

LAC LA BICHE COUNTY

REGULAR COUNCIL MEETING

DATE: March 12, 2013
TIME: 10:00 a.m.
PLACE: Council Chambers
County Centre

AGENDA

1. CALL TO ORDER
2. ADOPTION OF AGENDA
3. ADOPTION OF MINUTES
 - 3.1 February 26, 2013 Regular Council Meeting Minutes;
 - 3.2 March 5, 2013 Special Council Meeting Minutes.
4. UNFINISHED BUSINESS
 - 4.1 Ministers' Briefings;
 - 4.2 Workload – Mr. Brideau to provide report;
 - 4.3 RFD – Lac La Biche Health Society (hand-out);
5. URGENT MATTERS
6. PUBLIC INPUT SESSION/DELEGATIONS/PUBLIC HEARINGS
 - 6.1 1:35 p.m. Delegation – Grand Rapides Pipeline;
 - 6.2 2:05 p.m. Delegation – Water Week Proclamation Signing;
 - 6.3 2:30 p.m. Public Hearing – Rezoning Bylaw 12-004 – Amendment to LUB – Industrial Uses;
 - 6.4 3:00 p.m. Public Input Session;
 - 6.5 6:30 p.m. Delegation - Proposed Campground Development.

7. DISPOSITION OF DELEGATION BUSINESS

- 7.1 Delegation – Grand Rapides Pipeline;
- 7.2 Delegation – Water Week Proclamation Signing;
- 7.3 Public Input Session;
- 7.4 Delegation – Proposed Campground Development.

8. NEW BUSINESS

- 8.1 RFD – Letter of Support: Traditional Village;
- 8.2 RFD – Dust Abatement Policy;
- 8.3 RFD – Draft Policy No. CS-34-004 Vehicle Use Policy;
- 8.4 RFD – Proposed New Land Sale Policy;
- 8.5 RFD – Remembrance Day Ceremony at the Bold Center;
- 8.6 RFD – Celebration of Arts Week;
- 8.7 RFD – Lac La Biche County Economic Development Strategic Plan;
- 8.8 Rezoning Bylaw No. 13-007; H & T Development; Plan 4313BF, Block 16, Lot A; from Public Institutional District (PI) to Medium Density Hamlet Residential District (MDR) (1st Reading);
- 8.9 Rezoning Bylaw No. 13-004; Amendment to the Land Use Bylaw 12-024 (Industrial Uses) (2nd and 3rd Readings);
- 8.10 RFD – Cold Mix vs. Hot Mix;
- 8.11 Portage College Future Presentation (addition to the Agenda);
- 8.12 Update on Business Development Meeting (addition to the Agenda).

9. NOTICES OF MOTION

10. IN CAMERA SESSION

- 10.1 RFD – Request for Privately Funded Road Construction on County Road Allowances Policy (section 16 FOIP).

11. ADJOURNMENT

**LAC LA BICHE COUNTY
REGULAR COUNCIL MEETING
COUNTY CENTRE, LAC LA BICHE**

MARCH 12, 2013 – 10:00 a.m.

Minutes of the Lac La Biche County Regular Council Meeting held on March 12, 2013 at 10:00 a.m.

CALL TO ORDER Mayor Langevin called the meeting to order at 10:05 a.m.

PRESENT

Aurel Langevin	Mayor
Alvin Kumpula	Councillor
Robert Richard	Councillor
Guy Piquette	Councillor
Eugene Uganecz	Councillor
MJ Siebold	Councillor (entered at 10:14 a.m.)
Tim Thompson	Councillor
Gail Broadbent-Ludwig	Councillor / Deputy Mayor
John Nowak	Councillor

**STAFF IN
ATTENDANCE**

Roy Brideau	Chief Administrative Officer
Gordon Frank	General Manager, Development & Community Services (in part)
Jeff Lawrence	General Manager, Operations (in part)
Shadia Amblie	General Manager, Communications & Human Services (in part)
Al Hoggan	Manager, Transportation Services
Dave Dittrick	Acting Manager, Planning & Development (in part)
Melanie Kanarek	Manager, Legislative Services (in part)
Joanne Onciul	Legislative Services Coordinator

ADOPTION OF AGENDA

13.067 Motion by Councillor Nowak to approve the March 12, 2013 Regular Council Meeting agenda as amended:

- Addition of Item 8.11 Portage College Future Presentation;
- Addition of Item 8.12 Update on Business Development Meeting.

