



MINUTES

County Council Meeting

9:00 AM - Thursday, October 1, 2020
Council Chambers

The Council Meeting of Lethbridge County was called to order on Thursday, October 1, 2020, at 9:00 AM, in the Council Chambers, with the following in attendance:

PRESENT: Reeve Lorne Hickey
Deputy Reeve Morris Zeinstra
Councillor Tory Campbell
Councillor Robert Horvath
Councillor Ken Benson
Councillor Steve Campbell
Councillor Klaas VanderVeen
Chief Administrative Officer Ann Mitchell
Director of Community Services Larry Randle
Director of Public Operations Jeremy Wickson
Infrastructure Manager Devon Thiele
Manager of Finance & Administration Jennifer Place (Remotely)
Executive Assistant Tara Cryderman

A. CALL TO ORDER

B. ADOPTION OF AGENDA

B.1. October 1, 2020 Lethbridge County Council Meeting Agenda

251-2020 Councillor VanderVeen MOVED that Lethbridge County Council amend the October 1, 2020 Lethbridge County Council Meeting Agenda, the amendment as follows:

Deletion of G.2.7 - Request to Rescind Policy No. 104 - Road Allowance Leases;

And that the agenda be approved, as amended.

CARRIED

C. ADOPTION OF MINUTES

C.1. September 17, 2020 Lethbridge County Council Meeting Minutes

252-2020 Councillor S.Campbell MOVED that Lethbridge County Council approve the September 17, 2020 Lethbridge County Council Meeting Minutes, as presented.

CARRIED

D. SUBDIVISION APPLICATIONS

D.1. Subdivision Application #2020-0-098 – MS Maclean Livestock Ltd.
Lot 1, Block 5, Plan 1012154 in Section 06-10-20-W4M

253-2020 Councillor Horvath MOVED that the Agricultural Subdivision of Lot 1, Block 5, Plan 1012154 within 6-10-20-W4M (Certificate of Title No. 101 150 757), to subdivide a large agricultural title comprised of 308.21 acres (124.73 ha) into three separate titles within their parent ¼-sections, resulting in titles 154.1 acres (62.36 ha), 77.6 acres (31.41 ha) and 76.5 acres (30.94 ha) 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 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 easement(s) as required by ATCO shall be established prior to finalization of the application.

CARRIED

D.2. Subdivision Application #2020-0-108 – Overeem
Lot 1, Block 1, Plan 0411743 within NE 34-10-23-W4M

254-2020 Councillor VanderVeen MOVED that the Industrial Subdivision of Lot 1, Block 1, Plan 0411743 within NE1/4 34-10-23-W4M (Certificate of Title No. 151 108 133 +1), to create a 16.01 acre (6.48 ha) light industrial parcel from a fragmented title comprised of 41.54 acres (16.81 ha) for rural industrial 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 16.01 acres at the market value of \$5,000 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 25.53 acre title to reflect the 10% reserve requirement, with the actual acreage to be determined at the final stage, for Municipal Reserve purposes. Upon payment of the reserve, the existing deferred reserve caveat on the title (Reg. No. 151 108 134) shall be discharged and a new adjusted caveat registered accordingly upon receipt of the final subdivision plan.

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. This agreement may address the terms of future service road dedication and construction when required, and any other matter the County deems necessary.

3. That any conditions as required by Alberta Transportation shall be provided prior to finalization, including the provision of a 20 metre wide service road right-of-way perpendicular to and across the highway frontage of the parcel to be created, which may be acceptable by a caveat agreement.
4. That a final plan of survey as prepared by an Alberta Land Surveyor be provided for final endorsement.
5. That any easement(s) as required by utility agencies shall be established prior to finalization of the subdivision.

CARRIED

D.3. Subdivision Application #2020-0-114 – Atkinson NW 11-10-24-W4M

255-2020 Councillor S.Campbell MOVED that the Country Residential subdivision of NW1/4 11-10-24-W4M (Certificate of Title No. 181 067 174), to subdivide a 3.73 acre (1.51 ha) first parcel out subdivision from a title of 155.28 acres (62.84 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 any easement(s) as required by utility agencies shall be established prior to finalization of the application.

