

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD APRIL 20, 2017 IN THE COUNTY ADMINISTRATIVE OFFICE, LETHBRIDGE, ALBERTA.**

**PRESENT:**

Division No. 1	- L. Hickey, Reeve (present at 9:35 a.m.)
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	- D. Irwin

**DEPUTY REEVE HENRY DOEVE IN THE CHAIR**

**CALL TO ORDER** Deputy Reeve Doeve called the meeting to order at 9:20 a.m.

**AMENDMENTS TO THE AGENDA**

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the April 20, 2017 agenda.

- K1. Legal Update

172/17 T. WHITE MOVED that Council approve the agenda as amended.  
CARRIED

**IN-CAMERA**

**K1. Legal Update**

173/17 M. ZEINSTRAS MOVED that County Council go In-Camera at 9:21 a.m.  
CARRIED

Note: L. Hickey present at 9:35 a.m.

**REEVE LORNE HICKEY IN THE CHAIR AT 9:35 A.M.**

174/17 S. CAMPBELL MOVED that County Council come out of In-Camera at 9:58 a.m.  
CARRIED

Reeve Hickey recessed the meeting at 9:59 a.m.

The meeting reconvened at 10:10 a.m.

**CONFIRMATION**

**B1. Confirmation of Minutes**

175/17 S. CAMPBELL MOVED that the April 6, 2017 Council Minutes be approved as presented.  
CARRIED

**APPOINTMENTS**

**E1. Marcie Peterson Re: Free Dust Control on Rge. Rd. 21-01**

Reeve Hickey welcomed Ms. Marcie Peterson to the meeting at 10:15 a.m.

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Reeve

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Chief Administrative Officer

Ms. Peterson addressed Council regarding her concerns on traffic and dust control on Rge. Road 21-0 south of secondary highway 512 to Highway 4. Council held a discussion regarding the matter.

- 176/17 H. DOEVE MOVED that County Council receives the report for information, and further that Council consider Rge. Road 21-0 south of secondary highway 512 to Highway 4, as part of the Market Access Network Modified Aggregate Base Stabilization Project. CARRIED

Reeve Hickey thanked Ms. Peterson for attending the meeting. Ms. Peterson retired at 10:36 a.m.

### MUNICIPAL SERVICES

#### F1. Bylaw #1489 - Road Closure, Sale & Consolidation – Dar Ray Farms Ltd. – Undeveloped Road ROW, SE-5-8-20-4

- 177/17 T. WHITE MOVED that County Council approves first reading of Bylaw #1489, and hereby closes the following described road, subject to rights of access granted by other legislation, pertaining to;

1. *That portion of road on plan 081 4065 contained within Lot 5, Block 1, Plan 171\_\_\_\_, containing 0.784 hectares (1.94 acres) more or less, excepting there out all mines and minerals.*
2. *That portion of road on plan 081 4065 contained within Lot 7, Block 1, Plan 171\_\_\_\_, Containing 0.600 hectares (1.48 acres) more or less, excepting there out all mines and minerals.*
3. *That portion of road on plan 171\_\_\_\_ contained within Lot 7, Block 1, Plan 171\_\_\_\_, containing 0.006 hectares (0.015 acres) more or less, excepting there out all mines and minerals.* CARRIED

- 178/17 M. ZEINSTRA MOVED that County Council approve that the land associated with the road closure (3.44 acres), be sold to Dar Ray Farms Ltd. for \$1.00 and that all surveying and registration costs be the responsibility of Dar Ray Farms Ltd. CARRIED

### COMMUNITY SERVICES

#### G1. Bylaw 1496 - Stafford Landing Area Structure Plan for Lot 4, Block 1, Plan 1014119 (in SE 14-9-19-W4) and a Ptn. of NE 14-9-19-W4 - First Reading

- 179/17 T. WHITE MOVED first reading of Bylaw 1496. CARRIED

#### G2. Bylaw 1497 Stafford Landing - Amendment to the Land Use Bylaw from Rural Agriculture (RA) to Grouped Country Residential (GCR) for Lot 4, Block 1, Plan 1014119 (in SE 14-9-19-W4) and a portion of NE 14-9-19-W4 - First Reading

- 180/17 S. CAMPBELL MOVED first reading of Bylaw 1497. CARRIED

#### G3. Bylaw 1499 – Julian Kooiker & Melinda Bigford - Amendment to the Land Use Bylaw from Rural General Industrial (RGI) to Lethbridge Urban Fringe (LUF) Plan 6869HA Block Z in the NW 2-9-21—W4 – First Reading

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Reeve

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Chief Administrative Officer

181/17 M. ZEINSTRA MOVED first reading of Bylaw 1499. CARRIED

**APPOINTMENTS E2 Sgt. Tom Howell, RCMP Detachment Commander, Picture Butte, Alberta**

Reeve Hickey welcomed Sgt. Tom Howell, RCMP Detachment Commander, Picture Butte to the meeting at 11:00 a.m. Sgt. Howell provided Council with an update on policing activities including the increase in property crime in rural locations and their annual performance plan priorities on the north side of the river.