CARRIED UNANIMOUSLY

IN CAMERA SESSION

13.068 Motion by Councillor Uganecz to go in camera at 10:06 a.m.

CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

4.1 Ministers' Briefings;

Councillor Siebold entered Council Chambers at 10:14 a.m.

4.2 Workload.

RETURN TO REGULAR MEETING

13.069 Motion by Councillor Uganecz to proceed with the meeting out of camera at 12:36 p.m.

CARRIED UNANIMOUSLY

RECESS

Mayor Langevin called a recess at 12:36 p.m.

RECONVENE

Mayor Langevin reconvened the meeting at 1:10 p.m. with all those Members of Council previously listed in attendance, with the exception of Councillors Thompson and Kumpula.

ADOPTION OF MINUTES

3.1 Regular Council Meeting of February 26, 2013;

Councillors Thompson and Kumpula returned to Council Chambers at 1:10 p.m.

13.070 Motion by Councillor Piquette to adopt the Regular Council Meeting minutes of February 26, 2013 as circulated.

CARRIED UNANIMOUSLY

3.2 Special Council Meeting of March 5, 2013;

13.071 Motion by Councillor Broadbent-Ludwig to adopt the Special Council Meeting minutes of March 5, 2013 as circulated.

CARRIED UNANIMOUSLY

BUSINESS ARISING OUT OF “IN CAMERA SESSION”

UNFINISHED BUSINESS

4.1 Ministers’ Briefings;

13.072 Motion by Councillor Richard to adopt the Ministers’ Briefings as amended.

CARRIED UNANIMOUSLY

4.2 Workload.

13.073 Motion by Councillor Siebold to adopt report as presented.

CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

4.3 RFD – Lac La Biche Health Society (hand-out).

13.074 Motion by Councillor Piquette that Lac La Biche County Administration assists the William J. Cadzow Hospital Auxiliary Association in the establishment of the Lac La Biche County Health Society as a branch society and further that the Lac La Biche County Mayor be designated as proposed Director of the Society by virtue of position.

CARRIED UNANIMOUSLY

NEW BUSINESS

8.1 RFD – Letter of Support: Traditional Village;

13.075 Motion by Councillor Nowak to instruct Administration to provide a letter of support on behalf of Lac La Biche County Council for the Lac La Biche Pow Wow’s application for funding to host a Traditional Village during the Pow Wow festival.

CARRIED UNANIMOUSLY

8.2 RFD – Dust Abatement Policy;

A discussion ensued regarding the Proposed Dust Abatement Policy.

PUBLIC INPUT SESSION/DELEGATIONS/PUBLIC HEARINGS

6.1 Delegation – Grand Rapides Pipeline;

Mayor Langevin introduced Council and Administration to the delegation.

Carolyn Moore-Robin and Dave Pragnell of TransCanada were present and presented a PowerPoint presentation regarding the proposed Grand Rapides Pipeline Project.

A discussion ensued regarding the proposed Grand Rapides Pipeline Project.

Mayor Langevin thanked the delegation for their presentation.

6.2 Delegation – Water Week Proclamation Signing;

Lindsay Johnson and Mardere Birkhill were present to present Mayor Langevin with a proclamation for his signature. Mayor Langevin read the proclamation aloud which proclaimed the 3rd week of March as Water Week. Mayor Langevin then signed the proclamation bringing it into effect.

Mayor Langevin thanked the delegation for their presentation.

