

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD DECEMBER 18, 2014 IN THE COUNTY ADMINISTRATIVE OFFICE, LETHBRIDGE, ALBERTA.

PRESENT:

Division No. 1	- L. Hickey, Reeve
Division No. 3	- H. Doeve, Deputy Reeve (present at 9:12 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 9:10 a.m.

AMENDMENTS TO THE AGENDA

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the December 18, 2014 agenda.

- G5. McNally Community Association Request for Support
- I2. City of Lethbridge Re: Fire Chief Brian Cornforth Celebratory Send Off – December 19, 2014
- I3. Residency Issue for Deputy Reeve
- I4. Picture Butte & District Chamber of Commerce Annual Meeting / Awards Dinner – January 16, 2015

614/14 J. WILLMS MOVED that Council approve the agenda as amended.
CARRIED

IN-CAMERA

J1. Legal Update; J2. Personnel Update; J3. Personnel Update

615/14 M. ZEINSTRAS MOVED that County Council go In-Camera at 9:11 a.m.
CARRIED

Note: Deputy Reeve Doeve present at 9:12 a.m.

616/14 T. WHITE MOVED that County Council come out of In-Camera at 9:55 a.m.
CARRIED

Reeve Hickey recessed the meeting at 9:55 a.m.
The meeting reconvened at 10:03 a.m.

Note: S. Ashbee, Sunny South News present at 10:03 a.m.

Reeve

Chief Administrative Officer

APPOINTMENTS **E1. Ian Donovan, MLA for Little Bow – Presentation of Alberta Emergency Services Medal to Darryl Beaton, Emergency Services Coordinator**

Reeve Hickey welcomed Mr. Ian Donovan, MLA for Little Bow to the meeting at 10:00 a.m. Mr. Donovan presented Mr. Darryl Beaton, Emergency Services Coordinator at Lethbridge County, with the Alberta Emergency Services Medal for his 12 years of service.

CONFIRMATION **B1. Confirmation of Minutes**

617/14 S. CAMPBELL MOVED that the December 4, 2014 Council Minutes be approved as presented. CARRIED

MUNICIPAL SERVICES

F1. Manure Management Update 2015 – January 19, 2015, Lethbridge Lodge

618/14 M. ZEINSTRA MOVED that any member of Council wishing to attend the Manure Management Update 2015 scheduled for January 19, 2015 at the Lethbridge Lodge be authorized to do so. CARRIED

APPOINTMENTS **E2. S.D. Application #2013-0-034 - Koeqler, David & Christine c/o Hasegawa Engineering - Block 1, Plan 9210825 & LSD 11 & 12 within NW 1/4 21-8-22-W4**

619/14 M. ZEINSTRA MOVED that the Grouped Country Residential subdivision of Block 1, Plan 9210825 & LSD 11 & 12 within NW1/4 21-8-22-W4M (Certificate of Title No. 081 471 730, 921 104 499+1), to create 18 lots, ranging in size from 1.00 to 1.34 acres (0.405 to 0.542 ha) respectively, and 3 Public Utility Lots (PULs) from titled areas comprised of 62.2 acres (26.18 ha) for grouped country residential use; **BE APPROVED** subject to the following:
RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 57.81 acres at the market value of \$16,000.00 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.
CONDITIONS:
 1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
 2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created. The agreement should address the construction of the road, any upgrades required to Rge Road 224 (Sunset Road) and Twp Road 84, storm water drainage and the construction of the 3 Public Utility Lots (PULs) including the storm water retention/ fire pond, the undertaking of a HRIA prior to development, and any other matter that Lethbridge County deems necessary, which shall be registered concurrently with the final plan against the title(s) being created.
 3. That the engineered drainage/storm water management plan in accordance with Alberta Environment requirements be deemed acceptable by the municipality. The applicant is responsible for obtaining an approval and letter of authorization from AESRD under the Water Act and Environmental

Reeve

Chief Administrative Officer

Enhancement & Protection Act and shall provide a copy to the municipality prior to final endorsement.

4. That the easement(s) as required by ATCO gas shall be established prior to finalization of the application and are to be registered simultaneously with the legal plan of the subdivision.

5. That the applicant provides a copy of architectural controls, approved by the municipality, to be registered concurrently on title with the final plan of subdivision. This restrictive covenant is to include building scheme restrictions with reference to the setbacks to the top of coulee slope, septic field installation, fire suppression systems, etc.

