

**SMOKY LAKE COUNTY**

Minutes of the **County Council Meeting** held on Thursday, **October 10, 2024**, at 9:00 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:

			<b>ATTENDANCE</b>
<u>Div. No.</u>	<u>Councillor(s)</u>	<u>Thursday, Oct. 10, 2024</u>	
1	Dan Gawalko	Present in Chambers	
2	Linda Fenerty	Present in Chambers	
3	Dominique Céré	Present in Chambers	
4	Lorne Halisky	Present in Chambers	
5	Jered Serben	Present in Chambers	
Finance Manager	Brenda Adamson	Present in Chambers	
Municipal Clerk / R.S.	Meaghan Andreychuk	Present in Chambers	
Executive Svcs	Patti Priest	Absent	

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Observers in Attendance Upon Call to Order:

Plan. & Dev. Manager	Jordan Ruegg	Virtually Present
Natural Gas Manager	Daniel Moric	Present in Chambers
Public Works Manager	Chris Minailo	Present in Chambers
Ag. Fieldman	Carleigh Danyluk	Present in Chambers
Public	3 Members	Virtually Present
Media	No Members	N/A

**2. Agenda:**

884-24: Serben That the Smoky Lake County Council Meeting Agenda for Thursday, October 10, 2024, be adopted, as amended:

**Addition to the Agenda:**

1. Letter of Support for Métis Crossing’s Application to the Green and Inclusive Community Buildings (GICB) Program.
2. Certificate of Recognition: Year-2024 Ministers Awards for Municipal and Public Library Excellence.
3. Executive Session: Legal Issue in respect to the MCC For Smoky Lake Development Corp. under the authority of the FOIP Act Section 16: Third Party Business.

Carried Unanimously.

**3. Minutes:**

**3.1. Council Regular Meeting Minutes of September 26, 2024**

885-24: Halisky That the minutes of the **Smoky Lake County Council Meeting**, held on Thursday September 26, 2024, be adopted as presented.

Carried.

**3.2. Council Special Meeting Minutes of October 1, 2024**

886-24: Gawalko That the minutes of the **Smoky Lake County Council Special Meeting**, held on Tuesday, October 1st, 2024, be adopted as presented.

Carried.

**7. Request for Decision:**

**7.1. Alberta Invasive Species Council Sponsorship**

887-24: Céré

That Smoky Lake County Council approve to purchase a Year-2025 Bronze Membership in the amount of \$1,000.00 to Alberta Invasive Species, for the benefit of:

- Access to over 150 invasive species factsheets,
- Access to quarterly electronic newsletters,
- Free use of the EDDMapS, EDDMapS Pro, and ISM Track apps and data downloads [*for reporting invasive species*],
- Opportunity to participate in working groups, events, or contribute articles to newsletters,
- Recognition on the AISC website,
- Recognition in our quarterly newsletter,
- Recognition at AISC's Annual Conference,
- Exclusive access to the AISC's Newsletter Archive,
- Annual AISC Memberships (includes 2 votes at the AGM),
- Member rate for the AISC Conference Registration for 2, and
- Member rate prices on select items on the AISC's online store for 2,

As per the correspondence received from Paige Kuczmariski, Invasive Species Technician, Alberta Invasive Species Council, dated September 19, 2024.

Carried.

**7.2. Waskatenau Creek Corridor Restoration and Trail Concept**

888-24: Halisky

That Smoky Lake County acknowledge receipt of the “Waskatenau Creek restoration and trail concept” report, dated August 2, 2024, prepared by O2 Planning and Design, resulting from the grant funded study through the 2023 Alberta Community Partnership (ACP) program application managed by the Village of Waskatenau in partnership with the County; and utilize the information as a resource if any grant funding applications are submitted to any programs for any Waskatenau creek area development.

Carried.

**Executive Session:**

**Legal Issue: County-Owned Lands – Offers to Purchase from Adjacent Landowners**

889-24: Céré

That Smoky Lake County Council go into Executive Session, in the presence of all Council, Chief Administrative Officer, Finance Manager, Planning and Development Manager, and Municipal Clerk, to discuss County-Owned Land offers to purchase from adjacent land-owners, under the authority of the FOIP Act, Section 27: Privileged Information and Section 16: Third Party Business Interests, time 9:11 a.m.

