

SMOKY LAKE COUNTY

Minutes of the **County Council Meeting** held on Thursday, **September 12, 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:

ATTENDANCE		
<u>Div. No.</u>	<u>Councillor(s)</u>	<u>Thursday, Sept. 12, 2024</u>
1	Dan Gawalko	Absent
2	Linda Fenerty	Present in Chambers
3	Dominique Céré	Present in Chambers
4	Lorne Halisky	Present in Chambers
5	Jered Serben	Present in Chambers
CAO	Kevin Lucas	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:

Fire Srv. Clerk	Meaghan Andreychuk	Virtually Present
Natural Gas Manager	Daniel Moric	Virtually Present
GIS Operator	Carole Dowhaniuk	Virtually Present
Planning Dev Manager	Jordan Ruegg	Virtually Present
Comm. Officer	Evonne Zukiwski	Virtually Present
Public	No Member	Present in Chambers
Media	No Members	N/A

2. Agenda:

820-24: Cere

That the Smoky Lake County Council Meeting Agenda for Thursday, September 12, 2024, be adopted, as amended:

Addition to the Agenda:

1. Executive Session – Surface Material Lease Exploration, under the authority of the FOIP Act, Section 27 Privileged Information and Section 16: Third Party Business Interests.

Carried Unanimously.

3. Minutes:

3.1. Minutes of the Committee of the Whole Meeting, August 7, 2024

821-24: Fenerty

That the minutes of the **Smoky Lake County Council Committee of the Whole Meeting for the purpose of Planning**, held on Wednesday, August 7, 2024, be adopted as presented.

Carried.

3.2. Minutes of the Regular Council Meeting, August 8, 2024

822-24: Halisky

That the minutes of the **Smoky Lake County Council Regular Meeting**, held on Thursday, August 8, 2024, be adopted as presented.

Carried.

3.3. Minutes of the Regular Council Meeting, August 22, 2024

823-24: Cere

That the minutes of the **Smoky Lake County Council Regular Meeting**, held on Thursday, August 22, 2024, be adopted as presented.

Carried.

One member of the Public virtually joined the meeting, time 9:10 a.m.

4. Delegation:

Nil.

5. Public Hearing:

Nil.

7. Request for Decision:

7.1. Rural Municipalities of Alberta (RMA) Annual Fall Convention

824-24: Halisky

That Smoky Lake County Council and relevant staff who can attend – attend the Rural Municipalities of Alberta (RMA) Annual Fall Convention, scheduled for November 4 to 7, 2024, at the Edmonton Convention Centre; and extend invitations to available Ministers to meet at the said convention to discuss priorities of Smoky Lake County as determined by Council.

Carried.

One member of the Public virtually joined the meeting, time 9:15 a.m.

Carleigh Danyluk, Agricultural Fieldman, virtually joined the meeting, time, 9:16 a.m.

7.2. Accounts Receivable Write-off Request – Smoky Lake Curling Club

825-24: Halisky

Motion Defeated

That Smoky Lake County Council approve to write-off the interest accrued in the amount of \$1,039.72, on the Smoky Lake Curling Club’s Accounts Receivable account #SMOK028.

DEFEATED.

7.3. Property Tax Sale

826-24: Halisky

That Smoky Lake County advertise the following properties with a Tax Notification issued on their Land Title, for the Year-2024 Property Tax Sale, to be scheduled for Wednesday, November 13, 2024 at 10:00 a.m.:

Roll	Location	LINC #	Legal	Reserve Bid
22010117	Spedden	0020142808	Lot 17, Block 1, Plan 1955CL	\$3,000
23090113	Birchland	0015172463	Lot 13, Block 1, Plan 7520244	\$140,000
40300410	Warspite	0021146964	Lot 10, Block 4, Plan 314HW	\$10,000
41410215	Hillside Acres	0029948593	Lot 15, Block 2, Plan 0323059	\$105,000

Carried.

