

**SMOKY LAKE COUNTY**

Minutes of the **County Council meeting** held on Thursday, **January 21, 2010** at 9:20 A.M. in the County Council Chambers.

The meeting was called to Order by the Reeve Mr. Dareld Cholak in the presence of the following persons:

<u>A T T E N D A N C E</u>		
<u>Thursday, January 21, 2010</u>		
<u>Div. No.</u>	<u>Councilors(s)</u>	
1	Dareld Cholak	Present
2	Ron Bobocel	Present
3	Barton Coady	Present
4	Lori Danyluk	Present
5	Randy Orichowski	Present
C.A.O.	Cory Ollikka	Present
Asst CAO/R.S	Lydia Cielin	Present
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4 Members of the Public in attendance.

Trevor Tychkowsky, Safety Officer entered the Council Chambers, time 9:20 a.m.

**2. Agenda:**

**Agenda**

245-10: Bobocel

That the Agenda for Thursday, January 21, 2010 County Council meeting, be adopted as amended:

Addition(s):

1. FCSS Funding: C.A.S.A. – Community and School Association.

Carried Unanimously.

**3. Minutes:**

**Minutes of November 12, 2009 - County Council Budget Meeting**

246-10: Coady

That the minutes of the County Council Budget Meeting held on Thursday, November 12, 2009 be adopted.

Carried.

**Minutes of November 24, 2009 - County Committee of the Whole for the purpose of the Multi-Use Trail Meeting**

247-10: Orichowski

That the minutes of the County Committee of the Whole for the purpose of the Multi-Use Trail Meeting held on Tuesday, November 24, 2009 be adopted.

Carried.

**Minutes of November 24, 2009 - County Council for the purpose of Departmental Operations Meeting**

248-10: Bobocel

That the minutes of the County Council for the purpose of Departmental Operations Meeting held on Tuesday, November 24, 2009 be adopted.

Carried.

**Minutes of December 8, 2009 - County Council Meeting**

249-10: Danyluk That the minutes of the County Council Meeting held on Tuesday, December 8, 2009 be adopted.

Carried.

**Minutes of October 7, 2009 – Assessment Review Board Meeting**

250-10: Coady That the minutes of the Assessment Review Board Meeting held on Wednesday, October 7, 2009 be filed for information.

Carried.

**Minutes of October 26, 2009 – Assessment Review Board Meeting**

251-10: Bobocel That the minutes of the Assessment Review Board Meeting held on Thursday, October 26, 2009 be filed for information.

Carried.

**Minutes of February 18, 2009 – Subdivision and Development Appeal Board**

252-10: Orichowski That the minutes of the Subdivision and Development Appeal Board held on Wednesday, February 18, 2009 be filed for information.

Carried.

**Minutes of June 17, 2009 – Subdivision and Development Appeal Board**

253-10: Bobocel That the minutes of the Subdivision and Development Appeal Board held on Wednesday, June 17, 2009 be filed for information.

Carried.

**Minutes of June 25, 2009 – Subdivision and Development Appeal Board**

254-10: Danyluk That the minutes of the Subdivision and Development Appeal Board held on Thursday, June 25, 2009 be filed for information.

Carried.

Trevor Tychowsky, Safety Officer left the Council Chambers, time 9:20 a.m.

Doug Ponich, Public Works Manager entered the Council Chambers, time 9:25 a.m.

**4. Request For Decision(s):**

**Policy Statement No. 03-11-01: Fencing**

255-10: Bobocel That County Council entered into an executive session to discuss a legal issue, time 9:25 a.m.

Carried.

Trevor Tychowsky, Safety Officer entered the Council Chambers, time 9:55 a.m.

256-10: Danyluk That County Council go out of an executive session, time 10:05 a.m.

Carried.

257-10: Danyluk

That County Council defer Policy Statement No. 03-11-01: Fencing to Administration for revisions and bring forward to a future meeting.

Carried.

**Policy Statement No. 03-20-02: Safety Clothing and Footwear**

258-10: Bobocel

That **Policy Statement No. 03-20-02** entitled " Safety Clothing and Footwear", be amended:

<b>Purpose:</b>	To promote the importance of safety clothing and proper footwear according to the County's Safety Manual.
<b>Policy Statement and Guidelines:</b>	
<b>1. OBJECTIVE:</b>	
1.1	This policy applies to all staff that are in a position that are required to wear safety clothing and/or safety boots.
1.2	To promote the importance of good safety clothing in making a safer work environment for all employees.
<b>2. GUIDELINES:</b>	
2.1	<p><b>Safety Clothing Reimbursement Summer:</b></p> <p>Smoky Lake County employees that are required to wear coveralls and/or safety vests according to their job description, be given the opportunity to purchase two pairs of coveralls with reflective markings or reflective shirts, which the County will subsidize <b>50% (fifty) percent</b> of the cost of the coveralls and/or reflective shirts.</p> <p>This subsidization can only be used once (1) every calendar year.</p>
2.2	<p><b>Safety Clothing Reimbursement Winter:</b></p> <p>Smoky Lake County employees that are employed throughout the winter months that require to wear safety clothing be given the opportunity to purchase one (1) pair of winter wear with reflective striping. The County will subsidize <b>50% (fifty) percent</b> of the cost of the winter wear.</p> <p>This subsidization can only be used once every two (2) calendar years.</p>
2.3	<p><b>Safety Clothing Fire Service:</b></p> <p>Smoky Lake County employees that are identified to assist in the field of fire protection be given one pair of fire protection clothing to be used only for this purpose. The County will cover <b>100% (one hundred) percent</b> of the cost of the fire protection wear.</p>
2.4	<p><b>Safety Footwear:</b></p> <p>Smoky Lake County employees that are required to wear steel-toed footwear for the purpose of their job description be reimbursed for the cost of the footwear to a maximum cost of <b>\$50.00 (fifty) dollars</b>.</p> <p>This reimbursement can only be used once (1) throughout the calendar year.</p>
2.4.1	<p>Employees shall be required to complete and submit <b><i>Schedule "A": Boot Reimbursement Form</i></b> and provide a copy of the receipt of purchase to receive the refund.</p>



SCHEDULE "A"

WORK BOOT REIMBURSEMENT FORM

Name of Employee: \_\_\_\_\_

Address: \_\_\_\_\_

Box                  Town                  Province                  Postal Code

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I, hereby do apply for:

A maximum cost of \$50.00 (fifty) dollars for approved footwear as per Policy.

Receipt for proof of purchase is attached.

\_\_\_\_\_  
*Employee Signature*

Date: \_\_\_\_\_

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\_\_\_\_\_  
*Approved For Reimbursement*

Date: \_\_\_\_\_

\_\_\_\_\_  
Safety Officer

Carried.

7. **Delegation(s):**

**Scotford Aggregate Ltd.**

Present before County Council at 10:12 a.m. to 10:22 a.m. was Ron Berg and Jared Berg with Scotford Aggregate Ltd. to discuss the issue of Gravel Material Stockpiled at the White Earth Pit.

4. **Request For Decision(s):**

**Policy Statement No. 03-40-02: Cold Weather – Equipment Mobilization**

259-10: Bobocel

That **Policy Statement No. 03-40-02** entitled " Cold Weather – Equipment Mobilization", be amended:

<b>Purpose:</b>	To provide for the safety of employees and to prevent equipment failure during extreme cold weather.
<b>Policy Statement and Guidelines:</b>	
<b>1. STATEMENT:</b>	
1.1	Smoky Lake County Maintenance Equipment shall not be mobilized if the outside temperature is <b>-38 degrees Celsius</b> or colder (including the Wind Chill factor temperature).
1.2	Exception to this policy shall be made in case of an emergency or a severe storm.
<b>2. GUIDELINES:</b>	
The Public Works Manager, in consultation with the Chief Administrative Officer, shall determine:	
2.1	the outside temperature for purpose of this policy.
2.2	if an emergency or severe storm condition exists.
2.3	whether maintenance equipment should be mobilized.

Carried.

**Policy Statement No. 03-08-05: Compensation for Road Construction**

260-10: Coady

That **Policy Statement No. 03-08-05** entitled "Compensation for Road Construction be rescinded and removed from the Smoky Lake County Policy Manual; and that a Policy on Borrow Pits be developed.

Carried.

**Policy Statement No. 02-11-03: Peace Officer Annual Reporting**

261-10: Coady

That **Policy Statement No. 02-11-03** entitled " Peace Officer: Annual Reporting" be amended:

<b>Purpose:</b>	To submit a written report to the Alberta Solicitor General on an annual basis on the Peace Officer Program.
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**Policy Statement and Guidelines:**

**PREAMBLE**

The annual report is a new requirement designed to facilitate communication with the Director of the Alberta Solicitor General.

