

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF LETHBRIDGE HELD DECEMBER 19, 2013 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	- K. Viergutz
Recording Secretary	- D. Irwin

**REEVE LORNE HICKEY IN THE CHAIR**

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

**AMENDMENTS TO THE AGENDA**

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the December 19, 2013 agenda.

- G6. Photo Radar

597/13 K. BENSON MOVED that Council approve the agenda as amended.  
CARRIED

**CONFIRMATION B1. Confirmation of Minutes**

598/13 S. CAMPBELL MOVED that the December 5, 2013 Council Minutes be approved as presented.  
CARRIED

**MUNICIPAL SERVICES**

**F1. Gravel Exploration on County Lands - 2013 Report**

599/13 J. WILLMS MOVED that County Council receives the Gravel Exploration of County Land – 2013 Report for information.  
CARRIED

**F2. Nolan Hill Geotechnical Evaluation – EBA Engineering**

600/13 M. ZEINSTRAS MOVED that County Council table item F2. Nolan Hill Geotechnical Evaluation – EBA Engineering pending further information regarding the history of the Old Nolan Hill Road.  
CARRIED

---

Reeve

---

Chief Administrative Officer

**F3. Town of Coaldale - Water Reservoir Storm Water Management Project**

601/13 J. WILLMS MOVED that County Council direct Administration to prepare correspondence, under the Reeve's signature, requesting a meeting of the Malloy Drain Steering Committee to discuss the Town of Coaldale Reservoir Storm Water Project. CARRIED

**F4. Koeqler Development Water Supply**

602/13 T. WHITE MOVED that County Council authorizes Administration to request an amendment of the Sunset Acres Water Agreement with the City of Lethbridge for the purpose of obtaining a supply of potable water for the Koeqler development. CARRIED

**COMMUNITY SERVICES****G1. Encroachment Policy 163**

603/13 T. WHITE MOVED that County Council approve Encroachment Policy 163 as presented. CARRIED

**G2. Request for Encroachment Agreement - Plan 7811217, Block 26, Lot 1 (310 Queen Avenue, Monarch)**

604/13 H. DOEVE MOVED that County Council respectfully requires that the fence, located within the County's right-of-way (Eastman Avenue in Monarch) and is adjacent to the property described as Plan 7811217, Block 26, Lot 1, be removed by the current/former owners of 310 Queen Avenue, Monarch – Plan 7811217, Block 26, Lot 1. CARRIED

**G3. 2014 Canadian Badlands Membership Renewal**

605/13 H. DOEVE MOVED that County Council discontinue its' membership in the Canadian Badlands Destination Marketing Organization, and instead use the funds for in-house tourism projects and initiatives. CARRIED

606/13 J. WILLMS MOVED the meeting recess for lunch at 11:49 am. CARRIED

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

**APPOINTMENTS E1. S.D. Application #2013-0-169 (Schan/Bruinhorst) – S.W. 1/4 17-10-21-W4M**

607/13 M. ZEINSTRA MOVED that the country residential subdivision of legal subdivisions 3 and 4 within S.W. 1/4 17-10-21-W4M (Certificate of Title No. 021 172 610, 941 225 996), to subdivide a title of 5.80 acres (2.34 ha) from a title of 80.0 acres (32.38 ha) for country residential use and consolidate the remainder (74.2 acres) to the S.E. 17-10-21-W4M for agricultural 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 5.80 acres at the market value of \$4,500.00 per acre with the actual acreage and amount to be paid to the County of Lethbridge be determined at the final stage, for Municipal Reserve Purposes.

**CONDITIONS:**

---

Reeve

---

Chief Administrative Officer

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the County of Lethbridge.
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 the County of Lethbridge which shall be registered concurrently with the final plan against the title(s) being created.
3. That the applicant forfeits in writing to the NRCB any permit rights for livestock or to operate as a confined feeding operation, with a copy of confirmation of such provided in writing by the NRCB to the satisfaction of the Subdivision Authority.
4. That the remainder 74.2 acres of land to be consolidated to the east title for the S.E. 17-10-21-W4M be done by plan by an Alberta Land Surveyor so that the resulting certificate of title cannot be further subdivided without approval of the Subdivision Authority.

