

SMOKY LAKE COUNTY

Minutes of the **County Council Meeting** held on Thursday, **May 11, 2023**, at 9:03 A.M. held both virtually online and physically in Council Chambers.

The meeting was called to order by the Reeve, Mr. Lorne Halisky, in the presence of the following persons:

ATTENDANCE		
<u>Div. No.</u>	<u>Councillor(s)</u>	<u>Thursday, May 11, 2023</u>
1	Dan Gawalko	Present in Chambers
2	Linda Fenerty	Present in Chambers
3	Dominique Cere	Present in Chambers
4	Lorne Halisky	Present in Chambers
5	Jered Serben	Present in Chambers
CAO	Gene Sobolewski	Present in Chambers
Assistant CAO	Lydia Cielin	Absent
Finance Manager	Brenda Adamson	Present in Chambers
Executive Svcs/R.S.	Patti Priest	Present in Chambers
Plan/Dev Manager	Jordan Ruegg	Virtually Present
Planning Technician	Kyle Schole	Virtually Present

Observers in Attendance Upon Call to Order:

Communications Officer	Evonne Zukiwski	Virtually Present
Natural Gas Manager	Daniel Moric	Virtually Present
GIS Technician	Carole Dowhaniuk	Virtually Present
Public	2 Members	Virtually Present
Media	N/A	Absent

2. Agenda:

582-23: Serben

That the Smoky Lake County Council Meeting Agenda for Thursday, May 11, 2023, be adopted, as amended:

Addition to the Agenda:

1. Métis Crossing – Request to reduce the Speed Limit on Victoria Trail.
2. Letter from Yellowhead County, dated May 10, 2023 – Re: Alberta Provincial Election, Request to Postpone.
3. Smoky Lake Grazing Reserve – Request for Road Blading.
4. Executive Session: Personnel – Chief Administrative Officer Evaluation.
5. Dust Control Application Late Submission from Division 2 Resident.

Carried Unanimously.

3. Minutes:

Minutes of April 6, 2023 – County Council Committee of the Whole Meeting

583-23: Fenerty

That the minutes of the **Smoky Lake County Council Committee of the Whole Meeting** held on Thursday, April 6, 2023, be adopted as presented.

Carried.

Minutes of April 13, 2023 – County Council Meeting

584-23: Serben

That the minutes of the **Smoky Lake County Council Meeting** held on Thursday, April 13, 2023, be adopted as presented.

Carried.

Minutes of April 25, 2023 – County Council Budget Meeting

585-23: Cere That the minutes of the **Smoky Lake County Council Budget Meeting** held on Tuesday, April 25, 2023, be adopted as presented.

Carried.

Minutes of April 27, 2023 – County Council Meeting

586-23: Gawalko That the minutes of the **Smoky Lake County Council Meeting** held on Thursday, April 27, 2023, be adopted as presented.

Carried.

7. Request for Decision:

Lake Access and Amenity Study (Island, Kaduk, Wayetenau, Whitefish, Hanmore, Smoky, Cache, Garner, Mons, and Bonnie Lakes) Request for Proposal (RFP)

587-23: Serben That Smoky Lake County proceed to advertise a Request for Proposal (RFP) with a submission deadline of Wednesday, June 21, 2023, at 4:00 p.m. and anticipated award date of June 29, 2023, in respect to the project: Lake Access and Amenity Improvement Feasibility Study for the lakes known as: Island, Kaduk, Wayetenau, Whitefish, and Cache, as the first priority and the lakes of: Hanmore, Smoky, Garner, Mons, and Bonnie as second priority, with a project completion deadline of Mid-October 2023.

Carried.

Policy Statement 01-23: Government Liaison Committee Terms of Reference

588-23: Fenerty That Smoky Lake County Policy Statement 01-23: Government Liaison Committee Terms of Reference be amended:

Title: Government Relations Committee: Terms of Reference		Policy No.: 23-02
Section: 01	Code: P-S	Page No.: 1 of 1
Legislation Reference:		Alberta Provincial Statutes
Purpose:	Government Relations Committee is established by County Council. Appointments to the Government Relations Committee are made at the County Organizational Meeting.	
Policy Statement and Guidelines:		
1.	MEMBERSHIP:	
1.1	Reeve, Deputy Reeve and Councillors.	
1.2	Quorum shall be established as three (3).	
2.	MANDATE:	
2.1	Address and advance municipal issues and priorities with elected officials and departments at other orders of government.	
2.2	Recommend to Council, an annual and 4-year Advocacy Plan or Government Relations Plan to:	
2.2.1	Implement the County's Strategic Plan and advocacy priorities.	
2.2.2	Contribute to budget planning.	
2.2.3	Guide Council in its interactions with advocacy groups and other orders of government including the:	
2.2.3.1	Alberta Municipalities (AM)	
2.2.3.2	Rural Municipalities of Alberta (RMA)	
2.2.3.3	Province of Alberta (GoA)	
2.2.3.4	Federation of Canadian Municipalities (FCM)	
2.2.3.5	Government of Canada (GoC)	

Carried.