CARRIED

E. PUBLIC HEARINGS - 9:30 am

E.1. Bylaw 20-007 - Road Closure, Sale and Consolidation of a portion of Sidney Road within subdivision plan 4000AQ (Lucy-Howe Subdivision)

Reeve Hickey called a recess to the Council Meeting, for the Public Hearing for Bylaw 20-007, the time being 9:31 am.

256-2020 Councillor Benson MOVED that the Public Hearing for Bylaw 20-007 commence, the time being 9:32 am.

CARRIED

Supervisor of Planning and Development Hilary Janzen presented Bylaw 20-007, being a bylaw to close, sell and consolidate a portion of Sidney Road within subdivision plan 4000AQ.

Reeve Hickey asked a total of three (3) times if any member of the audience wished to speak, in opposition, for Bylaw 20-007. No one indicated they wished to speak in opposition of Bylaw 20-007.

Reeve Hickey asked a total of three (3) times if any member of the audience wished to speak, in favour, for Bylaw 20-007. No one indicated they wished to speak in favour of Bylaw 20-007.

257-2020	Councillor Horvath	<p>MOVED that the Public Hearing for Bylaw 20-007 adjourn, the time being 9:39 am.</p> <p style="text-align: right;">CARRIED</p> <p>Reeve Hickey reconvened the Council Meeting, the time being 9:40 am.</p>
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258-2020	Councillor Horvath	<p>MOVED that the proposed road closure in subdivision plan 4000AQ be sent to the Minister of Transportation for Approval.</p> <p style="text-align: right;">CARRIED</p>
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F. DELEGATIONS

G. DEPARTMENT REPORTS

G.1. MUNICIPAL SERVICES

G.2. COMMUNITY SERVICES

G.2.1. Hamlet of Kipp - Removal of Hamlet Designation

RES-259-2020	Councillor T.Campbell	<p>MOVED that Lethbridge County Council approve the removal of the Hamlet Designation from the area known as Kipp, and direct County Administration to proceed with re-designating the lands in the Kipp area from Direct Control to Rural Agriculture.</p> <p style="text-align: right;">DEFEATED</p>
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G.2.2. Bylaw 20-018 - Road Closure, Sale and Consolidation of a portion of First Avenue within the Hamlet of Turin- First Reading

RES-260-2020	Deputy Reeve Zeinstra	<p>MOVED that Bylaw 20-018, being a bylaw to close, sell and consolidate a portion of First Avenue with the Hamlet of Turin, be given first reading.</p> <p style="text-align: right;">CARRIED</p>
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G.2.3. Resolution - Road Closure, Sale and Consolidation of the eastern portion of First Avenue within the Hamlet of Turin

RES-261-2020	Deputy Reeve Zeinstra	<p>MOVED the following resolution:</p> <p>A Resolution of Lethbridge County for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the <i>Municipal Government Act</i>, Chapter M26, Revised Statutes of Alberta 2000, as amended.</p> <p>WHEREAS, the lands hereafter described are no longer required for public travel,</p> <p>NOW THEREFORE be it resolved that the Council of Lethbridge County does hereby close the following described road, subject to rights of access granted by other legislation.</p> <p>SW 3-12-19-4 THAT PORTION OF ROAD PLAN 1311856 FORMING PART OF LOT 11, BLOCK 5, DESCRIPTIVE PLAN _____, CONTAINING 0.19 HECTARES (0.47 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS</p>
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To be transferred to: LAWRENCE WILLIAM PAPWORTH, OF PO BOX 806, MAGRATH, ALBERTA, TOK 1J0 AS TO AN UNDIVIDED 1/2 INTEREST

GERALD BRUCE PAPWORTH, OF 2336 – 6 AVE NW, CALGARY, ALBERTA, T2N 0X2 AS TO AN UNDIVIDED 1/2 INTEREST

CARRIED

G.2.4. Council Procedural Bylaw No 20-019

RES-262-2020 Councillor T.Campbell MOVED that Council Procedural Bylaw No. 20-019 be amended, the amendments as follows:

Addition to Section 5.2 (a)(1) the wording of "until majority is reached" and the end of the stanza;

Revision to Section 6.2 from 9:00 am to 9:30 am for the start of Council Meetings;

Change the 2/3 provisions be changed to Majority, where applicable.