NEW BUSINESS

8.2 RFD – Dust Abatement Policy (continued);

13.076 Motion by Councillor Siebold that Policy No. PI-30-001 Dust Abatement be implemented as amended and further that this policy be brought forward to the transportation committee for discussion.

IN FAVOUR

**Mayor Langevin
Councillor Richard
Councillor Piquette
Councillor Uganecz
Councillor Siebold
Councillor Broadbent-Ludwig
Councillor Nowak**

OPPOSED

**Councillor Kumpula
Councillor Thompson**

CARRIED

6.3 Public Hearing – Rezoning Bylaw 13-004 – Amendment to Land Use Bylaw 12-024 (Industrial Uses);

Mayor Langevin declared the public hearing open at 2:30 p.m.

Mayor Langevin asked the Senior Manager, Legislative Services whether or not the public hearing was advertised and notice was provided in accordance with the applicable legislation. The Senior Manager, Legislative Services advised that this was the case.

Dave Dittrick, Acting Manager, Planning & Development, summarized the purpose for the hearing.

Mayor Langevin asked the Senior Manager, Legislative Services if any written submissions were received. The Senior Manager, Legislative Services advised that no written submissions were received.

Mayor Langevin asked if there was anyone present wishing to speak to the proposed Rezoning Bylaw 13-004; Amendment to Land Use Bylaw 12-024 (Industrial Uses).

There was no one present wishing to speak to the proposed Rezoning Bylaw 13-004; Amendment to Land Use Bylaw 12-024 (Industrial Uses).

Mayor Langevin declared the public hearing closed at 2:35 p.m.

13.077 Motion by Councillor Kumpula to extend the meeting to the end of the agenda.

IN FAVOUR

**Mayor Langevin
Councillor Kumpula
Councillor Richard
Councillor Piquette
Councillor Uganecz
Councillor Siebold
Councillor Thompson
Councillor Broadbent-Ludwig**

OPPOSED

Councillor Nowak

CARRIED

8.3 RFD – Draft Policy No. CS-34-004 Vehicle Use Policy;

Councillor Siebold left Council Chambers at 2:40 p.m. due to a conflict of interest as she has family members employed with the County.

Councillor Richard left Council Chambers at 2:42 p.m.

Councillor Richard returned to Council Chambers at 2:42 p.m.

13.078 Motion by Councillor Piquette to adopt draft Policy No. CS-34-004 Vehicle Use Policy as presented.

CARRIED UNANIMOUSLY

RECESS

Mayor Langevin called a recess at 2:53 p.m.

RECONVENE

Mayor Langevin reconvened the meeting at 3:00 p.m. with all those Members of Council previously listed in attendance, including Councillor Siebold.

6.4 Public Input Session.

Mayor Langevin declared the public input session open at 3:00 p.m.

There was no one present for the public input session.

Mayor Langevin declared the public input session closed at 3:04 p.m.

8.4 RFD – Proposed New Land Sale Policy;

13.079 Motion by Councillor Uganecz that Council adopts the Proposed Land Sale Policy No. PI-61-012 as amended.

CARRIED UNANIMOUSLY

Gordon Frank, General Manager, Development & Community Services, requested clarification from Council with respect to Parcels 2 and 4 owned by the County, located East of the Bold Center, and whether these two properties were declared surplus.

13.080 Motion by Councillor Richard that Parcels 2 and 4 be declared surplus.

CARRIED UNANIMOUSLY

8.5 RFD – Remembrance Day Ceremony at the Bold Center;

13.081 Motion by Councillor Piquette that the County allows the Royal Canadian Legion to utilize the Bold Center facility for the Remembrance Day ceremonies and further that a grant be provided in the amount of \$700.00 from general operations to pay for the rental cost of the facility.

CARRIED UNANIMOUSLY

8.6 RFD – Celebration of Arts Week;

13.082 Motion by Councillor Uganecz that the County allows the Celebration of Arts Week to utilize the Bold Center facility for the 40th Anniversary of the Lac La Biche & District Music Festival and further that a grant be provided in the amount of \$2,750.00 from general operations to pay for the rental of the facility.