Proposed Municipal Reserve (MR) Designation - Bellis

589-23: Fenerty

That Smoky Lake County Council **rescind the June 15, 2017, County Council, Motion 799-17:** ‘That Smoky Lake County approve to remove the Municipal Reserve Designation from the lands legally described as Plan 1039CL, Block (R) Reserve; and resurvey the said lands to adjust the boundaries as requested by the adjacent landowner: Larry Cherniwchan, at no cost to the County; and that the Planning and Development Manager prepare a bylaw to designate the resurveyed municipally owned lot as a Municipal Reserve, to be presented at a future County Council Meeting; and that as per the Municipal Government Act Section 675(1), the following Resolution be executed and submitted to Alberta Land Titles.’; **and approve** to add the parcel legally describes as: Plan 1922944; Block 6; Lot 1, in the hamlet of Bellis, to the list of County lands for sale.

Carried.

Proposed Municipal Reserve (MR) Designation - Warspite

590-23: Cere

That Smoky Lake County prepare a bylaw to designate Plan 2562BS, Block RLY, Lot 59, in the hamlet of Warspite, as Municipal Reserve (MR).

Carried.

The Chief Administrative Officer: Gene Sobolewski, left Council Chambers, time 9:34 a.m.

Bylaw No. 1402-21: Cancellation of all Road between Lot A & B of Plan 8420551 Warspite

591-23: Gawalko

That Smoky Lake County Bylaw No. 1402-21: Road Closure of all that portion of Avenue which lies South of Lot A, and North of Lot B, within Plan 8420551, in the Hamlet of Warspite, be given **SECOND READING.**

Councillor Cere requested a recorded Vote:

<u>In favor:</u>	<u>Opposed:</u>
Halisky	Cere
Serben	Fenerty
Gawalko	

Carried.

Road Closure between Lot A & B of Plan 8420551 Warspite

592-23: Serben

That Smoky Lake County Council **defer third reading** of Bylaw No. 1402-21: Road Closure of all that portion of Avenue which lies South of Lot A, and North of Lot B, within Plan 8420551, in the Hamlet of Warspite, to allow time to negotiate a sale price in the amount of \$4,000.00, with the adjacent Land Owner directly north and south of the said road closure.

Carried.

The Chief Administrative Officer: Gene Sobolewski, entered Council Chambers, time 9:53 a.m.

Lemonade Day: Teaching Kids the Power of Entrepreneurship

593-23: Serben

That Smoky Lake County support the Community Futures: St. Paul – Smoky Lake Region’s project “Lemonade Day” on June 17, 2023, by promoting the event on social media; and participate in the Lemonade Day 2023 by: Issuing Lemonade Stand Business Licenses at a cost of \$1.00, and Entering into a simple lease – should the youth want to locate their stand on municipal land, in response to the correspondence from Penny Fox, General Manager, Community Futures, dated April 5, 2023; **and** provide County promotional items up to a value in the total amount of \$100.00 towards prizes for the participants.

Carried.

Lemonade Day: Teaching Kids the Power of Entrepreneurship

594-23: Fenerty

That Smoky Lake County Proclaim June 17, 2023, is LEMONADE DAY in Smoky Lake County;

WHEREAS, Lemonade Day is a free, community-wide educational event providing children with the opportunity to learn and apply entrepreneurial thinking and create a foundation for success in the global economy; and

WHEREAS, Lemonade Day exists to infuse today's youth with the spirit of enterprise, teaching the basic business and entrepreneurial skills necessary to become successful, contributing members of the communities; and

WHEREAS, Lemonade Day has a core philosophy of SPEND, SAVE, and SHARE that is implemented by teaching children how to start, own, and operate a business, learn goal setting, develop a business plan, establish a budget, seek investors, provide customer service, and give back to the community; and

WHEREAS, Lemonade Day offers opportunities for families, businesses, schools, youth organizations, neighborhoods, institutes of higher learning, and government agencies to unite for a common purpose - to train the next generation of entrepreneurs; and

WHEREAS, Lemonade Day is a day of learning and celebrating northern Alberta's future. On June 17th every citizen has a job - either buying or helping children sell lemonade; and

THEREFORE, BE IT RESOLVED June 17, 2023, is LEMONADE DAY in Smoky Lake County and encourage every citizen to purchase a cup of lemonade from one of the youths participating in the program to demonstrate how our community cares for the future of our youth.

