

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD NOVEMBER 24, 2014 IN THE COUNTY ADMINISTRATIVE OFFICE, LETHBRIDGE, ALBERTA.

PRESENT:

Division No. 1	- L. Hickey, Reeve
Division No. 3	- H. Doeve, Deputy Reeve (present at 9:43 a.m.)
Division No. 2	- J. Willms
Division No. 4	- K. Benson
Division No. 5	- S. Campbell
Division No. 6	- T. White
Division No. 7	- M. Zeinstra

ADMINISTRATION PRESENT:

Chief Administrative Officer	- R. Robinson
Director of Corporate Services	- T. Anderson
Director of Municipal Services	- K. Viergutz
Director of Community Services	- L. Randle
Recording Secretary	- D. Irwin

REEVE LORNE HICKEY IN THE CHAIR

CALL TO ORDER Reeve Hickey called the meeting to order at 9:38 a.m.

AMENDMENTS TO THE AGENDA

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the November 24, 2014 agenda.

- F1. Regional Drainage Committee – Southern Regional Stormwater Management Plan – Executive Summary
- F2. Bylaw 1432 - Road Closure & Consolidation – Felger Farming Co. Ltd. - Portions of Undeveloped Road Right-of-Way, between N.W. 22-7-21-W4 & N.W. 27-7-21-W4
- G5. Twinning with County of Anyang, China
- G6. Sunnyside School and Community Association Re: Letter of Support for Community Facility Enhancement Program (CFEP)
- I1. University of Lethbridge Re: Community Christmas Open House – Tuesday, December 9, 2014 – Dr. Foster James Penny Building

554/14 J. WILLMS MOVED that County Council approves the agenda as amended.
CARRIED

CONFIRMATION **B1. Confirmation of Minutes**

555/14 S. CAMPBELL MOVED that the November 6, 2014 Council Minutes be approved as presented.
CARRIED

IN-CAMERA **J1. Legal**

556/14 K. BENSON MOVED that County Council go In-Camera at 9:41 a.m.
CARRIED

Note: Deputy Reeve Doeve present at 9:43 a.m.

Reeve

Chief Administrative Officer

557/14 M. ZEINSTRA MOVED that County Council come out of In-Camera at 10:28 a.m. CARRIED

MUNICIPAL SERVICES

F1. Regional Drainage Committee – Southern Regional Stormwater Management Plan – Executive Summary

558/14 S. CAMPBELL MOVED that County Council receive item F1. Regional Drainage Committee – Southern Regional Stormwater Management Plan – Executive Summary for information. CARRIED

F2. Bylaw 1432 - Road Closure & Consolidation – Felger Farming Co. Ltd. - Portions of Undeveloped Road Right-of-Way, between N.W. 22-7-21-W4 & N.W. 27-7-21-W4

559/14 J. WILLMS MOVED that County Council receive item F2. Bylaw 1432 – Funding of Road Closure & Consolidation – Felger Farming Co. Ltd. - Portions of Undeveloped Road Right-of-Way, between N.W. 22-7-21-W4 & N.W. 27-7-21-W4 for information and further that Administration request a Letter of Intent from Alberta Transportation regarding Alberta Transportation making payment to Lethbridge County for the costs of the legal surveying and land registration associated with the road closure after completion of the Closure. CARRIED

COMMUNITY SERVICES

G1. Bylaw 1435 - Vantage Trailer Sales Inc.- Amendment to Land Use Bylaw - Rezoning Plan 1107 JK, Parcel 'W' - Business Light Industrial (BLI) - First Reading

560/14 T. WHITE MOVED first reading of Bylaw 1435. CARRIED

G2. Policy 161 – Donations to Community Organizations, Programs, Events & Activities

561/14 M. ZEINSTRA MOVED that County Council approves amended Policy 161 – Donations to Community Organizations, Programs, Events & Activities as presented by Administration. CARRIED

APPOINTMENTS

E1. Brad Tucker, Executive Director - Canadian Badlands

Reeve Hickey welcomed Brad Tucker, Executive Director, Canadian Badlands to the meeting at 11:00 a.m. Council introduced themselves to Mr. Tucker.

Mr. Tucker provided Council with a presentation regarding the Canadian Badlands.

Reeve Hickey thanked Mr. Tucker for attending the meeting. Mr. Tucker retired at 11:32 a.m.

562/14 T. WHITE MOVED that County Council accepts the presentation from Canadian Badlands for information. CARRIED

E2. Cst. Darrell Craig Re: RCMP Quarterly Update

563/14 T. WHITE MOVED that County Council accepts the report presented by Constable Darrell Craig regarding the RCMP Quarterly Update for information. CARRIED

Reeve

Chief Administrative Officer

- 564/14 M. ZEINSTRA MOVED the meeting recess for lunch at 11:55 a.m. CARRIED
- The meeting reconvened at 1:28 p.m. with all members of Council present as previously stated.

