

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD JUNE 15, 2017 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	- D. Irwin

REEVE LORNE HICKEY IN THE CHAIR

CALL TO ORDER Reeve Hickey called the meeting to order at 10:05 a.m.

AMENDMENTS TO THE AGENDA

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the June 15, 2017 agenda.

- G2. Sundial Road Update – M. Zeinstra
- I3. Tax Penalty Waiver Request Re: Wolf Coulee Resources Inc. on Roll Numbers 12440100, 12440200, 12460100, 12460200, 12920100, 12930100, 12950200, 13050200, 13820100, 14190100, 14200200, 26960100, 27010100, 73580000

328/17 M. ZEINSTRA MOVED that Council approve the agenda as amended.
CARRIED

CONFIRMATION B1. Confirmation of Minutes

329/17 S. CAMPBELL MOVED that the June 1, 2017 Council Minutes be approved as presented.
CARRIED

BYLAWS F1. Bylaw 1469 - Turin Hutterian Brethren, Road Closure, Sale & Consolidation - Undeveloped Road ROW, NW 24-12-20-W4

330/17 M. ZEINSTRA MOVED second reading for Bylaw 1469 - Turin Hutterian Brethren, Road Closure, Sale & Consolidation, Undeveloped Road ROW – NW 24-12-20-W4 , subject to rights of access granted by other legislation, pertaining to;
“THOSE PORTIONS OF GOVERNMENT ROAD ALLOWANCE FORMING PART OF LOT 1, BLOCK 1, Plan _____, CONTAINING 3.24 HECTARES (8.00 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS.”
CARRIED

Reeve

Chief Administrative Officer

331/17 T. WHITE MOVED third reading for Bylaw 1469 - Turin Hutterian Brethren, Road Closure, Sale & Consolidation, Undeveloped Road ROW – NW 24-12-20-W4 , subject to rights of access granted by other legislation, pertaining to;
 “THOSE PORTIONS OF GOVERNMENT ROAD ALLOWANCE FORMING PART OF LOT 1, BLOCK 1, Plan _____, CONTAINING 3.24 HECTARES (8.00 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS.”
 CARRIED

F2. Bylaw 903 (Resolution to Rescind) – Lethbridge County – Undeveloped Road ROW, NE-17-7-21-4 “Pothole Creek Road Plan”

332/17 K. BENSON MOVED that County Council hereby rescinds Bylaw 903; *the entire portion of ROAD PLAN 3092AZ and 1167EZ, lying within NE-17-7-21-4 and SE-20-7-21-4. The 1 mile portion of Rge Rd 21-4 south of Twp Rd 7-4.*
 CARRIED

F3. Bylaw 17-002 - Road Closure – Lethbridge County – Undeveloped Road ROW Twp. Rd 7-4 - N ½ 21-7-21-4

333/17 H. DOEVE MOVED that County Council approves first reading of Bylaw 17-002 Road Closure – Undeveloped Road ROW Twp. Rd. 7-4, N ½ 21-7-21-W4, Lethbridge County.
 1. That portion of County Township Rd. 7-4 lying west of empty ROW 21-3, for a distance of 1613m or 1 mile. CARRIED

MUNICIPAL SERVICES

G2. Sundial Road Update – M. Zeinstra

Councillor Morris Zeinstra requested an update from the Director of Municipal Services regarding the Sundial Road. A discussion ensued.

Note: M. Zeinstra departed at 10:42 a.m.

334/17 T. WHITE MOVED that County Council refer item G2. Sundial Road Update – M. Zeinstra to the Municipal Services Committee.
 CARRIED

APPOINTMENTS **E1. James Finnigin and Ross Tyrie-Horsfall, Local Representatives of the Canadian Union of Postal Workers (CUPW)**

Reeve Hickey welcomed Mr. James Finnigin and Mr. Ross Tyrie-Horsfall, local representatives of the Canadian Union of Postal Workers (CUPW). The delegation provided information and requested a letter of support to the federal government to continue the moratorium that protects post offices in rural communities.

335/17 H. DOEVE MOVED that County Council receives the presentation from the Canadian Union of Postal Workers (CUPW) regarding the continuation of the moratorium that protects post offices in rural communities, as information. **MOTION DEFEATED**

336/17 J. WILLMS MOVED that County Council forwards a letter to the Federal Government expressing support for rural post offices.
 CARRIED

Reeve Hickey thanked the delegation for their presentation. The delegation retired at 10:55 a.m.