Carried.

Planning & Development Law: Current Trends, Issues & Updates Webinar

595-23: Serben

That Smoky Lake County Councillors who can attend – attend County Council Chambers to view the virtual “Planning and Development Law: Current trends, Issues and Updates” webinar provided by Brownlee LLP’s legal team through the University of Alberta Applied Land Use Planning (ALUP) program, scheduled for May 17, 2023, at 9:00 a.m.

Carried.

Alberta Advantage Immigration Program (AAIP) - Rural Renewal Stream Designation

596-23: Serben

That Smoky Lake County research the applicable grant funding for, and the feasibility of, becoming a regionally designated community under their Rural Renewal Stream, of the Alberta Advantage Immigration Program (AAIP), to be responsible for:

- identifying and working with community employers that have permanent (minimum of 12 months, full-time, non-seasonal) jobs that need to be filled;
- connecting with a settlement providing organizations to identify and plan for some of the settlement needs within the community;
- developing additional criteria (optional) to recruit foreign nationals, this could include narrowing down the occupations that the community is interested in recruiting;
- responding to foreign national inquiries while community is actively recruiting;
- collaborating with employers on selecting and endorsing the foreign national; and
- developing and implementing a plan for welcoming and settling foreign national(s) to the community;

and, bring the information forward to a Joint Municipalities Meeting to determine the desire of the Smoky Lake Regions’ Municipalities, to pursue the said proposal regionally.

Carried.

Policy Statement No. 03-35-13: Snow Clearing

597-23: Gawalko That Smoky Lake County Council **defer** Policy Statement No. 03-35-13: Snow Clearing, to the next Council Meeting, to allow time to incorporate revisions as discussed on May 11, 2023.

Carried.

Weed / Pest Inspector Appointment: Kierstin Dubitz

598-23: Gawalko That Smoky Lake County Council appoint Kierstin Dubitz as a Weed and Pest Inspector for Smoky Lake County, effective May 11, 2023 to termination of employment.

Carried.

Weed / Pest Inspector Appointment: Carson McDonald

599-23: Fenerty That Smoky Lake County Council appoint Carson McDonald as a Weed and Pest Inspector for Smoky Lake County, effective May 11, 2023 to termination of employment.

Carried.

Request for Sponsorship: Kinette Club of Smoky Lake's 2023 Ladies Night

600-23: Cere That the Smoky Lake County provide funding in the amount of \$300.00 towards the Kinette Club of Smoky Lake's 8th Annual Ladies Night scheduled for Saturday, May 13, 2023, at the Smoky Lake Agricultural Complex; with funds to be allocated from the Grants to Individuals and Organizations budget.

Carried.

Property Tax Write Off – Roll # 13602732 & 13603341

601-23: Serben That Smoky Lake County Council approve to write off penalties in the amount of \$6,058.02 and Year-2017 taxes in the amount of \$1,514.69 on Property Tax Roll #13602732; and approve to write off penalties in the amount of \$3,223.64 and Year-2017 taxes in the amount of \$11,921.19 on Property Tax Roll #13603341, due to a Provincial administrative error in notifying the County of the receivership sale change in ownership.

Carried.

Bylaw No. 1446-23: Borrowing Bylaw

602-23: Cere That Smoky Lake County Bylaw No. 1446-23: Borrowing Bylaw, for the purpose of providing authorization to borrow up to \$5,000,000.00 on the operating line of credit and \$50,000.00 on the Corporate Mastercard Account, be given **FIRST READING**.

Carried.

Moved by Councillor Fenerty that Smoky Lake County Bylaw No. 1446-23: Borrowing Bylaw, for the purpose of providing authorization to borrow up to \$5,000,000.00 on the operating line of credit and \$50,000.00 on the Corporate Mastercard Account, be given **SECOND READING**.

Carried.

Moved By Councillor Gawalko that Smoky Lake County Council give **unanimous consent for permission for Third Reading** to Bylaw No. 1446-23: Borrowing Bylaw, for the purpose of providing authorization to borrow up to \$5,000,000.00 on the operating line of credit and \$50,000.00 on the Corporate Mastercard Account.

Carried Unanimously.