COMMUNITY SERVICES

G3. CPR Land Project - Update

- 565/14 K. BENSON MOVED that Council receives the CPR Land Project Update report for information. CARRIED

G4. Coaldale & District Emergency Services Christmas Banquet & Awards Night - Nov 29/2014

- 566/14 J. WILLMS MOVED that County Council receives the invitation from the Coaldale & District Emergency Services regarding their 58th Annual Christmas Banquet & Awards Presentation for information. CARRIED
- 567/14 J. WILLMS MOVED that County Council send a letter of appreciation to the Coaldale & District Emergency Services for the long standing joint efforts between our communities and also to inform that Lethbridge County will inform Coaldale & District Emergency Services as soon as the date for the 2015 Lethbridge County Christmas party is chosen to ensure future date conflicts with the Coaldale & District Emergency Services Christmas Banquet & Awards Night are avoided. CARRIED

G5. Twinning with County of Anyang, China

- 568/14 H. DOEVE MOVED that County Council table item G5. Twinning with the County of Anyang, China until such time as the Director of Community Services further investigates the cultural protocol as it relates to extending an invitation to the County of Anyang, China. CARRIED

G6. Sunnyside School and Community Association Re: Letter of Support for Community Facility Enhancement Program (CFEP)

- 569/14 M. ZEINSTRA MOVED that County Council sends a letter of support to the Sunnyside School and Community Association in support of their application to the Community Facility Enhancement Program (CFEP) application for updated playground facilities. CARRIED

ADMINISTRATION

I1. University of Lethbridge Re: Community Christmas Open House – Tuesday, December 9, 2014 – Dr. Foster James Penny Building

- 570/14 J. WILLMS MOVED that Councillor Ken Benson be authorized to attend the University of Lethbridge Community Christmas Open House scheduled for Tuesday, December 9, 2014 at 5:30 p.m. to 8:00 p.m. hosted by President Mike Mahon, and his wife, Maureen. CARRIED

IN-CAMERA

J1. Legal

- 571/14 T. WHITE MOVED that County Council authorizes Administration to seek legal input regarding this matter. CARRIED

Reeve Hickey recessed the meeting at 1:56 p.m.
The meeting reconvened at 2:00 p.m.

Reeve

Chief Administrative Officer

APPOINTMENTS **E3. PUBLIC HEARING Bylaw #1430 - Houweling, Andy & Sharon - Amendment to Land Use Bylaw - Rezoning Lot 1, Block 1, Plan 9913181 - Rural General Industrial**

572/14 K. BENSON MOVED that the Public Hearing for Bylaw #1430 - Houweling, Andy & Sharon - Amendment to Land Use Bylaw Re: Rezoning Lot 1, Block 1, Plan 9913181 - Rural General Industrial (RGI) open at 2:00 p.m. CARRIED

Reeve Hickey welcomed the delegation to the meeting. The delegation consisted of:

A. Houweling

Reeve Hickey declared the public hearing is being held pursuant to the Municipal Government Act as amended for Bylaw #1430 Land Use Bylaw Amendment.

Reeve Hickey invited Ms. Hilary Janzen, Development Officer/Senior Planner to give an overview of the application.

Ms. Janzen stated the following:

- An application has been made by Andy and Sharon Houweling to amend Land Use Bylaw 1404.
- The purpose of the amendment is to rezone a portion of Lot 1, Block 1, Plan 9913181 from Rural Urban Fringe (RUF) to Rural General Industrial (RGI). The proposed rezoning is a half mile southwest of the Town of Picture Butte and approximately a quarter mile south of the County's Shop on Range Road 21-4.
- It is the intent of the landowner to re-designate the subject lands to bring the use of the property (Agricultural Service) into compliance with the Land Use Bylaw 1404.
- Under the current Land Use Bylaw 1404 Agricultural Service is not allowed, as either permitted or discretionary use, under the Rural Urban Fringe. The Rural General Industrial District allows Agricultural Services as a permitted use.
- The application was sent to other County Departments and no concerns were raised with the proposed rezoning.
- A notice of the application was referred to the Town of Picture Butte and they have no concerns with the rezoning request as long as the proposal will not allow for the expansion or enhancement to the livestock operation.
- A notice of the proposed bylaw was advertised in the November 4th and 11th editions of the Sunny South News and a notice also sent to the adjacent landowners. No concerns or comments were received regarding the proposed re-designation.

