALED AND DELIVERED)
in the presence of)
) (INSERT OWNER NAME)
)
_____)
Witness)

SCHEDULE "A"
The Encroachment

(INSERT REAL PROPERTY REPORT SHOWING ENCROACHMENT)

Carried.

Dave Franchuk, Environmental Operations Manager enter Council chambers, time 11:28 a.m.

9. Public Question and Answer Period:

- No Questions.

4. Request for Decision:

Warspite Truckfill
763-16: Cholak

That County Council approve an unbudgeted expenditure for replacement of the water reservoir for the Warspite raw water truckfill; and that Associated Engineering Inc. be engaged to prepare the design and a Request For Proposal for Tender to complete both Spedden and Warspite truckfill stations.

Carried.

Addition to the Agenda:

Waste Transfer Stations – Warspite and Bellis
764-16: Cholak

That County Council approve the unbudgeted expense in the amount not to exceed \$1,400.00 to purchase privacy slats to be installed on the chain link fence at the Warspite and Bellis Waste Transfer Stations.

Carried.

7. Delegation(s):

Smoky Lake County Community Learning Council

Present before County Council at 11:50 a.m. to 11:59 a.m. was Melody Kaban, Chairperson, Smoky Lake County Community Learning Council, to thank Smoky Lake County for the past 40 years of support by providing lunch to extend appreciation to Smoky Lake County as the Legal Host of Smoky Lake County Community Learning Council for the past 40 years; and a gesture for all the County support.

765-16: Orichowski

That Smoky Lake County recognize the Smoky Lake County Community Learning Council's Board Members who have achieved long service in increments of five (5) years; and present each of those members with a "Certificate of Appreciation".

Carried.

Meeting Recessed

Meeting recessed for Lunch, time 11:59 a.m.

Meeting Reconvened

The meeting reconvened on a call to order by Reeve Ron Bobocel at 12:50 p.m. in the presence of all Council, the Chief Administrative Officer, the Assistant Chief Administrative Officer, Finance Manager, Public Works Manager, Planning & Development Manager, GIS/Communication Director and Recording Secretary.

5. Issues for Information:

Chief Administrative Officer's Report

The Chief Administrative Officer gave an updated report to Council for the period of May 20, 2016 to June 15, 2016:

Legislative/Governance:

- Completed annual FOIP Reports online for County and Water Commission.

Administrative:

- Associated Engineering had begun work for the Spedden reservoir.

Financial:

- Received confirmation from Province that our Gas Tax Funding (GTF) will be \$132,572 for 2016.

Human Resources:

- No Report.

Community:

- Town has requested assistance with reclaimer work in alley by the Lions' Park.
- Muni-Corr golf tournament is being held at Smoky Lake Golf Course on August 8, 2016. Town and County are co-sponsors of the barbeque.
- Smoky Lake is driving the theme for our parade float this year: "It's Fun to be Ukrainian".
- Received a list of concerns from Bellis Board of Trade.
- As per motion 657-16: Administration has investigated options for insuring the Smoky Lake County Rural Crime Watch trailer.

Training:

- No Report.

Strategic Priorities - Chart:

- On-going.

Spedden Water Reservoir

766-16: Smigerowsky

That Smoky Lake County proceed to have Associated Engineering Ltd. Design the Spedden Water Reservoir; and prepared and release a Tender Package for the Spedden Water reservoir.

Carried.

Damage Claim – Vehicle Related

767-16: Cholak

That Smoky Lake County take no action and defer issue to the County Safety Officer in accordance with Policy Statement No. 14A-10-01: Damage Claim – Vehicle Related, in regards to windshield rock damage, as per letter request from John Rezewski, Bellis area resident.

Carried.

Gas Tax Fund (GTF)

768-16: Lukinuk

That County Council acknowledge receipt of letter from Honourable Danielle Larivee, Minister of Municipal Affairs, dated June 3, 2016 in regards to the Smoky Lake County 2016 Federal Gas Tax Fund (GTF) allocation of \$132,572.

Carried.

Town of Smoky Lake

769-16: Orichowski

That Smoky Lake County approve to assist the Town of Smoky Lake, time permitting, of Public Works Services of manpower and reclaimer equipment in the amount of \$1,000.00 to reclaim the existing asphalt located in the alley on the South side of the Lions Park between West Railway Avenue and White Earth Street; as per letter request received from Andie Loffelbein, Public Works Manager, Town of Smoky Lake, dated June 14, 2016.