Moved by Councillor Serben that Smoky Lake County Bylaw No. 1446-23: Borrowing Bylaw, for the purpose of providing authorization to borrow up to \$5,000,000.00 on the operating line of credit and \$50,000.00 on the Corporate Mastercard Account, be given **THIRD & 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.

The Recycling Council of Alberta Conference

603-23: Cere

That Smoky Lake County Council authorize the Environment and Parks Departments' Recycle Technician: Scott Adamson, to attend The Recycling Council of Alberta's Circular Economy Conference, scheduled for October 18-20, 2023, to be held at the Fairmont Chateau Lake Louise; and request a written report be provided to Council in respect to the benefits of attending at a Council Meeting following the said Conference.

Carried.

Sale of County Surplus Equipment – Propane Tanks

604-23: Gawalko

That Smoky Lake County advertise to sell the following County Surplus Equipment in the County Grapevine and on social media, as is - where is, by public tender stating "The Highest nor Any Bid Shall Not Necessarily Be Accepted", with a closing bid deadline of June 2, 2023, at 12:00 Noon:

- Year-2001 500 US Gallon Propane Tank (requiring recertification), Serial # 42609, located at Smoky Lake Transfer Station;
- Year-2001 500 US Gallon Propane Tank (requiring recertification), Serial # 49921, located at Bellis Transfer Station;
- Year-2001 500 US Gallon Propane Tank (requiring recertification), Serial #512057, located at Spedden Transfer Station.

Carried.

Bellis Raw Water Truckfill Closure and Decommissioning

605-23: Halisky

That Smoky Lake County Council approve to permanently close and decommission the raw water truckfill located in the Hamlet of Bellis on the lands legally described as: Plan 2562BS, Lot RLY 59, due to the discovery of its' fractured fiberglass reservoir tank in the Spring of 2023 and the unbudgeted, estimated cost of repairs being in the amount of \$700,000.00, weighed against the significantly minimal customer usage of the facility, extremely low water recovery rate and poor quality of water; and offer the decommissioned building structure to the Bellis Board of Trade.

Carried.

Additions to the Agenda:

Métis Crossing – Request to Reduce the Speed Limit on Victoria Trail

606-23: Cere

That Smoky Lake County Council **defer** the email request from Leon Boychuk-Hunter, dated May 5, 2023, requesting a speed limit reduction for Victoria Trail, to the next Council Meeting to allow time for Administration to determine the length of the speed limit reduction zone to be considered for the Victoria Trail.

Carried.

Bellis Grazing Reserve – Request for In-Kind Assistance

607-23: Halisky

That Smoky Lake County Council approve for Public Works to provide in-kind assistance of manpower and equipment at the Smoky Lake Provincial Grazing Reserve, of blading the access road from the County Road allowance to the cattle corals, within the lands legally described as SW-05-61-15-W4.

Carried.

Dust Control Application – Late Submission

608-23: Fenerty That Smoky Lake County Council approve to waive the application deadline of May 1st within Policy Statement No. 03-39-13: Dust Control, and accept the late application received from a Division Two resident, for an MG30 dust road suppression treatment, as brought forward by Councillor Fenerty.

Carried.

11:31 to 11:232 a.m.

Public Question and Answer Period:

None.

Addition to the Agenda (Executive Session):

Chief Administrative Officer Evaluation

609-23: Cere That Smoky Lake County Council go into Executive Session to discuss a personnel issue in respect to the Chief Administrative Officer evaluation, under the authority of the FOIP Act Section 27: Privileged Information and Section 24: Advice from Officials, in the presence of all Council, time 11:32 a.m.

Carried.

610-23: Gawalko

That Smoky Lake County Council go out of Executive Session, time 12:03 a.m.

Carried.

Meeting Recessed

Meeting recessed for Lunch, time 12:04 p.m.

Meeting Reconvened

The meeting reconvened on a call to order by Reeve Lorne Halisky at 12:47 p.m. in the physical presence of all Council members (with Councillor Serben present virtually), the Chief Administrative Officer, Executive Services Clerk, Finance Manager, and the virtual presence of the Planning & Development Manager, Planning Technician, GIS Operator, Communications Officer, Natural Gas Manager and 2 Members of the Public.

Chief Administrative Officer Evaluation

611-23: Cere That Smoky Lake County Council unanimously agree to proceed as discussed on May 11, 2023, in Executive Session, under the authority of the FOIP Act Section 27: Privileged Information and Section 24: Advice from Officials, in respect to the Personnel Issue: Chief Administrative Officer evaluation.

Carried.

