

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD SEPTEMBER 21, 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:

Acting Chief Administrative Officer	- R. Bacon
Director of Corporate Services	- T. Anderson
Acting/Director of Community Services	- H. Janzen
Recording Secretary	- D. Irwin

REEVE LORNE HICKEY IN THE CHAIR

CALL TO ORDER Reeve Hickey called the meeting to order at 9:05 a.m.

Note: N. Jamieson, Sunny South News present at 9:05 a.m.

AMENDMENTS TO THE AGENDA

Rick Bacon, Acting Chief Administrative Officer and members of Council made the following additions and deletions to the September 21, 2017 agenda.

- G3 - Lethbridge County / Airport Water Agreement with City of Lethbridge
- G4 – Malloy Drain Phase 2B ACRP Application 2017
- K5 - Lethbridge Chamber of Commerce Re: Opportunity South Conference & Business Expo – October 3 & 4, 2017, Lethbridge Lodge

453/17 M. ZEINSTRAS MOVED that Council approve the agenda as amended. CARRIED

Note: N. Jamieson, Sunny South News departed at 9:07 a.m.

IN-CAMERA

L1. Legal Issue

454/17 M. ZEINSTRAS MOVED that County Council go In-Camera at 9:07 a.m. CARRIED

455/17 M. ZEINSTRAS MOVED that County Council come out of In-Camera at 9:30 a.m. CARRIED

456/17 H. DOEVE MOVED that County Council direct Administration to proceed as per the recommendation regarding the Legal Issue. CARRIED

Note: N. Jamieson, Sunny South News present at 9:30 a.m.

Reeve

Chief Administrative Officer

APPOINTMENTS **E1. Kalen Hastings Re: Request for Funding and/or In-kind Support for the LINK Regional Pathway Project**

Reeve Hickey welcomed Mr. Kalen Hastings to the meeting at 9:30 a.m. Kalen Hastings, CAO for the Town of Coaldale, stated he is appearing on behalf of the Town as a staff resource for the LINK Regional Pathway Society. The Society is seeking funding and/or in-kind support from its key municipal partners (City of Lethbridge, Lethbridge County and the Town of Coaldale) for the purpose of constructing a paved pathway linking the three municipalities. The Town of Coaldale has committed \$100,000 cash to the LINK Regional Pathway. Council held a discussion concerning the matter.

Councillor Tom White asked for a recorded vote:

<u>IN FAVOUR</u>	<u>OPPOSED</u>
M. Zeinstra	L. Hickey
H. Doeve	T. White
S. Campbell	J. Willms
	K. Benson

457/17 M. ZEINSTRA MOVED that Council provides a letter of commitment for in-kind support to a maximum of \$100,000 contribution to the LINK Regional Pathway Society toward the construction of a paved pathway through Lethbridge County linking the Town of Coaldale and the City of Lethbridge, with funding to be determined at the time of grant approval. **MOTION DEFEATED**

Reeve Hickey thanked Mr. Hastings for attending the meeting. Mr. Hastings departed at 10:04 a.m.

CONFIRMATION **B1. Confirmation of Minutes**

458/17 S. CAMPBELL MOVED that the September 7, 2017 Council Minutes be approved as presented. **CARRIED**

BYLAWS (excluding Public Hearings)

F1. Bylaw #1489 - Road Closure, Sale & Consolidation – Dar Ray Farms Ltd. – Undeveloped Road ROW, SE-5-8-20-4 - 2nd & 3rd Readings

459/17 S. CAMPBELL MOVED second reading of Bylaw #1489 - Road Closure, Sale & Consolidation – Dar Ray Farms Ltd. – Undeveloped Road ROW, SE-5-8-20-4. **CARRIED**

460/17 K. BENSON MOVED third reading of Bylaw #1489 - Road Closure, Sale & Consolidation – Dar Ray Farms Ltd. – Undeveloped Road ROW, SE-5-8-20-4. **CARRIED**

F2. Bylaw 17-001 - Amendment to Land Use Bylaw - Shawn Sakamoto - NE 1-8-21-W4 - From: Rural Agriculture (RA) To: Grouped Country Residential (GCR) - 3rd Reading