Carried.

Northeast Muni-Corr

770-16: Lukinuk

That Smoky Lake County Councillor Craig Lukinuk and Reeve Ron Bobocel attend the Northeast Muni-Corr Golf Tournament scheduled for August 8, 2016 at the Smoky Lake Golf Course; and provide County pins and a door prize to the said event.

Carried.

Smoky Lake Region: Annual 2016 Parades

771-16: Cholak

That Smoky Lake County prepare a Float and participate in the annual Smoky Lake Heritage Days 2016 Parade – Theme “It’s fun to be Ukrainian” hosted by the Town of Smoky Lake and Smoky Lake & District Chamber of Commerce on Saturday, July 30, 2016 in Smoky Lake, Alberta; and participate in the annual parade hosted by the Village of Vilna and Village of Waskatenau in 2016.

Carried.

Bellis Board of Trade

772-16: Smigerowsky

That Smoky Lake County Council approve the recommended actions by Administration in response to a letter received from Lillian Stahl, Secretary, Bellis Board of Trade, dated June 9, 2016; as follows:

Bellis Board of Trade Requests		Smoky Lake County Action
1.	Intersection of RRD 152 and TWP RD 600. Due to the rain, the potholes have returned. Campers travel to Kaduk Lake on RRD 152, as well, traffic to Bellis Greenhouse. It would be nice to have a permanent solution, rather than costly yearly repairs.	Patching on RR 152 from TWP 600 – 601A was done on June 6 th & 7 th , 2016. Public Works will continue patching when necessary. RR 152 from TWP 600 – 601A is scheduled for oil treatment in 2017.
2.	The poor upkeep of the old school building. It is unsightly, sad and sorry. It is a place for vandalism. The front appears to be boarded up, but around the back windows have been smashed and the stucco is literally peeling from the exterior walls. There is broken glass, burnt walls and flooring, ceilings collapsing, etc.	In accordance with Smoky Lake County Bylaw No. 1169-08: Nuisance and Unsightly Premises Bylaw, the landowner is being issued a cleanup order.

3.	When the trailer, south of the playground, was brought in, the sidewalk was removed and has not been replaced. Potentially not safe to travel to and from the playground. No signage posted.	Gravel will be used to fill hole temporarily and a new sidewalk will be poured by Fall 2016. Signage was erected on June 14, 2016.
4.	Eva Farmer would like some information (help) with the "Church". It is 100 years old this year. She would like to get some steps built and the interior needs work.	Churches are not directly administered by Smoky Lake County, however, there may be possible sources of funding or in-kind work that may be of assistance. The Church may benefit from contacting the Greek Orthodox Church of Canada, which may provide funding assistance for necessary renovations to the Church. There may also be potential grant opportunities from the provincial and federal governments, but usually these grants require that the Church be designated as a Municipal Historic Resource by County bylaw. For more information on the Municipal Historic Resource designation process, please contact Noreen Easterbrook, Chair of the Smoky Lake County Regional Heritage Board at 780-656-2114.
5.	Is it possible to have a fire hydrant at one of the water stations?	<p>The truck fills (water stations) in the County were built for Agricultural use not Emergency Services. The pump capacity from the truck fills are 100 gals/min which takes 10 minutes to fill the fire trucks and 30 minutes to fill the County water tanker. The fire trucks and tanker have the ability to draft water from the 18,000 gal underground tank but the pumps on the trucks will draft water too quickly causing the tank to collapse. There is no reason to install a fire hydrant at the truck fills as we would only be able to fill the truck at 100 gal/min like the truck fills are designed for.</p> <p>In the event of a fire in Bellis the Vilna Fire Department will respond with 4 fire trucks and 3,500 gallons and Smoky Lake Fire would be call for mutual aid with 3 trucks and 3,200 gallons as well, Smoky Lake County tanker with 3,500 gallons. Once the trucks are empty we would be sending trucks to fill up at the truck fills in Bellis and back to the fire halls. One other note to add is this is only possible if we have enough firefighters available to respond to the call at the time.</p> <p>The recommendation for fire hydrant water flow rates are 500-1500 gal/min for 90 minutes. The only option for a fire hydrant to be installed in Bellis would be to access the regional water line that can support the volume and flows that is needed from Emergency Services.</p>

Carried.