IN FAVOUR

Mayor Langevin

Councillor Richard

Councillor Piquette

Councillor Uganecz

Councillor Siebold

Councillor Thompson

Councillor Broadbent-Ludwig

Councillor Nowak

OPPOSED

Councillor Kumpula

CARRIED

8.7 RFD – Lac La Biche County Economic Development Strategic Plan;

13.083 Motion by Councillor Kumpula that County Council accepts the Lac La Biche County Economic Development Strategic Plan as presented.

CARRIED UNANIMOUSLY

RECESS

Mayor Langevin called a recess at 3:47 p.m.

RECONVENE

Mayor Langevin reconvened the meeting at 4:00 p.m. with all those Members of Council previously listed in attendance.

IN CAMERA SESSION

13.084 Motion by Councillor Kumpula to go in camera at 4:00 p.m.

CARRIED UNANIMOUSLY

10.1 RFD – Request for Privately Funded Road Construction on County Road Allowances Policy (section 16 FOIP).

RETURN TO REGULAR MEETING

13.085 Motion by Councillor Richard to proceed with the meeting out of camera at 4:23 p.m.

CARRIED UNANIMOUSLY

BUSINESS ARISING OUT OF “IN CAMERA SESSION”

10.1 RFD – Request for Privately Funded Road Construction on County Road Allowances Policy (section 16 FOIP).

13.086 Motion by Councillor Nowak that Administration approve the request as revised for the privately funded road construction on a Lac La Biche County road allowance located at SE 19-67-14-W4M, Extended Range Road 145A, as presented and discussed and that a Privately Funded Road Construction Agreement be drafted for signature by both parties and further that the gravel required to complete this road construction be provided by Lac La Biche County.

CARRIED UNANIMOUSLY

8.10 RFD – Cold Mix vs. Hot Mix;

13.087 Motion by Councillor Uganecz that Administration be directed to discontinue the use of Cold Mix for all new road construction projects requiring a paved or hardened surface.

CARRIED UNANIMOUSLY

Motion #13.087 was rescinded on June 13, 2023-Motion #23.457

8.8 RFD – Rezoning Bylaw No. 13-007; H & T Development; Plan 4313BF, Block 16, Lot A; from Public Institutional District (PI) to Medium Density Hamlet Residential District (MDR) (1st Reading);

Councillor Thompson declared a conflict of interest as he is doing work with the contractor and left Council Chambers at 4:30 p.m.

Councillor Richard declared a conflict of interest due to his business interest and left Council Chambers at 4:34 p.m.

Discussion ensued regarding the proposed usage of the LacAlta Lodge.

Councillor Nowak left Council Chambers at 4:53 p.m.

13.088 Motion by Councillor Siebold that Bylaw 13-007 be tabled to a subsequent Council Meeting to allow Administration to obtain more information with respect to the future development, parking and potential zoning choices.

IN FAVOUR

Mayor Langevin

Councillor Kumpula

Councillor Piquette

Councillor Siebold

Councillor Broadbent-Ludwig

OPPOSED

Councillor Uganecz

CARRIED

Councillor Thompson and Councillor Richard returned to Council Chambers at 5:00 p.m.

RECESS

Mayor Langevin called a recess at 5:02 p.m.

RECONVENE

Mayor Langevin reconvened the meeting at 6:00 p.m. with all those Members of Council previously listed in attendance, including Councillor Nowak.

8.9 RFD – Rezoning Bylaw No. 13-004; Amendment to the Land Use Bylaw 12-024 (Industrial Uses) (2nd and 3rd Readings);

13.089 Motion by Councillor Siebold that Bylaw 13-004 be given second reading this 12th day of March, 2013.

CARRIED UNANIMOUSLY

8.9 RFD – Rezoning Bylaw No. 13-004; Amendment to the Land Use Bylaw 12-024 (Industrial Uses) (2nd and 3rd Readings) continued;

13.090 Motion by Councillor Uganez that Bylaw 13-004 be given third and final reading this 12th day of March, 2013.

CARRIED UNANIMOUSLY

8.11 Portage College Future Presentation;

A discussion ensued regarding a proposed meeting with the Portage College Board sometime in April or May. Mayor Langevin will contact the chair, Brydon Ward to discuss this proposed meeting and inquire if an earlier date is possible.