10. Correspondence:

2022/23 ACP Intermunicipal Collaboration Application for GIS Infrastructure Data

612-23: Gawalko That Smoky Lake County acknowledge receipt of the copied correspondence from the Deputy Minister of Alberta Municipal Affairs to the Chief Administrative officer of the County of Two Hills, dated April 4, 2023, declining the County of Two Hills and Smoky Lake County's joint application to the 2022/23 Alberta Community Partnership (ACP) Intermunicipal Collaboration grant for the joint Project: GIS Infrastructure Data.

Carried.

Minister of Alberta Justice – Smoky Lake Courthouse

613-23: Fenerty

That Smoky Lake County acknowledge receipt of the correspondence received from the Honourable Tyler Shandro, Minister of Alberta Justice, dated April 18, 2023, explaining unlikelihood of the Smoky Lake Courthouse reopening due to the proximity of the functioning Boyle and Redwater Courthouses; in response to Smoky Lake County's lobbying efforts made to reopen the Smoky Lake Courthouse, at the in-person meeting with the Minister held on March 20, 2023; **and** bring this topic forward to a Joint Municipalities Meeting for the Town of Smoky Lake, Village of Vilna and Village of Waskatenau to write letters in support of the Smoky Lake Courthouse reopening.

Carried.

You Make a Difference Campaign in the Smoky Lake Region: 100 Cups of Coffee

614-23: Cere

That Smoky Lake County acknowledge receipt of the correspondence received from the Town of Smoky Lake's Family and Community Support Services (FCSS) Program Coordinator, dated May 1, 2023, in respect to the You Make a Difference Campaign in the Smoky Lake Region: 100 Cups of Coffee, wrap up summary of "What Ideas Were Heard Consistently?" as follows:

Key Insights:

- Burnout of leaders who volunteer constantly
- No incentive for people to get involved
- Youth Centre needed
- Communication needed
- Problems with show and shine
- Pumpkin Show-3 Days!
- Marketing
- Accommodation/Housing
- Low-cost Housing
- How to get people to know what's going on in Community
- Projects
- Seniors Centre
- Recreation
- Regionalization
- Amalgamation
- Mending
- Get past sensitivity to progress

Frustrations You Have Had?

- Lack of Empowerment
- No Communication
- Build people up-NOT tear them down
- No proper marketing
- Friction between clubs- Don't align
- Let go of past- New Things can make changes happen
- No cooperation/collaboration between groups
- Lack of Senior transportation
- Lack of funding
- Lack of action
- Not Welcoming to new comers
- More events to show off town
- Lack of volunteers
- Town and County not working together
- Lack of execution-No action
- Fear of Change (Small vocal group make up majority)
- No Supports in town (AB Supports), Mental Health,
- Lack of Daycare/ childcare/ housing

Key Takeaways from Experience:

- Everyone is frustrated
- Everyone cares about the community
- Everyone wants to do "the right thing"
- Everyone wants success
- COVID separated us a lot-became disconnected
- Activity coordinator needed
- More people starting to do activities
- Continue Coffee exercise
- All have to go in the same direction (community Collectiveness)
- Diversity vs. Alignment
- Finding Common Ground
- Activity coordinator needed
- It's not as hard as we think
- How many people look up to elected officials
- Night of Excellence to celebrate people

- Don't overextend yourself in terms of volunteering
- Finding out people have shared frustrations
- Frustration and chaos between all spears that needs to be resolved
- How bad we are with time management
- certain people want change for the better and want positive changes
- The knowledge and good ideas some people have in the "100 cups" sessions
- People working against each other instead of together
- Lots of passionate people in the community

Ideas for Action:

- Make them Feel Needed
- Offer Social Nights, Offer Classes
- FCSS has started (youth council)
- Use phone/app, website
- Communication
- Communicate Ideas
- People at the lodge say they are forgotten, No Bulletin Board in Hospital to put flyers
- How do you attract investors in property?
- What do other communities offer? Waskatenau built an apartment
- Regional Newsletter would be great
- Fund one project at a time then move on to the next one
- Who will replace as others retire?
- Save old school/gym to use as a recreation centre
- Mending Past Grudges
- Intergenerational remote gatekeepers
- Welcome new people/ideas
- Have Directory of clubs that exist
- Make welcome packages that includes town information and resources
- Potluck supper every couple of months

One Change to Gain Momentum:

- Continue coffee conversations
- Finding a project, focus, or goal to lighthouse on
- Engaging youth in our communities to become the next leaders
- Communication/Cooperation
- Find a "good news" news place to celebrate wins. (newsletter)
- Share resources with surrounding towns- all come together to make a regional newsletter
- Less negativity- More celebrations
- Acknowledge volunteers
- Duplication of FCSS-Pooling of resources
- Community Pride
- Celebrate the great things
- Set Common Goal
- Need a list of priorities
- Improve attitudes
- Growth-Find the right people
- Cooperation Between silos/groups

Carried.