Smoky Lake Rural Crime Watch Association

773-16: Smigerowsky That Smoky Lake County advise the Smoky Lake County Rural Crime Watch Association to pursue a private insurance company to insure their cargo trailer; and Smoky Lake County will reimburse Smoky Lake Rural Crime Watch Association the cost of the insurance premium for the cargo trailer upon receipt of invoice.

Carried.

Financial Update

As annexed to the minutes:

↳ Financial Statement for the Month: **April, 2016.**

Action List(s):

↳ **Action List(s):**
▪ **County Council Meeting: May 19, 2016.**

774-16: Orichowski That the updated report for the period of May 19, 2016 to June 15, 2016 by the Chief Administrative Officer, be accepted and filed for information.

Carried.

PUBLIC HEARING:

Bylaw No. 1290-16: The Village of Vilna and Smoky Lake County Intermunicipal Development Plan

The Reeve Ron Bobocel reconvened the Public Hearing from May 19, 2016 at 1:18 p.m. in the presence of all the Council members, the Chief Administrative Officer; the Assistant Chief Administrative Officer, the Finance Manager, the GIS/Communication Director, and the Recording Secretary.

Jordan Ruegg, Planning and Development Manager in attendance for the Public Hearing.

Jane Dauphinee, Principal/Senior Planner, Municipal Planning Services (2009) Ltd. in attendance for the Public Hearing.

General public: 3 members of the public in attendance for the Public Hearing.

Smoky Lake County
Bylaw No. 1290-16:

The Village of Vilna and Smoky Lake County Intermunicipal Development Plan

1.0 Opening

1.1 Reeve Ron Bobocel declared the Public Hearing open at 1:18 p.m. The Reeve stated he will Chair the Public Hearing and welcomed all persons in attendance to the Public Hearing.

1.2 Reeve 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:

Proposed **County Bylaw 1290-16**: Village of Vilna and Smoky Lake County Intermunicipal Development Plan has been advertised and notice has been provided in accordance with Sec 606 of the *Municipal Government Act, R.S.A. 2000*.

Specifically, Sec 606(2) which states:

Notice of the bylaw, resolution, meeting, public hearing or other thing must be:

(a) published at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held, or

(b) mailed or delivered to every residence in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held.

1.3 The purpose of this Hearing is for the Council of Smoky Lake County to obtain **public input**, in favour and opposed to proposed County Bylaw No. 1290-16 – Village of Vilna and Town of Smoky Lake Intermunicipal Development Plan.

1.4 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 the

Background:

- The proposed Bylaw 1290-16: Village of Vilna & Smoky Lake County Intermunicipal Development Plan began as an Intermunicipal Development Strategy developed as an initiative of the Smoky Lake Region Community Development Partnership Project - Regional Collaboration Grant.
- November 6, 2013 - establishment of an Intermunicipal Strategy Development Committee to engage the Regional Collaboration Grant.
- June 26, 2014 - Municipal Planning Services consultant Jane Dauphinee presented an overview report on the Intermunicipal Development Strategy, including the next steps for public consultation.
- February 2, 2015 - A Committee of the Whole Meeting was held with representatives of the Smoky Lake County and the Village of Vilna to discuss items related to the Intermunicipal Development Strategy including changes to the future land use maps, annexation process and procedures and the composition of the Intermunicipal Development Committee.
- June 3, 2015 - an Open House was held at the Village of Vilna to discuss the draft Intermunicipal Development Plan. Feedback during this meeting was incorporated into the proposed Bylaw.
- Bylaw 1289-16 was presented for 1st Reading on March 24, 2016.
- A Public Hearing on the proposed Bylaw was commenced on May 19, 2016, and was recessed until June 16, 2016, to allow County administration to distribute complete information packages to affected County landowners.
- A notice has also been posted on the County's website since May 11, 2016.
- The Public Hearing Notices were advertised in the Smoky Lake Signal and Redwater Review the weeks of April 25, 2016 May 2, 2016, June 7, 2016, and June 14, 2016. The proposed Bylaw was advertised and notice has been provided in accordance with the applicable legislation.
- This hearing has been scheduled to obtain public input on proposed Bylaw in accordance with Section 230 of the Municipal Government Act.

