

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF LETHBRIDGE HELD MAY 17, 2012 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:**

Acting County Manager	- A. Frootman
Director of Corporate Services	- R. Robinson
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 9:35 a.m.

**AMENDMENTS TO THE AGENDA**

Albert Frootman, Acting County Manager and members of Council made the following additions and deletions to the May 17, 2012 agenda.

- F4. McKechney Road ACP Overlay Tender Award
- I1. Picture Butte High School Graduation Ceremonies – May 26, 2012
- I2. Coalhurst Elementary School – Invitation to Discuss Municipal Politics

193/12 J. WILLMS MOVED that Council approve the agenda as amended. CARRIED

**IN-CAMERA** **J1. Legal Issue**

194/12 M. ZEINSTRA MOVED that Council go In-Camera at 9:37 a.m. CARRIED

195/12 M. ZEINSTRA MOVED that Council come out of In-Camera at 10:04 a.m. CARRIED

**CONFIRMATION** **B1. Confirmation of Minutes**

196/12 M. ZEINSTRA MOVED that the May 3, 2012 Council Minutes be approved as presented. CARRIED

Reeve Hickey excused himself from the meeting at 10:08 a.m. as he was not present for the public hearing of By-Law 1361.

Deputy Reeve Henry Doeve assumed the Chair at 10:08 a.m.

**MUNICIPAL SERVICES**

**F1. By-Law 1361 Stafford Landing - Area Structure Plan N.E. 14-9-19-W4**

Note: B. Axtell present at 10:41 a.m.

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Reeve

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County Manager

197/12 M. ZEINSTRA MOVED third reading of By-Law 1361 as amended. That County Council directs the amendment of the proposed Area Structure Plan for Stafford Landing as follows:

1. Amend Figure 4.0, Proposed Development Concept, to illustrate the location and extent of the wastewater treatment system, including the infiltration basin, as a Public Utility Lot;
  2. Amend the final sentence of the third paragraph of Section 5.2.2: “. . . and subject to ***the approval of the Director of Municipal Services*** during the detailed design phase.”;
  3. Amend the third paragraph of Section 5.2.3 by replacing the second sentence with the following: “Stormwater management features that will be incorporated include opportunities for settlement of total suspended sediment, along with check dams along the roadside ditches to attenuate flows, as well as channel improvements where water is concentrated and discharged to Stafford Lake Reservoir.”
- MOTION DEFEATED**

Reeve Lorne Hickey resumed the Chair at 10:58 a.m.

**APPOINTMENT**

**E2. Brian Brewin, Reeve, Derrick Krizsan, Manager, M.D. of Taber Re: Stormwater Management Plan**

Reeve Hickey welcomed Mr. Brian Brewin, Reeve and Mr. Derrick Krizsan, Manager, M.D. of Taber to the meeting at 11:00 a.m.

The delegation provided Council with an update regarding the Regional Drainage Committee comprised of the M.D. of Taber, SMRID, Taber Irrigation District, Alberta Environment & Water, Alberta Agriculture and Alberta Municipal Affairs. The committee is requesting a letter of support regarding their Regional Storm Water Management Plan and the Municipal Drainage Plan template.

Reeve Hickey thanked the delegation for attending the meeting. The delegation retired at 11:34 a.m.

198/12 H. DOEVE MOVED that the County of Lethbridge supports the Regional Drainage Committee’s application for funding to Alberta Environment, Alberta Municipal Affairs, Alberta Agriculture, Alberta Infrastructure and Alberta Transportation for the development of the Regional Storm Water Management Plan and the Municipal Drainage Plan template. CARRIED

199/12 H. DOEVE MOVED that Council forward a letter of support to the M.D. of Taber for the Regional Storm Water Management Plan. CARRIED

**REPORTS**

**D1. Controller Quarterly Report**

200/12 M. ZEINSTRA MOVED that County Council approve the Controller Quarterly Report as presented. CARRIED

**APPOINTMENT**

**E1. By-Law 1387 - Lethbridge International Air Show July 21-22, 2012**

Reeve Hickey stated that Mr. Brent Botfield, President of the Lethbridge International Air Show Association is unable to meet at the appointed time for his scheduled presentation. Council determined to move ahead with the recommendations from Administration and then invite Mr. Botfield as soon as he is available to conduct his presentation to members of Council.