Addition to the Agenda:

Yellowhead County's Request to Postpone the Alberta Provincial Election

615-23: Fenerty

That Smoky Lake County write a letter to local MLA: Glen van Dijken, Athabasca-Barrhead-Westlock Constituency, to request the 2023 Provincial Election be postponed, in response to the letter received from Yellowhead County, dated May 10, 2023, calling on all Albertans, mayors and reeves across Alberta to contact their MLAs to request the Alberta Provincial Election, scheduled For May 29, 2023, be postponed.

Carried.

13. Next Meeting(s):

Schedule County Council Committee of the Whole Meeting

616-23: Cere

That the next Smoky Lake **County Council Committee of the Whole Meeting for the purpose of Planning**, be scheduled for June 19, 2023 at 10:00 a.m. to be held virtually, through Electronic Communication Technology as per Bylaw 1376-20 **and/or** physically in County Council Chambers.

Carried.

Schedule County Council Regular Meetings

617-23: Cere

That the next Smoky Lake County Council Regular Meetings, be confirmed and/or scheduled for:

Thursday, June 1, 2023, at 9:00 a.m.,

Thursday, June 29, 2023, at 9:00 a.m.,

Thursday, August 3, 2023, at 9:00 a.m.,

Wednesday, August 23, 2023, at 9:00 a.m.,

Thursday, September 7, 2023, at 9:00 a.m.,

Thursday, September 28, 2023, at 9:00 a.m.,

Thursday, October 12, 2023, at 9:00 a.m., and

Thursday, October 26, 2023, at 9:00 a.m.,

to be held virtually, through Electronic Communication Technology as per Bylaw 1376-20 **and/or** physically in County Council Chambers.

Carried.

One Member of the Media entered Council Chambers, time 1:15 p.m.

5. Public Hearing:

County Council Meeting Recessed

The Smoky Lake County Reeve announced the Council Meeting recessed, time 1:15 p.m.

VIRTUAL PUBLIC HEARING:

Bylaw No. 1436-23: Major Alternative Energy Bylaw, Amending Land Use Bylaw No. 1272-14 & Municipal Development Plan Bylaw No. 1249-12

1.0 Opening

The Virtual Public Hearing was **called to order at 1:15 p.m.** by the Reeve, Lorne Halisky in the presence of all Council members, Chief Administrative Officer, Assistant Chief Administrative Officer, and Recording Secretary, as well as in the virtual presence of the Planning and Development Manager, Planning Technician, Community Peace Officer, Communications Officer, Interim Agricultural Fieldman and **3 members of the public, and 1 member of the Media.**

Confirmation was provided by the Planning and Development Manager that the Public Hearing had been advertised and notice was provided in accordance with the applicable legislation.

The purpose of the hearing was summarized as:

To obtain public input in regard to Bylaw No. 1436-23: Major Alternative Energy Bylaw, Amending Land Use Bylaw No. 1272-14 & Municipal Development Plan Bylaw No. 1249-12.

Gene Sobolewski, Chief Administrative Officer, left Council Chambers, time 1:24 p.m.

2.0 Staff Presentation

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

BACKGROUND:

- On March 16, 2023, Smoky Lake County Council adopted Motion #424-23: *“That Smoky Lake County’s Administration brings forward a Municipal Development Plan (MDP) amendment relating to major alternative energy considerations,*

based in-part on information obtained through Parkland County, and others.”