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

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

- i. planner and/or planning staff will speak first to outline facts and present her recommendation on the proposed bylaw
- j. members of the public, who have signed in will be given the opportunity to speak in the order they signed in,
- k. anyone else, who did not sign in will be given the opportunity to speak,
- l. planner and/or planning staff will be given the opportunity to present closing remarks or address any of the issues presented,
- m. Councillors will be given the opportunity to ask questions,
- n. Council will then end the Hearing and consider the information received at the public hearing.
- o. 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 a Councillor wishes to have an answer.
- p. Council will consider the representations made regarding the bylaw and any other matter Council considers appropriate.



2.0 Staff Presentation

2.1 Jane Dauphinee, Municipal Planning Services (2009) Ltd., reported the following:

- Intermunicipal Development Plans will be a requirement in the new Municipal Government Act that is coming out in the fall.
- It is framework if annexation occurs in the future.
- It identifies future use and has no impact on current use, it will be a guide to the County in the event that a landowner applies for a change in land use.

3.0 Public Presentations Via Written Submissions

3.1 The Chief Administrative Officer reported that no written submissions were received.

4.0 Public Presentations at the Public Hearing

4.1 For Comment – Not in Favour or Against:

- Member of the General Public, Wanda Cherniwchan:
 - Our land has been in my family since 1961 and I am concerned if anyone has plans for development. If there was something proposed, would we have the opportunity to oppose it?

Answer: Municipal Planning Services (2009) Ltd., Jane Dauphinee – there is no impending development at this time. If there was, you would be notified and you would have the opportunity to have your say. If Vilna wanted to expand you would be notified. This does not impact the sale of land. It will not impact how the land is taxed as long as it is farmed – the assessment class will not change. The current land use remains the same unless an owner applies to change it.

5.0 Questions and Answers

5.1 Public: No Further Questions.

5.2 Council: No Further Questions.

6.0 Closing Remarks

Reeve Ron Bobocel declared discussion on the proposed Smoky Lake County Bylaw No. 1290-16: Village of Vilna and Smoky Lake County Intermunicipal Development Plan, closed at 1:45 p.m.

County Council Meeting

County Council Meeting reconvened, time 1:55 p.m.

Jane Dauphinee, Principal/Senior Planner, Municipal Planning Services (2009) Ltd. Left chambers, time 2:00 p.m.

Finance Manager's Report: Actual to Budget Report

Brenda Adamson, Finance Manager provided an updated Finance report for the period of May 12, 2016 to June 8, 2016.

2016 Tax Sale
775-16: Lukinuk

That Smoky Lake County approve the following property with Tax Notification Listing to be advertised as follows for 2016 the Tax Sale:

<u>Roll Number</u>	<u>Legal Land Description</u>
28170123	Plan 2206CL;Block 1;Lot 21-26
24100211	Plan 2186MC;Block 2;Lot 11
18583320	SW-33-58-18-W4
28170112	Plan 2206CL;Block 1; Lot 12-13
40310109	Plan 716CL; Block 1;Lot 9

and that the 2016 Tax Sale be scheduled for **Friday, October 7, 2016** at 10:00 a.m.

Carried.

776-16: Cholak

That the updated report for the period of May 12, 2016 to June 8, 2016 by the Finance Manager, be accepted and filed for information.

Carried.

Reeve's Report:

Reeve Ron Bobocel presented the following report:

- Attended the Municipal Government Act Review at Two Hills, Alberta
- Met with the president of the Ukrainian Chamber of Commerce who is looking for a community here in Alberta to pair a "twin" community with in the Ukraine.

777-16: Bobocel

That the Reeve's Report received, be accepted.

Carried.

Management Reports

Public Works Manager

Roadside Mowing and Grading of Roads

778-16: Smigerowsky

That Smoky Lake County approve for Year 2016 for the Agricultural Service Board Department to authorize the road side mowers to make a single shoulder pass a priority due to the rain and overgrowth of vegetation and the second pass - fence to fence as time permits as per policy.

Carried.

Natural Gas Manager

Federation Bill Stuffer Advertising

779-16: Smigerowsky

That Smoky Lake County participate in the Federation of Alberta Gas Co-ops Ltd. advertising program of a "bill stuffer" entitled "What We Do" by enclosing it with the Smoky Lake County Gas Invoices, and including it in the Grape Vine as well as social media to highlight the organization to our members.

Carried.

Planning and Development Manager

Victoria District Area Structure Plan

780-16: Lukinuk

That Smoky Lake County in conjunction with Municipal Planning Services (2009) Ltd. schedule an Open House in regards to the Victoria District Area Structure Plan on **Wednesday, August 17, 2016** at 7:00 p.m. in the County Council Chambers, and to send notices to the landowners affected by the Victoria District Area Structure Plan and advertise the Open House in the local newspapers and social media.

