

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD AUGUST 6, 2015 IN THE COUNTY ADMINISTRATIVE OFFICE, LETHBRIDGE, ALBERTA.

PRESENT:

Division No. 1	- L. Hickey, Reeve
Division No. 3	- H. Doeve, Deputy 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

ADMINISTRATION PRESENT:

Chief Administrative Officer	- R. Robinson
Director of Corporate Services	- T. Anderson
Director of Municipal Services	- R. Bacon
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 9:41 a.m.

AMENDMENTS TO THE AGENDA

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the August 6, 2015 agenda.

- F4. Lethbridge County Road Tour – Date
- F5. Meeting with Irrigation Council regarding Drainage & Bridges

302/15 M. ZEINSTRAS MOVED that Council approve the agenda as amended.
CARRIED

MUNICIPAL SERVICES

F1. Summer 2016 Agriculture Service Board Tour

303/15 S. CAMPBELL MOVED that Administration not pursue the ASB Summer Tour until at least 2018 to allow sufficient time and budgetary considerations.
CARRIED

F2. Lethbridge Sustainable Agriculture Tour – September 24, 2015

304/15 M. ZEINSTRAS MOVED that County Council receives item F2. Lethbridge Sustainable Agriculture Tour – September 24, 2015 for information.
CARRIED

Note: S. Ashbee, Sunny South News present at 10:30 a.m.

APPOINTMENTS **E1. Introduction to Council - Sergeant Tom Howell, Detachment Commander, Picture Butte; and Constable Devon Firth, County Enhanced RCMP**

Reeve Lorne Hickey welcomed Sergeant Tom Howell, Detachment Commander, Picture Butte; and Constable Devon Firth, County Enhanced RCMP at 10:30 a.m. Sgt. Howell and Cst. Firth provided Council with a brief history of their

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education and employment. Council welcomed the delegation to Lethbridge County and wished them success in their positions.

305/15 M. ZEINSTRA MOVED that Council receives item E1. Introduction to Council - Sergeant Tom Howell, Detachment Commander, Picture Butte; and Constable Devon Firth, County Enhanced RCMP for information. CARRIED

Reeve Hickey thanked Sgt. Howell and Cst. Firth for attending the meeting and the delegation departed at 10:52 a.m.

REPORTS

D2. Municipal Costing Reports for 2nd Quarter

306/15 M. ZEINSTRA MOVED that Council receive the Municipal Costing Reports for the 2nd Quarter for information. CARRIED

APPOINTMENTS

E2. PUBLIC HEARING - Bylaw 1445 – J. Dean Sandham Professional Corp. Amendment to the Land Use Bylaw - Grouped Country Residential (GCR)

307/15 K. BENSON MOVED that the Public Hearing for Bylaw 1445 – J. Dean Sandham Professional Corp. Amendment to the Land Use Bylaw - Grouped Country Residential (GCR) open at 11:05 a.m. CARRIED

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

L. Sandham
J.D. Sandham

Reeve Hickey declared the public hearing is being held pursuant to the Municipal Government Act as amended for Bylaw #1445.

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 J. Dean Sandham Professional Corporation to amend Land Use Bylaw 1404.
- The purpose of the amendment is to re-designate Lots 1 and 2, Plan 9711954 (12.13 acres) from Lethbridge Urban Fringe (LUF) to Grouped Country Residential (GCR).
- The applicant has also provided a Conceptual Design Scheme to support the proposed re-designation and subdivision.
- The proposed re-designation is directly east of the McDermott Subdivision and is about a half mile northwest of the City of Lethbridge.
- The two parcels are fragmented parcels and the remnants of the quarter section that was cut off from the remainder by Highway 3 and the CP rail line.
- 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 (each parcel would be approximately 3 acres in size).
- The parcels would meet the County's minimum parcel size of 2 acres and would not be eligible for further subdivision in the future.
- The application was sent to other County Departments and no concerns were raised with the proposed re-designation.
- The application has been referred to the City of Lethbridge, the Town of Coalhurst and other external agencies. The Town of Coalhurst had no objections to the proposed re-designation, and the City provided a letter of support for the proposal. No objections were expressed regarding the

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proposed application from the external agency referral. ORRSC has provided comments in support of the application.