The annual report includes areas such as the service provided, operational practices of the Peace Officer and enforcement related activities.

**ANNUAL REPORT**

The Annual report must include:

1. The general nature of the services provided by the peace officer.
2. Operational practices of the peace officer.
3. Enforcement and enforcement-related activities of the peace officer.
4. Name of the agency contact person in a senior management position.
5. Statistical data required by the director.
6. An updated list of peace officers employed and their positions in the agency.

- The following format **Schedule "A": Peace Officer Annual Report** will be completed by January 31 each year and submit to the Director of Public Security Peace Officer Program.

*Schedule "A"*

PEACE OFFICER: ANNUAL REPORT	EMPLOYEE FILE NUMBER: APPOINTMENT NO: 12013
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1. **General Nature of the Services provided by the Peace Officer:**

Program Overview:

1. The Peace Officer is responsible for the enforcement and investigation of Municipal Bylaw and Provincial Statutes for Smoky Lake County.
2. As a Peace Officer, the overall duty is to protect and educate people property; and to preserve and maintain the public peace.
3. The Peace Officer reports to the Smoky Lake County, Chief Administrative Officer (C.A.O.)

## 2. Operational Practices of the Peace Officer:

### Key Areas:

- Ensuring public compliance with various County bylaws.
- Provide information and interpretation of Municipal bylaws and Provincial Statutes requirements to the Smoky Lake County residents and community groups.
- Develop and implement to educate on public awareness programs and maintain positive public relations.
- Conducts highly visible mobile patrols of the County for the purpose of preventing and detecting violations of Municipal Bylaws and selected Provincial statutes.

## 3. Enforcement and Enforcement-related activities of the Peace Officer:

### **ENFORCEMENT:**

#### Responsibilities: Public Safety:

- 3.1 As a Peace Officer appointed under the *Peace Officer Act*, enforce the following Provincial Statutes and Regulations, including:
- The Animal Protection Act
  - The Dangerous Dogs Act.
  - The Environmental Protection and Enhancement Act.
  - The Fuel Tax Act.
  - The Petty Trespass Act.
  - The Provincial Offences Procedure Act.
  - The Stray Animals Act.
  - The Tobacco Reduction Act.
  - The Traffic Safety Act.
- 3.2 As the Enforcement Officer appointed under the *Municipal Government Act*, enforce Municipal Bylaws, including:
- The Animal Control Bylaw.
  - The Corridor Regulation Bylaw.
  - The Land Use Bylaw.
  - The Off Highway Vehicles Bylaw.
  - The Parks Control Bylaw.
  - The Fire Bylaw.
  - The Road Right of Way Bylaw.
  - The Nuisance and Unsightly Premises Bylaw.
- 3.3 In accordance with the *Municipal Government Act*, the Bylaw Enforcement Officer is a Designated Officer. The Enforcement Officer time is to be equally divided between patrolling and enforcing.

### **ENFORCEMENT-RELATED ACTIVITIES:**

#### Enforcing Duties:

- 3.4
- Receiving complaints and inquires.
  - Investigation of complaints.
  - Advising responsible parties of infractions, and taking remedial actions and/or following enforcement procedures.
  - Advising responsible parties of infractions and laying of charges if founded.
  - Educating and/or prosecuting violators.
  - Conducts patrols of the trail systems, roads and hamlets within the corporate limits of Smoky Lake County.
  - Receives and documents evidence relating to investigation and ensures that continuity of such evidence is maintained, stored, and destroyed accordance with Provincial County Regulations and/or County policies.
  - Prepares prosecutor information sheets and court briefs concerning a charge or ticket.

**Other Duties:**

- Assist R.C.M.P., as required.
- Prepare Monthly reports and distribute to Council, Chief Administrative Officer.
- Report at weekly Management meetings.
- To be familiar with the Policies of the Smoky Lake County and the mandate of the Peace Officer Program.
- Personnel conduct to enhance the image of Peace Officer in the Smoky Lake County.
- Attendance at conference and training programs that are pre-approved by the Chief Administrative Officer.
- Preparation and revision of Municipal Bylaws.
- Issue various letters of Permission and Permits relating to Municipal Bylaws.
- Participation with community interest groups as requested.
- Develop and/or take part in public awareness programs and maintain positive public relations.
- Conducts other related duties as required.

**Working Relationship:**

- To be accessible, approachable and helpful to the residents and public who require information or assistance.
- To establish and maintain a positive working relationship with Smoky Lake County employees.
- To continue and enhance communication to the Chief Administrative Officer to be informed on all issues or concerns that could affect the Peace Officer Program.

**Decision Making: Independence of Action:**

- Works under minimal supervision while on patrol.
- Deals with the public in confrontational situations and must use own judgment to resolve them, based on instant decisions relating to knowledge of laws and regulations.

**4. Name of the Agency Contact Person in a Senior Management Position:**

**Smoky Lake County:** Cory Ollikka, Chief Administrative Officer  
 Box 310  
 4612 McDougall Drive Phone: 780-656-3730  
 Smoky Lake, Alberta Fax: 780-656-3768  
 T0A 3C0 E-Mail:  
 collikka@smokylakecounty.ab.ca

**5. Statistical Data Required by the Director:**

Types of Incidents	2009
Animal Control:	48
Off-Highway Vehicle:	Numerous Education Conversations
Unsanitary Premises	11
Land Use Issues	7
Criminal Code	1 (contacted RCMP)
Petty Trespass	1
Environmental Protection	1
Road Right of Way	4
Fire Issues	5
Traffic Safety Issues	1
<b>TOTAL</b>	<b>79</b>

Combined complaints, written warnings, and violation tickets.

**6. An updated List of Peace Officer Employed and their Position in the Agency:**

Name: James E. English Phone: 780-656-3730  
 Title: Peace Officer Fax: 780-656-3768  
 Agency: Smoky Lake County Cellular: 780-650-5429  
 Address: Box 310, 4612 McDougall Drive  
 Smoky Lake Alberta T0A 3C0 E-Mail: [english@smokylakecounty.ab.ca](mailto:english@smokylakecounty.ab.ca)

**Policy Statement No. 02-12-01: Traffic Safety Plan**

262-10: Coady

That **Policy Statement No. 02-12-01** entitled "Traffic Safety Plan", be adopted:

<b>Purpose:</b>	To submit a Traffic Safety Plan to the Alberta Solicitor General as part of the Peace Officer Program. A mandatory requirement for all Authorized Employers who conduct moving traffic enforcement.
<b>Policy Statement and Guidelines:</b>	
<b>1. PREAMBLE</b>	
1.1	The intent of the Traffic Safety Plan is to bring awareness to the authorized employer of the frequency and locations of motor vehicle collisions that involve serious injury or death and to then direct enforcement activities to target causal factors.
1.2	It is anticipated that targeted use of Peace Officers resources focused on statistical areas of concern will enhance Peace Officer ability to have a positive effect in traffic safety in their community.
<b>2. STRATEGIC GOALS</b>	
	The Traffic Safety Plan addresses six main goals:
1.	Overview to identify the communities and/or main arterial roadways within agency jurisdiction – numbered highways and busy County roads by name. Provide an indication of what portion of Peace Officer duties are dedicated to traffic enforcement.
2.	Obtain a synopsis of the local police service’s traffic safety plan from the local police. The synopsis will identify areas of concern that are the major contributors to death and serious injury in the jurisdictional area. The plan may, in some cases, identify locations, which are prone to fatal and serious injury collisions.
3.	Based on information provided, identifies what educational programs can be delivered addressing issues within the scope of Peace Officer’s authority. Identifies opportunities to work within schools or the community in delivery these programs.
4.	Utilize the synopsis will identify those aspects of traffic enforcement, which fall within agency mandate. Identifies peak periods and, if identified, locations to be targeted. This may also include school zones, playground zones or other high profile locations that the employer has identified as a priority.
5.	Determines and identifies what enforcement and educational efforts will be contributed towards reducing the fatal and serious injury collisions by the agency.
6.	Keeping statistical records of enforcement and educational efforts in the areas identified as the major causes of death and serious injury (i.e., adult seat belt charges, child passenger charges, stop sign infractions, traffic light infractions, intersection infractions, speeding infractions and others).
<b>3. PROCESS</b>	
3.1	In order to ensure fair and consistent enforcement that improves traffic safety, Authorized Employers are required to file an updated Traffic Safety Plan with Public Security Division every <b>three years</b> .
3.2	The plan must incorporate the most recent collision data available from the police service of jurisdiction and based on information shared between parties.
3.3	The following format <i>Schedule “A”</i> : <b>Traffic Safety Plan</b> will be completed and submitted to the Director of Public Security Peace Officer Program.