Deputy Reeve Henry Doeve asked for a recorded vote:

<u>IN FAVOUR</u>	<u>OPPOSED</u>
T. White	J. Willms
	H. Doeve
	L. Hickey
	S. Campbell
	M. Zeinstra
	K. Benson

Reeve

Chief Administrative Officer

- 461/17 T. WHITE MOVED third reading of Bylaw 17-001 – Amendment to Land Use Bylaw – Shawn Sakamoto – NE 1-8-21-W4 – From: Rural Agriculture (RA) To: Grouped Country Residential (GCR).
MOTION DEFEATED

APPOINTMENTS **E2. John Guliker, Coalhurst Parks and Recreation Society Re: Letter of Support & Funding Request**

Reeve Hickey welcomed Mr. John Guliker to the meeting at 10:15 a.m. Mr. Guliker reported to Council regarding the newly created Coalhurst Parks and Recreation Society and their attempt to acquire funds for a new spray park. Mr. Guliker requested from Council a letter of support as well as an unspecified donation amount to support the spray park. Council held a discussion regarding the matter.

- 462/17 J. WILLMS MOVED that County Council provide a letter of support to the Coalhurst Parks and Recreation Society in their efforts to raise funds towards a spray park. Further, Council encourages the Society to apply for the Land Trust Reserve Fund once it becomes available in 2018. CARRIED

Reeve Hickey thanked Mr. Guliker for attending the meeting. Mr. Guliker departed at 10:30 a.m.

MUNICIPAL SERVICES

G1. Town of Picture Butte / Lethbridge County Water Facilities Operations and Maintenance Agreement

- 463/17 M. ZEINSTRA MOVED that County Council approves the Town of Picture Butte / Lethbridge County Water Facilities Operations and Maintenance Agreement. CARRIED

G2. Speed Reduction Request RGE RD 22-4

- 464/17 T. WHITE MOVED that County Council approves the speed reduction to 50 km/hr for that portion of RGE Rd 22-4 commencing 800m south of TWP RD 10-2 to a point 800m south, ending at the SE section boundary. CARRIED

G3. Lethbridge County / Airport Water Agreement with City of Lethbridge

- 465/17 S. CAMPBELL MOVED that County Council authorize a review to be conducted of the Airport Water Agreement for the City of Lethbridge by the Intermunicipal Committee, those being Reeve Lorne Hickey, Deputy Reeve Henry Doeve and Councillor Ken Benson with the findings to be brought back to a future Council meeting. CARRIED

G4. Malloy Drain Phase 2B ACRP Application

- 466/17 T. WHITE MOVED that County Council authorizes the Town of Coaldale to apply for the Malloy Drain Phase 2B ACRP grant funding on behalf of the SMRID and Lethbridge County; should the application be approved, Lethbridge County's portion of \$100,000 would be brought forward during the 2018 Capital Budget for approval through MSI funding. CARRIED

Reeve Hickey recessed the meeting at 10:53 a.m.
The meeting reconvened at 11:00 a.m.

Reeve

Chief Administrative Officer

APPOINTMENTS **E3. PUBLIC HEARING - Bylaw 1481 and Bylaw 1482 - Meadowscape (Doug Bergen & Associates) - Area Structure Plan and Amendment to Land Use Bylaw From Lethbridge Urban Fringe (LUF) to Grouped Country Residential (GCR) - Lot 3, Block 1, Ptn. SW 1/4 15-9-22-W4**

467/17 S. CAMPBELL MOVED that the Public Hearing for Bylaw 1481 and Bylaw 1482 - Meadowscape (Doug Bergen & Associates) - Area Structure Plan and Amendment to Land Use Bylaw From Lethbridge Urban Fringe (LUF) to Grouped Country Residential (GCR) - Lot 3, Block 1, Ptn. SW 1/4 15-9-22-W4 open at 11:02 a.m.
CARRIED

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

D. Ponjavic B. Beaudin R. Beaudin V. Hales K. Hales D. Hales
J. Peterson T. Campbell D. Bergen C. Oberkisch J. Davis H. Bakker

Reeve Hickey invited Ms. Hilary Janzen, Senior Planner, to give an overview of Bylaws 1481 and 1482 and answer questions from Council.