- A notice of the proposed re-designation was included in the July 14 and 21 editions of the Sunny South News and a notice also sent to the adjacent landowners. No concerns were received regarding the proposal.
- The parcels of the proposed re-designation are located south-east of lands zoned Rural General Industrial (Headwater Equipment).
- Under the County's Land Use Bylaw it states that buildings or structures containing a sandblasting, welding, or fabrication operation shall be located no closer than 90 metres (295 feet) to an adjacent dwelling.
- The parcels and future building sites would exceed this requirement and would comply with the Land Use Bylaw as the closest building of Headwater Equipment to the edge of the closest parcel is more than 250 metres away.
- County Administration has no concerns with regards to the access, servicing, or drainage of the proposed parcels at this time. If the re-designation is approved, the County would require that the applicant enter into a development agreement as part of the subdivision to ensure that those items are addressed as necessary.

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

Council asked if the intent of the landowner was to re-designate the subject lands from Lethbridge Urban Fringe to Grouped Country Residential in order to subdivide the 2 existing parcels into 4 country residential parcels. Ms. Janzen replied, yes.

Ms. Janzen noted that the applicant has provided a Conceptual Design Scheme showing exactly what the subdivision would look like. Council further asked if it was possible to create more lots than the 4 applied for. Mr. Steve Harty, ORRSC Planner noted that the applicant could not create 6 or 8 lots because there is insufficient land base as each lot would be required to have a minimum of 2 acres.

Council questioned that the municipal reserve would be required at the time of subdivision. Ms. Janzen replied, yes.

Reeve Hickey asked Council if there were any further questions for Ms. Janzen. There were no further questions.

Reeve Hickey asked if anyone present wished to speak in favor of Bylaw 1445. Mr. Sandham addressed Council at this time. Mr. Sandham noted that:

- His son, Luke, was also present with him today.
- Mr. Sandham was approached by the City of Lethbridge and Lethbridge County to facilitate the AltaLink line changes and improve the intersection.
- He is a good citizen and has met all the requirements set out by Ms. Janzen.
- The process started two years ago.
- Mr. Steve Harty asked Mr. Sandham to wait on his re-zoning as the County was in the process of adopting a new Land Use Bylaw.
- Mr. Sandham has learned a tremendous amount of information during this process.
- Mr. Sandham asked Council for their support in this rezoning application.

Reeve Hickey asked two times if anyone else present wished to speak in favor of Bylaw 1445. No one addressed Council.

Reeve Hickey asked three times if anyone present wished to speak in opposition of Bylaw 1445. No one approached Council.

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- 308/15 K. BENSON MOVED that the Public Hearing for Bylaw 1445 – J. Dean Sandham Professional Corp. Amendment to the Land Use Bylaw - Grouped Country Residential (GCR) close at 11:16 a.m. CARRIED
- 309/15 M. ZEINSTRA MOVED second reading of Bylaw #1445. CARRIED
- 310/15 T. WHITE MOVED third reading of Bylaw #1445. CARRIED

Reeve Hickey recessed the meeting at 11:18 a.m.
The meeting reconvened at 11:29 a.m.

E3. Maria Fitzpatrick - MLA Lethbridge East

Reeve Hickey welcomed Ms. Maria Fitzpatrick, MLA Lethbridge East to the meeting at 11:30 a.m. Council introduced themselves to Ms. Fitzpatrick. A discussion was held concerning various topics.

Reeve Hickey thanked Ms. Fitzpatrick for attending the meeting. Ms. Fitzpatrick retired at 12:00 p.m.

- 311/15 M. ZEINSTRA MOVED that item E2. Maria Fitzpatrick – MLA Lethbridge East be received for information. CARRIED
- 312/15 M. ZEINSTRA MOVED the meeting recess for lunch at 12:00 p.m. CARRIED

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

The meeting reconvened at 1:30 p.m. with all members of Council present as previously stated.

