

SMOKY LAKE COUNTY

Minutes of the **County Council Meeting** held on Thursday, **February 8, 2024**, at 9:05 A.M. held both virtually online and physically in Council Chambers.

The meeting was called to order by the Reeve, Jered Serben, in the presence of the following persons:

ATTENDANCE		
<u>Div. No.</u>	<u>Councillor(s)</u>	<u>Thursday, Feb. 8, 2024</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
Interim CAO	Lydia Cielin	Present in Chambers
Finance Manager	Brenda Adamson	Present in Chambers
Executive Svcs/R.S.	Patti Priest	Present in Chambers

Observers in Attendance Upon Call to Order:

Plan. & Dev. Manager	Jordan Ruegg	Virtually Present
Comm. Officer	Evonne Zukiwski	Virtually Present
Natural Gas Manager	Daniel Moric	Virtually Present
Comm. Peace Officer	Tate Murphy	Virtually Present
Fire Services Clerk	Meaghan Andreychuk	Virtually Present
Public	2 Members	Virtually Present
Media	No Members	N/A

2. Agenda:

325-24: Fenerty

That the Smoky Lake County Council Meeting Agenda for Thursday, February 8, 2024, be adopted, as presented.

Carried Unanimously.

3. Minutes:

Minutes of January 11, 2024 – Regular Council Meeting

326-24: Gawalko

That the minutes of the **Smoky Lake County Regular Council Meeting**, held on Thursday, January 11, 2024, be adopted as presented.

Carried.

4. Delegation:

Nil.

5. Public Hearing:

Nil.

6. Municipal Planning Commission:

Nil.

7. **Request for Decision:**

Advertising Billboards on County-Owned Land

327-24: Céré

That Smoky Lake County Council, **subject to approval through the Development Permit process and compliance with any conditions therein**, grant permission to Brock Boards to erect three 8' x 12' V-shaped advertising billboards on the County-Owned lands legally described as PT. SW 27-59-17-W4M, commonly described as adjacent to Highway 28 and north of the Town of Smoky Lake, and enter into an advertising agreement with Brock Maschmeyer, Owner of Brock Boards, for the County to receive 20% of any revenue generated from the billboards at the said location.

Carried.

Bylaw No. 1454-24: Off Highway Vehicles

328-24: Cere

That Smoky Lake County Bylaw No. 1454-24: Off Highway Vehicles (OHV), for the purpose of regulating the operation of off-highway vehicles in Smoky Lake County and to provide enforceable OHV restrictions for fire prevention, be given **FIRST READING**; and provide public notice in accordance with Policy Statement No. 01-51: Public Participation, for public input.

Carried.

Spencer Kotylak, Deputy Fire Chief, entered Council Chambers, time 9:37 a.m.

Bylaw No. 1455-24: Corridor Regulation

329-24: Fenerty

That Smoky Lake County Bylaw No. 1455-24: Corridor Regulation, for the purpose of regulating the use of the corridor owned by North East Muni-Corr Ltd., be given **FIRST READING**.

Carried.

Moved by Cere that Smoky Lake County Bylaw No. 1455-24: Corridor Regulation, for the purpose of regulating the use of the corridor owned by North East Muni-Corr Ltd., be given **SECOND READING**.

Carried.

Moved by Halisky that Smoky Lake County Bylaw No. 1455-24: Corridor Regulation, for the purpose of regulating the use of the corridor owned by North East Muni-Corr Ltd., be given unanimous consent for **Permission for Third Reading**.

Carried Unanimously.

Moved by Gawalko that Smoky Lake County Bylaw No. 1455-24: Corridor Regulation, for the purpose of regulating the use of the corridor owned by North East Muni-Corr Ltd., be given **THIRD & FINAL READING**, and the Reeve and Interim Chief Administrative Officer be hereby authorized to fix their signatures to all necessary documents and the corporate seal be fastened where it is deemed to be necessary.

Carried.

Spencer Kotylak, Deputy Fire Chief, left Council Chambers, time 9:46 a.m.

8. **Interim Chief Administrative Officer's Report:**

Nil.

9. Council Committee Reports:

Nil.