6. That the applicant provides any easements, as determined necessary by the municipality, for the protection of any part of the storm water outfall or water well infrastructure that serves this proposal and which may be located outside of the subdivision or PUL areas as outlined in the subdivision plan, prior to finalization.

7. That the final subdivision plan, as prepared by the Alberta Land Surveyor, is to illustrate an appropriate road cul-de-sac width to accommodate fire trucks, as required by the County's Director of Municipal Services.

REASONS:

1. The Subdivision Authority is satisfied that the subdivision proposal conforms to the Koegler Area Structure Plan Bylaw No. 1356 which was adopted on March 17, 2011.

2. The Subdivision Authority has placed conditions on the tentative approval in order to satisfy any concerns raised during the referral and review process of the application.

3. The Subdivision Authority has determined the proposal is in conformity with the County-City IMDP Bylaw No.'s 1254 & 5242, and the consideration for development of grouped country residential on coulee-tops deemed to be marginal, poor quality agricultural land.

4. With the conditions imposed, the Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.

CARRIED

E3. S.D. Application #2014-0-166 - Featherhill Farms Ltd. - SW 1/4 24-7-20-W4

620/14

T. WHITE

MOVED that the country residential subdivision of SW1/4 24-7-20-W4M (Certificate of Title No. 001 363 009+7), to create an 11.80 acre (4.78 ha) parcel from an agricultural title of 131.0 acres (53.02 ha), for country residential use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 11.80 acres at the market value of \$3,000.00 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.

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Chief Administrative Officer

2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.

3. That the applicant relinquish in writing to the NRCB any CFO permit rights that exist and provide a copy to the satisfaction of the municipality. The owner will also be responsible for dismantling and removing infrastructure associated with the poultry operation.

REASONS:

1. This proposal is eligible for subdivision consideration as the subdivision of an existing farmstead from the greater half of a cut-off/fragmented quarter section.

2. The Subdivision Approval Authority has approved the parcel size based on the physical features and the improvements present on the parcel.

3. With the parcel size waiver granted in accordance with Section 654(2) of the MGA, the proposed subdivision complies with both the Municipal Development Plan and Land Use Bylaw

CARRIED

ADMINISTRATION

11. 20th Independent Field Battery, RCA Re: Annual New Year's Levee – January 1, 2015, Vimy Ridge Armoury

621/14 K. BENSON MOVED that County Council authorize the Reeve or his designate to attend the Annual New Year's Levee, 20th Independent Field Battery, RCA with Commanding Officer, Major Han, CD and the Battery Sergeant Major Master Warrant Officer Gary Wittebolle, CD, scheduled for January 1, 2015 at 1200 hours at the Vimy Ridge Armoury, 337 Stubb Ross Road, Lethbridge. CARRIED

APPOINTMENTS

E4. S.D. Application #2014-0-170 - Harvey & Esther Van De Brink - NE 1/4 35-9-22-W4

622/14 H. DOEVE MOVED that the Country Residential subdivision of NE1/4 35-9-22-W4M (Certificate of Title No. 951 269 367), to subdivide an agricultural title of 65.83 acres (26.636 ha) and create two parcels, 32.66 and 32.86 acres (13.22 and 13.3 ha) respectively in size, for country residential use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, on the 65.83 acres to be deferred by Caveat proportionately on each title with the actual acreage be determined at the final stage, for Municipal Reserve purposes.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.

2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.

3. That the applicant provides a Surveyors sketch as prepared by an Alberta Land Surveyor to illustrate the exact dimensions

Reeve

Chief Administrative Officer

and parcel(s) size and the location of all improvements on the proposed parcel(s) as approved.

REASONS:

1. As there are existing developments associated with the title and the parent quarter section has been previously split by the highway and rail-line, the Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.

2. The Subdivision Authority accepts that this is a different and more acceptable proposal than previously applied for by the applicant, (2013), and with Alberta Transportation granting a waiver and not objecting to the proposal, the Subdivision Authority has granted an approval.

3. The Subdivision Authority has granted a waiver, and does so on the basis of the existing two yards present which are physically separated, and the fact that this quarter section has been previously split by the highway and rail-line.