- During its research and preparation of this amendment, administration determined that a concurrent amendment to the County’s Land Use Bylaw was necessary to ensure that the amendment made to the MDP was consistent with the Land Use Bylaw as is required by the *Municipal Government Act*.
- The proposed changes to the **Municipal Development Plan** are as follows:
 - Inclusion of policies supporting alternative/renewable energy projects provided that they do not compromise high-quality agricultural lands;
 - Inclusion of policies relating to integrated watershed management, including support for the completion of the North Saskatchewan Regional Plan;
 - Inclusion of policies supporting the protection of important/sensitive environmental features within the County; and
 - Inclusion of policies seeking the preparation of sub-watershed management plans for areas around highly-developed lakes within the County.
- The proposed changes to the **Land Use Bylaw** are as follows:
 - Removal of existing definitions for solar and wind energy collection systems developments;
 - Addition of new definitions for Alternative Energy Systems, both commercial and personal scale, for solar, wind and geothermal developments;
 - Removing existing provisions for solar and wind energy collection developments and replacing them with more detailed and robust provisions/requirements for both commercial and personal scale Alternative Energy Systems;
 - Addition of requirement to conduct public consultation/engagement for commercial scale Alternative Energy Systems developments;
 - Addition of policies relating to decommissioning of commercial scale Alternative Energy Systems developments;
 - Addition of policies relating to the information/technical studies required when submitting an application for a Development Permit for both commercial and personal scale Alternative Energy Systems developments; and
 - Removal of existing solar and wind energy collection development from each land use District and adding commercial and personal scale Alternative Energy Systems developments as Discretionary Uses in appropriate land use Districts.
- Proposed Bylaw No. 1436-23 received First Reading on April 13, 2023.
- A Notice has been posted on the County’s website since April 14, 2023 and has also appeared on the County’s social media platforms, on April 19, 2023, and been advertised in the Redwater Review, the week of April 19, 2023 & April 26, 2023, in accordance with Section 606 of the Municipal Government Act and Smoky Lake County policies and Bylaws.
- This Hearing has been scheduled to obtain public input on proposed Bylaw No.1436-23 in accordance with Section 216.4 of the Municipal Government Act.

Gene Sobolewski, Chief Administrative Officer, entered Council Chambers, time 1:28 p.m.

3.0 Public Presentations Via Written Submissions

There were 2 written submissions received as follows:

From: Richard Haas <[REDACTED]>
Sent: Monday, April 24, 2023 9:35 AM
To: Kyle Schole <kschole@smokylakecounty.ab.ca>; Gwen Krawczyk <[REDACTED]>
Cc: Jordan Ruegg <jruegg@smokylakecounty.ab.ca>
Subject: RE: Proposed Bylaw 1436-23

Hi Kyle,

Thank you for the invite and making me aware of the upcoming public input.

I do plan to attend virtually, and will likely speak on behalf of my project partners, and industry as a whole.

While I've not done a thorough review of the proposed bylaw, a couple things that immediately jumps out to me that warrant further discussion are:

Public Consult:

Great prescriptive requirements! This is clear and appreciated – it would be nice if more municipalities did this.

Financial Security:

I recognize the bylaw states "may require"; however, project applicants are required to comply with legislative requirements pertaining to decommissioning and reclamation. Project lands are subject to the Environmental Protection and Enhancement Act, RSA 2000 c E-12, the Conservation and Reclamation Regulation, Alta Reg 115/1993, and the Conservation and Reclamation Directive for Renewable Energy Operations. Section 137 of the EPEA requires operators to conserve and reclaim "specified land," which is defined to include land that is being or has been used or held for or in connection with the construction, operation or reclamation of a renewable energy operation. Project decommissioning and reclamation are subject to provincial legislation and regulations, and current legislation does not require renewable power plant approval applicants or approval holders to provide a financial security upon municipal request and to my understanding, a municipal government has no legislative means to collect and hold these funds. I can only speak to solar, but it may be worthwhile to discuss how solar projects are typically reclaimed and the relatively low risk of abandonment.

Glare:

There is currently no adopted legislation for assessing the impacts of glare for solar energy development in Alberta or Canada, and standardized guidance only specifies what receptors to include in an assessment. The AUC have released an update to Rule 007 that states that solar glare assessment reports must include receptors within 800m from the boundary of the project and aerodromes within 4,000m from the boundary of the project. Glare is categorized into three thresholds (low potential for after-image, potential for after-image, potential for permanent eye damage), as such, not all glare is harmful (wet roads while driving, view over a lake on a sunny day, etc. producer higher glare than a solar array). The modelling software used by glare consultants does not have the abilities to consider existing or future mitigation (ie. screening), and WILL likely result in predicted glare at some receptors. Solar modules are specifically designed to absorb light rather than reflect it. Moreover, most modules are now manufactured with anti-reflective coatings that help further mitigate the intensity of reflections. I would

strongly propose rephrasing section 21 to state "...located such that predicted glare on receptors can be mitigated to a low risk for minimum annual hours).

Density:

What is the objective here? This is typically something that will be dictated by wire service providers constraints and a prevailing AUC decision.