10. Correspondence:

Smoky Lake RCMP Detachment

330-24: Halisky

That Smoky Lake County acknowledge receipt of the information provided from the Smoky Lake RCMP Detachment titled:

- Community Policing Report, letter dated January 26, 2024,
- Crime Statistics, dated Q4 2019-2023, and
- Calls for Service Report, dated January - December, 2023.

Carried.

Alberta Justice - Empowering Communities to Boost Access to Justice

331-24: Cere

That Smoky Lake County acknowledge receipt of the News Release email received from Alberta Justice, dated January 30, 2024, titled: Empowering Communities to Boost Access to Justice, announcing the Alberta government is investing \$1.2 million into a new one-time grant to support community-based initiatives giving Albertans more options for resolving criminal, family and civil justice matters outside the courtroom.

Carried.

Federation of Alberta Gas Co-ops Ltd.

332-24: Halisky

That Smoky Lake County acknowledge receipt of the letter received from the Federation of Alberta Gas Co-ops Ltd., dated January 30, 2024, providing written notice of Smoky Lake County Natural Gas System's Year-2024 Operations & Maintenance (O&M) Audit, being scheduled to commence on May 6, 2024, to be conducted by a Federation of Alberta Gas Co-ops Ltd. O&M Auditor.

Carried.

One Member of the Public, virtually joined the meeting, time 9:51 a.m.

Municipal Affairs - Notice of New Alberta Codes Editions Coming into Force

333-24: Gawalko

That Smoky Lake County acknowledge receipt of the bulletin received from the Municipal Affairs, dated January 2024, providing notice of the new Alberta codes editions coming into force May 1, 2024:

- National Building Code - 2023 Alberta Edition,
- National Fire Code - 2023 Alberta Edition, and the
- National Energy Code of Canada for Buildings 2020.

Carried.

Inside Outside Studios Inc. - 2023 County Map Sales Annual Report

334-24: Serben

That Smoky Lake County acknowledge receipt of the 2023 County Map Sales – Annual Report, received from Inside Outside Studios Inc., of Calgary Alberta, in regard to the sale of virtual Smoky Lake County maps sold through their mobile application software: “iHunter Alberta”, reporting a total of 345 maps sold in Year-2023, which generated a royalty revenue to the County in the amount of \$2,957.92; and deny permission to increase the end user map pricing from the amount of \$14.99 to \$19.99 per map, in response to the correspondence from Mark Stenroos of Inside Outside Studios Inc., dated January 12, 2024.

Carried.

NWST Charitable Foundation – Tree Tribe Initiative Proposal for Free Tree Planting

335-24: Fenerty That Smoky Lake County request further information in respect to the email from Harpreet Kaur, NWST Charitable Foundation, dated January 23, 2024, proposing an initiative to enhance the preservation of nature by planting trees, free of cost; and **defer** the decision to participate or not to a future meeting after more information is received.

Carried.

Village of Andrew’s Letter of Apology to JMD Group LLP

336-24: Cere That the copied letter received by Smoky Lake County, to JMD Group LLP Chartered Professional Accountants from the Village of Andrew, dated January 20, 2024, confirming the Village’s re-engagement with JMD Group LLP to complete their Year-2022 audit, and apologizing for the unfounded and unprofessional negative statements and criticisms made by the Village’s former Chief Administrative Officer in respect to JMD Group's audit services in the spring 2023, be filed information.

Carried.

Minister of Health – Doctors in Smoky Lake

337-24: Halisky That Smoky Lake County Council respond to the email received from the Minister of Health, dated January 26, 2024, with a subject line of: “Doctors Smoky Lake”, to request clarification in respect to the following sentence within the said email: “I am happy to share that, in addition to Dr. Esterhuizen, one physician started practice in July 2023, three physicians are undergoing their CPSA assessment and are expected to begin practice soon, and one physician is waiting to begin their CPSA assessment later this year.”.

Carried.

11. Information Releases:

Nil.

12. Financial Reports:

Executive Session:

Personnel Issue – Environment and Park Staff

338-24: Cere That Smoky Lake County Council go into Executive Session to discuss a Personnel Issue, in respect to Environment and Parks Staff relating to Landfill Revenue, in the presence of all Council, Interim Chief Administrative Officer, Finance Manager, and Executive Services Clerk, under FOIP Act Section 24: Advice from Officials, and FOIP Section 27: Privileged Information, time 10:08 a.m..

Carried.