7.4. Policy Statement No. 15-06-01: Pension Participation

827-24: Serben

That Smoky Lake County Policy Statement No. 15-06-01: Pension Participation Policy, be adopted:

Title: Pension Participation		Policy No.: 06-01
Section: 15	Code: P-A	Page No.: 1 of 3 E
Legislation Reference:	Employment Pensions Plans Act Joint Governance of Public Sector Pension Plans Act.	
Purpose:	The guidelines set out in this policy ensure that employees entitled to benefits of the Local Authorities Pension Plan (LAPP) are enrolled according to plan membership requirements and that Smoky Lake County is compliant with all mandatory membership criteria.	

Policy Statement and Guidelines:	
<p>1. STATEMENT:</p> <p>1.1. Smoky Lake County participates in the Local Authorities Pension Plan (LAPP), the Operating Engineers Local 955 Pension Trust Fund, or Registered Retirement Savings Plan (RRSP) contributions, for qualifying employees.</p> <p>1.2. LAPP is administered by Alberta Pensions Services and is a defined benefit plan where both, eligible employees and Smoky Lake County, as the employer, contribute to. The contribution rates are set by the LAPP Board of Trustees. The employee contributions are deducted from the employees pay.</p> <p>2. OBJECTIVE:</p> <p>2.1. This policy will provide the guidelines for membership in LAPP and ensure all new employees are informed of their membership status.</p> <p>3. DEFINITIONS:</p> <p>3.1. "Casual Employee" is an employee who is employed as holiday relief, sick relief, or is hired to work on an occasional or intermittent basis.</p> <p>3.2. "County" means Smoky Lake County.</p> <p>3.3. "Out-of-Scope Employee" is an employee who is not employed under any union's collective agreement.</p> <p>3.4. "Permanent Employee" is a full-time or part-time employee who is hired for a specific job and there is no assigned end date to their employment.</p> <p>3.5. "Reciprocal Transfer Agreement" is an agreement that allows members to transfer all or part of their service from specific Registered Pension Plans (RPP) into LAPP as approved by the Local Authorities Pension Plan.</p> <p>3.6. "Regular Employee" is any full-time Permanent Employee or part-time Permanent Employee</p> <p>3.7. "Regular Pay" is pay that includes vacation, time off in lieu, sick, and special leave pay.</p> <p>3.8. "Seasonal Employee" is an employee who is employed to fill a regular seasonal position and is not a Regular Employee.</p> <p>3.9. "Term or Temporary Employee" is an employee who is hired for a specific job and has an assigned end date to their employment.</p>	

Title: Pension Participation	Policy No.: 06-01
Section: 15	Code: P-A
	Page No.: 1 of 3 E

<p>4. MEMBERSHIP ELIGIBILITY:</p> <p>4.1. The Collective Agreement between Smoky Lake County and the Canadian Union of Public Employees, Local 4575 provides that the Employer shall make arrangements for permanent Employees to enter into the Local Authorities Pension Plan.</p> <p>4.2. The Collective Agreement between Smoky Lake County and the International Union of Operating Engineers, Local Union 955 provides the direction for member employees with regards to participation in the Operating Engineers Local 955 Pension Trust Fund.</p> <p>4.3. As per Policy 08-18 Council Remuneration and Expenses, Smoky Lake County will contribute to an R.R.S.P. for Council members only.</p> <p>4.4. New employees will be informed of their membership status at the time of hire, upon determining membership eligibility.</p> <p>4.5. Participation in LAPP is mandatory excepting thereout:</p> <p>4.5.1. Employees under the Local Union 955 Collective Agreement</p> <p>4.5.2. Casual Employees</p> <p>4.5.3. Seasonal Employees</p> <p>4.5.4. Term or Temporary Employees</p> <p>4.5.5. Regular Employees that work under 14 hours per week</p> <p>4.5.6. Employees that would begin participation in the plan after December 31 of the year in which they reach the age 71</p> <p>4.5.7. Employees who receive a monthly pension from LAPP based on their previous participation in the plan</p> <p>4.5.8. Elected Officials</p> <p>5. PROBATIONARY PERIOD:</p> <p>5.1. Pension plan participation shall start upon completion of the probationary period, or sooner as agreed to through an Out-of-Scope Employee's contract agreement.</p> <p>5.2. If a new employee applies to transfer service with no break in contribution into LAPP from a previous LAPP employer or through a reciprocal transfer agreement, the employee shall start participating in LAPP regardless of the status of the probationary period.</p> <p>6. CALCULATIONS OF PENSIONABLE SERVICE FOR THE YEAR:</p> <p>6.1 The method of calculation to determine the pensionable service will be as follows: The total number of pay periods or portions of pay periods worked divided by the number of pay periods a member working full-time through the service year would be required to work.</p> <p>7. BUYING SERVICE BACK</p> <p>7.1 Member employees may buy back service following an unpaid leave of absence or maternity/paternity leave at the request of the member. Member employees also have the option to continue paying contributions while on leave without salary or to defer payment until the leave ends.</p> <p>8. PENSIONABLE SALARY</p> <p>8.1. Pensionable Salary includes salary, regular pay, retroactive pay, acting pay, and on call pay.</p>	
---	--