Carried.

890-24- Halisky

That Smoky Lake County Council go out of Executive Session, Time 9:32 a.m.

Carried.

**Rescind August 8, 2024, Motion #761-24 – County-Owned Lands**

891-24- Céré

That Smoky Lake County Council rescind the August 8, 2024, Motion # 761-24 as the second portion of the said motion in respect to the option of selling properties not sold to adjacent landowners at an unreserved bid auction through Richie Bros. Ltd., is no longer Council’s direction; **and** acknowledge all adjacent landowners of the County-Owned Lands listed under the said motion, have already been contacted and have already determine they were (or were not) interested in purchasing the said lands adjacent to their property as per the first portion of the said motion.

Carried.

**7. Request for Decision:**

**7.3. County-Owned Lands – Offers to Purchase from Adjacent Landowners**

892-24: Gawalko That Smoky Lake County Council **accept** the offer received in the amount of \$4,500.00, from adjacent landowners: Victor, James, Taras and Anthony Filewich, to purchase County-Owned lands legally described as PT. NW-2-59-12-W4M (Roll #12590230) containing +/- 13.57 acres.

Carried.

893-24: Gawalko That Smoky Lake County Council **reject** the offer received in the amount of \$2,000.00, from adjacent landowner: Casey Tchir, to purchase County-Owned lands legally described as PT. NE-29-59-12-W4M (Roll #12592941) containing +/- 2.02 acres, due to the conditions of sale proposed by Mr. Tchir.

Carried.

Councillor Fenerty declared pecuniary interest and abstained from voting on any question relating to the offer received from Terry Sklerek, as he is her partner.

894-24: Gawalko That Smoky Lake County Council **accept** the offer received in the amount of \$1,000.00, from adjacent landowner: Terry Sklerek, to purchase County-Owned lands legally described as PT. SW-21-60-13-W4M (Roll#13602121) containing +/- 1.0 acres.

Carried.

895-24: Céré That Smoky Lake County Council **accept** the offer received in the amount of \$500.00, from adjacent landowners: Lawrence & Janet Lavoie, to purchase County-Owned lands legally described as PT. SW-35-59-15-W4M (Roll#15593521) containing +/- 0.5 acres.

Carried.

896-24: Gawalko That Smoky Lake County Council **reject** the offer received in the amount of \$375.00, from adjacent landowner: Stephanie Popel, to purchase County-Owned lands legally described as PT. NE-27-58-16-W4M (Roll #16582740) containing +/- 2.56 acres.

**Councillor Céré requested a record vote.**

In Favour:

Gawalko

Halisky

Fenerty

Opposed:

Serben

Céré

Carried.

897-24: Halisky That Smoky Lake County Council **accept** the offer received in the amount of \$40,000.00, from adjacent landowners: Jim & Sylvia Masikewich, to purchase County-Owned lands legally described as PLAN 8120163, LOT 1 (Roll#16593341) containing +/- 20.16 acres.

Carried.

898-24: Gawalko That Smoky Lake County Council **reject** the offer received in the amount of \$25,000.00, from adjacent crownland lease holder: Clear Hills Community Grazing Association, as represented by Ryan Franchuk, President of Clear Hills Grazing Association, to purchase County-Owned lands legally described as SW-12-61-16-W4M (Roll #16611220) containing +/- 160.0 acres.

Carried.