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Reeve

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County Manager

- 201/12 M. ZEINSTRA MOVED that County Council approve the supply of a water truck with operator for dust control to a maximum cost of \$3,500 to be funded from Councilor's Discretionary Reserve and further that Council approves the waiver of landing fees for Air Show aircraft, Aerodrome Lease approval and attendance for Council/Staff at the 2012 Alberta International Airshow scheduled to be held on July 21 and July 22, 2012. CARRIED
- 202/12 K. BENSON MOVED first reading of By-Law 1387 Temporary Road Closure for the 2012 Lethbridge International Air Show. CARRIED
- 203/12 S. CAMPBELL MOVED second reading of By-Law 1387 Temporary Road Closure for the 2012 Lethbridge International Air Show. CARRIED
- 204/12 T. WHITE MOVED that County Council proceed to third reading of By-Law 1387 Temporary Road Closure for the 2012 Lethbridge International Air Show. **CARRIED UNANIMOUSLY**
- 205/12 J. WILLMS MOVED third reading of By-Law 1387 Temporary Road Closure for the 2012 Lethbridge International Air Show. CARRIED
- 206/12 M. ZEINSTRA MOVED the meeting recess for lunch at 11:59 a.m. CARRIED

The meeting reconvened at 1:24 p.m. with all members of Council present as previously stated.

#### **MUNICIPAL SERVICES**

##### **F2. Picture Butte Golf Club Re: Cardboard Recycling**

- 207/12 H. DOEVE MOVED that County Council accept item F2. Picture Butte Golf Club Re: Cardboard Recycling for information and direct Administration to prepare a response to the Golf Club, under the Reeve's signature, explaining the role and responsibilities of the Lethbridge Regional Waste Management Services Commission. CARRIED

#### **APPOINTMENTS** **E3. S.D. Application #2012-0-062 (4 Rocky's Farms Ltd.) - SW1/4 12-8-21-W4M, Lot 1, Block 1, Plan 1113575**

Following Administration's presentation, the prospective purchaser addressed Council regarding the subdivision application and confirmed that the subject property is prone to flooding and further subdivision would be challenging.

Furthermore, the location of his adjacent 2,500 head feedlot to the south would place additional restrictions on any country residential subdivision. He stated that his interest would be for strictly agricultural purposes and it would tie all of his holdings into one larger unit, eliminating the need to bring farm equipment onto the County road.

- 208/12 H. DOEVE MOVED that the Country Residential/Agricultural subdivision of Lot 1, Block 1, Plan 1113575 and part of S.W. ¼ 12-8-21-W4M (Certificate of Title No. 111 318 380+1, 121 003 955), to reconfigure two existing titles in a quarter section and create a 17.29 acre (7.0 ha) parcel for country residential use and a 135.31 acre (54.76 ha) parcel for agricultural use; **BE APPROVED** subject to the following:  
**CONDITIONS:**

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Reeve

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County Manager

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 has the final subdivision done by plan from an Alberta Land Surveyor that is to be done in a manner such that the resulting certificate of titles cannot be further subdivided without approval of the Subdivision Authority.
4. That the country residential parcel approved shall be reduced to no larger than 3.0 acres in size and the remnant agricultural land consolidated to the remainder of the S.W. ¼ resulting in a 149.6 acre agricultural title.

**REASONS:**

1. The Subdivision Approval Authority of the County of Lethbridge has determined the proposed subdivision is a reconfiguration of existing adjacent titles and meets the subdivision criteria of the Land Use Bylaw, with no resulting increase in title density.
2. The 135.31 acre irrigated agricultural parcel size complies with the Land Use Bylaw and the local Subdivision Authority is authorized to waive the maximum parcel size requirements for the country residential use to accommodate the proposed parcel to be created, based upon the physical characteristics and the existing improvements in the yard. However, the Subdivision Authority does not see the merit or support approving a 17.29 acre country residential title.
3. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended, as the reconfiguration is to accommodate a more rationale use of the land as it will result in a larger cohesive agricultural title to remain as a single irrigated parcel.

CARRIED

**E4. S.D. Application #2012-0-063 (Olshaski / County of Lethbridge) – S.W. 1/4 33-9-21-W4M**

209/12

K. BENSON

MOVED that the Environmental Reserve and Road subdivision of S.W. ¼ 33-9-21-W4M (Certificate of Title No. 051 433 447+1), to subdivide a 1.82 acre (0.736 ha) portion of land from a title of 48.18 acres (19.49 ha) and create a 1.23 (0.498 ha) Environmental Reserve (ER) title and dedicate 0.59 acres (0.238 ha) as road, both for public 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 any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.

**REASONS:**

1. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose, for which the subdivision is intended, both as an Environmental Reserve (ER) and road dedication, pursuant to Section 7 of the Subdivision and Development Regulation.