4. No objection or concerns have been received regarding the proposal.

CARRIED

E5. S.D. Application #2014-0-161 - Kasner - NW 1/4 7-9-20-W4, Blocks 4, 5, 11 & 12, Plan 4000AQ

623/14 M. ZEINSTRÄ MOVED to bring item E5. S.D. Application #2014-0-161 - Kasner - NW 1/4 7-9-20-W4, Blocks 4, 5, 11 & 12, Plan 4000AQ back to the table. CARRIED

E5. S.D. Application #2014-0-161 - Kasner - NW 1/4 7-9-20-W4, Blocks 4, 5, 11 & 12, Plan 4000AQ

624/14 M. ZEINSTRÄ MOVED that the grouped country residential subdivision of Blocks 4 & 5 and 11 & 12, Plan 400AQ within NW1/4 7-9-20-W4M (Certificate of Title No. 011 311 121, 821 146 896), to create eight parcels, ranging in size from 3.35 to 5.99 acres (1.35 to 2.42 ha) respectively, from two titled areas comprising 36.50 acres (14.77 ha) for grouped country residential use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 36.50 acres at the market value of \$16,000.00 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.

2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created. The agreement may be used to address roads, accesses, drainage, and any other matter the County deems necessary to serve the subdivision. The drainage plan must align and respect the Malloy Drain Storm Water Master Plan and the proposal may be subject to any applicable levies that may be imposed by the municipality to support improvements to address the basin issues.

Reeve

Chief Administrative Officer

3. That the easement(s) as required by ATCO Gas shall be established prior to finalization of the application and are to be registered simultaneously with the legal plan of the subdivision.
4. That the applicant submits a plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcel being subdivided and new lots created. The final plan is to include an approximate 0.30 acre PUL dedication in the very northeast corner adjacent to Township Road 92, in accordance with the storm water management plan as approved by Lethbridge County.
5. That the developer's engineered storm water drainage plan is deemed acceptable to the Director of Municipal Services of Lethbridge County and complies with all Alberta Environment requirements. The applicant is responsible for obtaining any necessary approvals as required by Alberta Environment under the Water Act and Environmental Enhancement & Protection Act.
6. That a utility right-of-way and drainage easement document be provided by the applicant to protect the identified rear area of the eight lots which is to be used as the drainage channel/ditch to accommodate and manage the storm water run-off in accordance with the engineered plan.
7. That the applicant provides a copy of architectural controls to pertain to the subdivision, to be approved by the municipality, to ensure high quality development occurs and that drainage plans and land restrictions are registered on title as a restrictive covenant.
8. That the road closure and sale be completed with Lethbridge County prior to final endorsement (for that portion of Ingram Road, situated east of Lucy Street). The final subdivision plan is to reflect that portion of closed road area to be incorporated into proposed Lot 5.

REASONS:

1. With the conditions imposed on the subdivision approval, the Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
2. The Subdivision Approval Authority of Lethbridge County has determined the proposed subdivision is for land designated as grouped country residential use, it complies with the Land Use Bylaw standards, and is therefore eligible for subdivision consideration.
3. The proposed subdivision conforms to the Area Structure Plan Bylaw adopted for the land. CARRIED

REPORTS

D1. Economic Development Officer - Quarterly Report

625/14 M. ZEINSTRA MOVED that County Council accept item D1. Economic Development Officer - Quarterly Report for information. CARRIED

D2. Financial Quarterly Report

Note: H. Doeve departed at 12:10 p.m.

626/14 M. ZEINSTRA MOVED that County Council accepts item D2. Financial Quarterly Report for information. CARRIED

Reeve

Chief Administrative Officer

Note: H. Doeve present at 12:11 p.m.

627/14 J. WILLMS MOVED the meeting recess for lunch at 12:11 p.m. CARRIED

The meeting reconvened at 1:36 p.m. with all members of Council present as previously stated.

MUNICIPAL SERVICES

F2. Alberta Environment Re: Letter of Non-Compliance Unlicensed Diversion of Water – N.E. 31-7-21- W4 & N.W. 31-7-21-W4

628/14 M. ZEINSTRA MOVED that County Council receives item F2. Alberta Environment Re: Letter of Non-Compliance Unlicensed Diversion of Water – N.E. 31-7-21-W4 and the N.W. 31-7-21-W4 report as information. CARRIED

CORPORATE SERVICES

H1. 2015 Operating Budget Approval

629/14 M. ZEINSTRA MOVED that County Council add an additional \$100,000 to the 2015 Operating Budget for recreational funding. MOTION DEFEATED

