

SMOKY LAKE COUNTY

Minutes of the **County Council Meeting** held on Thursday, **September 20, 2018** at 1:05 P.M. in the County Council Chambers.

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

<u>Div. No.</u>	<u>Councillor(s)</u>	<u>ATTENDANCE</u> <u>Thursday, Sept. 20, 2018</u>
1	Dan Gawalko	Present
2	Johnny Cherniwchan	Present
3	Craig Lukinuk	Present
4	Lorne Halisky	Present
5	Randy Orichowski	Present
CAO	Cory Ollikka	Present
Asst. CAO	Lydia Cielin	Present
Finance Manager	Brenda Adamson	Absent
Public Works Mgr.	Doug Ponich	Absent
GIS/Communication	Paul Miranda	Present
Plan/Dev Manager	Jordan Ruegg	Present
Legislative Svcs/R.S.	Patti Priest	Present

No Members of the Media present.

2 Members of the Public.

2. Agenda:

923-18: Orichowski That the Agenda for Thursday, September 20, 2018 County Council Meeting be adopted, as amended:

Additions:

1. County of St. Paul No.19 - Crushed Recycled Concrete.
2. County Road Tour - Reschedule.
3. Métis Crossing's End of Summer Community BBQ.

Carried Unanimously.

3. Minutes:

No Minutes.

PUBLIC HEARING:

Proposed Bylaw No. 1322-18: a bylaw to amend the Smoky Lake County Land Use Bylaw

1.0 Opening

The Public Hearing was **called to order at 1:07 p.m.** by the Reeve, Craig Lukinuk in the presence of Council members, Chief Administrative Officer, Assistant Chief Administrative Officer, GIS/Communication Director, Planning and Development Manager, Recording Secretary and **two members of the public.**

The Public wishing to be heard was asked to sign in on the sign-in sheet.

Confirmation was provided that the Public Hearing was advertised and notice was provided in accordance with the applicable legislation.

The purpose of the hearing was summarized:

To obtain public input in regard to Smoky Lake County's proposed Bylaw No. 1322-18: a bylaw to amend the Smoky Lake County Land Use Bylaw No. 1272-14, for the purpose of adding definitions for cannabis and cannabis-related businesses, and to determine where cannabis-related businesses and developments may be permissible.

2.0 Staff Presentation

Jordan Ruegg, Planning and Development Manager provided the following information:

The proposed Bylaw 1322-18 will establish definitions for cannabis and cannabis-related businesses, determine which land use districts cannabis-related businesses may be permitted to operate in, establish the requirements for applying for a Development Permit for a cannabis-related business, and establish setback distances from schools, hospitals and other community facilities

BACKGROUND:

- On November 30, 2017, Bill 26 – An Act to Control and Regulate Cannabis was passed by the Alberta Legislature. This Bill amended the Gaming and Liquor Act to add provisions with respect to regulating the production and consumption of cannabis, including the establishment of minimum setback distances from schools, hospitals and childcare facilities.
- On June 21, 2018, Bill C-45 An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, was passed by Parliament. This Act regulates cannabis at the federal level and sets the standards for the production and distribution of cannabis, health and safety measures respecting cannabis and illegal and criminal actions with respect to cannabis.
- In accordance with Bill 26 and Bill C-45, Smoky Lake County Council intends to amend Bylaw 1272-14: Smoky Lake County Land Use Bylaw, to provide provisions for the production, distribution and retail sales of cannabis, as well as provisions for the production and distribution for industrial hemp. The proposed Bylaw DOES NOT contain provisions respecting the public consumption of cannabis.
- At the August 30, 2018 Smoky Lake County Council Meeting, the following motion was passed:
Motion 861-18: “That Smoky Lake County Council give Bylaw 1322-18: A Bylaw to amend Land Use Bylaw 1272-14, being the land use bylaw for Smoky Lake County, for the purpose of adding definitions for cannabis and cannabis-related businesses, and to determine where cannabis-related businesses and developments may be permissible, FIRST READING; and to schedule a Public Hearing, to be held at the Smoky Lake County Council chambers, on Thursday, September 20, 2018, at 1:00 p.m., and to advertise in the local newspapers, said Public Hearing in accordance with section 230 and section 606 of the Municipal Government Act.”

- A Notice has also been posted on the County's website since September 7, 2018.
- Notice of the Public Hearing was advertised in the Smoky Lake Signal and the Redwater Review the weeks of September 10, 2018 and September 17, 2018. 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 the proposed Bylaw in accordance with section 230 of the Municipal Government Act.