3.4 Once Smoky Lake County has prepared the Traffic Safety Plan, a copy will be presented to the local police service for forwarding to their respective traffic unit. Upon review and acceptance, the police agency will forward the plan to the Public Security Division and the Peace Officer Agency will receive written confirmation to that effect.

*Schedule "A"*



**SMOKY LAKE COUNTY**

**PEACE OFFICER PROGRAM**

**TRAFFIC SAFETY PLAN**  
**ENFORCEMENT SERVICES**

**AS OF**  
**JANUARY 1, 2010**

Submitted to:  
**Public Security Peace Officer Program**

<b>TRAFFIC SAFETY PLAN</b>	<b>SMOKY LAKE COUNTY</b>
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At the present time, Smoky Lake County employs one Peace Officer. His purpose is to enforce all County Bylaws, as well as the following Alberta Legislation and all regulations there under, within the Smoky Lake County in the Province of Alberta and has authority throughout the Province of Alberta to execute a duty when the matter under investigation occurred within the Smoky Lake County in the Province of Alberta relating to:

- The Animal Protection Act.
- The Dangerous Dogs Act.
- The Environmental Protection and Enhancement Act, Part 9 Division 2.
- The Fuel Tax Act.
- The Gaming and Liquor Act.
- The Petty Trespass Act
- The Provincial Offences Procedures Act.
- The Stray Animals Act.
- The Traffic Safety Act.

It is estimated that at least 20% of working hours are dedicated to moving traffic enforcement within the County boundaries.

Smoky Lake County has two 2-digit highways and six 3 digit highways  
 Highway 28: runs east and west for 77 km in the centre of the County.  
 Highway 36: runs north and south for 22 km in the east side.  
 Highway 652: runs east and west of 23 km in the east/south area.  
 Highway 656: runs east and west for 3 km in the west/central area.  
 Highway 831: runs north and south for 16 km near Waskatenau.  
 Highway 855: runs north and south for 48 km through Smoky Lake Town.  
 Highway 857: runs north and south for 16 km near Bellis.  
 Highway 859: runs north and south for 15 km near Vilna.

Smoky Lake County has 1600 kilometers of gravel and oiled roads within its boundaries. The County also has four Hamlets and 15 multi-lot country residential sub-divisions. There is a 70 kilometer long multi-use recreation trail running east and west through the entire County.

There is also one town and two villages within the Smoky Lake County boundaries, that are responsible for its own enforcement issues.

RCMP Occurrence Statistics

<u>Fatal/Serious Injury Crashes</u>		<u>Property Damage Collisions</u>	
2006	31	2006	240
2007	44	2007	210
2008	36	2008	223
2009	31	2009	172

Based on visual observation, there is a very high use of All Terrain Vehicles throughout the area. Areas of concern are the multi-lot country residential sub-divisions. From May until September, these areas experience a high volume of pedestrian, motor vehicle, and all terrain vehicle traffic.

To address safety concerns, Smoky Lake County has reduced the speed limit in these areas to between 20km/hr and 50km/hr. The Peace Officer has been certified in the operation and use of typical mobile and stationary radar and will continue to monitor traffic patterns and behavior in the above noted areas.

The RCMP statistics indicate traffic infractions and collisions occur primarily Provincial Highways. The RCMP, therefore have limited manpower to address concerns on rural County roads with respect to passenger vehicles and/or terrain vehicles. The Smoky Lake County Peace Officer, therefore, will focus efforts on dealing with these concerns on the rural roads within Smoky Lake County's hamlets, subdivisions, and on the multi-use trail trails.

As education and awareness are recognized as important components of traffic safety enforcement, local media and educational pamphlets are being used throughout the County.

Enforcement efforts will be recorded by offence for violations of the *Traffic Safety Act* for year-end statistical data to determine overall effectiveness. Recorded efforts to also include public awareness and educational situations.

Carried.

#### **Sub-Division Authority**

263-10: Bobocel

That Smoky Lake County appoint S. Jane Dauphinee of **Municipal Planning Services (2009) Ltd.** as the Sub-Division Authority, as required by Bylaw 996-95.

Carried.

#### **Planning Advisory Services**

264-10: Danyluk

That Smoky Lake County replace the Planning Advisory Services of Municipal Planning Services (Alberta) Ltd. with **Municipal Planning Services (2009) Ltd.**

Carried.

Trevor Tychowsky, Safety Officer left the Council Chambers, time 10:36 a.m.

Twila Bauman, Planning and Communications Manager entered the Council Chambers, time 10:37 a.m.

#### **2010 Public Sale of Lands: County Owned**

265-10: Coady

That County Council entered into an executive session to discuss a legal and land issues, time 10:37 a.m.

Carried.

266-10: Danyluk

That County Council go out of an executive session, time 11:15 a.m.

Carried.

267-10: Danyluk

That Smoky Lake County advertise the 2010 County Owned Public Sale of Land for the following parcels:

# 22010118	Lot 18	Block 1	Plan 1955 CL	Hamlet of Spedden
# 22010123	Lot 23	Block 1	Plan 1955 CL	Hamlet of Spedden
# 22010103	Lot 3	Block 1	Plan 1955 CL	Hamlet of Spedden
# 40451202	Lot 2A	Block H	Plan 042 5044	Hamlet of Warspite
# 40310201	Lot 1	Block 2	Plan 716CL	Hamlet of Warspite
# 13580421	Pt. SW 4-58-13-W4			3.60 Acres
# 13582921	Pt. SW 29-58-13-W4			.85 Acres
# 19591614	Pt. SE 16-59-19-W4: 5225CL; OT			2.63 Acres

TERMS: Cash plus G.S.T.

Each parcel offered for sale is subject to Council Acceptance and to the reservations and conditions contained in the existing Certificate of Title.

All **Hamlet of Warspite** properties will be subject to the following conditions:

- The permanent improvement(s) must be assessed by the County Assessor at no less than \$50,000.00 within (2) two years.
- Title to the parcel will only be transferred upon confirmation of improvement(s) assessed value by the County Assessor.
- Failure to adhere to above condition(s), the conditional purchase is immediately null and void and all improvement(s) must be removed immediately.

Person(s) interested in submitting an “Offer to Purchase” must submit in a sealed envelope marked “OFFER TO PURCHASE PROPERTY” and a clear letter with plans outlining:

1. Parcel interested to purchase.
2. Proposed improvements with plans.
3. A time schedule of improvements to be completed.

These properties are being offered for sale on an “AS IS” basis and the County makes no representation and gives no warranty whatsoever as to the adequacy of services, soil conditions, absence or presence of environmental contamination or the development ability of the subject land for any intended use by the Purchaser.

No offer will be accepted where the purchaser attempts to attach conditions precedent to the sale of any parcel. No terms or conditions of sale will be considered other than those specified by Smoky Lake County.

County Council has the full right to reject any or all offers to purchase.

DEADLINE for “OFFERS TO PURCHASE” is **March 15, 2010 at 12:00 noon.**

Carried.

**2008 Public Land for Sale: Pt. SE 16-59-19-W4 – 3.27 acres**

268-10: Orichowski

That Smoky Lake County reimburse Mr. Elmer Warzin the deposit of \$3,415.00 + \$170.75 for a total amount of **\$3,585.75** based on the bid in the amount of \$34,150.00 for “the 2008 public land for sale” of property Pt. SE 16-59-19-W4 – 3.27 acres, Roll #19591614.

Carried.

Twila Bauman, Planning and Communications Manager left the Council Chambers, time 11:20 a.m.

Ed English, Peace Officer/Recreation Manager entered the Council Chambers, time 11:22 a.m.