Carried.



Municipal Owned Land Sales - Hamlet of Warspite

781-16: Cholak That Smoky Lake County defer discussion in regards to the land issue in the Hamlet of Warspite: located on Railway Plan 2562BS RLY59 to the September County Council meeting.

Carried.

Victoria Trail Funding Request

782-16: Orichowski That Smoky Lake County Council write a letter to Gary Chen, Heritage Conservation Adviser, Alberta Culture, Historical Resources Management Branch, requesting funding for maintenance of the Victoria Trail, and request that the Smoky Lake County Regional Heritage Board, Victoria Home Guard Historical Society, Town of Smoky Lake, Smoky Lake Chamber of Commerce, Regional Community Development Committee and Metis Crossing do the same.

Carried.

Management Reports

783-16: Smigerowsky That the management reports received for the period between May 15, 2016 to June 8, 2016 from Doug Ponich, Public Works Manager; Bob Novosiwsky, Public Works Foreman; Dave Kully, Public Works Shop Foreman; Ed English, Peace Officer; Jordan Ruegg, Planning and Development Manager; Trevor Tychkowsky, Safety Officer; and Paul Miranda, GIS/Communication Manager, be accepted and filed for information.

Carried.

8. Executive Session:

Legal Encroachment Issue

784-16: Orichowski That County Council go into Executive Session to discuss a legal encroachment issue in Division Five, time 2:55 p.m.

Carried.

785-16: Smigerowsky That County Council go out of Executive Session, time 3:16 p.m.

Carried.

Committee Task Forces and Boards: Reports

Alberta Care

- Next meeting: June 17, 2016 – unable to attend.

Corridor Communications Inc.

- No Report.

Doctor Retention & Recruitment Committee

- No Report.

Evergreen Regional Waste Management Commission

- Next meeting: June 20, 2016.

Family Community Support Services Committee

- No Report.

Family-School Liaison Committee

- Next meeting: June 21, 2016.

Fire and Rescue Liaison Committee

- Smoky Lake
 - Attended Fire Chief's convention in Calgary at the end of May 2016. Resolutions from the meeting will be presented at the August meeting.
- Vilna
 - No Report.
- Waskatenau
 - No Report.

Government Liaison Committee

- By-Law Special Bulletin: The Municipal Government Act and Bill 21 published by Reynolds Mirth Richards & Farmer LLP.

786-16: Orichowski

That the By-Law Special Bulletin: The Municipal Government Act and Bill 21 published by Reynolds Mirth Richards & Farmer LLP, received on June 8, 2016, be filed for information.

Carried.

Highway 28/63 Regional Water Commission

- Water supply agreement between the Highway 28/63 Regional Water Services Commission and the County of St. Paul No.19 was executed.
- Next Meeting scheduled for July 13, 2016 at 10:00 a.m.
- Construction from Spedden east is ongoing

In-House Safety Committee

- April 27, 2016: Minutes.
- Municipal Safety Recognition Award - Alberta Municipal Affairs.
- Alberta Health and Safety Conference is scheduled for November 7 and 8, 2016 in Edmonton.
- Next meeting: July 20, 2016.

787-16: Lukinuk

That Smoky Lake County acknowledge receipt of "The Municipal Safety Recognition Award", recognition of 15 Years Accreditation under the Safety Codes Act; and accompanying letter from Danielle Larivee, Minister of Municipal Affairs and Robert Blakely, Chair, Safety Codes Council, dated June 2, 2016.

Carried.

Municipal Planning Commission

- No Report.

Northeast Alberta Information HUB

- No Report.

North East Muni-Corr. Ltd

- Beaver River Trestle grand opening scheduled for Friday, June 24 2016, noon to 2:30 p.m. lunch and 3:00 p.m. Grand Opening Ceremony.
- Working on the CFEP grant and exploring private funding.
- Next meeting: July 11, 2016.

Northern Lights Library Board

- New grant funding available for indigenous population; slated to receive \$155,000 for services.
- Supernet upgrade scheduled for July 7, 2016, and looking into switching providers.
- FOIP training course has 44 participants over two days.
- One day conference in Elk Point scheduled for September 16, 2016.
- Next Policy Committee meeting is scheduled for June 27, 2016.
- Next Board meeting: September 17, 2016.

