

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF LETHBRIDGE HELD OCTOBER 18, 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:**

County Manager	- D. Shigematsu
Director of Corporate Services	- R. Robinson
Director of Municipal Services	- K. Viergutz
Director of Community & Legislative Services	- A. Frootman
Recording Secretary	- D. Irwin

**REEVE LORNE HICKEY IN THE CHAIR**

**CALL TO ORDER** Reeve Hickey called the meeting to order at 10:23 a.m.

**AMENDMENTS TO THE AGENDA**

Dennis Shigematsu, County Manager and members of Council made the following additions and deletions to the October 18, 2012 agenda.

- F2 - North County Potable Water Co-op – Monarch Phase Re: Community Infrastructure Improvement Fund (CIIF) Grant Application – D. Shigematsu

438/12 J. WILLMS MOVED that Council approve the agenda as amended. CARRIED

**IN-CAMERA J1. Land Issue; J2. Personnel Issue; J3. Personnel Issue**

439/12 T. WHITE MOVED that Council go In-Camera at 10:24 a.m. CARRIED

440/12 H. DOEVE MOVED that Council come out of In-Camera at 11:44 a.m. CARRIED

Note: K. Bly, Sunny South News present at 11:46 a.m.

**CONFIRMATION B1. Confirmation of Minutes**

441/12 J. WILLMS MOVED that the October 4, 2012 Council Minutes be approved as presented. CARRIED

**MUNICIPAL SERVICES**

**F1 Lethbridge Regional Waste Management Services Commission**

442/12 T. WHITE MOVED that Council receive the Lethbridge Regional Waste Management Services Commission report as presented. CARRIED

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Reeve

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County Manager

- 443/12 M. ZEINSTRA MOVED the meeting recess for lunch at 12:10 p.m. CARRIED
- The meeting reconvened at 1:33 p.m. with all members of Council present as previously stated with the exception of Councillor Tom White.

**APPOINTMENTS E1. Cst. Darrell Craig and Sgt. Rick Dewsberry – RCMP Quarterly Report**

Reeve Hickey welcomed Cst. Darrell Craig and Sgt. Rick Dewsberry, RCMP to the meeting at 1:34 p.m.

Cst. Craig and Sgt. Dewsberry provided an update on the RCMP Quarterly Report.

Reeve Hickey thanked the delegation for attending the meeting, the delegation retired at 1:52 p.m.

- 444/12 J. WILLMS MOVED that County Council receives the RCMP Quarterly Report presentation for information. CARRIED

**E2. S.D. Application #2012-0-169 - Middelkoop - SW1/4 17-11-23-W4M**

- 445/12 M. ZEINTRA MOVED that the Country Residential subdivision of SW1/4 17-11-23-W4M (Certificate of Title No. 001 179 178), to create a 7.39 acre (2.99 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 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.
3. That the easement(s) as required by FortisAlberta Inc. shall be established prior to finalization of the application.

**REASONS:**

1. The proposed parcel is the first subdivision from the quarter section and is determined to be suitable for the intended purpose.
2. The local Subdivision Authority is authorized to waive the maximum parcel size requirements to accommodate the proposed parcel to be created based on the physical characteristics, and with the location of the dugout and tree shelterbelt, this area is not land in agricultural production or would be readily returned to as such.
3. With the waiver granted, the proposed subdivision complies with the Land Use Bylaw. CARRIED

**E3. S.D. Application #2012-0-170 - Park Road Holdings - Lot 1, Plan 881 1145 within SW1/4 3-10-22-W4M**

- 446/12 S. CAMPBELL MOVED that the Country Residential subdivision of Lot 1, Plan 881 1145 within SW1/4 3-10-22-W4M (Certificate of Title No. 071 023 213), to split a title of 5.01 acres (2.003 ha) into two titles, being 2.58 and 2.43 acres (1.045 and 0.985 ha) respectively in size, for country residential use; BE APPROVED subject to the following:

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Reeve

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County Manager

**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 5.01 acres at the market value of \$45,000.00 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.