Reeve Hickey asked if Council had any questions of Ms. Janzen.

Council enquired that once the rezoning is approved the landowner can then apply for the Development Permit?

Ms. Janzen replied that yes, once a subdivision gets approved the applicant may then apply for a development permit.

Reeve Hickey asked three times if anyone present wished to speak in favor of Bylaw 1430.

No one came forward.

Reeve

Chief Administrative Officer

Reeve Hickey asked three times if anyone wished to speak in opposition of Bylaw 1430.

No one came forward.

Reeve Hickey asked three times if anyone present wished to speak regarding Bylaw 1430.

No one came forward.

Reeve Hickey noted that this was the last call for anyone wishing to speak.

- 573/14 J. WILLMS MOVED that the Public Hearing for Bylaw #1430 - Houweling, Andy & Sharon - Amendment to Land Use Bylaw - Rezoning Lot 1, Block 1, Plan 9913181 - Rural General Industrial (RGI) close at 2:09 p.m.
- 574/14 K. BENSON MOVED second reading of Bylaw 1430. CARRIED
- 575/14 T. WHITE MOVED third reading of Bylaw 1430. CARRIED

Reeve Hickey thanked the delegation for attending the meeting. The delegation retired at 2:10 p.m.

CORPORATE SERVICES

H1. 2014 Tax Auction Reserve Bid & Conditions

- 576/14 H. DOEVE MOVED that County Council approves the reserve bids and conditions for the 2014 Tax Sale on roll numbers:

Roll Number	Plan	Block	Lot	Legal Land Description	Certificate of Title	Reserve Bid
11460000	104DS	2	18 & N1/2 19	SW 3-12-19-W4	091019740	\$180,000
61830000	6150Y	Y		Sec 1-10-23-W4	061276723	\$275,000

CARRIED

APPOINTMENTS

E4. PUBLIC HEARING Bylaw #1431 - J. Dean Sandham Professional Corp. - Amendment to Land Use Bylaw - Rezoning Lots 1 & 2, Plan 9711954 (S.E. 1/4 16-9-22-W4) - Grouped Country Residential

- 577/14 S. CAMPBELL MOVED that the Public Hearing for Bylaw #1431 - J. Dean Sandham Professional Corp. - Amendment to Land Use Bylaw - Rezoning Lots 1 & 2, Plan 9711954 (S.E. 1/4 16-9-22-W4) - Grouped Country Residential (GCR) open at 2:37 p.m. CARRIED

Reeve Hickey welcomed the delegation to the meeting. The delegation consisted of:

N. Paladino

Reeve Hickey declared the public hearing is being held pursuant to the Municipal Government Act as amended for By-Law #1431 Land Use Bylaw Amendment.

Reeve Hickey invited Ms. Hilary Janzen, Development Officer/Senior Planner to give an overview of the application.

Ms. Janzen stated the following:

Reeve

Chief Administrative Officer

- An application has been made by Brown Okamura and Associates on behalf of J. Dean Sandham Professional Corporation to amend Land Use Bylaw 1404.

Note: Councillor J. Willms departed at 2:39 p.m.

- The purpose of the amendment is to rezone Lots 1 and 2, Plan 9711954 (12.13 acres) from Lethbridge Urban Fringe (LUF) to Grouped Country Residential (GCR).
- The proposed re-designation is directly east of the McDermott Subdivision and is about a half mile northwest of the City of Lethbridge.
- It is the intent of the landowner to re-designate the subject lands in order to subdivide the 2 existing parcels into 4 country residential parcels.
- The applicant has provided a Conceptual Design Scheme to support the proposed re-designation and subdivision.
- The application was sent to other County Departments and no concerns were raised with the proposed rezoning.
- The application has been referred to the City of Lethbridge, the Town of Coalhurst and other external agencies. Both the City of Lethbridge and Town of Coalhurst have no objections to the proposed re-designation.
- No objections were expressed regarding the proposed application from the external agency referral.
- A notice of the proposed re-designation was included in the November 4th and 11th editions of the Sunny South News and a notice also sent to the adjacent landowners.
- One objection was received after the deadline for comments. Headwater Equipment sent in a letter stating their concerns with the proposed rezoning and subsequent subdivision.
- Their concerns were with regards to the proximity of residential properties to an industrial use, potential noise complaints regarding the activity at Headwater, road use, access to potable water (through the water co-op) when Headwater has not been able to get access themselves.
- Upon review of the concerns found that the location of the residences would be no closer, in fact, farther away from the Headwater buildings than those in Coalhurst; the County has other developments where residential properties are located near to industrial properties; the ability to get access to potable water from the co-op is because the properties are residential not commercial uses and the water co-op has been unable to service commercial properties because of the agreement with the City for the distribution of potable water. It was also noted that as it stands two residences could be located on the parcels with no need for re-designation or subdivision.