Reeve Hickey invited persons wishing to speak in favour of Bylaws 1481 and 1482. The following individuals spoke in favour:

- Douglas Bergen
- Verna Hales

Reeve Hickey asked three times if anyone else wished to speak in favour of Bylaws 1481 and 1482. No one came forward.

Reeve Hickey invited persons wishing to speak regarding Bylaws 1481 and 1482. No one came forward.

468/17 K. BENSON MOVED that the Public Hearing for Bylaws 1481 and 1482 close at 11:29 a.m.
CARRIED

469/17 T. WHITE MOVED second reading of Bylaw 1481 Meadowscape (Doug Bergen & Associates) - Area Structure Plan as amended and Bylaw 1482 Meadowscape (Doug Bergen & Associates) Amendment to Land Use Bylaw from Lethbridge Urban Fringe (LUF) to Grouped Country Residential (GCR) - Lot 3, Block 1, Ptn. SW 1/4 15-9-22-W4.
CARRIED

470/17 K. BENSON MOVED third reading of Bylaw 1481 Meadowscape (Doug Bergen & Associates) - Area Structure Plan and Bylaw 1482 Meadowscape (Doug Bergen & Associates) Amendment to Land Use Bylaw from Lethbridge Urban Fringe (LUF) to Grouped Country Residential (GCR) - Lot 3, Block 1, Ptn. SW 1/4 15-9-22-W4.
CARRIED

Reeve Hickey thanked the delegation for attending the meeting. The delegation retired at 11:31 a.m.

Reeve

Chief Administrative Officer

COMMUNITY SERVICES**H1. Barons & District Fire Department**

- 471/17 H. DOEVE MOVED that County Council directs the Emergency Advisory Committee and County Administration to take the necessary actions in order to adjust the Lethbridge County / Village of Nobleford Fire and Rescue Services Agreement and to reinstate the Village of Barons, under a new Fire and Rescue Services Agreement resulting in a division of the Village of Nobleford Primary Response Zone into two; the Village of Nobleford Primary Response Zone and the Village of Barons Primary Response Zone. CARRIED

CORPORATE SERVICES**I1. Policy 167 - Swearing-In Ceremony and Policy 168 - Council Orientation**

Note: H. Doeve departed at 11:42 a.m.

- 472/17 M. ZEINSTRA MOVED that Council approves Policy 167 – Swearing-In Ceremony as presented. CARRIED

Note: H. Doeve present at 11:45 a.m.

- 473/17 S. CAMPBELL MOVED that Council approves Policy 168 – Council Orientation as presented. CARRIED

I2. County Reserve Policy 169

- 474/17 J. WILLMS MOVED that County Council directs Administration to amend County Reserve Policy 169 as discussed and to bring the Policy back to a future Council meeting. CARRIED

I3. Reserve Amendments per County Reserve Policy 169

Item deleted from the Agenda.

- 475/17 M. ZEINSTRA MOVED the meeting recess for lunch at 12:08 p.m. CARRIED

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

APPOINTMENTS**E4a. SD Application 2017-0-124 - Cornelius & Katherine Neufeld - Ptn. Of Blocks 1 & 2, Plan 911BD within 1/4 14-9-21-W4**

- 476/17 T. WHITE MOVED that the Country Residential subdivision of Portion of Blocks 1 & 2, Plan 911BD within SW1/4 14-9-21-W4M (Certificate of Title No. 951 179 189), to subdivide a 2.0 acre (0.81 ha) parcel from an 8.41 acre (3.40 ha) title 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 8.41 acres at the market value of \$42,000 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, the deferred reserve caveat (951179326) registered against the Title 951179189 be discharged in its entirety.

Reeve

Chief Administrative Officer

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 a Surveyors sketch to illustrate the exact dimensions and parcel size and the location of all improvements on the proposed parcel as approved.
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.
5. That the easement(s) as required by ATCO Gas, other utility agencies or the municipality shall be established.