**REASONS:**

1. With the consolidation, 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 has determined the proposed subdivision conforms to the subdivision criteria for a reconfiguration of titles and may be deemed to be a rationalization of settlement or cultivation patterns on the land.
3. The proposed subdivision complies with the Land Use Bylaw, as with the consolidation, there will be no additional titles created as a result of the subdivision. CARRIED

**E2. S.D. Application #2013-0-174 (McGee) – N.E. 1/4 31-9-20-W4M**

608/13

M. ZEINTRA MOVED that the Country Residential subdivision of N.E. 1/4 31-9-20-W4M (Certificate of Title No. 891 208 727), to create a 7.10 acre (2.86 ha) parcel from a title of 80.09 acres (32.41 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 the County of Lethbridge.
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 the County of Lethbridge which shall be registered concurrently with the final plan against the title(s) being created.

**REASONS:**

1. The Subdivision Approval Authority has determined the proposed subdivision conforms to the subdivision criteria of the bylaw as a portion of the parent quarter section consists of Eight Mile Lake which is owned by the Province and is categorized as a public use, and therefore does not constitute a subdivision as it applies to the private land owner.
2. The proposed parcel at 7.10 acres is considered in respect of the County's maximum 3-10 acre flexible parcel size based on improvements present.
3. The Subdivision Authority considered the applicability of the MDS, and in this situation, it is determined the MDS does not

---

 Reeve

---

 Chief Administrative Officer

apply to the dwelling the subject of the subdivision.  
CARRIED

**APPOINTMENTS** **E4. PUBLIC HEARING for Bylaw 1407 - Road Closure, Sale & Consolidation – Glen Thompson/Hetherington Livestock Alberta Ltd. – N.E. 31-11-19-W4**

609/13 M. ZEINSTR A MOVED that the Public Hearing for Bylaw 1407 - Road Closure, Sale & Consolidation – Glen Thompson/Hetherington Livestock Alberta Ltd. – N.E. 31-11-19-W4 open at 2:12 p.m. CARRIED

No delegation present.

Reeve Hickey declared the public hearing is being held pursuant to the Municipal Government Act as amended for Bylaw 1211.

Reeve Hickey invited Mr. Kevin Viergutz, Director of Municipal Services to give an overview of the application.

Mr. Viergutz stated the following:

- During the CPR right-of-way disposal process, it was determined that a small portion of undeveloped road way is surplus to the County's needs.
- The undeveloped road parcel in question lies between N.E. 31-11-19-W4 and the CPR right-of-way to the north.
- It was determined that the County should give the option to purchase this portion of undeveloped road to the adjacent property owner, Hetherington Livestock Alberta Ltd.
- Mr. Glen Thompson, Hetherington Livestock Alberta Ltd. agreed to the offer and wishes to close, purchase and consolidate the said parcel.
- The public hearing notice was advertised in the December 3 and 10, 2013 editions of the Sunny South News

Reeve Hickey asked if Council had any questions of Mr. Viergutz.

Council enquired if the remainder of the section has been taken care of by CPR. Mr. Viergutz stated yes, that was the case.

Reeve Hickey asked three times if anyone present wished to speak in opposition of Bylaw 1407. No one came forward.

Reeve Hickey asked three times if anyone present wished to speak in favor of Bylaw 1407. No one came forward.

Reeve Hickey asked if there were any further questions of Council. There were no further questions from Council.

610/13 M. ZEINSTR A MOVED that the Public Hearing for Bylaw 1407 - Road Closure, Sale & Consolidation – Glen Thompson/Hetherington Livestock Alberta Ltd. – N.E. 31-11-19-W4 close at 2:17 p.m. CARRIED

611/13 T. WHITE MOVED that Bylaw #1407 - Road Closure, Sale & Consolidation – Glen Thompson/Hetherington Livestock Alberta Ltd. – N.E. 31-11-19-W4 be forwarded to the Minister of Transportation for approval. CARRIED

612/13 T. WHITE MOVED 2<sup>nd</sup> reading of Bylaw 1407. CARRIED

613/13 S. CAMPBELL MOVED 3<sup>rd</sup> reading of Bylaw 1407. CARRIED

---

Reeve

---

Chief Administrative Officer

Reeve Hickey recessed the meeting at 2:17 p.m.  
The meeting reconvened at 2:45 p.m.