Mr. Brideau, Chief Administrative Officer, advised that Mr. Langford, previous President of Portage College, is interested in providing Council with a history lesson with respect to the College while he was President.

Council agreed with the proposed delegation and requested that Mr. Brideau arrange a meeting with Mr. Langford.

8.12 Update on Business Development Meeting.

A discussion ensued regarding the update on the Business Development Meeting.

6.5 Delegation – Proposed Campground Development.

Councillor Siebold and Councillor Nowak declared a conflict of interest as they are both on the Subdivision Development Appeal Board and left Council Chambers at 6:24 p.m.

Mayor Langevin introduced Council and Administration.

Greg Patterson and Renee Johnson, residents of Poplar Point, were present to speak on behalf of several residents of Poplar Point. Mr. Patterson provided an overview of the nature of the Subdivision Development Appeal that was filed.

Mayor Langevin explained that this matter is before the Subdivision Development Appeal Board (SDAB).

Melanie Kanarek, Manager, Legislative Services, and Secretary of the SDAB provided an overview of the Secretary's process thus far.

Ms. Kanarek noted that Legislative Services is working on several information and FOIP requests regarding this file.

Mr. Patterson asked Council to entertain the idea of having the delegation attend at a future Council meeting after the Hearing to allow residents the ability to express their concerns.

A discussion ensued regarding the SDAB process.

The delegation thanked Council for their time, and Mayor Langevin thanked the delegation for their presentation.

RECESS

Mayor Langevin called a recess at 6:48 p.m.

RECONVENE

Mayor Langevin reconvened the meeting at 6:54 p.m. with all those Members of Council previously listed in attendance, including Councillors Siebold and Nowak.

DISPOSITION OF DELEGATION BUSINESS

7.1 Delegation – Grand Rapides Pipeline;

13.091 Motion by Councillor Nowak that a letter thanking the Grand Rapides Delegation for their presentation be sent and further that it be mentioned that Lac La Biche County looks forward to future dealings with them.

CARRIED UNANIMOUSLY

7.2 Delegation – Water Week Proclamation Signing;

No Action Required.

7.3 Public Input Session;

No Action Required.

7.4 Delegation – Proposed Campground Development.

It was noted that follow up discussion would be allowed at a future meeting.

IN CAMERA SESSION

13.092 Motion by Councillor Nowak to go in camera at 7:00 p.m.

CARRIED UNANIMOUSLY

6.5 Proposed Campground Development.

Councillor Siebold and Councillor Nowak declared a conflict of interest as they are both on the Development Appeal Board and left Council Chambers at 7:00 p.m.

Councillor Siebold and Councillor Nowak returned to Council Chambers at 7:03 p.m.

A discussion ensued regarding the disposition of County lands (section 25 FOIP).

RETURN TO REGULAR MEETING

13.093 Motion by Councillor Nowak to proceed with the meeting out of camera at 7:45 p.m.

CARRIED UNANIMOUSLY

BUSINESS ARISING OUT OF "IN CAMERA SESSION"

No Action Required.

ADJOURNMENT

13.094 Motion by Councillor Uganecz to adjourn the Regular Council Meeting of March 12, 2013 at 7:45 p.m.

CARRIED UNANIMOUSLY

Aurel Langevin, Mayor

**J. Roy Brideau, CLGM, CMM
Chief Administrative Officer**



WATER WEEK PROCLAMATION

Sponsored by the NATIONAL ORGANIZING PARTNERS FOR CANADA WATER WEEK.

