

<i>COUNTY OF WETASKIWIN NO. 10</i> Municipal Policy & Procedures Manual	FUNCTION: 3000 PUBLIC WORKS SERVICES
	SECTION: 3200 ROAD TRANSPORT

AGGREGATE RESEARCH AND DEVELOPMENT POLICY #3213

POLICY STATEMENT

The Council of the County of Wetaskiwin recognize the need to identify and develop sources of aggregate to enable the continued maintenance and upgrading of local roads at a reasonable cost to County taxpayers. The County of Wetaskiwin shall endeavour to identify these sources through research and development on private land and shall enter into Agreements with landowners to conduct test sites and to secure any deposits found as a result of the tests. As time is of the essence in the identification and development of aggregate deposits, Council hereby delegates authority to the Chief Administrative Officer to enter into initial Agreements with landowners for the purposes of testing and possible future development of aggregate deposits.

PROCEDURES

Once the potential for an aggregate deposit on private land has been identified, the Chief Administrative Officer shall enter into a Research and Development Agreement with the Landowner under the following terms and conditions:

1. The landowner shall grant the County the right to enter upon the lands to conduct tests to determine the presence of a viable aggregate deposit. In the event the tests do not support further development, the County shall reclaim any disturbed land to its former condition with no further compensation owing to the landowner.
2. Should the tests prove positive, the Chief Administrative Officer, or his delegate, shall enter into negotiations with the landowner for the lease of the land containing the aggregate, and a royalty amount shall be agreed upon, based on fair market value of the deposit. The Landowner shall agree to offer the County First Right of Refusal for the purchase of the aggregate based on the agreed-upon Fair Market Value.

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3. The Research and Development Agreement does not imply a guarantee of future Royalties for any or all aggregate identified through the test process, and further negotiation after identification of aggregate deposits shall be at the discretion of the Chief Administrative Officer. Should the Chief Administrative Officer choose not to negotiate for future development of the site, the landowner shall have no further obligation to the County under this Agreement.
4. All other terms and conditions of the Agreement shall be negotiated at the discretion of the Chief Administrative Officer or his delegate.

The Royalty Agreement, once executed by the landowner, shall be accepted by resolution of Council before it is considered a valid agreement, and the Landowner shall be notified that all terms and conditions of the Agreement are subject to this final ratification by the Council of the County of Wetaskiwin.

Should the landowner refuse the County's offer for the purchase of any or all viable aggregate deposits, the County shall retain the right to seek legal retribution for the loss of the resource and to recover all costs associated with the testing and reclamation.

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