Title: Pension Participation	Policy No.: 06-01
Section: 15	Code: P-A
	Page No.: 1 of 3 E

<p>9. EMPLOYER COMPLIANCE</p> <p>9.1. In compliance with LAPP, the County will obtain an independent auditor on an annual basis to examine all records, policies and procedures relevant to pension processed to confirm the accuracy and integrity of the data submitted. The auditor will report their findings directly to Alberta Pension Services Corporation and to the County.</p>	
--	--

Carried.

7.5. Canada Community Building Fund (CCBF) Memorandum of Agreement (MOA)

828-24: Cere That Smoky Lake County execute the Canada Community-Building Fund (CCBF) Memorandum of Agreement (MOA), which replaces the former Gas Tax Fund (GTF) MOA, with His Majesty in Right of Alberta as represented by the Minister of Municipal Affairs, effective April 1, 2024 to March 31, 2034, in respect to matters relating to the payment of funds and outlining the County's responsibilities and general provisions in respect to CCBF funding.

Carried.

7.6. Quiet Nook Community Centre Funding Request

829-24: Fenerty
Motion Defeated That Smoky Lake County Council approve to provide one-time funding in the amount of \$2,673.24 to the Quiet Nook Community Centre, in response to their letter request dated August 10, 2024, which was deferred by Council on August 22, 2024, by Motion #795-24, and in receipt of their financial information as requested.

DEFEATED.

8. Chief Administrative Officer's Report:

Executive Session:

Legal Issue: Waste Transportation - Action List – Item August 8, 2024, Motion #742-24

830-24: Halisky That Smoky Lake County Council go into Executive Session, in the presence of Council (without Councillor Gawalko who was absent), Chief Administrative Officer, Finance Manager, and Executive Services Clerk, to discuss a Legal Issue, in respect to waste transportation within the County, in reference to the August 8, 2024, Council Meeting Action List Motion #742-24, under the authority of the FOIP Act, Section 16: Third Party Business Interests, time 9:44 a.m..

Carried.

831-24: Halisky That Smoky Lake County Council go out of Executive Session, time 9:51 a.m.

Carried.

8.1. Action List – June 2024

832-24: Halisky That Smoky Lake County Council accept the Action List, as presented from the Regular Council Meetings held on June 13 and 27, 2024, for information.

Carried.

8.2. Action List – July 2024

833-24: Halisky That Smoky Lake County Council accept the Action List, as presented from the Regular Council Meetings held on July 18, 2024, for information.

Carried.

8.3. Action List – August 2024

834-24: Serben That Smoky Lake County Council accept the Action List, as presented from the Regular Council Meetings held on August 8 and 22, 2024, for information.

Carried.