Policy Committee

- No Report.

R.C.M.P. Liaison Committee

- No Report.

Regional Community Development Committee (RCDC)

- Donated \$4,000.00 to the FHNAS – Friends of Historical Alberta Society to assist implementation of the “Online Self-Guided Tour of Northern Alberta”
- Purchased an advertising spot on the Kalyna Summer Attractions Map Version 2.0.
- Met with Metis Nation of Alberta May 26, 2016 to discuss future conference centre, RV Park and solar project developments at the Metis Crossing site as well as any potential support they may require going forward.
- Memorandum of understanding will be discussed at next meeting, June 28, 2016.

788-16: Smigerowsky That Smoky Lake County provide a “County Jacket” to the Community Economic Development Officer (CEDO), as a token of appreciation in conjunction with the 2016 Performance Appraisal; for the work and dedication provided for the Smoky Lake Region with the Regional Community Development Committee (RCDC).

Carried.

Regional Emergency Management Committee

- No Report.

Risk-Pro Control Management Committee

- Waskatenau Pryveet Dance Club
 - a. No Minutes.

Smoky Lake Agricultural Complex

- Camp ground is now open.
- Annual Demolition Derby is scheduled for August 1, 2016.
- Brookfield is no longer the caretaker of the Complex.

Joint Meeting: Town of Smoky Lake

789-16: Smigerowsky That Smoky Lake County schedule a joint meeting with the Town of Smoky Lake on **July 4 or 25, 2016** at 1:00 p.m. in County Council Chambers and invite representative(s) from Smoky Lake Agricultural Complex as a delegation in regards to future operation of the Smoky Lake Agricultural Complex.

Carried.

790-16: Lukinuk

That Smoky Lake County reschedule the September County Council meeting from September 15, 2016 to **September 22, 2016**, at 9:00 a.m. and a Committee of the Whole - Planning meeting be scheduled for **July 25, 2016** at 11:00 a.m.

Carried.

Smoky Lake Foundation

- Demolition of old facilities is underway and dealing with abatement issues.
- Next meeting scheduled for June 20, 2016, 9:00 a.m.
 - a. June 2016 Social Calendar.



Smoky Lake Region Fire and Rescue Committee

- Next meeting scheduled for September 9, 2016, 9:00 a.m.

Smoky Lake Heritage Board

- No Report.

Joint Municipalities

- Next meeting is scheduled for June 27, 2016 at 6:00 p.m.
- David Hanson, MLA, Lac La Biche – St. Paul – Two Hills is scheduled to attend.

Spray Park Committee

- Ground has been broke for Spray Park and scheduled to open for August long weekend.
- Electrical issues are being sorted out.

791-16: Orichowski

That the Committee Task Force and Board Reports presented by Councillors be accepted.

Carried.

6. Correspondence:

Alberta Association of Municipal Districts and Counties (AAMD&C)

792-16: Cholak

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

- a. Contact Newsletter: May 20, 2016.
- b. Contact Newsletter: May 26, 2016.
- c. Contact Newsletter: June 1, 2016.

Carried.

Smoky Lake Agricultural Society

793-16: Bobocel

That Smoky Lake County take no action in response to letter received from Kelly Montgomery, Smoky Lake Agricultural Society, dated May 15, 2016 in regards to sponsoring the 2016 Demolition Derby.

Carried.

794-16: Orichowski

That Smoky Lake County reconsider motion 793-16 in respect to sponsoring a Community Event.

Carried.

795-16: Orichowski

That Smoky Lake County donate in the amount of **\$250.00** to the Smoky Lake Agricultural Society to sponsor the 2016 Demolition Derby on the Heritage Weekend, August 1, 2016 and donate the complimentary admission tickets to the Smoky Lake Food Bank as per the letter received from Kelly Montgomery, Smoky Lake Agricultural Society, dated May 15, 2016; and funds to be allocated from "Grants for Individuals and Organizations".

Carried.

Alberta Infrastructure and Transportation

796-16: Lukinuk

That Smoky Lake County acknowledge receipt of the letter received from Miriam Rycroft, Chief of Staff to the Minister, Alberta Infrastructure and Transportation, in regards to the maintenance of highways within Smoky Lake County, dated May 17, 2016.

Carried.