WHEREAS the National Organizing Partners for Canada Water Week - Walter and Duncan Gordon Foundation, World Wildlife Fund Canada and Living Lakes Network Canada - have identified the third week in March as Canada Water Week;

AND WHEREAS Canada is home to some of the largest, most beautiful and most economically important rivers and lakes in the world;

AND WHEREAS residents in our communities have an important and celebrated connection to rivers, lakes and waterways;

AND WHEREAS a week profiling the importance of clean water would increase public awareness that we need to take care of, protect and restore freshwater ecosystems in and near our communities;

AND WHEREAS public opinion surveys continue to reveal that a clear majority of Canadians consider fresh water to be the nation's most important natural resource;

AND WHEREAS March 22nd is internationally recognized as World Water Day.

NOW I, Carol Langwin, Mayor of Lac La Biche County
DO HEREBY PROCLAIM the third week in March as Water Week.

Signed this 12 day of March, 2013.

LAC LA BICHE COUNTY POLICY

TITLE: DUST ABATEMENT	POLICY NO: PI-30-001
RESOLUTION: 13.076	EFFECTIVE DATE: MARCH 9, 2010
LEAD ROLE: MANAGER, TRANSPORTATION SERVICES	NEXT REVIEW DATE: MARCH 12, 2014
SPECIAL NOTES/CROSS REFERENCE: IS-31-001/ PW-008	AMENDMENT DATE: MARCH 12, 2013

POLICY STATEMENT:

In order to provide dust control applications on County roadways for the health and safety of the residents.

PROCEDURE:

1. Lac La Biche County shall implement the use of Calcium Chloride as the dust abatement product only. Dust abatement will be at a cost share with the applicant's at a charge of \$240.00 per 200 meters as set out in Policy CS-10-012, Schedule of Fees and Charges.
2. Lac La Biche County may supply dust control applications for a distance of 200 meters on municipal roadways, directly in front of farmsteads, residences, cemeteries, community organizations, churches and businesses.
3. If the resident requests treatment for more than 200 meters, they will be responsible for the total additional cost as established yearly in the Schedule of Fees and Charges Policy approved by council. Lac La Biche County may be responsible for only one application per year dependent on annual budget constraints.
4. Lac La Biche County will advertise the procedures for dust control, requiring all interested residents to submit an application before April 30 of each year. Late applications shall be considered for the dust control application, however the placement cannot be guaranteed in the same year.
5. In instances where the Transportation Services Department determines that dust control will not be effective due to road and material conditions, or that the application will degrade the current road status to an unsafe condition, the work shall not be completed and the resident will be notified by the Manager of Transportation Services.
6. Lac La Biche County does not guarantee in any way the effectiveness of the dust control agent or the application.
7. Lac La Biche County reserves the right to maintain and grade the treated sections of any roadway as necessary to ensure a safe driving surface. Lac La Biche County may restore

the dust control application at the County's discretion, should damages occur through the county maintenance activities.

8. The application of dust control on gravel haul roads is at the discretion of Manager of Transportation Services.
9. In areas where dust control measures are not warranted by this policy, dust control measures may be completed upon customer's request, however the customer shall bear the total cost as established in the Schedule of Fees and Charges Policy.
10. Lac La Biche County may offer dust control services to residents solely dependent on annual budgetary constraints.
11. At the CAO's or designates discretion, dust control may be applied on any County Road as applicable.

"Original Signed"
Chief Administrative Officer

April 8, 2013
Date

"Original Signed"
Mayor

April 15, 2013
Date



LAC LA BICHE COUNTY POLICY

TITLE: VEHICLE USE POLICY	POLICY NO: CS-34-004
RESOLUTION: 13.078	EFFECTIVE DATE: MARCH 15, 2012
LEAD ROLE: GENERAL MANAGER, OPERATIONS	NEXT REVIEW DATE: MARCH 12, 2016
SPECIAL NOTES/CROSS REFERENCE: This policy is to be used in conjunction with the Travel and Subsistence Policy CS-10-002 and the Vehicle Use Procedure.	AMENDMENT DATE: MARCH 12, 2013

POLICY STATEMENT:

Lac La Biche County maintains a fleet of County owned and leased vehicles for the purpose of enabling employees and elected officials to carry out business supported by the County.