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 Reeve

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 County Manager

2. As no objections have been received from adjacent landowners or referral agencies with respect to the proposed subdivision, the Subdivision Authority has granted an approval.
3. The local Subdivision Authority is authorized to approve at its discretion public use subdivisions on behalf of the municipality for the greater public good and does so on the merits of this proposal, to rectify a municipal road realignment issue and in order to accommodate the County of Lethbridge's need for ER land for a wetland relocation project. CARRIED

**E5. S.D. Application #2012-0-064 (DRT Farms) - Lot 1, Block 1, Plan 1110353 and Ptn of NW1/4 8-10-21-W4M**

210/12

T. WHITE

MOVED that the Grouped Country Residential subdivision of Lot 1, Block 1, Plan 1110353 and Ptn of N.W. ¼ 8-10-21-W4M (Certificate of Title No. 121 000 924, 111 013 590+1), to create four parcels, ranging in size from 2.0 acres to 6.33 acres (0.81 to 2.56 ha), and one PUL parcel 1.28 acres (0.52 ha) in size, from titles consisting of 16.02 acres (6.48 ha) for grouped 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 14.06 acres at the market value of \$16,000.00 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.

AND further that, upon receipt of this reserve payment, existing deferred reserve Caveat No. 111 013 591 shall be discharged in its entirety.

**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. The agreement may refer to additional road and ditch improvements, future fire/storm pond construction and plan completion, and which may require the applicant to put up a bond or type of security to guarantee the future storm water works required to be completed, at the expense of the developer.
3. That the easement(s) as required by ATCO Gas shall be established prior to finalization of the application.
4. That the easement(s) as required by FortisAlberta Inc. shall be established prior to finalization of the application
5. That a utility right-of-way for the drainage in conjunction with the engineered drainage plan, as prepared by an A.L.S. be provided, to the satisfaction of the Subdivision Authority.
6. That a preliminary engineered storm water analysis and drainage plan be submitted and deemed acceptable by the Director of Municipal Services of the County of Lethbridge, to address how the storm water drainage will be managed.
7. That the applicant provides a copy of architectural controls, to be approved by the municipality, to ensure high quality development occurs and that geotechnical recommendations are registered on title as a restrictive covenant.

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 Reeve

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 County Manager

**REASONS:**

1. The Subdivision Approval Authority has determined the proposed subdivision meets the criteria for grouped country residential use and conforms to the area structure plan approved for the land.
2. The proposed subdivision complies with both the Municipal Development Plan and Land Use Bylaw.
3. With the conditions imposed on the subdivision approval, 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, and will address any concerns identified through the review and referral process. CARRIED

**MUNICIPAL SERVICES****F3. Slemko Road Project Update - RR 20-4 between Twp Rd 10-0 and 10-2**

- 211/12 J. WILLMS MOVED that Council authorizes Administration to “shelve” the Slemko Road Project until such time that a source of fill dirt becomes available for the project, and that the Peacock Crossing Local Road Project be advanced from the 2013 to the 2012 budget year. CARRIED

**F4. McKechney Road ACP Overlay Tender Award**

- 212/12 K. BENSON MOVED that Council award the McKechney Road ACP Overlay Project to McNally Contractors at the cost of \$188,850.00 to be funded from the Alberta Municipal Infrastructure Program (AMIP). CARRIED

**COMMUNITY & LEGISLATIVE SERVICES****G1. Vulcan County Re: Intermunicipal Development Regional Plan with County of Lethbridge**

- 213/12 M. ZEINSTRA MOVED that County Council receive the Vulcan County Re: Intermunicipal Development Regional Plan with the County of Lethbridge for information. CARRIED

**G2. LNID Board of Directors / Council Meeting and Coalhurst IDP Committee Meeting Dates**

- 214/12 H. DOEVE MOVED that County Council choose the date of June 14, 2012 at 2:00 p.m. to meet with the LNID Board of Directors. CARRIED

**ADMINISTRATION****I1. Picture Butte High School Graduation Ceremonies – May 26, 2012**

- 215/12 T. WHITE MOVED that the Reeve or his designate be authorized to attend the Graduation Ceremonies being held in honour of the 2012 graduating class of the Picture Butte High School scheduled for Saturday, May 26, 2012 at 11:00 a.m. to be followed by a banquet and dance at 6:00 p.m. CARRIED

**I2. Coalhurst Elementary School – Invitation to Discuss Municipal Politics**

- 216/12 S. CAMPBELL MOVED that the Reeve be authorized to attend Coalhurst Elementary School to discuss municipal politics. CARRIED

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 Reeve

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 County Manager

**IN-CAMERA****J1. Legal Issue**

217/12

H. DOEVE

MOVED that County Council authorizes the Airport Manager to enter into a 24 month lease agreement with Al Braden Investments Ltd. for the purpose of removal of the hangar with a nominal fee of \$1.00 per year; and that the land be returned to an airside designation.

CARRIED

**ADJOURNMENT**

218/12

M. ZEINSTRA

MOVED the meeting adjourn at 3:01 p.m.

CARRIED

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Reeve

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County Manager