

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD JUNE 4, 2015 IN THE COUNTY ADMINISTRATIVE OFFICE, LETHBRIDGE, ALBERTA.

PRESENT:

Division No. 1	- L. Hickey, Reeve
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

ABSENT:

Division No. 3	- H. Doeve, Deputy Reeve
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ADMINISTRATION PRESENT:

Chief Administrative Officer	- R. Robinson
Director of Municipal Services	- R. Bacon
Acting Director of Corporate Services	- J. Beagrie
Director of Community Services	- L. Randle
Recording Secretary	- L. Megella

REEVE LORNE HICKEY IN THE CHAIR

CALL TO ORDER Reeve Hickey called the meeting to order at 10:08 a.m.

Note: S. Ashbee, Sunny South News present at 10:08 a.m.

AMENDMENTS TO THE AGENDA

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the June 4, 2015 agenda.

- F4. Notice of Motion: Readymade Community Hall – Water – J. Willms

243/15	S. CAMPBELL	MOVED that Council approve the agenda as amended.	CARRIED
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CONFIRMATION B1. Confirmation of Minutes

244/15	M. ZEINSTRA	MOVED that the May 21, 2015 Council Minutes be approved as presented.	CARRIED
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MUNICIPAL SERVICES

F2. 2015 Acquisition One Used Crew Trailer (12' x 60')

245/15	K. BENSON	MOVED that Council approve the acquisition of a 12' x 60' crew trailer to be installed, configured and furnished at the Picture Butte office site to a maximum cost of \$73,900 with the funds to be allocated from the Public Works Reserve.	CARRIED
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Reeve

Chief Administrative Officer

F3. 2015 Trailer Addition for Agriculture Services

246/15 T. WHITE MOVED that County Council approves the acquisition of one trailer (\$22,532 plus tax) and a trailer hitch, plumbing and electrical requirements (\$2,300 plus tax) for a maximum amount of \$24,832 plus tax from the Fleet Services Reserve to be installed on Unit TR112. CARRIED

APPOINTMENTS E1. Zolton Gergely Re: Subdivision

Reeve Hickey welcomed Mr. Zolton Gergely to the meeting at 10:30 a.m. Mr. Gergely provided Council with an update on his subdivision development and expressed frustration about not completing his subdivision.

247/15 K. BENSON MOVED that Council receive item E1. Zolton Gergely Re: Subdivision for information. CARRIED

Reeve Hickey thanked Mr. Gergely for attending the meeting. Mr. Gergely retired at 11:15 a.m.

E2. Collin Beazer, County of Lethbridge Rural Water Association Ltd. Re: Letter of Support for Proposed CLRWA Potable Water Distribution Expansion West of Lethbridge Airport (NE 7-8-21-W4)

Reeve Hickey welcomed Mr. Collin Beazer, General Manager for the County of Lethbridge Rural Water Association to the meeting at 11:15 a.m. Mr. Beazer noted that he was present today to introduce himself to Lethbridge County and request that Lethbridge County provide a letter of support in principle for their Valley View Place Project.

248/15 M. ZEINSTRA MOVED that a letter of support be provided, in principle, under the Reeve's signature, to the County of Lethbridge Rural Water Association Ltd. (CLRWA) regarding their proposed Potable Water Distribution Expansion Project west of Lethbridge Airport (NE 7-8-21-W4). CARRIED

Reeve Hickey thanked Mr. Beazer for attending the meeting. Mr. Beazer retired at 11:24 a.m.

E3. S.D. Application 2015-0-068 - Viterra Inc. - W 1/2 27-7-20-W4

249/15 T. WHITE MOVED that the industrial subdivision of W1/2 27-7-20-W4M (Certificate of Title No. 141 077 626, 141 077 626+1), to create a 4.64 acre (1.08 ha) parcel from two titles in the West half of 27-7-20-W4, for industrial use; BE APPROVED subject to the following:
RESERVE: That the applicant provides the 10% municipal reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, to be provided as money in place of land on the 4.64 acres at the market value of \$8,200 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

Reeve

Chief Administrative Officer

Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.