**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. This agreement may address the use of shared access/approaches to the parcels.
3. That the applicant has a professional soils analysis done at their expense by an accredited agency or engineer to ensure that the soil characteristics for a second subdivision are capable of supporting an additional septic field. Analyses of the test must be performed and approved by an approved agency under Alberta Labour, with a copy of the report submitted and deemed acceptable to the Subdivision Authority.
4. That the applicant is responsible for providing a private access easement across the east pan-handle 2.43 acre lot to grant legal access to the west 2.58 acre lot and the remnant agricultural title for the SW1/4 3-16-22-W4M. A copy of the easement must be provided prior to final endorsement.

**REASONS:**

1. 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 of the County of Lethbridge has determined the proposed subdivision complies with the bylaw definition of poor quality of land, being 20 acres or less in size.
3. The Municipal Development Plan generally supports additional residential development within 1 mile of Park Lake Provincial Park with consideration for the subdivision criteria.
4. The proposed subdivision complies with both the Municipal Development Plan and Land Use Bylaw. CARRIED

**E4. S.D. Application #2012-0-072 - Stacey/Reid - NE1/4 31-8-20-W4M**

- 447/12 J. WILMS MOVED to bring item E4. S.D. Application #2012-0-072 - Stacey/Reid - NE1/4 31-8-20-W4M back to the table. CARRIED

**E4. S.D. Application #2012-0-072 - Stacey/Reid - NE1/4 31-8-20-W4M**

- 448/12 M. ZEINSTRA MOVED that the Grouped Country Residential subdivision of NE1/4 31-8-20-W4M (Certificate of Title No. 071 502 556), to create 10 parcels, ranging in size from 1.72 acres to 5.52 acres (0.70 to 2.24 ha), and two PUL's, 0.81 and 0.88 acres (0.33 & 0.36 ha) in size, from a title consisting of 26.34 acres (10.66 ha) 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 26.34 acres at the market value of

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Reeve

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County Manager

\$27,000.00 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.

**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 internal and service road improvements, future storm pond and drainage ditch construction and plan completion, and may require the applicant to put up a bond or type of security to guarantee works required to be completed, at the expense of the developer. In respect of the Malloy Drain Storm Water Master Plan, future development should have to incur any fees or levies that may be imposed by the County to support improvements to address the basin issues. This may be addressed through the terms of the agreement.
3. That any required utility right-of-ways or easements for the drainage be prepared by an Alberta Land Surveyor in accordance with the engineered drainage plan. The access right-of-way for Lot 4 PUL must also be addressed by the plan prepared by the surveyor.
4. That any conditions of Alberta Transportation shall be established prior to finalization of the application.
5. An engineered drainage/storm water management plan in accordance with Alberta Environment Sustainable Resource Development requirements has been submitted and deemed acceptable to the County of Lethbridge. Final endorsement of the subdivision shall not be provided until the County receives an approval under the Water Act from Alberta Environment Sustainable Resource Development for storm water management within the Malloy Drainage Basin; or, if the applicant is responsible for obtaining an approval under the Water Act, a letter of authorization from Alberta Environment Sustainable Resource Development shall be provided to the municipality prior to final endorsement.
6. 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. Clauses in the covenant should include the engineer's references to the establishment of building elevations and septic fields in relation to storm water areas.
7. That the easement(s) as required by ATCO Gas or the municipality shall be established prior to finalization of the application.
8. That the easement(s) as required by Fortis Alberta or the municipality shall be established prior to finalization of the application.

**REASONS:**

1. The Subdivision Authority is satisfied that with the conditions imposed the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.

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Reeve

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County Manager

2. The Subdivision Approval Authority has determined the proposed subdivision meets the criteria for grouped country residential use and complies with the Land Use Bylaw.
3. The proposed subdivision conforms to the Windy Acres Area Structure Plan (Bylaw No. 1343) approved for the land.