339-24: Halisky That Smoky Lake County Council go out of Executive Session, time 10:13 a.m.

Carried.

Financial Statement & Budget to Actual Report

340-24: Halisky That Smoky Lake County’s Financial Statement as at November 30, 2023, and Budget to Actual Report as at November 16, 2023, be accepted for information.

Carried.

13. Next Meeting(s):

Scheduled Joint Meeting with Village of Waskatenau Council

341-24: Halisky That the next Joint Meeting between Smoky Lake County Council and Village of Waskatenau Council, be scheduled for **February 28, 2024, at 2:00 p.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 Public, entered Council Chambers, time 10:39 a.m.
One Member of the Public, joined the meeting virtually, time 10:39 a.m.

Next & Scheduled County Council Meetings

342-24: Halisky That the next Smoky Lake County Council Meetings be re-confirmed and **scheduled** as follows:

Thursday, February 22, 2024, at 9:00 a.m., (Regular),
Friday, March 1, 2024, at 9:00 a.m. (Committee of the Whole),
Friday, March 5, 2024, at 10:00 a.m. (Committee of the Whole),
Thursday, March 7, 2024, at 9:00 a.m., (Regular),
Thursday, March 28, 2024, at 9:00 a.m., (Regular),
Thursday, April 11, 2024, at 9:00 a.m., (Regular), and
Thursday, April 25, 2024, at 9:00 a.m., (Regular),
to be held virtually, through Electronic Communication Technology as per Bylaw 1376-20 **and/or** physically in County Council Chambers.

Carried.

14. Executive Session:

Legal Issue – Vehicle Damage Claim

343-24: Cere That Smoky Lake County Council go into Executive Session to discuss a Legal Issue, in respect to a claim for vehicle damage submitted in accordance with Policy Statement No. 14-A10-01, in the presence of all Council, Interim Chief Administrative Officer, Finance Manager, and Executive Services Clerk, under the authority of the FOIP Act Section 24: Advice from Officials, time 10:40 a.m.

Carried.

344-24: Gawalko That Smoky Lake County Council go out of Executive Session, time 10:49 a.m.

Carried.

Vehicle Damage Claim Denied

345-24: Gawalko That Smoky Lake County Council **take no action** by denying the claim received in accordance with County Policy Statement No. 14-A10-01, from a Member of the Public, under County File No. VDC-2024-01, dated January 25, 2024, requesting reimbursement in the amount of \$419.00, for personal vehicle damages claimed to have been caused by a 10” rock protruding from the road within the Hillside Acres Subdivision, on January 23, 2024.

Carried.

14. Executive Session:

Personnel Issue: Conduct

346-24: Halisky That Smoky Lake County Council go into Executive Session to discuss a Personnel Issue, in respect to Conduct, in the presence of all Council, under FOIP Act Section 24: Advice from Officials, and FOIP Section 27: Privileged Information, time 10:56 a.m..

Carried.

347-24: Halisky

That Smoky Lake County Council go out of Executive Session, time 11:28 a.m.

Carried.

11:33 a.m. to 12:12 p.m.

Public Question and Answer Period:

[The questions were in respect to Development Permit No. 030-23: PLAN 1324097, BLOCK 1, LOT 1 (PT. NW-36-58-13-W4M) for the development of an Animal Breeding and/or Boarding Facility, Greenhouse, Shed, Coop & Detached Garage]

Online Member of the Public, questioned if the County or the owner would be liable if a dog got loose and caused harm.

A Member of the Public present in Council Chambers, questioned the approval process for development permits and the responsibility of Council.

The Reeve, Council, Administration, and Clerk of the Subdivision and Development Appeal Board (SDAB), answered with the following points, including but not limited to:

- The appeal process is not yet complete; the SDAB hearing has been closed and decision is now pending.
- Once the decision is handed down from the SDAB, the appellant has 30 days to appeal to Court of King's Bench.
- Development issues are dealt with through the Municipal Planning Commission (MPC) and SDAB, not Council.

One Member of the Public, left Council Chambers, time 12:12 p.m.

15. ADJOURNMENT:

348-24: Gawalko

That the Smoky Lake County Council Meeting of February 8, 2024, be adjourned, time 12:12 p.m..

Carried.

REEVE

S E A L

CHIEF ADMINISTRATIVE OFFICER