

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD SEPTEMBER 15, 2016 IN THE COUNTY ADMINISTRATIVE OFFICE, LETHBRIDGE, ALBERTA.

PRESENT:

Division No. 1	- L. Hickey, Reeve
Division No. 3	- H. Doeve, Deputy Reeve (present at 9:40 a.m.)
Division No. 2	- J. Willms
Division No. 4	- K. Benson
Division No. 5	- S. Campbell
Division No. 7	- M. Zeinstra

ABSENT:

Division No. 6	- T. White
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ADMINISTRATION PRESENT:

Chief Administrative Officer	- R. Robinson
Director of Corporate Services	- D. Urkow
Director of Municipal Services	- R. Bacon
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 9:30 a.m.

Note: S. Ashbee, Sunny South News present at 9:30 a.m.

Note: S. Ashbee, Sunny South News departed at 9:35 a.m.

IN-CAMERA

K1. Personnel Matter; K2. Land Update; K3. Legal Update

432/16	J. WILLMS	MOVED that County Council go In-Camera at 9:35 a.m.	CARRIED
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433/16	M. ZEINSTR	MOVED that County Council come out of In-Camera at 10:10 a.m.	CARRIED
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Note: S. Ashbee, Sunny South News present at 10:11 a.m.

AMENDMENTS TO THE AGENDA

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the September 15, 2016 agenda.

- F2 - Sundial Road, 200 Meters North of Highway 25 – M. Zeinstra
- G3. Bylaw 1473 Re: Motion 429/16 - Public Hearing - 324700 AB LTD. (Blair Frache) Amendment to the Land Use Bylaw from Rural Agriculture (RA) and Coaldale Lethbridge Corridor (CLC) to Rural General Industrial (RGI) for a portion of SE 7-9-20-W4
- G4. Bylaw 1473 –324700 AB LTD. (Blair Frache) Amendment to the Land Use Bylaw from Rural Agriculture (RA) and Coaldale Lethbridge Corridor (CLC) to Rural General Industrial (RGI) for a portion of SE 7-9-20-W4

Reeve

Chief Administrative Officer

- I2. AUMA Convention & AMSC Trade Show – October 5-7, 2016, Edmonton
- J1. Lethbridge Flying Club Invitation – Lethbridge Airport – September 17, 2016 – H. Doeve
- K2. Land Update – In-Camera
- K3. Legal Update – In-Camera

434/16 J. WILLMS MOVED that Council approve the agenda as amended.
CARRIED

CONFIRMATION **B1. Confirmation of Minutes**

435/16 S. CAMPBELL MOVED that the September 1, 2016 Council Minutes be approved as presented. CARRIED

REPORTS

D1. Finance Report – May to July 2016

Mr. Gary Secrist, Supervisor of Ag Services presented the ASB Core Activity Summary as of August 29, 2016, as part of the Finance Report.

Mr. Craig Praskach, Supervisor of Utilities presented the Utilities Core Activity Summary as of August 29, 2016, as part of the Finance Report.

APPOINTMENTS

E1. Jim Corey, President & Maxine D'Andrea, Past President - Indian Hill Golf Club Re: Road Paving 1 1/4 Mile

Reeve Hickey welcomed Mr. Jim Corey, President and Ms. Maxine D'Andrea, Past President of Indian Hill Golf Club. Council introduced themselves to the delegation. The delegation explained that the Indian Hill Golf Club community of golfers, campers and farmers in the area all support the Club's decision to follow-up on the 1988 Board of Directors decision that the Council of the day concurred with, which was to have a dust free surface on the one mile south and the quarter on the east side of Indian Hill that is not paved. Council held a discussion on the matter.

436/16 M. ZEINSTRA MOVED that County Council receives the presentation given by the Indian Hill Golf Club for information and further that the request to have a dust free surface on the one mile south and the quarter on the east side of Indian Hill Golf Club be reviewed during the 2017 Budget process. CARRIED

REPORTS

D1. Finance Report - May to July 2016

Mr. Terry Ostrom, Supervisor of Public Works presented the Public Works Core Activity Summary as of August 29, 2016, as part of the Finance Report.