3. That the Transportation Management Strategy and parcel access be provided by the applicant, as requested by Alberta Transportation, including the provision of a 30 metre wide service road right-of-way perpendicular to and across the highway frontage of the subject parcel to be created.

4. That the applicant provides a private access easement and R/W for any portion of driveway/access area to be shared between the SW¼ 27-7-20-W4M (Viterra) and the 4.64 acre parcel (UFA) being created, to be registered concurrently with the final subdivision endorsement.

5. That the condition or easement as required by TELUS shall be provided prior to finalization.

REASONS:

1. The proposed subdivision and parcel size complies with both the Municipal Development Plan and Land Use Bylaw regarding the subdivision of industrial designated land.

2. The parcel has been re-designated to Rural General Industrial – RGI in consideration of this subdivision proposal, and 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.

3. No objections or concerns have been received regarding the proposal and Alberta Transportation has granted an approval on the basis the service road is provided in accordance with their requirements.

CARRIED

E4. S.D. Application 2015-0-082 - Elsie Regier/Z.A. Holdings Inc. - Lot 1, Block 1, Plan 8811122 and NW 14-9-20-W4

250/15

J. WILLMS

MOVED that the commercial subdivision of Lot 1, Block 1, Plan 8811122 and NW1/4 14-9-20-W4M (Certificate of Title No. 021 389 440, 921 213 447), to adjust a property line by subdividing 0.11 acres from the NW 14-9-20-W4M and consolidating it to Lot 1, Block 1, Plan 8811122 for rural commercial 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 0.11 acres (0.04 ha) to allow for the title adjustment, at the market value of \$22,000 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

AND FURTHER, once the Municipal Reserve is paid to the satisfaction of the municipality, the existing Deferred Reserve caveat shall be adjusted accordingly to reflect this difference in acreage between the two titles.

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.

Reeve

Chief Administrative Officer

3. That the property realignment (subdivision and consolidation) be done by a plan prepared by an Alberta Land Surveyor so that the resulting title(s) may not be further subdivided without Subdivision Authority approval.

4. That the applicant removes or relocate the moveable wood shed located to the south of the garage so that there will be no resulting physical building encroachments over the newly adjusted property line. Confirmation of the removal of the shed must be submitted to the satisfaction of the Subdivision Authority prior to final endorsement of the subdivision.
CARRIED

E5. S.D. Application 2015-0-086 - Vaselenak Holdings Ltd. - NW 1/4 7-9-19-W4

251/15

M. ZEINSTRA MOVED that the country residential subdivision of NW1/4 7-9-19-W4M (Certificate of Title No. 151 053 354), to split a cut-off title of 24.29 acres (9.83 ha) into two titles, being 2.47 acres (1.00 ha) and 21.82 acres (8.83 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, be provided as money in place of land on the 2.47 acres at the market value of \$12,000 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

AND FURTHER that a Deferred Reserve caveat be registered on the 21.82 acre title to reflect the 10% reserve requirement, 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.

3. That the applicant provides a Surveyor's sketch to illustrate the exact dimensions and parcel size and the location of all improvements on the proposed parcel as approved.

4. That the applicant removes the south corrals fencing on the north side so that there will be no physical encroachment over the new property line with the yard. Confirmation of the adequate removal of the encroachment must be submitted to the satisfaction of the Subdivision Authority prior to final endorsement of the subdivision.

REASONS:

1. The Subdivision Approval Authority of Lethbridge County has determined the proposed subdivision complies with the bylaw definition of poor quality land, being a cut-off parcel that contains less than 20.0 acres of farmable land.

2. The Town of Coaldale did not object to the proposal which is located within the IDP boundary with the Town. The Subdivision Authority has determined that this proposal conforms to both existing agricultural subdivision and IDP policies, and is not seen to be inconsistent with any policies for this area.