- 899-24: Serben That Smoky Lake County Council **reject** the offer received in the amount of \$1.00, from adjacent landowner: Lloyd Pirzek, to purchase County-Owned lands legally described as PLAN 3329ET (Roll #18591021) containing +/- 1.0 acres.  
Carried.
- 900-24: Fenerty That Smoky Lake County Council **accept** the offer received in the amount of \$1,600.00, from adjacent landowner: Laura Bertin, to purchase County-Owned lands legally described as PLAN 1955CL, BLOCK 1, LOT 3 (Roll #22010103) containing +/- 3,900 square feet.  
Carried.
- 901-24: Céré That Smoky Lake County Council **accept** the offer received in the amount of \$1,800.00, from adjacent landowner: Vince Sutherland, to purchase County-Owned lands legally described as PLAN 1039CL, BLOCK 4, LOTS 12-14 (Roll #27150412) containing +/- 13,660 square feet.  
Carried.
- 902-24: Fenerty That Smoky Lake County Council **accept** the offer received in the amount of \$1,200.00, from adjacent landowner: Vince Sutherland, to purchase County-Owned lands legally described as PLAN 1039CL, BLOCK 4, LOTS 15-16 (Roll #27150415) containing +/- 12,785 square feet.  
Carried.
- 903-24: Céré That Smoky Lake County Council **accept** the offer received in the amount of \$5,000.00, from adjacent landowner: Michael Thompson, to purchase County-Owned lands legally described as PLAN 0425044, BLOCK H, LOT 11A (Roll #40451211) containing +/- 10,000 square feet.  
Carried.

Daniel Moric, Natural Gas Manager entered Council Chambers, time 9:31 a.m.

Daniel Moric, Natural Gas Manager left Council Chambers, time 9:41 a.m.

#### **Executive Session:**

#### **Legal Issue: Village of Waskatenau's Request to Purchase Land**

- 904-24- Halisky That Smoky Lake County Council go into Executive Session, in the presence of all Council, Chief Administrative Officer, Finance Manager, Planning and Development Manager, and Municipal Clerk, to discuss a Legal Issue, in respect to the Village of Waskatenau's Request to Purchase Land, under the authority of the FOIP Act, Section 27: Privileged Information and Section 16: Third Party Business Interests, time 9:41 a.m.  
Carried.
- 905-24- Gawalko That Smoky Lake County Council go out of Executive Session, time 10:09 a.m.  
Carried.

#### **7.4. Village of Waskatenau – Request to Purchase Land**

- 906-24: Céré That Smoky Lake County Council **deny** consent to the Village of Waskatenau, to acquire the lands legally described as: "Railway Plan 371BV Station Grounds in Township 59, Range 19, West of the 4<sup>th</sup> Meridian, comprising parts of Section NE 8 (4.44 hectares) and NW 9 (2.55 hectares), expecting thereout all the mines and minerals; in response to the letter received from the Village of Waskatenau, dated July 22, 2024, requesting acquisition of the said lands located outside their municipal boundary.  
Carried.

**7.5. Spedden Hall & Church – Request to Waive Natural Gas Service Charge**

907-24: Fenerty That Smoky Lake County Council **take no action to** thereby denying the request to waive the Natural Gas Service Charge for Smoky Lake County Natural Gas Accounts 110050.01 & 110110.01, as per the letter received from the Treasurer of the Ukrainian Orthodox Society of Spedden, dated September 23, 2024.

Carried.

**7.6. FCSS Grant Application – Smoky Lake Minor Hockey**

908-24: Serben That Smoky Lake County Council approve to allocate funding from the 2024 Family and Community Support Services (FCSS) Grant budget in accordance with Policy No. 08-17-01 Family and Community Support Services (FCSS) grant as follows:

Community Group	Eligibility	Funding
Smoky Lake Minor Hockey Association	Volunteers Respect in Sport Leader Courses	\$2,500.00

Carried.

**7.7. Tax Agreement for Property Tax Roll #15591611**

909-24: Serben That Smoky Lake County execute a Tax Agreement for Property Tax Roll Number 15591611, legally described as Plan 1325199 Block 1, Lot 1, with a total monthly payment in the amount of \$1,285.00 per month, effective October 15, 2024, for thirty-six (36) consecutive months, in accordance with Policy Statement No. 12-01-02: Tax Agreement.

Carried.

**7.8. Smoky Lake Curling Club – Accounts Receivable Penalties**

910-24: Serben That Smoky Lake County Council acknowledge receipt of the financial information provided by the Smoky Lake Curling Club in response to Council’s September 26, 2024, Motion #867-24; and **approve** to write-off the interest accrued in the amount of \$1,039.72, on the Club’s Accounts Receivable account #SMOK028; and direct Administration to write a letter informing the Club of future payment deadlines.

Carried.