Noise:

I do not feel the 60dB limit during construction is practical. It is reasonable during steady state activities and long durations; however, it is extremely prohibitive for installation of driven pile foundations. The noise produced from pile driving is a "strike" lasting a short period of high intensity, for a relatively short period of time during construction. There are alternate foundation types that could be installed with less noise (screw piles, ballast foundations), but that will result in an economic disadvantage for project developers, making Smokey Lake a less competitive market to project owners to invest. The AUC Rule 012 governs noise, and construction falls under an exemption for the noise consideration, where Rule 012 considers operational noise in greater depths and construction noise is not specifically modelled for consideration. I'm not sure what the solution is here, but I feel there should be a path to permit acceptable deviations for short periods of time. Good applicants should address this with adjacent residents and offer to schedule activities during day hours to minimize disruption, and offer to provide hearing protection.

Let @Gwen Krawczyk and I know if your team would like to meet to discuss anything in greater detail prior to the public input session. Or if there's anything specific I must do to speak that day.

Richard A. Haas
Managing Partner
Richard A. Haas
Managing Partner

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COUNTY OF ST. PAUL
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www.county.stpaul.ab.ca

Our Mission - To create desirable rural experiences.



May 3, 2023

Your File No. Bylaw No. 1436-23

Kyle Schole, Planning Technician
County of Smoky Lake
Box 310
SMOKY LAKE, Alberta T0A 3C0

RE: Proposed Bylaw No. 1436-23

Thank you for referring a copy of the captioned Bylaw proposal to the County of St. Paul for our review and comment.

We have reviewed the proposed changes to your Municipal Development Plan and Land Use Bylaw in regard to Alternative / Renewable Energy projects. We note that the general thrust of the changes you proposed are similar to the recent changes the County of St. Paul has made to our Municipal Development Plan. We note the distinction you are making between commercial scale and individual scale energy projects. Our planning documents also make this distinction. When dealing with proponents of commercial scale energy projects, it is important that there is a general consistency of requirements between municipalities.

One suggestion that we offer is to incorporate into your MDP and LUB a reference to Section 619 of the Municipal Government Act and the limitation it places on municipal decision making when dealing with requests for municipal approval from already provincially approved Alternative / Renewable Energy projects. Experience indicates that few understand the legal limitations municipalities operate within when dealing with provincially approved energy projects.

Thank you for the opportunity of reviewing your proposed changes. Please forward copies of any amendments that might be made to Bylaw 1436-23 and let us know the time and date of the public hearing.

Please call or email me if you have any questions on the County's comments or if you need additional information.

Sincerely,

Gary Buchanan, RPP
Subdivision Officer

Phone: 780-645-3301
Email: gbuchanan@county.stpaul.ab.ca

4.0 Public Presentations at the Public Hearing

There were no Members of the Public virtually or physically present who requested to speak **in opposition or in support of Bylaw No. 1436-23.**

5.0 Questions and Answers

None.

6.0 Closing Remarks

There being no further presentations, the Reeve thanked all the presenters for their comments and for attending and declared the Public Hearing for **Bylaw No. 1436-23**, closed, time **1:38 p.m.**

One Member of the Media left Council Chambers, time 1:38 p.m.

County Council Meeting Reconvened

The Smoky Lake County Council Meeting reconvened, at a call to order by Reeve Halisky, time **1:39 p.m.**, in the presence of all Council members (with Councillor Serben present virtually), the Chief Administrative Officer, Executive Services Clerk, Finance Manager, and virtual presence of the Planning & Development Manager, Planning Technician, GIS Operator, Communications Officer, Natural Gas Manager and 2 Members of the Public.

7. Request for Decision (continued):

Bylaw No. 1436-23: Major Alternative Energy Bylaw, Amending Land Use Bylaw No. 1272-14 & Municipal Development Plan Bylaw No. 1249-12

618-23: Cere

That Smoky Lake County Bylaw No. 1436-23: Major Alternative Energy Bylaw, Amending Land Use Bylaw No. 1272-14 & Municipal Development Plan Bylaw No. 1249-12, be given SECOND READING.

Carried.

Moved by Councillor Fenerty that Smoky Lake County Council defer 3rd reading of Bylaw No. 1436-23: Major Alternative Energy Bylaw, Amending Land Use Bylaw No. 1272-14 & Municipal Development Plan Bylaw No. 1249-12, third reading **be deferred to the next meeting of Council**, in accordance with the referral requirements of various Intermunicipal Development Plans (IDPs).

Carried.

6. Municipal Planning Commission:

Nil.

8. Chief Administrative Officer's Report:

Nil.

9. Council Committee Reports:

Nil.

11. Information Releases:

Nil.

12. Financial Reports:

Nil.

15. ADJOURNMENT:

619-23: Gawalko

That the Smoky Lake County Council Meeting of May 11, 2023, be adjourned, time 1:41 p.m.

Carried.

REEVE

S E A L

CHIEF ADMINISTRATIVE OFFICER