And that Bylaw No. 20-019 be given first reading, as amended.

CARRIED

RES-263-2020 Councillor S.Campbell MOVED that Council Procedural Bylaw No. 20-019 be given second reading.

CARRIED

RES-264-2020 Councillor VanderVeen MOVED that Council consider third reading of Council Procedural Bylaw No. 20-019.

CARRIED UNANIMOUSLY

RES-265-2020 Councillor Horvath MOVED that Council Procedural Bylaw No. 20-019 be given third and final reading.

CARRIED

G.2.5. Recreation Reserve Withdrawal

Reeve Hickey called a recess to the Council Meeting, the time being 11:05 am.

Reeve Hickey reconvened the Council Meeting, the time being 11:20 am.

RES-266-2020 Councillor VanderVeen MOVED that funds be withdrawn from the recreation reserve account annually, as per the County's 2020-2024 recreation agreement commitments to its urban neighbours.

CARRIED

G.2.6. Proposed Amendment to Policy 109A - Road Allowance Closure and Sale

RES-267-2020 Councillor Horvath MOVED that Lethbridge County Council direct Administration to amend Policy 109A - Road Allowance Closure and Sale, as directed, and return the amended policy to a future Council Meeting for further consideration.

CARRIED

G.3. CORPORATE SERVICES

G.3.1. Tax Payment Plan and Penalty Waiver Request

RES-268-2020 Councillor S.Campbell MOVED that Administration enter into a tax payment agreement, which includes the waiver of tax penalties with Barrel Oil Corporation for Tax Roll #9400200, 9690100 and 73770000 to December 31, 2020, should a balance be remaining on any or all of the tax rolls as of December 31st, penalties will be implemented as per the Tax Penalty Bylaw.

CARRIED

G.4. ADMINISTRATION

G.4.1. Request to Rescind Policy No. 105, Member at Large Per Diem, Subsistence and Mileage

RES-269-2020 Councillor VanderVeen MOVED that Lethbridge County Council rescind Administration Policy No. 105, Member at Large Per Diem, Subsistence and Mileage.

CARRIED

G.4.2. Request to Rescind Policy No. 125 - Access to Public Information

RES-270-2020 Councillor Horvath MOVED that Policy 125, Access to Public Information be rescinded.

CARRIED

G.4.3. Proposed Revisions to Policy #107, Recognition of Councillors and Request to Rescind Policy #167, Swearing-In Ceremony

RES-271-2020 Councillor VanderVeen MOVED that Lethbridge County Council approve revised Policy #107, Recognition of Councillors, as amended, the amendment as follows:

Addition to "or a gift of similar value" to sentence "Past Councillors who have served at least 12 years will be presented with a County wrist watch";

And that Policy #167, Swearing-In Ceremony be rescinded.

CARRIED

G.4.4. Proposed Revisions to Policy #139, Flag Policy

RES-272-2020 Councillor S.Campbell MOVED that Lethbridge County Council approve revised Policy #139, Flag Policy, as amended, the amendments as follows:

Deletion of Section 7 and 8.

CARRIED

G.4.5. Removal of Lethbridge County Representation on the LINK Pathway Society and the North County Potable Water Co-op

RES-273-2020 Councillor VanderVeen MOVED that Lethbridge County Council remove Lethbridge County representation from the LINK Pathway Society;

And that a working group be established to attend the meetings and
liaise between the County and the Society.

CARRIED

RES-274-2020 Councillor T.Campbell MOVED that Lethbridge County Council remove Lethbridge County representation from the North County Potable Water Co-op.

CARRIED

H. NEW BUSINESS

H.1. Proposed Changes to South Grow

275-2020 Councillor Horvath MOVED that Lethbridge County Council direct Administration to bring a report to an upcoming meeting on the proposed changes to South Grow.

CARRIED

I. COUNTY COUNCIL AND COMMITTEE UPDATES

J. CLOSED SESSION

K. ADJOURN

K.1. October 1, 2020 Lethbridge County Council Meeting Adjournment

276-2020 Deputy Reeve Zeinstra MOVED that the October 1, 2020 Lethbridge County Council Meeting adjourn, the time being 12:10 pm.

CARRIED



Reeve



CAO