**COMMUNITY SERVICES**

**G4. Bylaw 1408 - Proposed Land Use Bylaw Amendment – Hamlet Residential (HR) to Direct Control (DC) – 710038 Alberta Ltd. (Douglas Bergen & Associates) 4305 – 4 Ave. South - Fairview**

614/13 H. DOEVE MOVED first reading of Bylaw 1408. CARRIED

**APPOINTMENTS**

**E4. PUBLIC HEARING for Bylaw 1407 - Road Closure, Sale & Consolidation – Glen Thompson/Hetherington Livestock Alberta Ltd. – N.E. 31-11-19-W4**

615/13 M. ZEINSTRA MOVED to rescind Resolutions 612/13 and 613/13. CARRIED

616/13 T. WHITE MOVED to proceed with the road closure process regarding Bylaw 1407. CARRIED

**COMMUNITY SERVICES**

**G5. Municipal Elected Officials Session by AEMA**

617/13 J. WILLMS MOVED that County Council authorizes the attendance of all Council Members to the Municipal Elected Officials session scheduled for February 3, 2014 at 1:00 p.m. and that County Council replies to AEMA with a confirmation date and attendees for the session. CARRIED

**G6. Photo Radar**

618/13 M. ZEINSTRA MOVED that County Council receives item G6. Photo Radar as information. CARRIED

**CORPORATE SERVICES**

**H1. 2014 Interim Operating Budget**

619/13 K. BENSON MOVED that County Council approve the 2013 Operating Budget as the 2014 Interim Operating Budget. CARRIED

**H2. Twinning with County of Anyang, China**

620/13 M. ZEINSTRA MOVED that Council approve twinning with the County of Anyang and direct Administration to develop a twinning policy and schedule an introductory video conference and further that if any Councillor wishes to visit the region, they do so at their own expense. CARRIED

**ADMINISTRATION**

**I1. Town of Coalhurst Centennial Celebration Invitation – December 17, 2013 – Approval ‘After the Fact’**

621/13 M. ZEINSTRA MOVED that County Council approve the attendance of Councillor Ken Benson at the Town of Coalhurst Centennial Celebration which was scheduled for Tuesday, December 17, 2013 at the Coalhurst Community Centre at 7:00 p.m. CARRIED

---

Reeve

---

Chief Administrative Officer

**I2. Picture Butte & District Chamber of Commerce Annual Meeting / Awards Dinner – January 17, 2014**

- 622/13 M. ZEINSTRA MOVED that County Council authorize the Reeve or his designate to attend the Picture Butte & District Chamber of Commerce Annual Meeting / Awards Dinner scheduled for Friday, January 17, 2014 at the Picture Butte Elks Hall. CARRIED

**I3. Town of Picture Butte / County of Lethbridge Joint Council-to-Council Meeting – Dates**

- 623/13 T. WHITE MOVED that County Council provides the dates of January 16 and February 6, 2014 in the evening, that they are available to meet with the Picture Butte Town Council for a joint Council-to-Council meeting; Administration to contact the Picture Butte CAO with the proposed meeting dates and report back to Council. CARRIED

**I4. City of Lethbridge / County of Lethbridge Joint Council-to-Council Meeting Date**

- 624/13 H. DOEVE MOVED that County Council choose the date of January 16, 2014, if available, for a joint City of Lethbridge / County of Lethbridge joint Council to Council meeting. CARRIED

**I5. 20th Independent Field Battery, RCA Re: Annual New Year's Levee – January 1, 2014, Vimy Ridge Armoury**

- 625/13 M. ZEINSTRA MOVED that County Council authorize the Reeve and Councillor K. Benson to attend the Annual New Year's Levee, 20<sup>th</sup> Independent Field Battery, RCA with Commanding Officer, Major Scott Dawson, CD and the Battery Sergeant Major Master Warrant Officer Gary Wittebolle, CD, scheduled for January 1, 2014 at 1:00 p.m. at the Vimy Ridge Armoury, 337 Stubb Ross Road, Lethbridge. CARRIED

**ADJOURNMENT**

- 626/13 M. ZEINSTRA MOVED the meeting adjourn at 3:25 p.m. CARRIED

---

Reeve

---

Chief Administrative Officer