Reeve

Chief Administrative Officer

3. The proposed subdivision complies with both the Municipal Development Plan and Land Use Bylaw. CARRIED

MUNICIPAL SERVICES

F1. Malloy Drain Phase 2 Project - Request to Enter Into Agreement With SMRID and Town of Coaldale

- 252/15 J. WILLMS MOVED that Lethbridge County enter into an agreement with the Town of Coaldale and St. Mary River Irrigation District to proceed with the preliminary engineering for the Malloy Drain Phase 2 Project. CARRIED

F4. Notice of Motion: Readymade Community Hall – Water – J. Willms

Councillor John Willms, Division 2, noted that he has been approached by the Readymade Community Hall regarding the addition of a Truck Fill Station closer to their location as well as the addition of available water units to their community. Council held a discussion regarding the matter.

- 253/15 J. WILLMS MOVED that item F4. Notice of Motion: Readymade Community Hall – Water be received for information. CARRIED

COMMUNITY SERVICES

G2. Canamex Workshop - Date Selection

- 254/15 M. ZEINSTRA MOVED that County Council chooses the date of June 23, 2015 at 1:30 p.m., County Administration Office, to meet and discuss issues related to the Canamex Corridor and its impact on future development, traffic issues, access and other items related to the Corridor and possible impact to Lethbridge County. CARRIED

Note: S. Ashbee, Sunny South News retired at 12:00 p.m.

- 255/15 M. ZEINSTRA MOVED the meeting recess for lunch at 12:00 p.m. CARRIED

The meeting reconvened at 12:50 p.m. with all members of Council present as previously stated.

IN-CAMERA

K1. Land Matter; K2. Personnel Matter

- 256/15 M. ZEINSTRA MOVED that County Council go In-Camera at 12:51 p.m. CARRIED

- 257/15 T. WHITE MOVED that County Council come out of In-Camera at 1:32 p.m. CARRIED

K1. Land Matter

- 258/15 T. WHITE MOVED that Council authorizes Administration to proceed with the land matter. CARRIED

K2. Personnel Matter

- 259/15 S. CAMPBELL MOVED that County Council approves Administration's recommendation in the Personnel matter. CARRIED

Note: T. White retired at 1:34 p.m.

Reeve

Chief Administrative Officer

COMMUNITY SERVICES**G1. 2015 Land Trust Reserve Fund**

260/15 K. BENSON MOVED that County Council approve funding for the Land Trust Reserve Fund Grant Applications for 2015 as recommended by Administration as follows:

- Diamond City Citizens Association - \$9,000
- Friends of Jennie Emery Society - \$9,000
- Lethbridge Military Unit Senate - \$10,000
- Lethbridge Therapeutic Riding Association – \$10,000
- McNally Community Centre - \$9,000
- Monarch Community Association - \$9,000
- Nobleford Community Complex Society - \$9,000
- North County Skating Club - \$4,000
- Sundial Community Association - \$9,000

CARRIED

CORPORATE SERVICES**H1. Digital Aerial Orthographic Photo Project**

261/15 M. ZEINSTRA MOVED that Council approve the amended funding option for the Digital Aerial Orthographic Program Project in the amount of \$60,000, with \$45,910 funding from the 2015 MSI Operating Grant and a transfer from the GIS Reserve of \$14,090.

CARRIED

H2. WCB Surplus Distribution

262/15 M. ZEINSTRA MOVED that Council approves the transfer of \$27,509.95 for the 2014 WCB Surplus Distribution to the Safety Reserve Account.

CARRIED

H3. Legal Settlement

263/15 M. ZEINSTRA MOVED that Council approves the transfer of settlement funds in the amount of \$10,000 to the Public Works Future Projects Reserve.