APPOINTMENTS

E2. Bylaw 1474 – Public Hearing - Southern Excavating and Trucking Ltd. - Amendment to the Land Use Bylaw from Rural Agriculture (RA) to Rural General Industrial RGI for a portion of NW 7-8-20-W4

437/16 S. CAMPBELL MOVED that the Public Hearing for Bylaw 1474 Southern Excavating and Trucking Ltd. - Amendment to the Land Use Bylaw from Rural Agriculture (RA) to Rural General Industrial (RGI) for a portion of the NW 7-8-20-W4 open at 11:09 a.m. CARRIED

Reeve

Chief Administrative Officer

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

N. Paladino M. Just

Reeve Hickey declared that the public hearing is being held pursuant to the Municipal Government Act as amended for Bylaw #1474.

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

- An application has been made by Southern Excavating and Trucking Ltd to amend Land Use Bylaw 1404. The purpose of the amendment is to rezone a 16 acre portion of the NW 7-8-20-W4 from Rural Agriculture (RA) to Rural General Industrial (RGI). The applicant is proposing to keep an area for residence and an area required by Alberta Transportation for a future interchange, as Rural Agriculture.
- The proposed re-designation is located 5 kilometres southeast of the City of Lethbridge just off Highway 4. It is the intent of the landowner to re-designate the subject lands to allow for the expansion of an existing business (excavating and trucking). The existing use of the property is not permitted or discretionary under the Rural Agriculture District, as such the property needs to be re-designated to the Rural General Industrial District in order to allow for the expansion of the existing use.
- The proposed re-designation appears appropriate for the area as it fronts onto Highway 4 and is adjacent to lands that have been slated for the Canamex Corridor. The lands directly to the east have already been purchased by Alberta Transportation for the future Canamex Corridor.
- The application has been circulated to the other County Departments and external agencies for review. No objections or concerns were expressed by any County department or external agencies.
- The proposed bylaw was advertised in the August 23 and 30 editions of the Sunny South News and sent to the impacted adjacent landowners. No comments or concerns were received.
- Administration recommends that this bylaw be approved for 2nd and 3rd reading.

Reeve Hickey asked Council if there were any questions of Ms. Janzen.

Council enquired as to what the size of the trucking company is.

Ms. Janzen replied the applicant is present and that would be a good question for them.

Reeve Hickey asked if anyone present wished to speak in favour of Bylaw 1474.

Mr. Nick Paladino stated he is here on behalf of Mr. Mo Just, the business and landowner. This is a good business in the County that started three years ago and is now in a position of needing to expand. The applicant was made aware of the need to rezone to Rural Grouped Industrial by Hilary Janzen, Senior Planner/Development Officer. All stipulations of the original development permit including storm water and landscaping have all been complied with. We feel the business expansion is a good addition and thank you for your time.

Council enquired as to how many trucks are at the business.

Reeve

Chief Administrative Officer

Mr. Just stated that there are eight of their own trucks currently. We hope to open it up as a registered recycling business for concrete and asphalt. So, to answer your question on truck traffic, hopefully lots. We maintain the road and keep the road nice and smooth and keep the washboard down.

Council enquired as to what the hours of operation are.

Mr. Just stated they usually try to work 12 hour days. If, down the road, it becomes a recycling facility, then no more than 10 hours a day, which would be until 6:00 or 7:00 p.m. at night.

Ms. Janzen stated that if the applicant wanted to open a recycling operation they would require a Development Permit.

Council asked where exactly the location was.

Mr. Just stated that it is off Broxburn Road and connects to Twp. Road 8-2.

Council stated that this is a rezoning for 16 acres; does that mean the remainder would be for a home?

Ms. Janzen stated that yes on the western edge for 2.5 acres is the potential location for a residence for Mr. Just while the southern portion is identified for the future Canamex. The landowners will take the southern portion out of the rezoning so it is free for Alberta Transportation when the interchange is built.

Council enquired how the 2.5 acres is zoned.

Ms. Janzen stated that it is Rural Agriculture.

Council enquired if this business being close to residents would be a problem?