Reeve Hickey asked if Council had any questions of Ms. Janzen.

Council enquired that if the rezoning were approved the applicant could then apply for subdivision.

Ms. Janzen stated that yes, this was the case.

Kevin Viergutz, Director of Municipal Services stated that initially the North County Potable Water Co-op refused to add Headwater Equipment to the system as they would not allow commercial connections as per the Master Agreement between the County and the City.

The Co-op is now reviewing their policy as a connection has been approved by the City of Lethbridge. Also, correspondence has been received from the Town of Coalhurst indicating that they are willing to discuss connecting Headwater to the McDermott Subdivision water system.

Reeve

Chief Administrative Officer

Steve Harty, Senior Planner, Oldman River Regional Services Commission stated these applicants came to him in the spring of 2013 to subdivide. Under the Land Use Bylaw (LUB) 1211 at that time, the landowner could split the parcel into two and they could have proceeded through the process as a re-split of titles 20-acres or less in size, with no redesignation required. However the County was in the middle of discussions with the Town of Coalhurst regarding the Intermunicipal Development Plan. The Planning Commission thought it prudent to wait with the application. Once the redrafted IDP was completed it became clear that this area was excluded. In May of 2013, the County draft review of LUB also contained a new Group County Residential policy requiring a redesignation for 3 or more contiguous parcels. The applicants were also asked to get soil tests for their 4 lots in which delayed their subdivision application being submitted and before they had completed this, Council had adopted a new LUB the fall of 2013 so the new rules came into effect. The applicants understood there might be policy changes, and they agreed to wait and have complied with requests for soil samples.

Reeve Hickey asked if anyone present wished to speak in opposition of Bylaw 1431.

Mr. Nick Paladino addressed Council and stated the following.

- Mike and Matt Stringer are in Grande Prairie today and they asked that I present on their behalf.
- The Stringers are concerned that their current business will be impacted by adding a couple more residents to the area.
- The County will receive complaints from residents from dust and noise.
- The development would be too close to an industrial operation.
- The parcel to the south is currently being applied for more industrial.
- The City of Lethbridge is aware that Headwater is going to expand and Headwater has been told that water is approved.
- The Stringers are concerned that their business will be constricted by Grouped Country Residential zoning.

Council enquired what Alberta Transportation had to say about the access to Coalhurst.

Ms. Janzen stated that she has been advised by Alberta Transportation that the access would remain open. They have received the application and they had no concerns with the proposal at this point in time.

Reeve Hickey asked three times if anyone present wished to speak in favor of Bylaw 1431.

No one came forward.

Reeve Hickey asked three times if anyone wished to speak in opposition of Bylaw 1431.

No one came forward.

Reeve Hickey noted that this was the last call for anyone wishing to speak.

No one came forward.

Reeve

Chief Administrative Officer

578/14 T. WHITE MOVED that the Public Hearing for Bylaw #1431 - J. Dean Sandham Professional Corp. - Amendment to Land Use Bylaw - Rezoning Lots 1 & 2, Plan 9711954 (S.E. 1/4 16-9-22-W4) - Grouped Country Residential close (GCR) at 2:54 p.m. CARRIED

579/14 M. ZEINSTRAS MOVED second reading of Bylaw 1431.

MOTION DEFEATED

Reeve Hickey thanked the delegation for attending the meeting. The delegation retired at 2:55 p.m.

Note: Councillor J. Willms present at 2:55 p.m.

CORPORATE SERVICES

H2. 2014 Tax Recovery Grazing Lease Land Review

580/14 K. BENSON MOVED that County Council authorizes Administration to proceed with the recommendations for the 2014 Tax Recovery Grazing Lease Land Review as presented. CARRIED

Note: Councillor T. White excused himself from the meeting at 3:15 p.m. due to pecuniary interest regarding item H3. 2014 Land Review.

H3. 2014 Land Review

581/14 M. ZEINSTRAS MOVED that County Council authorizes Administration to proceed with the recommendations regarding the Rakus Lease for the 2014 Land Review as presented. CARRIED

582/14 S. CAMPBELL MOVED that County Council authorizes Administration to proceed with the recommendations for the 2014 Land Review as presented. CARRIED

Note: Councillor T. White present at 3:37 p.m.

ADJOURNMENT

583/14 H. DOEVE MOVED the meeting adjourn at 3:37 p.m. CARRIED

Reeve

Chief Administrative Officer