**Policy Statement No. 07-03-01: Recreational Trail Roadway License Agreement**

269-10: Bobocel

That **Policy Statement No. 07-03-01** entitled "Recreational Trail Roadway License Agreement", be adopted:

<b>Purpose:</b>	To provide a procedure for granting a License or Permit for the temporary occupation or use of a portion of a Road Allowance for Recreational Trail purposes.
<b>Policy Statement and Guidelines:</b>	
<p><b>1. STATEMENT:</b></p> <p>1.1 The County Council did by Bylaw establish the procedure to grant Licenses for the temporary occupation or use of Road Allowance(s) when they are not required for public use.</p> <p>1.2 The <i>Highway Traffic Act</i>, Revised Statutes of Alberta, 1980, Chapter H-7 Section 16(1)(q) provides that a Council may make Bylaws granting a license for the temporary occupation or use of a highway when it is not required for public use, if the license is terminable on thirty (30) days notice in writing.</p> <p><b>2. OBJECTIVES:</b></p> <p>2.1 Smoky Lake County recognizes the importance that trails provide opportunities for outdoor activities that contribute to and encourage healthy and active lifestyles.</p> <p>2.2 Best practices approach developed to retain a mutually supportive relationship between trail users and landowners.</p> <p>2.3 Provides a trail network link of transportation to access connecting corridors, i.e. <i>Iron Horse Trail</i>.</p> <p><b>3. PROCEDURE:</b></p> <p>3.1 <b><u>Grant of License</u></b> Smoky Lake County is hereby authorizes to grant licenses in the form attached as "<b><i>Schedule B: Recreational Trail Roadway License Agreement</i></b>" for the temporary occupation or use of road allowances, public highways, or a portion of a road allowance or highway when they are not required for public use, providing the license is terminable on thirty (30) days notice in writing.</p> <p>3.2 <b><u>Application Permission</u></b> Recreational Organizations/Clubs must complete and submit an application in the form attached as "<b><i>Schedule A: Application for Recreational Trail Roadway License Agreement</i></b>" indicated that the signatures of adjacent landowners to the proposed recreational trail development have been sought and that those adjacent landowners have been approached in the regards specified.</p> <p>3.3 The Application for "Recreational Trail Roadway License Agreement" shall be taken to Council and Council shall decided on any further conditions, consultations or procedures necessary before approving the Application and executing the Recreational Trail Roadway License Agreement.</p> <p>3.4 Final approval shall be made by Smoky Lake County Council by executing the Recreational Roadway License Agreement, upon obtaining any approvals and permits necessary from the affected landowners (<i>if the proposed trail goes through private lands</i>), the Province of Alberta and the Government of Canada (<i>in the case of unoccupied crown lands</i>) for the construction and development of the trail and a copy of such approvals and permits shall have been delivered to Smoky Lake County.</p> <p>3.5 Approved Applicants shall adhere accordingly to <b><i>Policy 07-01: Designated Recreational Trails</i></b>. Any</p>	

inspections or other relevant activity that shall be undertaken under Policy 07-01 shall be undertaken by the Approved Applicant as per the Recreational Trail Roadway License Agreement.



**Schedule "A"**  
**Application**  
**for**  
**Recreational Trail Roadway License Agreement**

1. License Applicant

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Phone: \_\_\_\_\_

2. Description of roadway requested to be under license.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Please attach a map to accompany this application.*

3. Purposes(s) for this application:

a. \_\_\_\_\_

b. \_\_\_\_\_

4. Signatures from adjacent landowner(s) agreeing to your application.

Print Name	Legal Description	Signature	Date
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

\_\_\_\_\_  
License Applicant Signature

\_\_\_\_\_  
Date

\*\*\*\*\*



**Schedule "B"**  
**Recreational Trail Roadway License Agreement**

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

BETWEEN:

**SMOKY LAKE COUNTY**  
a Municipal Corporation in the Province of Alberta  
(hereinafter referred to as "the County")

OF THE FIRST PART

AND

\_\_\_\_\_  
**Recreational Organization/Club**  
A Society incorporated under the laws of  
the Province of Alberta,  
of \_\_\_\_\_  
(hereinafter referred to as "the Club")

OF THE SECOND PART

\*\*\*\*\*

**WHEREAS** the Council of the County has the control and management of roadways within the municipal boundaries of the County;

**AND WHEREAS** the undeveloped road allowances located on:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

is a roadway located within the municipal boundaries of the County and is subject to the management and control of the County as described above (hereinafter referred to as "the Trail") for a trail to be used by recreational traffic;

**AND WHEREAS** the Club desires to use a portion of the roadway under the terms and conditions contained herein; to develop and use as a \_\_\_\_\_ trail on an undeveloped road allowance with the boundaries of Smoky Lake County.

**AND WHEREAS** that portion of the roadway is not currently required for public use and the County is prepared to grant the Club a license for the temporary occupation or use of that portion of the roadway, subject to the terms and conditions contained herein;

**AND WHEREAS** the County has granted approval to the Club for the use and development of the said road allowance as the trail to be used by recreational traffic on the terms and subject to the conditions hereinafter set forth;

**NOW THEREFORE THIS AGREEMENT WITNESSES** that in consideration of the premises, covenants, conditions and terms contained herein, the parties hereto agree as follows:

1. Prior to the commencement of the construction and development of the Trail, the Club shall supply the County with such plans and specifications as the County may require, showing the construction and development of the Trail. The plans and specifications shall comply with the design standards established by the County for the Trail, which standards will include landscaping, brush clearing, erosion controls, planting of vegetation, buffers, trail markers, traffic control devices and signage as described on **Exhibit "1"** attached.
2. The Club shall not proceed with the construction and development of the Trail until the County has approved the plans and specifications in writing and until such time as the Club shall have obtained any approvals and permits necessary from the affected landowners, the Province of Alberta and the Government of Canada (*in the cases where a proposed Trail goes through private or unoccupied crown land*) for the construction and development of the Trail and a copy of such approvals and permits shall have been delivered to Smoky Lake County.
3. The Club shall ensure that the construction and development of the Trail is carried out in accordance with the plans and specifications approved by the County and that the development does not result in any erosion or degradation of the natural environment other than to the extent necessary to comply with the plans and specifications approved by Smoky Lake County.  
  
If the trail is to be developed on or through private land, then the Club shall also obtain written consent for the landowner(s) for the development of the trail.
4. In consideration of the rights herein conferred upon the Club, the Club shall pay to the County the following amounts at the following times, namely:  
\$ \_\_\_\_\_
5. The Club acknowledges and agrees that its rights to enter upon and use the trail area shall not confer upon the Club any exclusive right whatsoever in respect to the use or occupation of the trail area, and that the Club shall have no claim to the trail area other than as herein provided.

**NOTE:** The Club shall provide legal access to the Public and Crown to the lands and lake abutting the "trail area"; where such land or lakes abut the "trail area".

6. The County shall have the full right to occupy and use the trail area in any manner whatsoever deemed appropriate by the County; provided that the County shall not unreasonably interfere with the rights herein conferred upon the Club.

7. The Club shall, at all times, ensure that the trail is kept and maintained in a neat and tidy condition and that no refuse or garbage is left on the trail or on the land adjacent to the trail.
8. The Club shall, at all times, maintain and carry insurance coverage for public liability and property damage with insurable limits in an amount not less than \_\_\_\_\_ million for each occurrence or incident, which shall name the County as an insured party and the Club shall provide proof of such insurance to the satisfaction of the County upon demand.
9. The Club shall keep a record of all complaints by third parties regarding the use of the trail by the Club, such record to include, for each complaint, the location, nature and response by the Club to the complaint. All such records shall be forwarded to the County by the Club on or before June 1<sup>st</sup> of each calendar year or earlier if requested by the County.
10. The Club shall notify the County of any accidents occurring on the trail and supply the County with such particulars of such accidents as the County may require.
11. The Club acknowledges and agrees that the license and approval granted to the Club for the use and development of the trail is not an exclusive license and the Club shall not place any markers or signs on the trail that restrict the use of the trail to Club members.
12. The Club acknowledges that the County may deem it necessary or appropriate, from time to time, to cause or allow third parties to construct or install permanent underground or above ground utility lines, pipelines facilities and transmission lines which will cross the trail area; or to perform such other work upon the trail area as may be deemed necessary at the sole discretion of the County, and the Club acknowledges and agrees that the Club shall in no way interfere or hinder the construction, installation, repair or maintenance undertaken by the County or any person to whom the County has granted such permission.
13. The Club shall not be responsible for any loss or damage to property or to the natural environment which occurs outside of the snowmobile season and the Club shall be responsible for any loss or damage to property or the environment which loss or damage is caused by a member of the Club during the snowmobile season.
14. The Club shall at all times hereafter indemnify and hold harmless Smoky Lake County against all actions, claims, demands, suits or proceedings whatsoever that may be lawfully brought or made against the County by reason of anything done by the Club, its agents, employees, invitees or contractors, whether or not such things are done in the exercise or purported exercise of the rights herein conferred upon the Club and whether occasioned by negligence or otherwise which arise as a result of the use and development by the Club of the Trail.
15. The Club acknowledges and agrees that all property of the Club which may hereafter be located on, under, over or adjacent to the trail area shall be at the sole risk of the Club and that the County shall not be liable for any loss or damage thereto howsoever occurring and the Club hereby releases the County from all actions, claims, demands, suits or proceedings whatsoever in respect of any such loss or damage, except and to the extent of which such loss or damage is caused by the neglect or fault of the County or its servants or agents.
16. Notwithstanding anything to the contrary contained herein, it is understood between the County and the Club that the County shall have the absolute right and privilege to terminate this **Recreational Roadway License Agreement** herein granted (together with all rights contained herein or ancillary thereto) upon the County providing to the Club **Thirty (30) days** written notice of such termination.