Ms. Janzen, stated no, it is not a sandblasting or welding type business which has specific setback requirements as directed by the Land Use Bylaw.

Council enquired what the difference is between sandblasting and recycling.

Ms. Janzen stated that sandblasting and welding have specific requirements in the Land Use Bylaw, specifically setbacks and recycling areas do not.

Reeve Hickey asked if anyone else present wanted to speak in favour of Bylaw 1474.

Mr. Steve Harty, Senior Planner with Oldman River Regional Services Commission stated the following:

- When making decisions please consider the planning documents and statutory plans that might be applicable.
- Because it is a 19 acre parcel that is a cut off portion of the quarter section by the highway, they are looking to rezone 16 acres and being adjacent to Highway 4, it appears to meet a number of the criteria for these types of uses.
- Looking at the bylaw, there are no specific setbacks for this type of use. If we look at sandblasting, the bylaw has a 150 metre setback to residences.
- If you look to the north, it is approximately 314 metres away, well over 150 metres. Regarding the neighbour to the east, it's approximately 117 metres to the property line and the house. To the working area of this site, it's approximately 170 metres so it too would meet the setback requirements.
- The neighbour to east is not in objection to this development and that house will disappear as Transportation has purchased it and it will be a provincial highway network.

Reeve

Chief Administrative Officer

- The existing use was approved under the previous Land Use Bylaw 1211, which allowed for isolated industrial as a discretionary use. This changed for the current bylaw, creating a need for the rezoning.
- If the applicant wants to pursue the recycling facility they would have to go through the permitting process.

Council asked Mr. Just regarding dust control, do you maintain roads through a road use agreement with Administration and is it done to County standards?

Mr. Just replied that yes, there is an agreement as part of the original permit.

Reeve Hickey asked three times if anyone present wished to speak in opposition of Bylaw 1474.

No one came forward.

Reeve Hickey asked if there were any other questions or comments regarding Bylaw 1474.

Council enquired about the hours of operation.

Ms. Janzen stated that the hours would be captured in the development permit, should the rezoning be approved.

Mr. Paladino stated they have had discussions with Ms. Janzen and a development permit is being held in abeyance pending the rezoning. If the rezoning is approved the applicant will pursue a development permit at that time.

438/16	M. ZEINSTR	MOVED that the Public Hearing for Bylaw 1474 Southern Excavating and Trucking Ltd. - Amendment to the Land Use Bylaw from Rural Agriculture (RA) to Rural General Industrial (RGI) for a portion of the NW 7-8-20-W4 close at 11:27 a.m.	CARRIED
439/16	K. BENSON	MOVED second reading of Bylaw 1474.	CARRIED
440/16	S. CAMPBELL	MOVED third reading of Bylaw 1474.	CARRIED

APPOINTMENTS **E3. RCMP Update: S/Sgt. Glenn Henry**

Reeve Hickey welcomed Staff Sergeant Glenn Henry to the meeting at 11:30 a.m. Council introduced themselves to S/Sgt Glenn Henry. S/Sgt Henry provided Council with a brief history on his professional career and further reported that on recent staff changes in the Coaldale detachment where it went from 8 members to 16 members. S/Sgt Henry stated he is anticipating working more closely with the County and improving communication with the Community Peace Officers and building on the relationship with the Emergency Services Department.

Reeve Hickey thanked S/Sgt Glenn Henry for his attendance at the meeting.

441/16	M. ZEINSTR	MOVED that County Council receive the RCMP Update as provided by S/Sgt. Glenn Henry as information.	CARRIED
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NOTE: Councillor M. Zeinstra departed at 11:53 a.m.

Reeve

Chief Administrative Officer

REPORTS**D1. Finance Report - May to July 2016**

Mr. Terry Ostrom, Supervisor of Public Works continued his presentation regarding the Public Works Core Activity Summary as of August 29, 2016, as part of the Finance Report.

NOTE: Councillor S. Campbell retired at 12:01 p.m.

NOTE: S. Ashbee, Sunny South News retired at 12:01 p.m.