9. Council Committee Reports:

Nil.

Daniel Moric, Natural Gas Manager, entered Chambers, time 10:02 a.m.

10. Correspondence:

10.1. Land & Property Rights Tribunal- Village of Waskatenau Intent to Annex

835-24: Halisky

That Smoky Lake County acknowledge receipt of the copied letter from Land and Property Rights Tribunal (LPRT), formerly known as the Municipal Government Board (MGB), dated August 15, 2024, to the Village of Waskatenau, in respect to the Second Revision Notice of Intent to Annex, confirming “On April 13, 2011 the MGB received the original Notice of Intent to Annex (Notice) from the Village. On October 23, 2012, the Village submitted a revised Notice. The LPRT will accept your correspondence of August 6, 2024 as the second revision submitted by the Village.”.

Carried.

10.2. Lakeland Industrial and Community Association (LICA) Representative

836-24: Serben

That Smoky Lake County Council approve for Councillor Lorne halisky to remain as the appointed member to the Lakeland Industrial and Community Association (LICA), in response to the letter from Lakeland Industrial and Community Association (LICA), dated August 20, 2024, requesting confirmation of interest in appointing a representative from the County to the LICA Board.

Carried.

10.3. Fed Gas O&M Audit of Smoky Lake County Natural Gas – Deficiencies Updated

837-24: Cere

That Smoky Lake County Council acknowledge receipt of the updated completed deficiencies and corrective action plan, dated August 9, 2024, in respect to the Federations of Alberta Gas Co-ops Ltd.’s, 2024 Operations & Maintenance (O&M) Audit of Smoky Lake County Natural Gas, which addresses and/or concludes the deficiencies.

Carried.

11. Information Releases:

Information Releases to Council – August 2024

838-24: Fenerty

That Smoky Lake County “Information Releases” sent to Council for the period of August, 2024, listed as follows, be filed for information:

Tracking Number & Description of Information Released:	Date Released:	Municipal File #:
R113.24 - Municipal Affairs MSD_Newsletter-Issue2	August 2, 2024	1-203
R114.24 – RMA 2024_08_02_Contact_Newsletter	August 6, 2024	1-10
R115.24 - Town of Smoky Lake August 2024 Newsletter.pdf	August 6, 2024	1-113
R116.24 - RMA July 2024 - Bill 20 Regulations - RMA Input	August 9, 2024	1-10
R117.24 - RMA 2024_08_09_Contact_Newsletter	August 9, 2024	1-10
R118.24 - Heritage River Article - News Advertiser July 31, 2024	August 16, 2024	61-48
R119.24 - RMA 2024_08_16_Contact_Newsletter	August 16, 2024	1-10
R120.24 - ERWSC - Draft Minutes July 2024 & Financial Report	August 19, 2024	4-29
R121.24 – RMA Member Briefing - Energy Industry and Municipalities	August 19, 2024	1-10
R122.24 - King Charles III Coronation Medal Nominations Info	August 19, 2024	1-201
R123.24 - Minister of Energy & Min. Letter to RMA on Muni tax	August 20, 2024	1-10
R124.24 - Managers Reports for July-August 2024	August 20, 2024	N/A
R125.24 - County of Vermilion River - Provincial Grants Reductions	August 21, 2024	1-203
R126.24 - LARA Research Program Report (May-July 2024)	August 21, 2024	62-9
R127.24 - Email response & Letter of Support, Municipality of Jasper	August 21, 2024	1-111
R128.24 - Western Rural Munis Urge Feds to end Rail Labour Dispute	August 21, 2024	3-76
R129.24 - RMA 2024 08 23 Contact Newsletter	August 26, 2024	1-10
R130.24 - Pipeline Abandonments Whitecap Resources Ltd.	August 23, 2024	12-45
R131.24 -National Police Federation AB Polling Results W6 June 2024	August 27, 2024	2-85
R132.24 - RMA 2024 08 30 Contact Newsletter	August 30, 2024	1-10

Carried.