17. In the event of the termination of this Agreement by the County, pursuant to paragraph 16 of this Agreement, the Club shall cease maintenance and repairs to the trail allowing the trail to return to a natural state, and all signs, posts and indicators shall be removed.

18. The Club acknowledges and agrees that the total rights secured by the Club are only such rights as are specified herein and that the County has made no representations, warranties, promises or agreements, either express or implied, beyond those contained herein.

19. The Licensee agrees that it shall not erect any buildings, improvements or structures on the trail area, without the express written consent of the County. If the Club is permitted to erect any buildings, improvements or structures, the same are to be constructed in a work-man-like manner so as to minimize damage to the trail area, and the Club shall, after any such work, restore the trail area to a level and condition equivalent to that which existed prior to the commencement of any such construction.

20. The Club agrees that it will at all times and in all respects abide by all laws, bylaw, legislative and regulatory requirements of any governmental or other competent authority relating to the use and occupation of the Licensed Area.

21. Any notices or other communications required or permitted under this Agreement to be given by one party hereto to the other shall be in writing and shall either be delivered personally or mailed by prepaid registered mail to the other party at the address shown below. Notice given in any such manner shall be deemed to have been received by the party on the day of delivery or upon the seventh (7<sup>th</sup>) day after the day of mailing, provided that normal postal service is in existence at the time. Notice shall be given:

TO THE COUNTY AT : SMOKY LAKE COUNTY  
Box 310 Smoky Lake, Alberta  
TOA 3C0

or delivered to: SMOKY LAKE COUNTY  
4612 McDougall Drive  
Smoky Lake

TO THE CLUB AT: \_\_\_\_\_

or delivered to: \_\_\_\_\_  
\_\_\_\_\_

Any party may change its address for service from time to time upon notice to the effect. In the event of disruption of normal postage service, any party giving notice hereunder shall be required to deliver the same.

22. This Agreement shall enure to the benefit of and be binding upon the Parties hereto and their respective heirs, executors, successors and permitted, as the case may be, assigns.

23. Each of the Parties shall, upon the reasonable request of the other Parties, make, do, execute or cause to be made, done or executed all such further and other lawful acts, deeds, things, documents and assurances of whatsoever nature and kind for the better or more perfect or absolute performance of the terms and conditions of this Agreement.

IN WITNESS WHEREOF the parties hereto have signed their names and affixed their seals by the hands of their property officers, duly authorized on that behalf; and hereby have executed this Agreement as of the day first above written.

SMOKY LAKE COUNTY  
Per: \_\_\_\_\_  
Reeve

Per: \_\_\_\_\_  
Chief Administrative Officer

WITNESS
CLUB: _____
Per: _____ President
Per: _____ Vice-President
<b><i>EXHIBIT "1"</i></b>
For the portion of:
<u>Legal Description:</u> _____
<u>Specifications and standards:</u> ■ ■
For the portion of:
<u>Legal Description:</u> _____
<u>Specifications and standards:</u> ■ ■
For the portion of:
<u>Legal Description:</u> _____
<u>Specifications and standards:</u> ■ ■

Carried.

**Smoky Lake Trail Twisters Snowmobile Club**

270-10: Coady

That Smoky Lake County execute the Recreational Roadway License Agreement as per Policy 07-03 with the Smoky Lake Trail Twisters Snowmobile Club to develop a Snowmobile / Cross-Country Skiing and Snow Shoeing Trail located on the County undeveloped road allowance as follows:

- Twp Road 620 - East of 855 North along North ½ of 33-61-17-W4; along North ½ of 34-61-17-W4 and North ½ of 36-61-17-W4.
- Twp Road 620 -West of 855 North along North ½ of 32-61-17-W4 and along North ½ of 31-61-17-W4.
- Range Road 173 along West ½ of 33-61-17-W4 and along West ½ of 28-61-17-W4.

Carried.

**9. Public Question and Answer Period:**

**11:30 a.m. to 11:32 a.m.**

**Smoky Lake Town Fire Chief**

**Hank Holowaychuk**

**Comment:** What to extend a “Thank You” to the Smoky Lake County Peace Officer for his assistance to our recent emergency incident in providing the red and blue lights for traffic control!

Ed English, Peace Officer/Recreation Manager left the Council Chambers, time 11:34 a.m.

**5. Issues for Information:**

**Management Report:**

**Public Works Manager**

271- 10: Bobocel

That County Council go into an executive session to discuss a legal issue, time 11:40 a.m.

Carried.

272-10: Bobocel That County Council go out of an executive session, time 11:59 a.m.

Carried.

Doug Ponich, Public Works Manager left the Council Chambers, time 11:59 a.m.

**Meeting Recessed**

Meeting recessed for Lunch, time 12:00 Noon.

**Meeting Reconvene**

The meeting reconvened on a call to order by Reeve Dareld Cholak at 1:10 p.m. in the presence of all Council members, and in the presence of the Chief Administrative Officer, and the Assistant Chief Administrative Officer/Recording Secretary.

Twila Bauman, Planning and Communications Manager entered the Council Chambers, time 1:11 p.m.

20 members of the public were present for the delegation and presentation of Hwy 855 Study.

7. **Delegation(s):**

**Hwy 855 Study - Presentation**

Present before County Council at 1:11 p.m. to 1:53 p.m. was Mohammad Chowdhury, Infrastructure Engineer, Alberta Transportation and Arthur Gordon, B.A., P. Engineer, Principal, CastleGlenn Consultants Inc. to present the Highway 855 Study prepared for Alberta Transportation.

Twila Bauman, Planning and Communications Manager left the Council Chambers, time 1:53 p.m.

5. **Issues for Information:**

**Chief Administrative Officer's Report**

The Chief Administrative Officer gave an updated report to Council for the period of December 9, 2009 to January 19, 2010.

**Legislative / Governance:**

- Spoke with Coral Callioux of Municipal Affairs – Re: Vilna Dissolution Study. On January 19, 2010 copies of the study and confirmations of the Public Meeting to be held on February 9, 2010 and the Vote to be held for Vilna residents on February 16, 2010.
- Assessment Review Board Members must be trained by April 2010. Council needs to decide whether to receive training themselves, partner with a neighbouring municipality, or contract the Appeal Board services to another organization.
- Received a nomination form for the Corridor Board of Directors. Currently, there is no municipal representation on the Corridor Board.
- Received an e-mail, dated January 14, 2010 from Margit Philips, ABC, Manager, Scotford Community Relations, Shell Canada Energy – Re: Courtesy Notice – visiting landowners in regards to the Shell Quest Carbon Capture and Storage Project.

**Administrative:**

- Participated in Safety Audit Interview.
- Checked with Alberta Transportation – Re: Saddle Lake and White Earth Creek Project Agreements. They have since sent the agreements and are ready for execution and signing.

**Financial:**

- Completed AARD Grant Application for Rural Connections: Community Broadband Infrastructure Pilot Project.
- Have received bids for the 3 equipment items that failed to receive bids last time advertised.
- Letter received from Henia Kwiatkowski/Rhonda Melnyk, Sponsorship Committee Reps, Smoky Lake Minor Hockey, dated January 7, 2010 – Re: Sponsorship Opportunities – Hosting 2010 Midget “D” Investors Group Provincial Championship Tournament in Smoky Lake on March 26-28, 2010.
- Purchase of brush cutter, solid tires and pallet forks was deferred from last weeks Agriculture Meeting.

**Human Resources:**

- No report.

**Community:**

- Smoky Lake Ag Society wishes to apply for Federal Stimulus Funding to pave 3 acres of property by the Complex to host outdoor events. They request a letter supporting the principle of this initiative.

**Corridor Communications Inc.**

273-10: Bobocel That Smoky Lake County nominate Reeve Dareld Cholak as Director to the Corridor Communications Inc. Board.

Carried.

**Shell Canada Energy**

274-10: Coady That County Council who can attend – attend the Courtesy Notice Information Meeting hosted by Shell Canada Energy in regards to the Shell Quest Carbon Capture and Storage Project on March 1, 2010 in Radway at 4:00 p.m. to 8:00 p.m. or on March 2, 2010 in Thorhild at 4:00 p.m. to 8:00 p.m.

Carried.

**Safety Audit**

The Reeve, on behalf of County Council, extended congratulations to all the Management and staff and special thanks to Trevor Tychkowsky, Safety Officer for a very successful Safety Audit for achieving a Score of 91% that Smoky Lake County received.