MOTION DEFEATED

- 477/17 S. CAMPBELL MOVED that the Country Residential subdivision of Portion of Blocks 1 & 2, Plan 911BD within SW1/4 14-9-21-W4M (Certificate of Title No. 951 179 189), subdivide a 2.0 acre (0.81 ha) parcel from an 8.41 acre (3.40 ha) title within a previously subdivided quarter-section, for Country Residential use; BE REFUSED for the following reasons:

REASONS:

1. The subdivision proposal does not comply with the subdivision criteria for land designated as Rural Agriculture. This proposal would result in there being 10 separate subdivisions out of the quarter-section which does not conform to the County's subdivision policies which allow a maximum of three separate titles.
2. The proposal does not conform to Land Use Bylaw No. 1404, as the Land Use Bylaw requires land to be designated as Grouped Country Residential (GCR) if there are or would be 3 or more contiguous lots less than the agricultural parcel size, which are the circumstances pertaining to this application. The subject parcel is currently designated (zoned) as Rural Agriculture (RA). CARRIED

E4b. SD Application 2017-126 - Vandenberg Properties Ltd. Peter Kleijer & Neeltje Margrietha Christina Kleijer - Lots 1&2, Plan 6556Ej & a part of NE 1/4 21-9-22-W4

- 478/17 M. ZEINSTRA MOVED to table item E4b. SD Application 2017-126 - Vandenberg Properties Ltd. Peter Kleijer & Neeltje Margrietha Christina Kleijer - Lots 1&2, Plan 6556Ej & a part of NE 1/4 21-9-22-W4 to the October 5, 2017 Council meeting. CARRIED

E5. PUBLIC HEARING - Bylaw 17-003 - Calvin Christian School - Amendment to the Land Use Bylaw - Grouped Country Residential (GCR) to Direct Control (DC) for Plan 8811143, Block 1, Lot 7

- 479/17 S. CAMPBELL MOVED that the Public Hearing for Bylaw 17-003 - Calvin Christian School - Amendment to the Land Use Bylaw – From Grouped Country Residential (GCR) to Direct Control (DC) for Plan 8811143, Block 1, Lot 7 open at 2:00 p.m. CARRIED

Reeve

Chief Administrative Officer

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

C. Block	L. Conrod	M. De Wilde	H. Bakker	S. Patterson
T. Block	D. Blenkinsop	M. Slingerland	G. Plettell	G. Patterson

Reeve Hickey invited Ms. Hilary Janzen, Senior Planner, to give an overview of Bylaw 17-003 and answer questions from Council.

Reeve Hickey invited persons wishing to speak in favour of Bylaw 17-003. The following individuals spoke:

- Marvin Slingerland
- Henry Bakker

Reeve Hickey asked three times if anyone else wished to speak in favour of Bylaw 17-003. No one came forward.

Reeve Hickey invited persons wishing to speak in opposition to Bylaw 17-003. The following individuals spoke:

- Tom & Cindy Block
- Gerard Plettell

Reeve Hickey asked if anyone else wished to speak regarding Bylaw 17-003. The following individuals spoke:

- Marco DeWilde
- Henry Bakker
- Gerard Plettell
- Tom Block

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| 480/17 | K. BENSON | MOVED that the Public Hearing for Bylaw 17-003 close at 3:12 p.m.
CARRIED |
| 481/17 | K. BENSON | MOVED second reading of Bylaw 17-003 - Calvin Christian School - Amendment to the Land Use Bylaw – From Grouped Country Residential (GCR) to Direct Control (DC) for Plan 8811143, Block 1, Lot 7 as amended.
CARRIED |
| 482/17 | M. ZEINSTRA | MOVED third reading of Bylaw 17-003 - Calvin Christian School - Amendment to the Land Use Bylaw – From Grouped Country Residential (GCR) to Direct Control (DC) for Plan 8811143, Block 1, Lot 7.
CARRIED |

Reeve Hickey thanked the delegation for attending the meeting. The delegation retired at 3:22 p.m.