Alberta Municipal Affairs

797-16: Lukinuk

That the letter received from Brad Pickering, Deputy Minister, Alberta Municipal Affairs, dated May 11, 2016 in regards to an update related to Asset Management and Planning for Future Infrastructure Needs, be filed for information.

Carried.

Victoria Home Guard Historical Society

798-16: Smigerowsky

That the correspondence received from the Victoria Home Guard Society listing three events: "Celebrate Heritage", scheduled for Saturday May 28, 2016, "Gathering at Victoria Settlement", scheduled for Saturday, August 6, 2016 and "Red River Cart Exhibit", schedule for Saturday, August 27, 2016, as well as the upcoming Metis Crossing Events, be promoted on the County Grapevine, website and social media.

Carried.

C&J Energy Services

799-16: Orichowski

That the letter received from Diane Wolansky, Environmental Technologist, C&J Energy Services, dated April 20, 2016 in regards to Notice of Pipeline Abandonments, be filed for information.

Carried.

Alberta Utilities Commission

800-16: Cholak

That the notice received from Douglas A. Larder, QC, General Counsel, Alberta Utilities Commission, dated May 2016 in regards to an application for the decommissioning of Transmission Line 6L79 in the St. Paul and Vegreville area, be filed for information.

Carried.

H.A. Kostash School

801-16: Cholak

That Smoky Lake County donate door prizes to H.A. Kostash School to sponsor the 2016 Student Attendance Awards, as per the letter received from Lenore Lamouche, Assistant Principal, H.A. Kostash School, dated May 16, 2016.

Councillor Ron Bobocel requested a recorded vote:

For Motion:

Dareld Cholak

Craig Lukinuk

Cary Smigerowsky

Randy Orichowski

Against Motion:

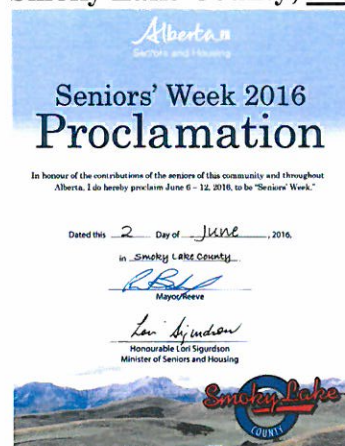
Ron Bobocel

Carried.

Alberta Seniors and Housing

802-16: Orichowski

That Smoky Lake County approve action taken by the GIS/Communications Director in proclaiming Seniors' Week 2016 from June 6 to 12, 2016, in honour of the contributions of the seniors of this community and throughout Alberta, **I do hereby proclaim June 6 – 12, 2016, to be "Seniors' Week" Dated this 2nd Day of June, 2016, Smoky Lake County, Ron Bobocel, Reeve.**



Carried.

RB

Holy Trinity Russo Orthodox Church

803-16: Cholak

That Smoky Lake County take no action on the request from Father Deacon Kolin Berglund regarding the Holy Trinity Russo Orthodox Church maintenance, as per letter received May 26, 2016.

Carried.

TransCanada

804-16: Lukinuk

That the correspondence received from Todd Moroz, Project Manager, TransCanada, dated May 24, 2016, in regards to Proposed Project: Smoky Lake Control Valve – to meet the local demand of natural gas in the Redwater area, be filed for information.

Carried.

School Breakfast Program

805-16: Smigerowsky

That Smoky Lake County donate in the amount of \$1,000.00 to Vilna School for the 2016-2017 school year “School Breakfast Program”; and donate in the amount of \$1,000.00 to every other school in Smoky Lake County for the 2016-2017 school year upon request and submission of financial report detailing how funds will be spent, towards School Breakfast and other wellness related programs; and funds to be allocated from “Grants for Individuals and Organizations”.

Carried.

Bellis Veterinary Services

806-16: Smigerowsky

That Smoky Lake County donate in the amount of \$250.00 and provide a County Flag for recognition to Bellis Veterinary Services for the first Annual Randy Russ Memorial Barrel Racing Jackpot, scheduled for August 1, 2016 as per letter received from Anne-Marie Russ, Bellis Veterinary Services, dated May 27, 2016; and funds to be allocated from “Grants for Individuals and Organizations”.

Carried.

Damage Claim – Vehicle Related

807-16: Lukinuk

That Smoky Lake County take no action and defer issue to the County Safety Officer in accordance with Policy Statement No. 14A-10-01: Damage Claim – Vehicle Related, in regards to compensation request for damage sustained to pick-up truck that occurred on Range Road 164, South of Highway 28 as per letter received from Jesse Boykiw, White Earth Honey Farm, dated May 30, 2016.