442/16 K. BENSON MOVED the meeting recess for lunch at 12:01 p.m. CARRIED

The meeting reconvened at 1:35 p.m. with all members of Council present as previously stated including the return of Councillor M. Zeinstra.

APPOINTMENTS**E4a. Subdivision Application #2016-0-119 - Bruce H. Groenenboom - SW 1/4 7-10-22-W4**

443/16 K. BENSON MOVED that the Country Residential subdivision of SW1/4 7-10-22-W4M (Certificate of Title No. 861 049 035), to subdivide a 2.20 acre (0.89 ha) vacant parcel from the greater half of a cut-off agricultural title of 115.88 acres (46.89 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 at their expense a professional soils analysis by an accredited agency or engineer to ensure suitability for a private on-site septic treatment system on the proposed 2.20 acre parcel.
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.

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 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. The Subdivision Authority has determined the subdivision is for a parcel from the greater half of a cut-off/fragmented quarter section due to the CPR rail-line, and is thus eligible for subdivision consideration. The proposed 2.20 acre title exceeds the County's Land Use Bylaw 2.0 acre minimum parcel size and is below the 3.0 acre maximum.
4. No objection or concerns have been received regarding the application and the proposal greatly exceeds any required minimum distance separation to the closest neighboring confined feeding operation. CARRIED

Reeve

Chief Administrative Officer

E4b. Subdivision Application #2016-0-120 - Van Raay Paskal Farms Ltd. - Block 1, Plan 9210224 within NW 1/4 29-11-19-W4

- 444/16 K. BENSON MOVED that the Country Residential subdivision of Block 1, Plan 9210224 within NW1/4 29-11-19-W4M (Certificate of Title No. 091 283 846 +8, 091 283 846 +9), to reconfigure and reduce in size an existing 7.56 acre (3.06 ha) title by subdividing 5.41 acres (2.19 ha) and consolidating it to the adjacent quarter section, thereby creating a 2.35 acre (0.95 ha) parcel, 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 submits a copy of a plan of survey as prepared by an Alberta Land Surveyor that subdivides and consolidates the land involved in the swap in a manner such that the resulting certificate of titles cannot be further subdivided without approval of the Subdivision Authority.
- 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 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. The Subdivision Approval Authority of Lethbridge County has determined the proposed subdivision is a reconfiguration of titles and meets the subdivision criteria of the Land Use Bylaw, with no resulting increase in title density.
 4. The reduced parcel size at 2.35 acres conforms to the subdivision criteria and exceeds the County's minimum 2.0 acre parcel size and the Subdivision Authority is satisfied that the proposal is suitable for the intended purpose. CARRIED

REPORTS

D1. Finance Report - May to July 2016

Ms. Diane Urkow, Director of Corporate Services presented the Finance Report for May to July 2016.

- 445/16 H. DOEVE MOVED that County Council receive item D1. Finance Report - May to July 2016 as information. CARRIED

COMMUNITY SERVICES

G1. Bylaw 1478 - City of Lethbridge / Lethbridge County Intermunicipal Development Plan - First Reading

- 446/16 K. BENSON MOVED first reading of Bylaw 1478 - City of Lethbridge / Lethbridge County Intermunicipal Development Plan and direct Administration to advertise for the public hearing. CARRIED

Reeve

Chief Administrative Officer

G2. Herman Loedeman - Request to Reduce Emergency Services Invoice

- 447/16 M. ZEINSTRÄ MOVED that County Council approve the request by Mr. Herman Loedeman to reduce the invoice for the emergency services response to \$650 as per Mr. Loedeman's request and directs Administration to follow up with Alberta Transportation.
CARRIED
- 448/16 K. BENSON MOVED to bring item F1. Hamlet & Grouped Country Residential Speed Reduction to 30 km/hr. back to the table.
CARRIED

MUNICIPAL SERVICES**F1. Hamlet & Grouped Country Residential Speed Reduction to 30 km/hr.**

- 449/16 M. ZEINSTRÄ MOVED that County Council approves the speed reduction in the Vista Meadows Subdivision to 30 km/hr and approves the speed reduction in the entire Hamlet of Shaughnessy to 30 km/hr. effective September 30, 2016.
CARRIED

F2. Sundial Road, 200 Meters North of Highway 25 – M. Zeinstra

Mr. Rick Bacon, Director of Municipal Services reported to Council that the first 200 metres of the Sundial Road is in extremely poor condition and in need of substantial work; it is banned at 50% year round. It is currently in the 2017 Budget but Administration is requesting that monies be set aside from the Public Works Reserve to allow for this happen in 2016.