3.0 Public Presentations Via Written Submissions

There were no written public presentations submitted.

4.0 Public Presentations at the Public Hearing

The Reeve called upon signed in Members of the Public in opposition of Proposed **Bylaw No. 1322-18** to speak:

There were **no** Members of the Public signed up on the sign-in sheet in opposition of Proposed **Bylaw No. 1322-18**.

The Reeve called upon signed in Members of the Public in support of Proposed **Bylaw No. 1322-18** to speak:

There were **two** Members of the Public signed up on the sign-in sheet in favour of Proposed **Bylaw No. 1322-18**.

Members of the Public: Ulrich Reh and Jean Phillips, Smoky Lake County Landowners, verbally provided information including the following points:

- We have had a medicinal cannabis license from the Federal Government for three years now and have been growing; the feds didn't require any permits from the county.
- We are trying to get our recreational production license and for that, we will need the county's approval first before the federal and provincial government, will allow it.

Ulrich Reh - Question:

- Is a water aquifer included in the minimum distance?

County - Answer:

- No.

Ulrich Reh - Question:

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County - Answer:

- The bylaw does not prevent growing in a greenhouse, it prevents owners from applying for a greenhouse and then switching the crop to cannabis.

Ulrich Reh - Question:

- Will it change the tax base?

County - Answer:

- It is still considered a commercial green house operation, so it shouldn't; we have not heard a solid yes or no from the assessment community or municipal affairs.

Ulrich Reh - Question:

- For solid waste disposal, is a wood boiler be ok?

County - Answer:

- Jordan – as long as you're in alliance with federal and provincial legislation

Ulrich Reh - Question:

- How long will it take?

County - Answer:

- You will need rezoning, so maybe by December and then the application would be subject to public appeal.

5.0 Questions and Answers

There were no further questions.

6.0 Closing Remarks

There being no further presentations.

The public hearing and discussion on Smoky Lake County's proposed **Bylaw No. 1322-18**: a bylaw to amend the Smoky Lake County Land Use Bylaw No. 1272-14, for the purpose of adding definitions for cannabis and cannabis-related businesses, and to determine where cannabis-related businesses and developments may be permissible was declared closed, time **1:37 p.m.**

County Council Meeting

The Smoky Lake County Council Meeting reconvened, time 1:40 p.m.

4. Request for Decision:

Bylaw No. 1322-18: A Bylaw to amend Land Use Bylaw 1272-14

924-18: Halisky

That the Smoky Lake County **Bylaw No. 1322-18**: a bylaw to amend the Smoky Lake County Land Use Bylaw No. 1272-14, for the purpose of adding definitions for cannabis and cannabis-related businesses, and to determine where cannabis-related businesses and developments may be permissible, be given **SECOND READING**.

Carried.

Moved by Councillor Cherniwchan, that the Smoky Lake County **Bylaw No. 1322-18**: a bylaw to amend the Smoky Lake County Land Use Bylaw No. 1272-14, for the purpose of adding definitions for cannabis and cannabis-related businesses, and to determine where cannabis-related businesses and developments may be permissible, be given **THIRD** and **FINAL READING**, and that the Reeve and the Chief Administrative Officer are hereby authorized to fix their signatures to all necessary documents and that the corporate seal also be fastened where it is deemed to be necessary.

Carried.

Addition to the Agenda:

County of St. Paul No. 19 - Recycled Crushed Concrete

925-18: Gawalko

That Smoky Lake County make a written request to the Reeve of the County of St. Paul No. 19: Steve Upham, for 500 yards of free crushed recycled concrete from the Ashmont School project, to be delivered to Spedden at no cost, as it would be a cost saving measure to the County of St. Paul No. 19, by reducing the trucking distance for eliminating the said material.

Carried.

End of Summer Community BBQ at Metis Crossing

926-18: Orichowski That Smoky Lake County Council who can attend – attend the Métis Crossing “End of Summer Community BBQ” scheduled for Friday, September 21, 2018 from 4:00 p.m. to 6:00 p.m. at Métis Crossing.

Carried.

Reschedule County Road Tour

927-18: Cherniwchan That the Smoky Lake County **Road Tour** for Council and relevant Administration scheduled for Tuesday, October 2, 2018 at 9:00 a.m. be rescheduled to **Wednesday, October 2, 2018** at 9:00 a.m.

Carried.

ADJOURNMENT:

928-18: Lukinuk That this meeting be adjourned, time 1:56 p.m.

Carried.

REEVE

S E A L

CHIEF ADMINISTRATIVE OFFICER