CORPORATE SERVICES

14. Tax Penalty Waiver Request Re: Roll #23320000, 23350000 and 23330000 – van Diemen

- | | | |
|--------|-------------|---|
| 483/17 | M. ZEINSTRA | MOVED that County Council waive the business tax penalties for tax rolls #23320000, 23350000 and 23330000.
MOTION DEFEATED |
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Reeve

Chief Administrative Officer

484/17 T. WHITE MOVED that County Council deny the request for cancellation of business tax penalties for tax rolls #23320000, 23350000 and 23330000. CARRIED

I5. Tax Penalty Waiver Request Re: Roll #18410000 - Magill

485/17 H. DOEVE MOVED that County Council deny the request for cancellation of tax penalties in the amount of \$178.53 on Tax Roll #18410000. CARRIED

ADMINISTRATION

J1. County of Lethbridge Community Learning Council Re: Annual General Meeting – October 2, 2017, Coaldale Public Library

486/17 M. ZEINSTRÄ MOVED that County Council receives the County of Lethbridge Community Learning Council Annual General Meeting scheduled for October 2, 2017 at the Coaldale Public Library for information. MOTION DEFEATED

487/17 H. DOEVE MOVED that County Council receives the County of Lethbridge Community Learning Council Annual General Meeting scheduled for October 2, 2017 at the Coaldale Public Library for information with a letter of thanks for the invitation and statement of gratitude for the work they do. CARRIED

J2. Council Meeting Date Changes – October 19th, November 16th and December 21, 2017

488/17 S. CAMPBELL MOVED that County Council reschedule the October 19, 2017 Council meeting to Monday, October 23, 2017; the Thursday, November 16, 2017 Council meeting to Monday, November 20, 2017 and the Thursday, December 21, 2017 Council meeting to Wednesday, December 20, 2017 and further that these dates be advertised in the Sunny South News, County's website and social media pages. CARRIED

INVITATIONS

K1. Consulate General of the People's Republic of China - September 29, 2017 - Calgary

489/17 M. ZEINSTRÄ MOVED that County Council authorizes Administration to prepare a letter of regret, under the Reeve's signature and further that a tour of the Lethbridge County area and activities be planned in the near future via invitation to the Chinese Consul General. CARRIED

K2. Sugar Beet Harvest 2017 Tour – October 13, 2017 – Lantic Inc. - Taber

490/17 H. DOEVE MOVED that any member of Council wishing to attend the Lantic Inc. Sugar Beet Harvest 2017 Tour scheduled for October 13, 2017 in Taber be authorized to do so at their own expense. CARRIED

Reeve

Chief Administrative Officer

K3. Coaldale Minor Hockey Association - Land Trust Reserve Thank you and Unveiling of Equipment Event September 13, 2017 - Approval After the Fact

491/17 T. WHITE MOVED that County Council approves the attendance of Councillor John Willms, after the fact, for attending the Coaldale Minor Hockey Association - Land Trust Reserve Thank You and Unveiling of Equipment Event held September 13, 2017 at the Coaldale Hockey Arena. CARRIED

K4. Lethbridge College Re: Founders' Square Opening – September 23, 2017

492/17 M. ZEINSTRA MOVED that County Council authorizes the Reeve or his designate to attend the Lethbridge College Founders' Square Opening at Coulee Fest scheduled for September 23, 2017 at Lethbridge College. CARRIED

K5. Lethbridge Chamber of Commerce Re: Opportunity South Conference & Business Expo – October 3 & 4, 2017, Lethbridge Lodge

493/17 H. DOEVE MOVED that County Council authorizes the purchase of a table of eight at a cost of \$1,750 + GST with attendance to be comprised of members of Council and Administration to attend the Lethbridge Chamber of Commerce Opportunity South Conference & Business Expo scheduled for October 3 & 4, 2017 at the Lethbridge Lodge Hotel; funds to be derived from the 2017 Operating Budget. CARRIED

ADJOURNMENT

494/17 M. ZEINSTRA MOVED the meeting adjourn at 4:03 p.m. CARRIED

Reeve

Chief Administrative Officer