- 450/16 M. ZEINSTRÄ MOVED that County Council authorize, to a maximum of \$70,000 with funds to be derived from the Public Works Reserve for the completion of the work to pulverize base prep and pave the approximately 200 metres on the Sundial Road, immediately north of Highway 25, in the 2016 year as opposed to 2017.
CARRIED

ADMINISTRATION I2. AUMA Convention & AMSC Trade Show – October 5-7, 2016, Edmonton, AB

Reeve Hickey stated that the AUMA Convention is scheduled for October 5-7, 2016 in Edmonton. Council discussed the benefits of sending a delegate or delegation to the event.

- 451/16 K. BENSON MOVED to receive item I2. AUMA Convention & AMSC Trade Show – October 5-7, 2016, Edmonton, AB for information.
CARRIED

INVITATIONS**J1. Lethbridge Flying Club Invitation – Lethbridge Airport – September 17, 2016 – H. Doeve**

Deputy Reeve Henry Doeve stated that he has received a verbal invitation from Mr. Ron Janzen from the flying club in Lethbridge for all of Council to attend a meet and greet at the Lethbridge Airport scheduled for September 17, 2016 between 9:00 a.m. and 3:00 p.m. at the large red hangar.

- 452/16 H. DOEVE MOVED to receive item J1. Lethbridge Flying Club Invitation – Lethbridge Airport – September 17, 2016 – H. Doeve for information.
CARRIED

Reeve

Chief Administrative Officer

ADMINISTRATION**I1. Council Meeting Dates - October 20, 2016, November 21, 2016 and January 19, 2017**

453/16 K. BENSON MOVED that County Council schedules the 2016 Organizational Meeting for October 20, 2016 commencing at 9:00 a.m., re-schedule the November 17, 2016 Council meeting to Monday, November 21, 2016, schedule the January 2017 Council meeting for January 18, 2017 commencing at 10:00 a.m.
CARRIED

IN-CAMERA**K2. Land Update**

454/16 H. DOEVE MOVED to receive item K2. Land Update for information.
CARRIED

K3. Legal Update

455/16 K. BENSON MOVED to receive item K3. Legal Update for information.
CARRIED

K1. Personnel

456/16 K. BENSON MOVED to receive item K1. Personnel for information.
CARRIED

COMMUNITY SERVICES**G3. Bylaw 1473 Re: Motion 429/16 - Public Hearing - 324700 AB LTD. (Blair Frache) Amendment to the Land Use Bylaw from Rural Agriculture (RA) and Coaldale Lethbridge Corridor (CLC) to Rural General Industrial (RGI) for a portion of SE 7-9-20-W4**

At this time, Deputy Reeve Henry Doeve recused himself due to pecuniary interests.

457/16 K. BENSON MOVED to rescind Motion 429/16 'that 324700 AB LTD. (Blair Frache) prepare an Area Structure Plan prior to second and third reading of Bylaw 1473'.
CARRIED

G4. Bylaw 1473 – 324700 AB LTD. (Blair Frache) Amendment to the Land Use Bylaw from Rural Agriculture (RA) and Coaldale Lethbridge Corridor (CLC) to Rural General Industrial (RGI) for a portion of SE 7-9-20-W4

458/16 K. BENSON MOVED second reading of Bylaw 1473 as amended excluding the 160 metres on the westerly boundary.
CARRIED

459/16 M. ZEINSTRAS MOVED third reading of Bylaw 1473. CARRIED

Note: Deputy Reeve H. Doeve present at 3:08 p.m.

ADJOURNMENT

460/16 M. ZEINSTRAS MOVED the meeting adjourn at 3:09 p.m. CARRIED

Reeve

Chief Administrative Officer