12. Financial Reports:

Nil.

13. Next Meeting(s):

Re-Confirm and Schedule County Council Meetings

839-24: Fenerty That the next Smoky Lake County Council Meetings be re-confirmed and **scheduled** as follows:

Thursday, October 10, 2024, at 9:00 a.m., (Regular),

Thursday, October 24, 2024, at 9:00 a.m., (Regular & Organizational),

Tuesday, October 29, 2024 at 9:00 a.m. (Budget)

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

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

to be held virtually, through Electronic Communication Technology as per Bylaw No. 1376-20 **and/or** physically in County Council Chambers.

Carried.

14. Executive Session:

14.2. Personnel Issue: Organizational Structure

840-24: Cere

That Smoky Lake County Council go into Executive Session, in the presence of Council (without Councillor Gawalko, who was absent), and Chief Administrative Officer, to discuss a Personnel Issue, in respect to the County's Organizational Structure, under the FOIP Act Section 27: Privileged Information, time 10:24 a.m..

Carried.

841-24: Cere

That Smoky Lake County Council go out of Executive Session, time 11:01 a.m.

Carried.

6. Municipal Planning Commission:

Meeting Recessed

The Council meeting was recessed at 11:01 a.m. to undertake a Municipal Planning Commission Meeting on a separate agenda with separate minutes.

Meeting Reconvened

The Council meeting reconvened on a call to order by the Reeve at 11:11 a.m. in the physical or virtual presence of all Council Members, Chief Administrative Officer, Finance Manager, Executive Services Clerk, Planning & Development Manager, Natural Gas Manager, Fire Chief, Communications Officer, GIS Operator, and 3 Members of the Public.

14. Executive Session:

14.2. Personnel Issue: Organizational Structure (continued)

842-24: Fenerty

That Smoky Lake County Council go into Executive Session, in the presence of Council (without Councillor Gawalko, who was absent), and Chief Administrative Officer, to discuss a Personnel Issue, in respect to the County's Organizational Structure, under the FOIP Act Section 27: Privileged Information, time 11:12 a.m..

Carried.

843-24: Cere

That Smoky Lake County Council go out of Executive Session, time 11:30 p.m.

Carried.

11:30 to 11:30 a.m.

Public Question and Answer Period:

None.

Addition to the Agenda:

Legal Issue: Surface Material Lease Exploration

844-24: Serben That Smoky Lake County Council go into Executive Session, in the presence of Council (without Councillor Gawalko, who was absent), Chief Administrative Officer, Public Works Manager, and Executive Services Clerk, to discuss a Surface Material Lease Exploration, under the authority of the FOIP Act, Section 27 Privileged Information and Section 16: Third Party Business Interests, time 11:35 a.m..

Carried.

845-24: Fenerty That Smoky Lake County Council go out of Executive Session, time 12:15 p.m.

Carried.

Surface Material Lease Exploration

846-24: Serben That Smoky Lake County Council approve for Administration to enter negotiations as discussed under the authority of the FOIP Act, Section 27: Privileged Information and Section 16: Third Party Business Interests, on September 12, 2024, in respect to Surface Material Lease Exploration.

Carried.

14.2. Personnel Issue: Organizational Structure (continued)

847-24: Fenerty That Smoky Lake County Council go into Executive Session, in the presence of Council (without Councillor Gawalko, who was absent), Chief Administrative Officer, and Executive Services Clerk, to discuss a Personnel Issue, in respect to the County's Organizational Structure, under the FOIP Act Section 27: Privileged Information, time, time 12:18 p.m.

Carried.

848-24: Fenerty That Smoky Lake County Council go out of Executive Session, time 12:33 p.m.

Carried.

15. ADJOURNMENT:

849-24: Halisky That the Smoky Lake County Council Meeting of September 12, 2024, be adjourned, time 12:34 p.m..

Carried.

REEVE

S E A L

CHIEF ADMINISTRATIVE OFFICER