**8. Chief Administrative Officer’s Report:**

**8.1. Action List from September 12 & 26, 2024 Council Meetings**

911-24: Fenerty That Smoky Lake County Council Meeting Action List from the Council Meeting held on September 12, 2024 and September 26, 2024, be accepted for information.

Carried.

**10. Correspondence:**

**10.1. Minister of Municipal Affairs – Carbon Tax Survey**

912-24: Fenerty That Smoky Lake County share data relating to the impact of the carbon tax on the County’s operations (both directly and indirectly), with the Minister of Municipal Affairs, through an online survey, as requested in the letter received from the Minister of Municipal Affairs, dated October 2, 2024.

Carried.

**10.2. MLA Bonnyville-Cold Lake-St. Paul - Distribution of Charitable Gaming Revenues**

913-24: Gawalko That Smoky Lake County acknowledge receipt of the copied letter from Scott Cyr, MLA Bonnyville-Cold Lake-St. Paul Constituency, to the City of Edmonton Mayor, dated August 23, 2024, in respect to requesting support from the City of Edmonton to advocate for a fairer distribution of charitable gaming revenues through the Alberta Gaming, Liquor & Cannabis (AGLC).

Carried.

914-24: Fenerty That Smoky Lake County Council write a letter of support to the local MLA, Rural Municipalities Association and Alberta Gaming, Liquor & Cannabis (AGLC) advocating for a fairer distribution of charitable gaming revenues, and requests a deadline for action on the letter by November 1, 2024; in response to the copied letter received from Scott Cyr, MLA Bonnyville-Cold Lake-St. Paul Constituency, to the City of Edmonton Mayor, dated August 23, 2024, requesting support from the City of Edmonton of same.

Carried.

### 10.3. Smoky Lake Regional Heritage Board - Municipal Historic Resources

915-24: Halisky That Smoky Lake County Council **acknowledge receipt** of the letter received from the Smoky Lake Regional Heritage Board, dated September 27, 2024, recommending the following three buildings described below, to be assigned Municipal Historic Resource designation; **and** Council approve to provide each respective building owner with a **Notice of Intent to Designate** as a Municipal Historic Resource, pursuant to the *Historical Resources Act*, in accordance with Policy Statement No. 61-15-01: Designation of Municipal Historic Resources:

1. **Bellis Store and Heritage Shoppe**, built in 1945, on the lands legally described as Plan 0728767, Block 2, Lot 10A;
2. **White Earth Hall**, built in 1919, on the lands legally described as part of SE-16-60-17-W4; and
3. **Samuel A. MacDonald Stopping House, General Store and Pine Creek Post Office**, dates back to 1908, on the lands legally described as part of SW-35-58-19-W4.

Carried.

### Addition to the Agenda:

#### Métis Crossing's Application to the Green and Inclusive Community Buildings Program

916-24-Halisky That's Smoky Lake County acknowledge receipt of the verbal request presented by the Planning and Development Manager, for a letter of support of towards Métis Crossing Year-2024 application to the Green and Inclusive Community Buildings funding program.

Carried.

917-24- Halisky That Smoky Lake County Council approve to provide a letter of support for Métis Crossing's Year-2024 application to the Green and Inclusive Community Buildings funding program.

Carried.

#### 2024 Minister's Award for Municipal and Public Library Excellence

918-24- Céré That Smoky Lake County acknowledge and accept the Year-2024 Minister's Award for Municipal and Public Library Excellence, awarded to Smoky Lake County for the North Saskatchewan Canadian Heritage River Initiative.



Carried.

**11. Information Releases:**

Nil

**12. Financial Reports:**

Nil

**13. Next Meeting(s):**

**Next & Scheduled County Council Meetings**

919-24: Halisky That the next Smoky Lake County Council Meetings be re-confirmed and **scheduled** as follows:

Thursday, October 24, 2024, at 9:00 a.m. (Regular and Organization Council Meeting)

Thursday, October 29, 2024, at 9:00 a.m. (Budget Council Meeting)

Thursday, November 14, 2024, at 9:00 a.m. (Regular Council Meeting)

Thursday, December 12, 2024, at 9:00 a.m. (Regular Council Meeting)

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

Carried.