Note: Reeve Hickey departed at 11:20 a.m.

**DEPUTY REEVE DOEVE ASSUMED THE CHAIR AT 11:20 A.M.**

Note: Reeve Hickey present at 11:25 a.m.

**REEVE HICKEY ASSUMED THE CHAIR AT 11:25 A.M.**

182/17 M. ZEINSTRA MOVED that County Council accepts the RCMP information update provided in item E2. Sgt. Tom Howell, RCMP Detachment Commander, Picture Butte for information. CARRIED

**E3. Dr. Paula Burns, President and Ms. Gwen Wirth, Communications Manager, Lethbridge College**

Reeve Hickey welcomed Dr. Paula Burns, President and Ms. Gwen Wirth, Communications Manager, Lethbridge College to the meeting at 11:30 a.m. Council introduced themselves to Dr. Burns. Dr. Burns provided Council with a presentation regarding the history of the college, its programs, and upcoming initiatives and goals. Reeve Hickey and members of Council thanked the delegation for the presentation and agreed to have on ongoing relationship moving forward.

183/17 M. ZEINSTRA MOVED that County Council receives item E3. Dr. Paula Burns, President, Lethbridge College for information. CARRIED

184/17 M. ZEINSTRA MOVED the meeting recess for lunch at 12:01 p.m. CARRIED

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

**APPOINTMENTS E4. Subdivision Application 2016-0-142 - Harvey A. & Gail Nikkel, Northdale Dairy Farms - S 1/2 3-10-20-W4**

185/17 T. WHITE MOVED that the Country Residential & Agricultural subdivision of S1/2 3-10-20-W4M (Certificate of Title No. 061 115 071, 941 047 603 +1), to subdivide out a 37.92 acre (15.34 ha) parcel from a 119.06 acre (48.18 ha) title and then consolidate the remaining 81.14 acres (32.84 ha) to the adjacent west 80.06 acre (32.4 ha) title for country residential & agricultural 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

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Chief Administrative Officer

registered concurrently with the final plan against the title(s) being created.

3. That the applicant submits a plan as prepared by an Alberta Land Surveyor illustrating the remnant 81.14 acres is consolidated to the west 80.06 acre title (C of T 941 047 603+1) in the SW 3-10-20-W4, so that the resulting title may not be further subdivided without Subdivision Authority approval.

4. That the applicant provides a Surveyors sketch to illustrate the exact dimensions and parcel size and the location of all improvements on the proposed 37.92 acre parcel as approved.

**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 Subdivision Authority sees merit in the application and has determined there is logical rational for this consolidation proposal, as both adjacent parcels of land are irrigated and may be farmed as one cohesive unit.

5. No objections have been received and Alberta Transportation, in particular, has no concerns and has granted a waiver of Sections 14 and 15(2) of the Regulation.

**MOTION DEFEATED**

186/17

H. DOEVE

MOVED that the Country Residential & Agricultural subdivision of S1/2 3-10-20-W4M (Certificate of Title No. 061 115 071, 941 047 603 +1), to subdivide out a 37.92 acre (15.34 ha) parcel from a 119.06 acre (48.18 ha) title and then consolidate the remaining 81.14 acres (32.84 ha) to the adjacent west 80.06 acre (32.4 ha) title for country residential & agricultural use; BE REFUSED for the following reasons:

**REASONS:**

The Subdivision Authority has determined the subdivision application does not comply with the subdivision policies and criteria of the Lethbridge County Land Use Bylaw No. 1404 (LUB No. 1404) as described:

1. The Subdivision Authority is not satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended as the County subdivision policies do not allow a 37.92 acre sized parcel to be subdivided. The proposed 37.92 acre title does not meet the required minimum agricultural parcel size of 140 acres, and it greatly exceeds the maximum 10 acre parcel size for a county residential use.

2. The Subdivision Authority is of the opinion the subdivision and consolidation proposal does not conform to the County's realignment or reconfiguration of titles subdivision criteria, as it is not considered to be a rational and logical realignment of titles and the land, with particular regard for irrigation and the irrigation pivot systems in place. It is noted the two adjacent quarter sections in the S1/2 3-10-20-W4M contain two independently operating irrigation pivots. The Subdivision Authority has determined the application as proposed does not

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Reeve

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Chief Administrative Officer

align with the irrigation systems operating on the two adjacent parcels and is considered not to be a logical use of the land.