**Special Road Projects: Saddle Lake and White Earth Creek**

275-10: Danyluk That Smoky Lake County execute the Memorandum of Agreement with Alberta Transportation for the Special Road Projects of rehabilitation and oil base paving: **Saddle Lake Road** – Project: Highway 28 to Saddle Lake First Nation Boundary, a distance of 7.2 kilometers; and for the **White Earth Creek Road** - Project: Thorhild County Boundary to Highway 855, a distance of 21.6 kilometers (13.5 miles).

Carried.

**Public Works: Equipment for Sale**

276-10: Bobocel That County Council defer the Public Works Equipment for Sale Bids received for the Tandem Axle Equipment Trailer, Frost Bucket for Backhoe and Snowblower Attachment to the next scheduled County Council Budget Meeting.

Carried.

**Smoky Lake Minor Hockey**

277-10: Danyluk That Smoky Lake County sponsor in the amount of **\$1,000.00** to Smoky Lake Minor Hockey for hosting the 2010 Midget “D” Investor Group Provincial Championship Tournament in Smoky Lake on March 26-28, 2010.

Carried.

**Purchase: Public Works Equipment**

278-10: Coady That County Council defer the purchase of the Public Works Equipment: Davco Brush Cutter and Virnig Wide Rail Forks to the next scheduled County Council Budget Meeting.

Carried.

**Smoky Lake Agricultural Society: Letter of Support**

279-10: Orichowski That Smoky Lake County write a letter of Support to the Smoky Lake Agricultural Society to apply for Federal Stimulus Funding to pave three acres of property by the Complex to host outdoor events; and donate in the value amount of **\$50,000.00** of banked-yards of Pit-Run as an in-kind contribution.

Carried.

**Financial Update:** As annexed to the minutes:

↳ Financial Statement for the Month of **November 2009.**

**Action List:**

↳ **Action List:**  
**County Council Budget: November 12, 2009.**  
**Committee of the Whole: Multi-Use Trail: November 24, 2009.**  
**County Departmental Operations: November 24, 2009.**  
**County Council: December 8, 2009.**

280-10: Coady That the updated report for the period of December 9, 2009 to January 19, 2010 by the Chief Administrative Officer, be accepted and filed for information.

Carried.

Brenda Adamson, Finance Manager entered the Council Chambers, time 2:30 p.m.

**Finance Manager’s: Report**

Brenda Adamson, Finance Manager provided an updated Finance report for the period of November 26, 2009 to December 31, 2009.

**Budget Review: as of January 11, 2010**  
**Parks and Recreation Services**

Ed English, Peace Officer/Recreation Manager entered the Council Chambers, time 2:39 p.m.

- Recreational Infrastructure Canada (RInC) Program. Application submitted on May 25, 2009.

Ed English, Peace Officer/Recreation Manager left the Council Chambers, time 2:41 p.m.

**2009 F.C.S.S. Funding**

- 2009 F.C.S.S. Funds Available = \$ 3,711.75.

**F.C.S.S.: Community Organization - Funding**

281-10: Bobocel That Smoky Lake County allot funding from the 2009 F.C.S.S. budget to the following Community Organizations:

Smoky Lake Pre-school	= \$ 500.00
Smoky Lake Moms and Tots	= \$ 500.00
Wilna’s Sunshine Kids Playschool Association	= \$ 500.00
Wilna Moms & Tots	= \$ 500.00
Waskatenau Preschool Association	= \$ 500.00
for a total in the amount of <b>\$2,500.00</b> .	

Carried.

**Addition to the Agenda:**

**C.A.S.A.: Community and School Association**

282-10: Bobocel That Smoky Lake County allot funding from the 2009 F.C.S.S. budget in the amount of **\$1,211.75** to C.A.S.A.: Community and School Association.

Carried.

**5. Issues for Information:**

**Historic Resource Grant**

Twila Bauman, Planning and Communications Manager entered the Council Chambers, time 3:00 p.m.

- Historic Resource Grant: Will request why the grant funding have not been received.

Twila Bauman, Planning and Communications Manager left the Council Chambers, time 3:05 p.m.

**Natural Gas System**

283-10: Bobocel That Smoky Lake County transfer the unbudgeted revenue received from Gas Alberta in the amount of **\$90,456.68** to a Natural Gas System Capital Reserve.

Carried.

**Property Tax Levy: Penalty Cancellation**

284-10: Coady That Smoky Lake County take no action to the request for November 3, 2009 Property Tax Levy Penalty cancellation in the amount of \$178.69 on Tax Roll Account Number 23090206.

Carried.

285-10: Danyluk

That Smoky Lake County take no action to the request for November 3, 2009 Property Tax Levy Penalty cancellation in the amount of \$375.00 on Tax Roll Account Number 15593520.

Carried.

286-10: Bobocel That Smoky Lake County cancel the November 3, 2009 Property Tax Levy Penalty in the amount of \$2.60 on Tax Roll Account Number 15593230.

Carried.

287-10: Coady That Smoky Lake County take no action to the request for November 3, 2009 Property Tax Levy Penalty cancellation in the amount of \$207.33 on Tax Roll Account Number 41420126 and in the amount of \$100.90 on Tax Roll Account Number 41440128.

Carried.

288-10: Orichowski That Smoky Lake County take no action to the request for November 3, 2009 Property Tax Levy Penalty cancellation in the amount of \$30.08 on Tax Roll Account Number 18600620.

Carried.

289-10: Danyluk That Smoky Lake County take no action to the request for November 3, 2009 Property Tax Levy Penalty cancellation in the amount of \$195.88 on Tax Roll Account Number 33220137.

Carried.

290-10: Bobocel That Smoky Lake County cancel the November 3, 2009 Property Tax Levy Penalties in the amount of \$6.36 on Tax Roll Account Number 13601210; in the amount of \$6.22 on Tax Roll Account Number 13601430; in the amount of \$5.44 on Tax Roll Account Number 13601441; and in the amount of \$6.34 on Tax Roll Account Number 13601510 for a total amount of \$24.36.

Carried.

291-10: Coady That Smoky Lake County take no action to the request for November 3, 2009 Property Tax Levy Penalty cancellation in the amount of \$522.50 on Tax Roll Account Number 16600420; 16600430; 16600520; 16600521; 16601020; 16602820; 16603010; 17592540; 17593631; 17601330; 17601340; 17593410; 17593430; 17593440; 17593530; 17593540; 17593541; 17600830; 17600920; 17601740; 17602931; 17602940; 17603211; 17603220; 17603240 and 34240308.

Carried.

**2009 Rejected Funds**

292-10: Orichowski That Smoky Lake County write-off the rejected electronic funds transfer payment from August 2009 to other adjustments in the amount of \$54.25.

Carried.

293-10: Bobocel That the Finance Manager's Report received by Brenda Adamson for the period of November 26, 2009 to December 31, 2009, be accepted and filed for information.

Carried.

**Councillor Barton Coady left the County Council Chambers,  
Time 3:30 p.m.**

Twila Bauman, Planning and Communications Manager entered the Council Chambers, time 3:45 p.m.

Ed English, Peace Officer/Recreation Manager entered the Council Chambers, time 3:47 p.m.

**Management Report:  
Planning and Communications Manager**

**2010 Public Annual Forum**

294-10: Bobocel That a Municipal 2010 Public Annual Forum of the Smoky Lake County be held on **May 3, 2010** from 2:00 p.m. to 5:00 p.m. at the Smoky Lake County Public Works Shop; and that the Presentation of the Financial Statements for the Fiscal Year-End 2009 be held at 3:00 p.m..

Carried.

**Committee of the Whole: Planning Meeting**

295-10: Bobocel That the **Committee of the Whole: Planning Meeting** be re-scheduled from Wednesday, January 27, 2010 at 1:00 p.m. to Thursday, **February 4, 2010** at 1:00 p.m. to be held at the County Council Chambers.

Carried.

**Sub-Division and Development Appeal Board: Training**

296-10: Cholak That Smoky Lake County schedule a Sub-Division and Development Appeal Board Training and Information Session with Schaeffer Andrew for Monday, **March 8, 2010** at 9:00 a.m.; and extend the invitation to the surrounding municipalities.

Carried.

Twila Bauman, Planning and Communications Manager left the Council Chambers, time 3:59 p.m.

Brenda Adamson, Finance Manager left the Council Chambers, time 4:00 p.m.

297-10: Bobocel That the management reports received for the period of December 9, 2009 to January 13, 2010 from Doug Ponich, Public Works Manager, Bob Novosiwsky, Public Works Foreman, Dave Kully, Public Works Shop Foreman; Ed English, Peace Officer, Twila Bauman, Planning and Communications Manager, and Trevor Tychkowsky, Safety Officer; be accepted and filed for information.

Carried.