Reeve

Chief Administrative Officer

E2. PUBLIC HEARING - Bylaw 1502 Amendment to the Land Use Bylaw from LUF to DC – Al Fritz Architect Re: Norland Historic Estate - for Lots 2 and 3, Block 1, Plan 1012612

337/17

S. CAMPBELL MOVED that the Public Hearing for Bylaw 1502 Amendment to the Land Use Bylaw from Lethbridge Urban Fringe (LUF) to Direct Control (DC) – Al Fritz Architect Re: Norland Historic Estate - for Lots 2 and 3, Block 1, Plan 1012612 open at 11:00 a.m. CARRIED

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

(spellings based on sign in sheet at public hearing)

K. Fritz	K. Venner	J. Fleming	E. Arinoby	D. VanHarborden
R. VandenBrink	E. Thiele	K. Barby	B. Mains	A. Norford
B. Norford	J. Fritz	M. Vance	R. Schuwer	G. Ouwkerest
J. Sailer	J. Hoffmann	D. Bergen	M. NilsonGelecea	
A. Danyek	D. Lehr	M. Stickel	A. Fritz	T. Wickersham
E. Hicks	A. Denecky	D. Bergen		

Reeve Hickey invited Ms. Hilary Janzen, Senior Planner to give an overview of Bylaw 1502 – Amendment to the Land Use Bylaw 1404 and answer questions from Council.

Mr. Steve Harty, Senior Planner, Oldman River Regional Services Commission referenced the following regarding the application:

- Benefits of Direct Control because of mixed uses. ORRSC supports the application;
- Detailed parking layout site plan;
- Majority of uses listed on the Direct Control District are land uses that already exist on site and have approved development permits;
- City of Lethbridge and Alberta Transportation have expressed no concerns with the re-designation.

Reeve Hickey invited persons wishing to speak to Bylaw 1502. Ms. Karen Fritz, Owner and Mr. Ken Venner, Partner, B&A Planners addressed Council in support of Bylaw 1502.

Reeve Hickey asked if anyone else wished to speak in favour of Bylaw 1502. The following people spoke in support of Bylaw 1502: Marcie Stickel, LA Chefs, Karen Barby, Jerry Hoffman, Victory Church, Tom Wickersham, Victory Church (written submission), Douglas Bergen, Victory Church and Evelyn Hicks.

Reeve Hickey asked three times if anyone else wished to speak in favour of Bylaw 1502. No one came forward.

Reeve Hickey asked if anyone wished to speak in opposition of Bylaw 1502.

Jack Flemming addressed Council in opposition to Bylaw 1502 with issue of noise at the end of some events.

Reeve Hickey asked three times if anyone else wished to speak in opposition of Bylaw 1502. No one came forward.

Karen Fritz supplied closing comments followed by a question/answer period from Council and Administration. The following items were discussed:

- The existing tent

Reeve

Chief Administrative Officer

- Parking
- Direct Control guidelines

338/17 T. WHITE MOVED that the Public Hearing for Bylaw 1502 Amendment to the Land Use Bylaw from Lethbridge Urban Fringe (LUF) to Direct Control (DC) – Al Fritz Architect Re: Norland Historic Estate - for Lots 2 and 3, Block 1, Plan 1012612 close at 12:40 p.m. CARRIED

Reeve Hickey thanked the delegation for attending the meeting. The delegation retired at 12:40 p.m.

339/17 J. WILLMS MOVED the meeting recess for lunch at 12:42 p.m. CARRIED

The meeting reconvened at 1:26 p.m. with all members of Council present as previously stated with the exception of Deputy Reeve Doeve.

APPOINTMENTS E3a) SD Application 2017-0-065 - Dar Ray Farms - SW 1/4 15-8-19-W4

340/17 T. WHITE MOVED that the Country Residential subdivision of SW1/4 15-8-19-W4M (Certificate of Title No. 171 104 303), to subdivide a 9.93 acre (4.02 ha) parcel from a title containing 128.73 acres (52.09 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 removes the garage located over the proposed east property line so it does not encroach over the title boundary for the yard, with confirmation provided to the satisfaction of the municipality, prior to final endorsement.
4. That the easement(s) as required by ATCO Gas shall be established prior to finalization of the application.

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 this application conforms to the subdivision criteria for a first parcel out of a quarter section subdivision. The proposed parcel size complies with the stipulated minimum and maximum country residential parcel size as established in the bylaw (2-10 acres). CARRIED

E3b) SD Application 2017-0-074 - 324700 Alberta Ltd. - SE 1/4 7-9-20-W4

Note: Deputy Reeve Doeve present at 1:41 p.m.