CONFIRMATION **B1. Confirmation of Minutes**

- 313/15 M. ZEINSTRA MOVED that the June 18, 2015 Council Minutes be approved as presented. CARRIED

REPORTS **D1. Planning and Development 2nd Quarter Report**

- 314/15 J. WILLMS MOVED to receive the Planning and Development 2nd Quarter Report for information. CARRIED

APPOINTMENTS **E4. S.D. Application #2015-0-103 - M.S. MacLean Livestock Co. Ltd. - NE 1/4 16-10-20-W4**

- 315/15 M. ZEINSTRA MOVED that the Country Residential subdivision of NE1/4 16-10-20-W4M (Certificate of Title No. 981 331 351), to subdivide a 2.04 acre (0.83 ha) parcel from an unsubdivided quarter section title of 160.00 acres (64.7 ha), for country residential use; **BE APPROVED** subject to the following:
- 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 an up-to-date Surveyors sketch to illustrate the exact dimensions and parcel size and the location

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of all improvements, including the septic field, on the proposed parcel as approved. Additionally, the applicant is required to submit a final plan as prepared by an Alberta Land Surveyor that corresponds to the subdivision approval.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority has waived the MDS on the basis that both the dwelling and livestock use existed prior to 1998 and the first establishment of the MDS in the County's bylaw with respect to Policy 2(3), Part 7 of LUB No. 1404.
3. The Subdivision Authority has determined the proposed parcel is the first subdivision from the quarter section and is determined to be suitable for the intended purpose. CARRIED

E5. S.D. Application #2015-0-107 - John Vucurevich - NE 1/4 11-9-21-W4

316/15

J. WILLMS

MOVED that the Country Residential subdivision of NE1/4 11-9-21-W4M (Certificate of Title No. 081 168 015), to subdivide a bareland (vacant) title of 2.00 acres (0.81 ha) from an unsubdivided quarter section title of 158.06 acres (63.96 ha), for country residential use; BE APPROVED subject to the following:

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 plan prepared by a Surveyor to illustrate the exact dimensions and parcel size and the location of the proposed parcel as approved.
4. That the applicant provides at their expense a professional soils analysis by an accredited agency or engineer on the 2.00 acre parcel being created to ensure suitability for a private on-site septic treatment system.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The proposed parcel is the first subdivision from the quarter section and is determined to be suitable for the intended purpose.
3. The proposed subdivision complies with the applicable subdivision criteria of the Land Use Bylaw in regards to bareland (vacant) parcel subdivisions. CARRIED

E6. S.D. Application #2015-0-109 - Paskal Holdings Inc. - SE 1/4 9-11-21-W4

317/15

M. ZEINSTR

MOVED that the Country Residential subdivision of SE1/4 9-11-21-W4M (Certificate of Title No. 141 118 542+3), to subdivide a 5.80 acre (2.35 ha) parcel from an unsubdivided quarter section title of 158.97 acres (64.34 ha), for country residential use; BE APPROVED subject to the following:

CONDITIONS:

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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.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and with the conditions imposed, complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority has determined the proposal is for an existing farmstead and the title will be the first subdivision from the quarter section.
3. The Subdivision Authority has reduced the parcel size in order to conform to the County's subdivision policy of only including the improvements in the yard title and not including undeveloped agricultural land.
4. The Subdivision Authority has granted a waiver of the MDS with respect to Policy 2(3), Part 7 of LUB No. 1404, on the basis both uses existed prior to 1998 and the first establishment of the MDS in the County's bylaw.
5. The Subdivision Authority has determined that with the conditions imposed, the subdivision is determined to be suitable for the intended purpose.

CARRIED

MUNICIPAL SERVICES**F3. Bylaw 1453 – Highway Protection Bylaw**

- 318/15 T. WHITE MOVED first reading of Bylaw 1453 Highway Protection. CARRIED

F4. Lethbridge County Road Tour – Date

- 319/15 S. CAMPBELL MOVED that a County Road Tour be scheduled for Wednesday, October 21, 2015 commencing at 8:30 a.m. CARRIED

F5. Meeting with Irrigation Council Re: Drainage & Bridges

- 320/15 H. DOEVE MOVED that the County Irrigation Committee, Reeve, CAO and Director of Municipal Services meet with the Irrigation Council to discuss bridge funding and drainage concerns. CARRIED

COMMUNITY SERVICES**G1. Bylaw #1451 - Transmark Ltd. (Viterra) - Amendment to Land Use Bylaw - Rural Grouped Industrial (RGI) – NW & SW 27-7-20-W4**

- 321/15 T. WHITE MOVED first reading of Bylaw 1451 - Transmark Ltd. (Viterra) - Amendment to Land Use Bylaw - Rural Grouped Industrial (RGI) – NW & SW 27-7-20-W4. CARRIED