## 5. Issues for Information:

### Reeve's Report

Reeve Dareld Cholak presented the following report:

- **Minutes:** Northern Alberta Mayors' and Reeves' Caucus Meeting #45 held on October 16, 2009.
- Next Northern Alberta Mayors' and Reeves' Caucus Meeting is scheduled for February 19, 2010.
- New Cabinet Team.
- Smoky Lake County Christmas Closure: Everything went well.
- Corridor Communications Inc. – Tower installations have started.
- Issues will be addressed during the Committee Task Force and Board reporting.

298-10: Bobocel

That the Reeve's report received, be accepted.

Carried.

Ed English, Peace Officer/Recreation Manager left the Council Chambers, time 4:10 p.m.

### Committee Task Forces and Boards: Reports

#### Alberta Care

- No report.

#### Alberta HUB

- No report.

### Community Futures Corporation: St. Paul / Smoky Lake Region

299-10: Bobocel

That County Council go into an executive session to discuss the Community Futures Corporation: St. Paul / Smoky Lake Region for legal purposes, time 4:12 p.m.

Carried.

300-10: Bobocel

That County Council go out of an executive session, time 4:15 p.m.

Carried.

- Next meeting is scheduled for Wednesday, February 24, 2010 at 5:00 p.m. to be held in the Smoky Lake County Council Chambers.

### Corridor Communications Incorporated

- Testing Sites is progressing well – no problems to date.
- 90 members.
- Tower installation completed in Elk Waters.

### Doctor Retention & Recruitment Committee

- No report.

### Evergreen Regional Waste Management Commission

- Public Hearing was held on June 18, 2009.
- New Compactor was delivered.
- In the progress of preparing an 2010 Interim Budget.

**Family Community Support Services Committee**

- FCSS Programs Outcome Measures Update #6, dated December 9, 2009.

**Family-School Liaison Committee**

- Caseload increased: H.A. Kostash School = 9; Waskatenau Holy Catholic School = 5; and Vilna School = 12. Total caseload is 26.
- Researching Motivational Speakers.
- Next meeting is scheduled for April 20, 2010 at 2:00 p.m.

**Fire and Rescue Committee****Vilna:**

- 2010 Budget submit to the Smoky Lake Fire Chief.
- Vilna Fire Department: Dine and Dance on Saturday, January 23, 2010 at the Vilna Cultural Centre: Cocktails at 5:30 p.m. and Supper at 6:30 p.m..

**Waskatenau:**

- 2010 Budget submitted \$15,527.00: \$10,000.00 for Training and \$527.00 for Supplies.

**Smoky Lake:**

- Smoky Lake Fire and Rescue Meeting held on January 12, 2010.
- Minutes: November 23, 2009 Fire and Rescue Committee.
- Committee approved the Proposed 2010 Budget to be forwarded to each respective Council for recommendations for the Material and Supplies: \$65,940.00 and Training: \$25,000.00.
- 2010 Total Budget: \$90,940.00 to be cost-shared. County's portion will be \$45,470.00
- 2009 Training Expense: \$21,627.44 – Budget amount was \$35,000.00.
- 2009 Material and Supplies Expense: \$39,359.89 – Budget amount was \$42,765.00.
- 2009 Fire Calls: Town Calls: 19 and County Calls: 69.
- Next meeting is scheduled for April 20, 2010.

**Government Liaison Committee**

- Government of Canada: News Release dated January 13, 2010 – Re: New Cabinet Team.

**Highway 28/63 Regional Water Group Steering Committee**

- Minutes: November 26, 2009 Highway 28/63 Regional Water Services Commission Meeting.
- Waiting for Budget Approvals.
- Water For Life Strategy will maintain its current funding.
- Proposed: Projects for contractors to be distributed into 4 levels.

**In-House Safety Committee**

- December 22, 2009: External Audit – Score 91%.
- Congratulations for a very successful Safety Audit – Thank You to Trevor Tychkowsky, and the Management and staff for their continued commitment to safety for our organization.
- First Aid Training Course: Continues for Fire Departments.
- Flagging Course Training.
- In-House Safety Committee: Re-structure to more Worker Driven.
- Next Meeting is scheduled for February 16, 2010 at 8:00 a.m.

**Joint Economic Development Initiative (JEDI) Committee**

- No report.

**Municipal Planning Commission**

- **Minutes:** July 27, 2009, August 27, 2009, August 28, 2009 and September 17, 2009.

**North East Muni-Corr Ltd.**

- Meeting held on January 11, 2010 in St. Paul at 10:00 a.m.
- Mr. Mulkay's request for gates was approved.
- Smoky Lake Agreement with re-surfacing specifications was approved.
- Mr. Blair Birch, Associated Engineering explained the next phase of the Water Commission's Work Plan at the January 11, 2010 meeting.
- Associated Engineering will be providing an update on February 8, 2010 meeting, after consultation with Alberta Transportation and the Water Commission.
- Discussion was held in regards to trail re-surfacing and charging the Water Commission easement fees for entering – like with other companies.
- May request for a Restoratory Motion to bring back the question to its original status and quote the Master Agreement, *Page 11, 5.6()(ii): "the company shall not require that any compensation be paid in respect of such municipality utility line or in respect of such right-of-way agreement; and Policy Statement #1: main purpose of the 99ft right-of-way, public utilities right-of-way.*
- Next meeting is scheduled for February 8, 2010 in St. Paul.

**Policy Committee**

- To schedule a Policy Committee Meeting.

**Committee of the Whole: Policy Committee Meeting**

301-10: Cholak

That the **Committee of the Whole: Policy Committee Meeting** be scheduled for Monday, **February 22, 2010** at 1:00 p.m. to be held at the County Council Chambers to review Bylaw No. 1096-02: Parks Control Bylaw and a draft Policy on Gravel Exploration Testing on Private Lands.

Carried.

**R.C.M.P. Liaison Committee**

- No report.

**Risk Control Management Committee**

- **Minutes:** Added Named Insured:  
**Smoky Lake Golf Club:**
  - January 25, 2010.

**Smoky Lake Agricultural Society**

- Raffle Tickets: 81% sold.
- New Years Dance was a success. Society made a net profit of \$6,500.00.
- Application for new Raffle was sent.
- CFEP: Community Facility Enhancement Program Grant was submitted for the Zamboni.
- MP Brian Storseth indicated to the Ag Society that the Application for the Stimulus Grant should be applied together with the County or the Town.
- Concession: Happy Nest resigned. Vi Sorokan was hired as custodian and for the concession booth.
- Cost of Utilities: approximately \$135.00 per day.

**Smoky Lake Foundation**

- Smoky Lake Bar-V-Nook Lodge: 43 Occupancy.
- Vilna Lodge: 33 Occupancy.
- Vilna Alzheimer's Unit: Full Occupancy.
- Self-Contained Units – Full Occupancy.
- Met with the Minister of Seniors – toured the facilities. Asked to have a meeting set-up to look at what options are available for the aging infrastructure.
- Dental Hygiene for Seniors.

**Victoria Settlement Advisory Committee**

- No report.

**Smoky Lake Heritage Board**

- No Minutes.

**Joint Municipalities**

- The next Joint Municipalities is scheduled for Monday, March 29, 2010 hosted by Smoky Lake County in the Hamlet of Warspite.

**AAMD&C District 5**

- **Meeting Change:** For the meeting of the AAMD&C District 5 scheduled for September 27, 2010 which will be changed from the original scheduled date of October 4, 2010.

302-10: Bobocel

That the Committee Task Force and Board Reports presented by Councillors be accepted.

Carried.

**6. Correspondence:**

303-10: Orichowski

That the following correspondence received from the Alberta Association of Municipal Districts and Counties, be filed for information:

- a. Contact Newsletter:
  - December 9, 2009.
- b. Contact Newsletter:
  - December 16, 2009.
- c. Contact Newsletter:
  - December 23, 2009.
- d. Member Bulletin – January 6, 2010:
  - Possible Changes to the Provincial Sheriffs Program.
- e. Member Bulletin – January 6, 2010:
  - AAMDC Resolutions Tips and Tools.
- f. Member Bulletin – January 6, 2010:
  - Reminder: Input Needed as AAMDC Conducts MGA Review.
- g. Member Bulletin – January 6, 2010:
  - Municipal Careers Awareness: Input Wanted!
- h. Member Bulletin – January 6, 2010:
  - Call for Input: Rail Freight Service Review.

- i. Member Bulletin – January 6, 2010:
  - Highways Development and Protection Act Comes Into Force.
- j. Member Bulletin – January 6, 2010:
  - Building Canada Fund Deadlines.
- k. Contact Newsletter:
  - January 6, 2010.

Carried.