341/17 K. BENSON MOVED that the Industrial subdivision of SE1/4 7-9-20-W4M (Certificate of Title No. 021 164 444 +1), to create three (3) industrial lots, at 2.99, 4.00 and 8.50 acres (1.21, 1.62 and 3.44

Reeve

Chief Administrative Officer

ha) in size, and a 2.34 acre (0.95 ha) PUL, from a title containing 73.70 acres (29.82 ha), for Rural General Industrial use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement on the 73.70 acres, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on 19.70 acres at the market value of \$15,000 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 remnant 54.00 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 enters into a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created. The County may address the construction standards of the road through the terms of the agreement, along with the temporary access turn around, intersection upgrades if warranted, grading and drainage, etc.
3. That a temporary access right-of-way and easement document be provided by the applicant and registered on the west remnant 54.00 acre land, to be registered concurrently with the subdivision.
4. That a final plan as prepared by an Alberta Land Surveyor be provided that also reflects the final stipulated road width as requested by Lethbridge County.
5. That verification be provided to the satisfaction of Lethbridge County that the existing septic treatment system is reviewed and found to be of sufficient sizing and soil quality to comply with provincial sewage regulations. Prior to final endorsement, the applicant must submit a copy of both the report and, if applicable, an approval of the septic system from the provincial agency responsible for its 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 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 complies with the bylaw and subdivision criteria for land designated for Rural General Industrial use, and is eligible for subdivision consideration.
4. The proposed subdivision conforms to the concept plan and lot configuration approved for the land. CARRIED

E3c) SD Application 2017-0-076 - 826329 Alberta Ltd. - SE 1/4 16-9-20-W4

342/17

M. ZEINSTRA MOVED that the Agricultural subdivision of SE1/4 16-9-20-W4M (Certificate of Title No. 021 180 191), to subdivide and split an unsubdivided quarter section into two halves, creating an 82.28

Reeve

Chief Administrative Officer

and 75.69 acre (33.30 and 30.63 ha) parcel each respectively in size, for 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 enters 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 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 proposed parcel is the first subdivision from the quarter section as an agricultural split into two (approximately 80 acre) portions and is determined to be suitable for the intended purpose.
4. The Subdivision Authority is satisfied that the subdivision and parcel sizes as proposed has merit in consideration of the irrigation pivot system in place on the land. CARRIED

E3d) SD Application 2017-0-079 - Randall & Joan Ross - N 1/2 of NE 1/4 18-9-20-W4

343/17

M. ZEINSTRA MOVED that the Country Residential subdivision of North Half of NE $\frac{1}{4}$ 18-9-20-W4M (Certificate of Title No. 111 271 665), to subdivide a 2.60 acre (1.05 ha) vacant parcel from a title containing 79.49 acres (32.17 ha) within a previously subdivided quarter section, 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 2.60 acres at the market value of \$8,800 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 enters 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 plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcel being subdivided.
4. That the applicant provides a professional soils analysis on the 2.60 acre lot to determine private septic suitability, with soil results to be found acceptable by the Subdivision Authority.

REASONS:

Reeve

Chief Administrative Officer

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan as it pertains to a portion of poor quality agricultural land.
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 sees merit in the application and granting waivers of the subdivision criteria, as the area being subdivided is an isolated portion of land separate from the west agricultural land and south of their developed yard in the corner thereby making it difficult to farm.
4. The quarter section was subdivided to create the 80-acre titles a long time ago, as evidence indicates it was there already in the 1960s and the applicants did not effect that subdivision, and similar type subdivisions exist in the immediate area.

CARRIED

MUNICIPAL SERVICES**G1. Broxburn Business Park – Road Network Upgrade**

- 344/17 M. ZEINSTRAS MOVED that Council authorizes Administration to proceed with the Phase 1 of the Broxburn Business Park Road Network Upgrade with an overlay on Broxburn Blvd North and the north portion of Broxburn Blvd West and the Broxburn Link to a maximum cost of \$700,000 to be funded from the Public Works Project Reserve. CARRIED
- 345/17 S. CAMPBELL MOVED that County Council direct Municipal Services to review the Road Use Permit Policy as it pertains to the Broxburn businesses and present its findings to the Municipal Services Committee. CARRIED

APPOINTMENTS**E2. PUBLIC HEARING - Bylaw 1502 Amendment to the Land Use Bylaw from Lethbridge Urban Fringe (LUF) to Direct Control (DC) – Al Fritz Architect Re: Norland Historic Estate - for Lots 2 and 3, Block 1, Plan 1012612**

Note: M. Zeinstra departed at 2:30 p.m. as he was not present for the public hearing.

- 346/17 H. DOEVE MOVED second reading of Bylaw 1502 as amended (for parking). CARRIED
- 347/17 S. CAMPBELL MOVED third reading of Bylaw 1502. CARRIED

Note: M. Zeinstra present at 2:43 p.m.