CARRIED

**COMMUNITY SERVICES**

**G4. Animal Control within Lethbridge County**

187/17 K. BENSON MOVED that County Council authorizes that Councillor Ken Benson and Councillor Tom White be appointed to a project team with members from Administration to discuss the options that would regulate the keeping of animals within the County. CARRIED

**APPOINTMENTS E5. Phil McFarland - KPMG – 2016 Financial Statement Presentation**

Reeve Hickey welcomed Mr. Phil McFarland of KPMG to the meeting at 2:00 p.m.

The delegation provided a presentation to Council regarding the draft 2016 Financial Statements for Lethbridge County.

Reeve Hickey thanked the Mr. McFarland for attending the meeting. Mr. McFarland retired at 2:30 p.m.

**CORPORATE SERVICES**

**H1. 2016 Financial Statement Report**

188/17 K. BENSON MOVED that Council approves the Audited Financial Statements for the fiscal year ended December 31, 2016 as presented by KPMG LLP. CARRIED

**COMMUNITY SERVICES**

**G5. Canada 150 Signage**

189/17 T. WHITE MOVED to table item G5. Canada 150 Signage. CARRIED

190/17 H. DOEVE MOVED that the Council meeting proceed past 4:30 p.m. if required. Resolution made at 2:30 p.m. CARRIED

191/17 S. CAMPBELL MOVED to bring item G5. Canada 150 Signage back to the table. CARRIED

192/17 T. WHITE MOVED that County Council approve the Canada 150 signage project in the amount not to exceed \$7,000 to be funded from the Councillor's Discretionary Reserve. CARRIED

**G6. Development Application #2017-042 – Used Auto Sales (Change in use of existing structure)**

193/17 H. DOEVE MOVED to table item G6. Development Application #2017-042 – Used Auto Sales (Change in use of existing structure) to the May 4, 2017 Council meeting, pending a Notice advising adjacent landowners in the Hamlet of Fairview of the application. CARRIED

**H2. Bylaw 1491 - Borrowing Bylaw Re: Market Access Network Modified Aggregate Calcium Base Stabilization Project – Second and Third Reading**

194/17 T. WHITE MOVED second reading of Bylaw 1491, being a Borrowing Bylaw for the Market Access Network Modified Aggregate Calcium Base Stabilization Project as amended. CARRIED

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Reeve

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Chief Administrative Officer

195/17 M. ZEINSTRA MOVED third reading of Bylaw 1491, being a Borrowing Bylaw for the Market Access Network Modified Aggregate Calcium Base Stabilization Project. CARRIED

**H3. Market Access Network - Modified Aggregate Base Stabilization Project - Approval to Proceed**

196/17 H. DOEVE MOVED that County Council authorizes Administration to proceed with the Modified Aggregate Base Stabilization project as was approved in the 2017 Amended Capital Budget. CARRIED

**H4. Bylaw 1500 - Business Tax**

197/17 H. DOEVE MOVED first reading of Bylaw 1500. CARRIED

198/17 S. CAMPBELL MOVED second reading of Bylaw 1500. CARRIED

199/17 T. WHITE MOVED that Council proceed to third reading of Bylaw 1500. CARRIED UNANIMOUSLY

200/17 M. ZEINSTRA MOVED third reading of Bylaw 1500. CARRIED

**H5. Bylaw 1501 – 2017 Business Tax Rate Bylaw**

201/17 M. ZEINSTRA MOVED first reading of Bylaw 1501 as amended. CARRIED

202/17 S. CAMPBELL MOVED second reading of Bylaw 1501. CARRIED

203/17 T. WHITE MOVED that Council proceed to third reading of Bylaw 1501. CARRIED UNANIMOUSLY

204/17 K. BENSON MOVED third reading of Bylaw 1501. CARRIED

**ADMINISTRATION**

**I1. 2017 Annual Information Meeting – May 4, 2017**

205/17 M. ZEINSTRA MOVED that Council chooses the date of May 4, 2017 from 4:00 p.m. to 7:00 p.m. to host the 2017 Annual Information Meeting - Open House, for the 2016 Financial Statement information, with the auditors present for questions; the Open House to be advertised in the Sunny South News. CARRIED

**IN-CAMERA**

**K1. Legal Update**

206/17 H. DOEVE MOVED that County Council receive item K1. Legal Update for information. CARRIED

**ADJOURNMENT**

207/17 M. ZEINSTRA MOVED the meeting adjourn at 5:03 p.m. CARRIED

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Reeve

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Chief Administrative Officer