#### **Alberta Municipal Affairs**

304-10: Bobocel That the letter received from Honourable Ray Danyluk, Minister of Alberta Municipal Affairs, dated December 14, 2009 – Re: 2010 Budget – Similar levels of grant funding, be filed for information.

Carried.

#### **Alberta Municipal Affairs: MSI Capital Funding**

305-10: Bobocel That Smoky Lake County acknowledge receipt of the letter received from Honourable Ray Danyluk, Minister of Alberta Municipal Affairs, dated December 16, 2009 in regards to the 2009 Municipal Sustainability Initiative (MSI) Operating funding allocation to OPE-1370 – Area Structure Plans in the amount of \$21,825.00.

Carried.

#### **2010 Provincial Championship Mallaig Minor Hockey**

306-10: Danyluk That Smoky Lake County send raffle items towards the 2010 Midget “C” Provincial Championship Mallaig Minor Hockey on March 26 and 28, 2010.

Carried.

#### **Alberta Development Officers Association**

307-10: Orichowski That the newsletter received from the Official Voice of the Alberta Development Officers Association, entitled, “The Communicator”, dated December 2009, be filed for information.

Carried.

#### **RMRF: Reynolds, Mirth, Richards & Farmer**

308-10: Cholak That County Council who can attend and Senior Administration attend the RMRF: Reynolds, Mirth, Richards & Farmer – Annual Municipal Law Seminar on March 5, 2010 in Edmonton.

Carried.

#### **Highland Community Hall of Barich Society**

309-10: Bobocel That the newsletter received from the Highland Community Hall of Barich Society, dated December 2009, No. 3, be filed for information.

Carried.

#### **Agriculture and Rural Development**

310-10: Danyluk That the letter received from Drew Hiltz, Manager, Programs, Agriculture and Rural Development, Government of Alberta, dated December 10, 2009 – Re: Application for Rural Connections: Community Broadband Infrastructure Pilot Grant Program – File Reference Number RC-541, be filed for information.

Carried.

**Brownlee LLP**

311-10: Orichowski That the newsletter received from Brownlee LLP entitled, "Municipal Law", dated October 2009, be filed for information.

Carried.

**Northern Lights Library System**

312-10: Bobocel That the newsletter received from the Northern Lights Library System entitled, "The Aurora", dated December 2009, Volume 6, Issue 3, be filed for information.

Carried.

**Kalyna Festival**

313-10: Danyluk That the letter received from Judy Taylor, President, Kalyna Festival, extending thank you for donation, be filed for information.

Carried.

**Aspen View Public Schools**

314-10: Danyluk That Smoky Lake County will participate in the working committee when established by Aspen View Public Schools, as per letter received from Derm Madden, Superintendent of Schools, Aspen View Public Schools, dated November 26, 2009 in regards to Partnering with Portage College in Lac La Biche.

Carried.

**Emergency Management Training**

315-10: Bobocel That the letter received from Honourable Ray Danyluk, Minister of Alberta Municipal Affairs, dated December 1, 2009 in regards to the Funding Emergency Management Training under the Municipal Sponsorship Program, be filed for information.

Carried.

**Alberta Municipal Affairs**

316-10: Bobocel That the letter received from Honourable Ray Danyluk, Minister of Alberta Municipal Affairs, dated December 2, 2009 in regards to the comments from participants from Consultation sessions held from the October 13 to 19, 2009 from local perspectives and innovation solutions, be filed for information.

Carried.

**University of Alberta**

317-10: Cholak That Smoky Lake County write a letter of support to the University of Alberta to establish an undergraduate degree in Planning to commence in the Fall of 2011, as per letter received from Gregory J. Taylor, Dean, Faculty of Science, University of Alberta, dated December 16, 2009.

Carried.

**Smoky Embers – Pathfinders**

318-10: Bobocel That the letter received from the Smoky Lake Pathfinder – Smoky Embers extending a thank you for support and donation towards the educational trip to Oshkosh, Wisconsin for a North American Pathfinder Jamboree, be filed for information; and the kids are to be congratulated for who they represent and do and for accompanying the Smoky Lake County Flag on their trip.

Carried.

**Friends of the Vilna Pool Hall Society**

319-10: Danyluk That Smoky Lake County accept the Friends of the Vilna Pool Hall Society as an Additional Named Insured with Jubilee Insurance Agencies under the County's Insurance Umbrella; and execute all necessary policies.

Carried.

**Special Road Projects: Goodfish Lake Road**

320-10: Bobocel That Smoky Lake County execute the Memorandum of Agreement with Alberta Transportation for the Special Road Project: **Goodfish Lake Road** – from the Junction of Hwy 28 to Whitefish Lake First Nation for cold mix rehabilitation/grade and asphalt surface treatment for a distance of 13.6 kilometers.

Carried.

**Smoky Lake 4-H**

321-10: Cholak That Smoky Lake County donate in the amount of **\$500.00** to the Smoky Lake 4-H towards hosting the Regional Public Speaking Competition on March 13, 2010 in Waskatenau.

Carried.

**Smoky Lake Golf Club**

322-10: Bobocel That Smoky Lake County write a letter of support to the Smoky Lake Golf Club expressing its support for the project development of an RV Park and for applying to the Community Facility Enhancement Program Grant for \$125,000.00.

Carried.

**Smoky Lake Heritage Board**

323-10: Orichowski That County Council invite the Smoky Lake Heritage Board Chair to a future meeting, in regards to the letter received from Noreen Easterbrook, dated November 23, 2009 about Endangered Historic Buildings – Ruthenia School within Victoria District National Historic Site of Canada – transfer of land.

Carried.

**Rural Crime Watch Association**

324-10: Danyluk That the letter received from Peter Apedaile, President, Rural Crime Watch and Roy Dyck, President, Vilna Citizens on Patrol, dated January 12, 2010 in regards to Public Security Program, be referred to the next Joint Municipalities Meeting and to a future County Council Meeting.

Carried.

**2010 Minister's Seniors Service Award**

325-10: Orichowski That the Smoky Lake County advertise in the Grapevine the 2010 Minister's Seniors Service Award for self-nominations to interested applicants, as per the correspondence received from the Government of Canada to help recognize individuals and organizations who volunteer to assist Alberta's seniors.

Carried.

**Information Releases**

No Information Releases for the Month of December 2009 and January 2010.

**Reading File**

No correspondence in the Reading File.

**7. Delegation(s):**

**Scotford Aggregate Ltd.**

326-10: Cholak

That the Chief Administrative Officer respond to Ron Berg, Scotford Aggregate Ltd. in regards to the request to extend the deadline to remove this gravel material from the White Earth Pit as discussed.

Carried.

**Bills & Accounts:**

327-10: Bobocel

That all the Bills and Accounts approved for payment, including the bills and accounts recommended for payment by the Natural Gas Council, including transfers to the Payroll Account, be filed for information:

<b>January 21, 2010</b>		
<b>Batch #</b>	<b>Cheque Numbers</b>	<b>Total of Batch</b>
21577	25932 to 25096	\$ 148,353.67
21593	25097 to 25131	\$ 155,887.27
21631	25132 to 25182	\$ 351,535.84
21659	25183 to 25187	\$ 3,240.20
21673	25188 to 25243	\$ 103,889.49
21676	25244 to 25256	\$ 114,788.82
21689	25257 to 25258	\$ 1,330.96
21719	25259	\$ 17,510.47
21759	25260 to 25327	\$ 240,043.06
<b>Total Cheques</b>		<b>\$ 1,136,579.78</b>
<b>Direct Debit Register</b>		
21664	Smoky Lake County	\$ 139,302.22
21697	Bank of Canada	\$ 2,250.00
21699	Smoky Lake County	\$ 76,865.46
<b>Total Direct Debits</b>		<b>\$ 218,417.68</b>
<b>Grand Total Bills and Accounts</b>		<b>\$ 1,354,997.46</b>

Carried.

**County Council Meetings**

328-10: Danyluk

That the next **County Council Meetings** be scheduled for Thursday, **February 18, 2010**; Thursday, **March 25, 2010**; Thursday, **April 15, 2010**; Thursday, **May 20, 2010**; and on Thursday, **June 17, 2010** at 9:00 a.m. to be held at the County Council Chambers; and that the **County Council Departmental Operations Meeting** be scheduled for Monday, **March 1, 2010** at 10:00 a.m. to be held at the County Council Chambers; and that the **Industry Liaison Meeting** be scheduled for Monday, **March 1, 2010** at 1:00 p.m. in the County Council Chambers.

Carried.

**ADJOURNMENT:**

329-10: Coady

That this meeting be adjourned, time 5:15 p.m.

Carried.

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REEVE

**S E A L**

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CHIEF ADMINISTRATIVE OFFICER