630/14 S. CAMPBELL MOVED that the 2015 Operating Budget in the amount of \$31,319,958 as outlined in the Attachment 1, be approved and further that the 2016 and 2017 Operating Budgets in the amounts of \$28,213,151 and \$28,644,940 respectively be approved in principle. CARRIED

H2. 2015 Capital Budget Approval

631/14 T. WHITE MOVED that the 2015 Capital Budget in the amount of \$13,799,700 as outlined in Attachment 1 and Attachment 2, be approved and further that the 2016 and 2017 Capital Budgets in the amounts of \$12,059,510 and \$5,455,000 respectively, as outlined in Attachment 1, be approved in principle. CARRIED

COMMUNITY SERVICES

G1. Funding Request from the Shaughnessy Community Association

632/14 J. WILLMS MOVED that Council grants \$500.00 through Policy No. 161 Donations to Community Organizations, Programs, Events and Activities to the Shaughnessy Community Association to assist with their Trap, Neuter/Spay Release Program designed to mitigate the feral cat problem in the Hamlet of Shaughnessy. MOTION DEFEATED

G2. Connecting Canadians Program – Request for Letter of Support

Note: Deputy Reeve H. Doeve departed at 2:20 p.m.

633/14 M. ZEINSTRA MOVED that Lethbridge County provide, by request, a generic letter of support under the Reeve's signature that would endorse any internet supplier who seeks the enhancement of high speed internet service to rural areas including residents and businesses in Lethbridge County. CARRIED

Note: Deputy Reeve H. Doeve present at 2:24 p.m.

Reeve

Chief Administrative Officer

G3. City of Lethbridge Fire Chief

- 634/14 J. WILLMS MOVED that County Council directs Administration to write a letter to the outgoing Fire Chief Brian Cornforth with the City of Lethbridge, thanking him for his years of service and cooperation to Lethbridge County. CARRIED

G4. Community Initiatives Program Re: Letter of Support for Prairie Baseball Academy / Lethbridge Bulls Baseball Club - Approval After the Fact

- 635/14 M. ZEINSTRAS MOVED that County Council approve the letter of support 'after the fact' regarding the Prairie Baseball Academy / Lethbridge Bulls Baseball Club Community Initiatives Program (CIP) application to purchase a mobile trailer and baseball training equipment, the deadline date for applications was December 15, 2014. CARRIED

G5. McNally Community Association Request for Support

- 636/14 T. WHITE MOVED that Council grants \$500.00 through Policy No. 161 Donations to Community Organizations, Programs, Events and Activities to the McNally Community Association to offset the cost of purchasing gravel to be used for improving the Community Centre Parking lot. CARRIED

ADMINISTRATION**I2. City of Lethbridge Re: Fire Chief Brian Cornforth Celebratory Send Off - December 19, 2014**

- 637/14 S. CAMPBELL MOVED that any member of Council wishing to attend the City of Lethbridge Fire Chief Brian Cornforth Celebratory Send Off scheduled for December 19, 2014 from 3:00 to 4:30 p.m. at Lethbridge Fire Headquarters – EOC Room be authorized to do so. CARRIED

I3. Residence Issue for Deputy Reeve Henry Doeve

- 638/14 T. WHITE MOVED that County Council receives item I3. Residence Issue for Deputy Reeve Henry Doeve for information. CARRIED

I4. Picture Butte & District Chamber of Commerce Annual Meeting / Awards Dinner – January 16, 2015

- 639/14 M. ZEINSTRAS MOVED that County Council authorizes the Reeve and Councillor M. Zeinstra, as the Councillor of the area, to attend the Picture Butte & District Chamber of Commerce Annual Meeting / Awards Dinner scheduled for Friday, January 16, 2015 at the Picture Butte Elks Hall. CARRIED

IN-CAMERA**J1. Legal Update**

- 640/14 S. CAMPBELL MOVED that County Council receive item J1. Legal Update for information. CARRIED

 Reeve

 Chief Administrative Officer

J2. Personnel Update

641/14 H. DOEVE MOVED that County Council approves the implementation of the new grid effective January 1, 2015. CARRIED

J3. Personnel Update

642/14 H. DOEVE MOVED that County Council approves the proposed 2015-2018 agreement with the Canadian Union of Public Employees as negotiated by the Labour Relations Committee. CARRIED

ADJOURNMENT

643/14 T. WHITE MOVED the meeting adjourn at 2:37 p.m. CARRIED

Reeve

Chief Administrative Officer