Carried.

Town of Redwater Annual Parade

808-16: Cholak

That Smoky Lake County take no action in response to the letter of invitation received from Konnor Wood, Summer Program Coordinator, Town of Redwater, dated June 1, 2016, to participating in the Town of Redwater Annual Parade, scheduled for August 20, 2016, due to a scheduling conflict with the Vilna parade.

Carried.

Canadian National Railway (CN)

809-16: Lukinuk

That the correspondence received from Brent Kossey, Prairies Lead – Community Affairs, CN, dated May 20, 2016, in regards to the 2016 “CN in Your Community” publication, be filed for information.

Carried.

Sprucevale Enterprises – Contract Gravel Hauling

810-16: Lukinuk

That Smoky Lake County take no action in response to the letter received from Johnny Cherniwchan, Sprucevale Enterprises, dated June 1, 2016 in regards to contract gravel hauling, and a letter be written to Mr. Cherniwchan in reference to the County’s contract gravel hauling procedure.

Carried.

Canada 150 Community Infrastructure Program (CIP 150)

811-16: Cholak

That the letter received from Shannon Stubbs, MP, Lakeland, dated June 3, 2016, in regards the Canada 150 Community Infrastructure Program (CIP 150) in Western Diversification Canada launched: funding of \$46.2 million over the next 2 years, be filed for information.

Carried.

2016 Municipal Sustainability Initiative (MSI) Grant Allocation

812-16: Lukinuk

That Smoky Lake County acknowledge receipt of the letter received from Honourable Danielle Larivee, Minister of Municipal Affairs, dated June 1, 2016, in regards to the Smoky Lake County 2016 Municipal Sustainability Initiative (MSI) allocation being \$1,536,948, which includes \$1,423,820 in capital funding and \$113,128 in operating funding.

Carried.

Mallaig Army Cadets

813-16: Cholak

That Smoky Lake County donate in the amount of **\$500.00** to the Mallaig Army Cadets to sponsor the Cadet trip to Europe scheduled for April 2017 as per the letter received from Charlene Skeoch and Terry Gougen, Mallaig Army Cadets, dated June 2016; and funds to be allocated from "Grants for Individuals and Organizations".

Carried.

Alberta-Ukraine Genealogical Project

814-16: Bobocel

That the correspondence received from Alberta-Ukraine Genealogical Project, dated June 2016, in regards to the Centenary Pioneer Recognition Program, be advertised on the County website: for self-nominations.

Carried.

Thank You: Summary Listing

815-16: Orichowski

That Smoky Lake County file for information the June 2016 Summary Listing of Thank You's received from organizations extending appreciation of support:

- STARS – Shock Trauma and Rescue Services – Support.
- Smoky Lake County Community Learning Council – Support.

Carried.

Information Releases

816-16: Smigerowsky

That the Information Releases for the Month of June 2016, be accepted and filed for information.

Carried.

10. Bills & Accounts:

817-16: Cholak

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
33426	40520	\$5,000.00
33441	40521 to 40544	\$36,387.66
33449	40545 to 40566	\$56,250.63
33498	40567 to 40582	\$105,865.76
33538	40583 to 40587	\$6,245.69
33546	40588 to 40608	\$131,754.07
33614	40609 to 40659	\$400,541.86
33654	40660 to 40670	\$73,808.52

Total Cheques from 40520 to 40670 **\$815,854.19**

Direct Debit Register

Batch #	Description	Total of Batch

Total Direct Debits **\$0.00**

Grand Total Bills and Accounts **\$815,854.19**
(Note: From General Account)

Carried.

Schedule County Council Meeting(s)

818-16: Lukinuk

That **County Council Meeting(s)** be scheduled for Thursday, **August 25, 2016**, Thursday, **September 22, 2016**, Thursday, **October 27, 2016**, Thursday, **December 8, 2016** at 9:00 a.m.; and a **Chief Administrative Officer's Evaluation Meeting** be scheduled for **August 24, 2016** at 10:00 a.m.; to be held at the County Council Chambers.

Carried.

ADJOURNMENT:

819-16: Bobocel

That this meeting be adjourned, time 5:59 p.m.

Carried.



REEVE

SEAL



CHIEF ADMINISTRATIVE OFFICER

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