COMMUNITY SERVICES

- 348/17 S. CAMPBELL MOVED that County Council bring item H1. Quality Management Plan for Safety Codes Accreditation back to the table. CARRIED

H1. Quality Management Plan for Safety Codes Accreditation

Reeve Hickey asked for a Recorded Vote:

For Opposed
K. Benson J. Willms

Reeve

Chief Administrative Officer

S. Campbell M. Zeinstra
H. Doeve L. Hickey
T. White

- 349/17 H. DOEVE MOVED that County Council approves the Lethbridge County 2017 Quality Management Plan in the building, electrical, plumbing and gas disciplines of the Safety Codes Act, to become effective July 17, 2017. CARRIED

H2. 2017 Land Trust Reserve

- 350/17 S. CAMPBELL MOVED that County Council approve funding for the Land Trust Reserve Fund Grant Applications for 2017 as presented.

- 351/17 T. WHITE MOVED to make an amendment to motion 350/17 to delete items 12 and 13 from the 2017 Land Trust Reserve recommendations. **MOTION DEFEATED**

- 352/17 S. CAMPBELL MOVED that County Council approve funding for the Land Trust Reserve Fund Grant Applications for 2017 as presented:

Alberta Birds of Prey	\$12,000.00
Coaldale Baseball Association	\$15,000.00
Coaldale Minor Hockey Association	\$ 2,000.00
Coulee Winds Saddle Club	\$ 5,000.00
Dorothy Dalgleish School Palliser Regional School Division	\$16,550.00
Arts & Culture Committee of Gem of the West	\$ 7,000.00
Green Acres Foundation	\$20,000.00
Link Pathway Society	\$20,000.00
McNally Community Association	\$19,087.50
Monarch Community Association	\$15,000.00
Monarch Reformed Church	\$ 5,000.00
Nobleford Christian Reformed Cemetery	\$20,000.00
Royal Canadian Legion Coalhurst Branch 273	\$17,000.00
Sundial Community Association	\$15,000.00
Walk on the Wild Side Society	\$20,000.00
Total	\$208,637.50

CARRIED

- 353/17 M. ZEINSTRA MOVED that County Council direct Administration to bring back Policy 145 Lethbridge County Land Trust Reserve Fund Grant for review. CARRIED

CORPORATE SERVICES

I1. 2017/2018 Canadian Border Services Agency - Agreement For The Provision of Border Services

- 354/17 J. WILLMS MOVED that County Council authorizes the Reeve to execute the 2017/2018 *Agreement for the Provision of Border Services* between Lethbridge County and Canada Border Services Agency. CARRIED

I2. 2018-2010 Budget Schedule

- 355/17 J. WILLMS MOVED that Council approve that the 2018 - 2020 Budget Schedule as presented. CARRIED

Reeve

Chief Administrative Officer

I3. Tax Penalty Waiver Request Re: Wolf Coulee Resources Inc. on Roll Numbers 12440100, 12440200, 12460100, 12460200, 12920100, 12930100, 12950200, 13050200, 13820100, 14190100, 14200200, 26960100, 27010100, 73580000

Deputy Reeve Doeve asked for a recorded vote.

<u>For</u>	<u>Opposed</u>
K. Benson	H. Doeve
J. Willms	T. White
M. Zeinstra	S. Campbell
L. Hickey	

- 356/17 K. BENSON MOVED that County Council waive the tax penalty on Roll Numbers 12440100, 12440200, 12460100, 12460200, 12920100, 12930100, 12950200, 13050200, 13820100, 14190100, 14200200, 26960100, 27010100, and 73580000 in the amount of \$1400.00. CARRIED
- 357/17 M. ZEINSTRAS MOVED that County Council waive the tax penalties for July for all County residents based on citizens who may have not received their tax notices.

Deputy Reeve Doeve asked for a recorded vote for motion 357/17.

Meeting adjourned prior to this resolution being voted on by Council. This resolution automatically falls under "Unfinished Business" at the next regularly scheduled Council meeting.

OTHER UNFINISHED BUSINESS:

The following two items that were on the June 15, 2017 Council meeting were not dealt with prior to adjournment. These two items will be considered at the Special Council Meeting scheduled for June 29, 2017.

K1. 2017 Alberta Recreation and Parks Association (ARPA) Annual Conference and Energize Workshop "Challenges, Change and Opportunities" – October 26-28, 2017 – Lake Louise, Alberta

K2. SouthGrow Regional Initiative Re: SouthGrow's Recognition Awards Evening – Thursday, June 15, 2017, Lethbridge Lodge

ADJOURNMENT

- 358/17 M. ZEINSTRAS MOVED the meeting adjourn at 4:32 p.m. CARRIED

Reeve

Chief Administrative Officer