CARRIED

H4. 2015/2016 Canadian Border Services Cost Recovery Agreement

264/15 S. CAMPBELL MOVED that County Council authorizes the Reeve to execute the 2015/2016 Agreement for the Provision of Border Services between Lethbridge County and Canada Border Services Agency.

CARRIED

ADMINISTRATION**I1. Town of Picture Butte and Lethbridge County Re: Joint Council Meeting - Dates**

265/15 J. WILLMS MOVED that County Council authorizes Administration to schedule a joint Council-to-Council meeting with the Town of Picture Butte for either August 6 or August 20, 2015. Lethbridge County to host the supper meeting; Administration to contact the Picture Butte CAO with proposed meeting dates and report back to Council.

CARRIED

Reeve Hickey recessed the meeting at 1:50 p.m.
The meeting reconvened at 2:04 p.m.

Reeve

Chief Administrative Officer

APPOINTMENTS **E6. PUBLIC HEARING Bylaw #1447 – Bethel Free Reformed Church – Rezoning - Amendment to the Land Use Bylaw - Hamlet Public/Institutional (HP/I) – Lot 6, Block 1, Plan 0613986 – SW 7-10-23-W4**

266/15 S. CAMPBELL MOVED that the Public Hearing for Bylaw 1447 – Bethel Free Reformed Church – Rezoning - Amendment to the Land Use Bylaw - Hamlet Public/Institutional (HP/I) – Lot 6, Block 1, Plan 0613986 – SW 7-10-23-W4 open at 2:05 p.m. CARRIED

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

- J. Wisse

Reeve Hickey declared the public hearing is being held pursuant to the Municipal Government Act as amended for Bylaw #1447.

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 the Bethel Free Reformed Church to amend Land Use Bylaw 1404.
- The purpose of the amendment is to re-designate Lot 6, Block 2, Plan 0613986 from Hamlet Residential (HR) to Hamlet Public/Institutional (HP/I).
- The proposed re-designation is west of the Bethel Free Reformed Church at the corner of Edward Street and Eastman Avenue in the Hamlet of Monarch.
- It is the intent of the landowner to re-designate the subject lands in order to provide more parking for the Church.
- In order to accommodate this use, the parcel must be re-designated as the Hamlet Residential District which does not include churches and their associated accessory use (parking) as either a permitted or discretionary use.
- A notice of the application has been referred to the other County departments and no concerns were expressed regarding the proposed re-designation. The proposal was also circulated to external agencies and ORRSC. No concerns were expressed regarding the proposed re-designation.
- The proposed re-designation was advertised in the May 12 and 19 editions of the Sunny South News and sent to the adjacent landowners. No concerns were expressed regarding the proposed re-designation.

Reeve Hickey asked if Council had any questions of Ms. Janzen. There were no questions from Council.

Reeve Hickey asked three times if anyone present wished to speak in opposition of Bylaw 1447. No one addressed Council.

Reeve Hickey asked three times if anyone present wished to speak in favor of Bylaw 1447. No one addressed Council.

Reeve Hickey asked if Council had any last questions.

Council asked Ms. Janzen if the Church was using the parking area as a parking lot. Mr. Wisse noted that there were a few people who parked in this area.

Reeve Hickey noted that this was the last call for anyone wishing to speak. No one came forward.

Reeve

Chief Administrative Officer

267/15	K. BENSON	MOVED that the Public Hearing for Bylaw #1447 - Bethel Free Reformed Church – Rezoning - Amendment to the Land Use Bylaw - Hamlet Public/Institutional (HP/I) – Lot 6, Block 1, Plan 0613986 – SW 7-10-23-W4 close at 2:08 p.m.	CARRIED
268/15	S. CAMPBELL	MOVED second reading of Bylaw #1447.	CARRIED
269/15	K. BENSON	MOVED third reading of Bylaw #1447.	CARRIED

ADJOURNMENT

270/15	M. ZEINSTRA	MOVED the meeting adjourn at 2:09 p.m.	CARRIED
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Reeve

Chief Administrative Officer