CARRIED

**E5. Subdivision Approval Extension – S.W. 14-9-21-W4 (S.D. #2010-0-282 – Wayne & Jennie Wright) - Request for Subdivision Extension**

- 449/12 M. ZEINSTRA MOVED that County Council grants a one-year extension request for Subdivision Approval 2010-0-282 - S.W. 14-9-21-W4 (Wayne & Jennie Wright) up to December 16, 2013. CARRIED

**MUNICIPAL SERVICES**

**F2. North County Potable Water Co-op – Monarch Phase Re: Community Infrastructure Improvement Fund (CIIF) Grant Application**

Dennis Shigematsu, County Manager provided an update to Council regarding the Monarch Phase of the North County Potable Water Co-op Project and the federal grant application for funding from the Community Infrastructure Improvement Fund (CIIF) Grant Application through Western Economic Diversification Canada.

- 450/12 K. BENSON MOVED that County Council authorize Administration to move forward with the application for funding request to Community Infrastructure Improvement Fund (CIIF) Grant Application through Western Economic Diversification Canada regarding the Monarch Phase of the North County Potable Water Co-op Project. CARRIED

**COMMUNITY & LEGISLATIVE SERVICES**

**G1. Oldman River Regional Services Commission Board Meeting – (Finance Issue) – Verbal Report – H. Doeve**

Deputy Reeve Henry Doeve provided Council with an update regarding the Oldman River Regional Services Commission Board Meeting regarding a financial issue that was held on October 11, 2012.

Mr. Steve Harty, Senior Planner, ORRSC also provided background information.

**REEVE HICKEY RETIRED AT 2:55 p.m.**

**DEPUTY REEVE DOEVE IN THE CHAIR AT 2:55 p.m.**

Note: Councillor John Willms retired at 3:02 p.m.

- 451/12 S. CAMPBELL MOVED that Council receive item G1. Oldman River Regional Services Commission Board Meeting – (Finance Issue) – Verbal Report – H. Doeve as information. CARRIED

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Reeve

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County Manager

**ADMINISTRATION****I1. Meetings with Ministers during 2012 AAMDC Fall Convention**

- 452/12 K. BENSON MOVED that County Council direct Administration to set-up meetings with the Ministers and/or the Departments of Agriculture, Transportation, Municipal Affairs and Environment & Sustainable Resource Development if possible and also any other additional issues they wish to take to Edmonton during the 2012 AAMDC Fall Convention and that local department representatives be copied on the invitations.
- CARRIED

**I2. Town of Picture Butte / County of Lethbridge Joint Council-to-Council Meeting – Dates**

- 453/12 M. ZEINSTRA MOVED that County Council propose the dates of November 6<sup>th</sup> and November 8<sup>th</sup>, as potential meeting dates 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

**I3. Canadian Home Builders' Association – Lethbridge Region Re: Annual Bridge Builder Banquet – November 7, 2012, Coast Hotel, Lethbridge**

- 454/12 K. BENSON MOVED that County Council authorize the Reeve or his designate to attend the Canadian Home Builders' – Lethbridge Region "Annual Bridge Builder Banquet" scheduled for Wednesday, November 7, 2012 at the Coast Hotel, Lethbridge.
- CARRIED

**I4. Royal Canadian Legion Re: Military Service Recognition Book – Request for Sponsorship**

- 455/12 M. ZEINSTRA MOVED that County Council approve sponsorship of a quarter page, full colour ad in the Royal Canadian Legion's Military Service Recognition Book at a cost of \$545.00; funds to be utilized from the Councillor's Discretionary Reserve Fund.
- CARRIED

**IN-CAMERA J1. Land Issue**

- 456/12 S. CAMPBELL MOVED that County Council instruct Administration to consult with legal counsel on the Land Matter.
- CARRIED

**J2. Personnel Issue**

- 457/12 S. CAMPBELL MOVED that County Council authorizes Corporate Services to move forward with its plan to reorganize.
- CARRIED

**J3. Personnel Issue**

- 458/12 M. ZEINSTRA MOVED that County Council authorize the approval of the Letters of Understanding.
- CARRIED

**ADJOURNMENT**

- 459/12 M. ZEINSTRA MOVED the meeting adjourn at 3:36 p.m.
- CARRIED

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 Reeve

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 County Manager