G2. Policy No. 214 - Community Peace Officer - Body Worn Cameras

- 322/15 H. DOEVE MOVED that item G2. Policy No. 214 - Community Peace Officer - Body Worn Cameras be tabled and further that a workshop be scheduled with Council and the Solicitor General's Office to discuss Body Worn Cameras. **MOTION DEFEATED**

 Reeve

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323/15 K. BENSON MOVED that Council approve Policy No. 214 – Community Peace Officer – Body Worn Cameras as presented. CARRIED

G3. Town of Coalhurst and Lethbridge County Fire and Rescue Services Agreement

324/15 H. DOEVE MOVED that item G3. Town of Coalhurst and Lethbridge County Fire and Rescue Services Agreement be tabled until such time as clarification is received regarding the Fire & Rescue Services Agreement. CARRIED

ADMINISTRATION

I1. Jack Hayden, Hayden & Associates – Consulting & Government Relation Services Proposal

325/15 M. ZEINSTRA MOVED that County Council extends the contract for Hayden & Associates through to December 31, 2016. CARRIED

INVITATIONS

J1. FortisAlberta Re: Customer Reception - July 22, 2015, Coast Hotel 'Approval after the fact'

Note: S. Campbell departed at 3:52 p.m.

326/15 M. ZEINSTRA MOVED that any member of Council wishing to attend the FortisAlberta Customer Reception scheduled for Wednesday, July 22, 2015 at the Coast Hotel, Lethbridge be authorized to attend, granting “approval after the fact”. CARRIED

Note: S. Campbell present 3:53 p.m.

J2. Exhibition Park Shareholder & Volunteer Appreciation BBQ - August 17, 2015, Pioneer Park

327/15 H. DOEVE MOVED that item J2. Exhibition Park Shareholder & Volunteer Appreciation BBQ - August 17, 2015, Pioneer Park be received for information. CARRIED

. Exhibition Park Annual President's Reception - August 18, 2015, West Pavilion, Exhibition Park

328/15 K. BENSON MOVED that item J3. Exhibition Park Annual President's Reception - August 18, 2015, West Pavilion, Exhibition Park be received for information. CARRIED

J4. Southern Alberta Ethnic Association - Invitation to Attend Heritage Day Festival and Bring Greetings from the County – August 3, 2015 – 'Approval After the Fact'

329/15 M. ZEINSTRA MOVED that the Reeve be authorized to attend the Southern Alberta Ethnic Association's Heritage Day Festival 'after the fact' which occurred on August 3, 2015 and that the Reeve brought greetings from the County. CARRIED

Reeve

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J5. Town of Pincher Creek Fair & Rodeo – August 15, 2015

Note: H. Doeve departed at 4:00 p.m.

- 330/15 T. WHITE MOVED that County Council receives the invitation from the Town of Pincher Creek regarding the Pincher Creek Fair and Rodeo Parade scheduled for August 15, 2015 for information. CARRIED

J6. Lethbridge Chamber of Commerce Re: 126th President's Dinner - September 9, 2015, Lethbridge Lodge

- 331/15 M. ZEINSTRA MOVED that Council authorize the Reeve or his designate to attend the Lethbridge Chamber of Commerce 126th President's Dinner scheduled for September 9, 2015 at the Lethbridge Lodge. CARRIED

J7. Blood Tribe Police Services Re: Regimental Ball & Charity Auction – September 18, 2015, Coast Hotel

Note: H. Doeve present at 4:02 p.m.

- 332/15 T. WHITE MOVED that Council authorizes the Reeve or his designate to attend the Blood Tribe Police Service Regimental Ball and Charity Auction scheduled for Friday, September 18, 2015 at the Coast Hotel. CARRIED

IN-CAMERA**K1. Land Update**

- 333/15 M. ZEINSTRA MOVED that County Council go In-Camera at 4:03 p.m. CARRIED
- 334/15 S. CAMPBELL MOVED that County Council come out of In-Camera at 4:28 p.m. CARRIED
- 335/15 H. DOEVE MOVED that Administration pursue the land matter. CARRIED

ADJOURNMENT

- 336/15 K. BENSON MOVED the meeting adjourn at 4:29 p.m. CARRIED

Reeve

Chief Administrative Officer