**Schedule County Council Meeting for the Purpose of CAO Evaluation**

920-24: Serben That the next Smoky Lake County Council Meetings for the Purpose of CAO Evaluation, be scheduled for Tuesday, November 19, 2024, at 9:00 a.m. to be held in County Council Chambers.

Carried.

**14. Executive Session:**

**14.1 Legal Issue: Surface Material Leases**

921-24: Serben That Smoky Lake County Council go into Executive Session, in the presence of all Council, Chief Administrative Officer, Finance Manager, Public Works Manager, and Municipal Clerk, to discuss a Legal Issue, in respect to Surface Material Leases, under the authority of the FOIP Act, Section 27: Privileged Information and Section 16: Third Party Business Interests, time 11:07 a.m.

Carried.

922-24: Céré That Smoky Lake County Council go out of Executive Session, time 11:30 a.m.

Carried.

**11:30 to 11:35 a.m. Public Question and Answer Period:**

Kyle Schole, member of the public, expressed the importances of the Waskatenau Creek Corridor Restoration and Trail Concept and congratulated Council on the North Saskatchewan Canadian Heritage River Initiative, without a question.

**14. Executive Session:**

**14.1 Legal Issue: Surface Material Leases (continued)**

923-24: Halisky That Smoky Lake County Council go into Executive Session, in the presence of all Council, Chief Administrative Officer, Finance Manager, Public Works Manager, and Municipal Clerk, to discuss a Legal Issue, in respect to Surface Material Leases, under the authority of the FOIP Act, Section 27: Privileged Information and Section 16: Third Party Business Interests, time 11:35 a.m.

Carried.

924-24: Serben That Smoky Lake County Council go out of Executive Session, time 12:05 p.m.  
Carried.

**Surface Material Leases: SML No. 140092 and SML No. 120101**

925-24: Céré That Smoky Lake County Council authorize Administration to transact the following purchase and approve an unbudgeted expense in the amount of Two Million Two Hundred Thousand Dollars (\$2,200,000.00) plus GST, funded from the Year-2024 Lands Sales and Reserves, to purchase two limited companies with Surface Material Leases (SML) inclusive, described as: SML No. 140092, at SW-22-61-18-W4 containing 78.79 Acres, under 2430603 Alberta Ltd., and SML No. 120101, at SW-22-61-18-W4 containing 79.91 Acres, under 2450652 Alberta Ltd, Pending all legal conditions are met.  
Carried.

**14.2. Personnel Issue: Update on Staff from the CAO under the authority**

926-24: Fenerty That Smoky Lake County Council go into Executive Session, in the presence of all Council and Chief Administrative Officer, to discuss a Personnel Issue, in respect to an update on Staff from the CAO under the authority of the FOIP Act, Section 27: Privileged Information and Section 17: Third Party Personal Privacy, time 12:19 p.m.  
Carried.

927-24: Céré That Smoky Lake County Council go out of Executive Session, time 12:54 p.m.  
Carried.

**Addition to the Agenda (Executive Session):**

**Legal Issue: Update on the MCC for Smoky Lake Development Corp.**

928-24: Serben That Smoky Lake County Council go into Executive Session, in the presence of all Council and Chief Administrative Officer, to discuss a Legal Issue, in respect to an update on the MCC for Smoky Lake Development Corp., under the authority of the FOIP Act, Section 27: Privileged Information and Section 16: Third Party Business Interests, time 12:55 p.m.  
Carried.

929-24: Fenerty That Smoky Lake County Council go out of Executive Session, time 1:31 p.m.  
Carried.

930-24: Serben That Smoky Lake County Council direct the Chief Administrative Officer to obtain a legal opinion pertaining to the MCC for Smoky Lake Development Corp., as discussed on October 10, 2024, in Executive Session, under the authority of the FOIP Act, Section 27: Privileged Information and Section 16: Third Party Business Interests.  
Carried.

**15. ADJOURNMENT:**

931-24: Serben That the Smoky Lake County Council Meeting of October 10, 2024, be adjourned, time 1:32 p.m.  
Carried.

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REEVE

SEAL

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CHIEF ADMINISTRATIVE OFFICER