Employees' assigned County vehicles shall be used only for company business and not for personal use as defined in the procedures.

Employees may use their own vehicle for County business as approved by the CAO or his designate and are subject to the travel and subsistence policy.

The County is committed to using innovative and equitable approaches to accomplish the goals of this policy and will consider the incorporation of new information and practices as they become available through research and monitoring efforts undertaken locally, regionally, provincially, and/or nationally.

The use of these vehicles by employees, elected officials and appointed officials to conduct County business shall be addressed through the office of the Chief Administrative Officer or delegate as assigned by the Chief Administrative Officer.

Administration shall establish procedures for this policy and shall be responsible to ensure the spirit and intent of the policy is adhered to.

“Original Signed”

Chief Administrative Officer

March 15, 2013

Date

“Original Signed”

Mayor

March 22, 2013

Date



LAC LA BICHE COUNTY POLICY

TITLE: LAND SALE POLICY	POLICY NO: PI-61-012
RESOLUTION: 13.079	EFFECTIVE DATE: MARCH 12, 2013
LEAD ROLE: MANAGER, PLANNING & DEVELOPMENT	NEXT REVIEW DATE: MARCH 12, 2014
SPECIAL NOTES/CROSS REFERENCE:	AMENDMENT DATE:

POLICY STATEMENT:

Lac La Biche County owns a wide variety of land assets, some of which are essential to maintaining services and operations for the municipality.

Over time land may become surplus to the County’s needs. When land is made available for sale it will be done with the consent of Council, ensuring the value obtained from the sale is reinvested into future land development activities.

The sale of lands shall use a consistent, transparent procedure and shall be in accordance with the Municipal Government Act. The process shall seek to maximize the financial benefit to the County and shall be sold at fair or greater than fair market value.

The sale of lands that is for the purpose of development shall be sold to ensure it maximizes the community benefit to the County by ensuring the creation of new employment or other economic development benefits. The sale of lands for land banking shall not be allowed.

When the Council deems it is appropriate to sell land to an independent third party seeking to purchase land from the County, Council may authorize by resolution, Administration to negotiate a sole source sale. Any such sale through a sole source process shall be advertised for a minimum of two weeks to allow the public to comment on the proposed sale.

If an independent third party seeks to purchase lands and require a change in use, Council may consider an offer subject to the land being appraised as the best use and determine a fair market value.

Administration shall establish procedures for this policy and shall be responsible to ensure the spirit and intent of the policy is adhered to.

“Original Signed”

 Acting Chief Administrative Officer

April 4, 2013

 Date

“Original Signed”

 Mayor

April 4, 2013

 Date

LAC LA BICHE COUNTY PROCEDURE

TITLE: LAND SALE PROCEDURE

POLICY NO: PI-61-012

SPECIAL NOTES/CROSS REFERENCE: PI-61-012 LAND SALE POLICY AMENDMENT DATE: MARCH 12, 2013

PROCEDURE:

1. The Chief Administrative Officer shall ensure that the sale of any lands shall utilize a consistent and transparent process and maximize the financial benefit to the County and lands shall be sold at fair or greater than fair market value as defined with the procedure.
2. There shall be five (5) methods of selling of lands, as determined by the relevant departmental manager or the C.A.O. as follows:
 - (i) Placement on the market through a general listing with the (preferably local) realtor. When the land being sold is sufficiently significant to likely warrant interest from outside of the community, a regional or national realtor may be engaged. Selection of the realtor shall be done in accordance with the Purchasing Policy to ensure the County receives a competitive price.
 - (ii) A public auction that is:
 - (a) Held by a professional auctioneer, and;
 - (b) Advertised by the auctioneering company; and
 - (c) Has a minimum reserve bid price to be determined prior to the auction.
 - (iii) A public sale that:
 - (a) Is advertised a minimum of two (2) weeks prior to the sale in a local newspaper, and through other means including electronic or website notification, posted public notice, or other format acceptable to CAO or his designate; and
 - (b) Has a minimum reserve bid price to be determined prior to the sale; and
 - (c) Has a closing date for the submission of offers or bids; and
 - (d) Is determined through bids or offers received in sealed envelopes and date stamped on receipt by the County.
 - (iv) A public posting on the internet that:
 - (a) Is accessible by the public (i.e. County website, Kijiji, Ebay); and
 - (b) Has a minimum price determined prior to public posting; and
 - (c) Is sold to the first bidder that meets the minimum sale price and any sale conditions.

- (v) Council may by resolution, authorize Administration to conduct a sale through a sole source process, and to negotiate directly with a third party for the sale of the lands, provided that an independent appraisal, satisfactory to the County, has been prepared. Any such sale through a sole source process shall be advertised to allow the public to comment on the proposed sale. If the change of use is initiated by a third party, the County shall conduct a re-appraisal with the costs being borne by the third party.

3. All listings shall include the following information:

- (i) Property Description;
- (ii) Legal Land Location;
- (iii) Property Size;
- (iv) Current Zoning;
- (v) Road Access;
- (vi) Services;
- (vii) Offsite Levies; and
- (viii) Appraised Value.

4. Prior to selling any land, the department responsible for land sales shall circulate information on the lands to be disposed to all departments for comment.

5. The department shall receive comments within 7 business days and prepare a recommendation to the CAO for consideration.

6. All lands offered for sale shall have an appraisal completed based on the principle of market value as estimated by an independent accredited appraiser; and if the land for sale is not sold within one year from the date on which the appraisal is made, a new appraisal may be obtained before the property is sold.

7. An appraisal shall not be disclosed to the public until after the sale of the property has been completed if such disclosure could reasonably be expected to prejudice the economic interests of the County or could reasonably be expected to be injurious to the financial interests of the County.

8. If the land being sold is:

- (i) a road right-of-way; or
- (ii) a Municipal Reserve (MR); or
- (iii) a Municipal and School Reserve (MSR); or
- (iv) a Community Services Reserve (CSR); or
- (v) an Environmental Reserve (ER) parcel;

the sale shall be approved by Council pursuant to the relevant provisions of the Municipal Government Act or any other enactment relative to the land.

9. If the land being sold is a closed road right-of-way, landowners adjacent to the closed portion shall be consulted to determine their interest in purchasing a closed road right-of-way.

10. As part of any sale, CAO shall impose any limitations, terms or conditions on the sale it deems necessary, to ensure that the intent of the Land Sales Policy is met, including but not limited to:
 - (i) Offers to purchase be accompanied by a deposit of a percentage of the offer in cash, certified cheque, money order, or credit card payment; and
 - (ii) Deposits be applied to an accepted offer or refunded if the offer is refused; and
 - (iii) Default or purchaser cancellation shall result in forfeit of the deposit.
 - (iv) Should a bid or offer be submitted through a realtor, there will be no commission paid by the County to the realtor.
 - (v) a requirement to develop the lands within a specified time frame; and
 - (vi) a first right of refusal to purchase the lands within a specified time frame if they are offered for resale; and
 - (vii) a re-purchase or transfer back provision if development is not undertaken within a specified time frame.
11. If the minimum or reserve price is not received for land offered for sale to the general public at a public auction, sale or bid, the land shall not be sold.
12. The proceeds from the sale of non-reserve lands shall be allocated to a County reserve as directed by Council.
13. Proceeds from sales of Municipal Reserves (MR), Municipal and School Reserves (MSR), Community Services Reserve (CSR) or Environmental Reserves (ER) shall be allocated to the Cash in Lieu of Municipal Reserve Account.
14. A description of land sold shall be forwarded to the Finance department to remove the item from the County's tangible capital asset schedule and from any insurance policies.

“Original Signed”
Acting Chief Administrative Officer

April 4, 2013
Date