



MINUTES

Council Meeting

9:00 AM - Thursday, May 4, 2023
Council Chambers

The Council Meeting of Lethbridge County was called to order on Thursday, May 4, 2023, at 9:00 AM, in the Council Chambers, with the following members present:

PRESENT: Reeve Tory Campbell
Deputy Reeve John Kuerbis
Councillor Lorne Hickey
Councillor Mark Sayers
Councillor Eric Van Essen
Councillor Klaas VanderVeen
Councillor Morris Zeinstra
Interim Chief Administrative Officer, Larry Randle
Director of Public Operations, Jeremy Wickson
Director of Infrastructure, Devon Thiele
Director of Finance & Administration, Jennifer Place
Interim Director of Community Services, Hilary Janzen
Executive Assistant, Candice Robison
Senior Planner, Steve Harty

A. CALL TO ORDER

Reeve Campbell called the meeting to order at 9:03 a.m.

B. ADOPTION OF AGENDA

The following items were added to the agenda:

J.1. - Economic Development Opportunity (*FOIP Section 16 - Disclosure harmful to business interests of a third party*)

J.2. - Personnel Matter (*FOIP Section 19 - Confidential Evaluations*)

138-2023	Councillor Sayers	MOVED that the May 4, 2023 Lethbridge County Council Meeting Agenda be adopted as amended.	CARRIED
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C. ADOPTION OF MINUTES

C.1. County Council Meeting Minutes

139-2023	Deputy Reeve Kuerbis	MOVED that the April 20, 2023 Lethbridge County Council Minutes be adopted as presented.	CARRIED
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J. CLOSED SESSION

J.2. - Personnel Matter (*FOIP Section 19 - Confidential Evaluations*)

140-2023	Councillor Hickey	MOVED that the Lethbridge County Council Meeting move into Closed Session, pursuant to Section 197 of the Municipal Government Act, the time being 9:05 a.m. for the discussion on the following:
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J.2. - Closed Session - Personnel Matter (FOIP Section 19 - Confidential Evaluations)

Present during the Closed Session:
Lethbridge County Council
Chief Administrative Officer
Senior Management
Administrative Staff
CARRIED

141-2023	Deputy Reeve Kuerbis	MOVED that the Lethbridge County Council Meeting move out of the closed session at 9:23 a.m.	CARRIED
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Reeve Campbell left the meeting at 9:24 a.m. and assigned the chair to Deputy Reeve Kuerbis.

D. **SUBDIVISION APPLICATIONS**

D.1. **Subdivision Application #2022-0-187 – Nieboer - NW1/4 33-10-23-W4M**

142-2023	Councillor Van Essen	MOVED that the Country Residential subdivision of NW1/4 33-10-23-W4M (Certificate of Title No. 091 044 920, 221 069 363), to reconfigure the layout (property boundary) and title size of an existing parcel through subdivision and consolidation, by realigning/relocating a rectangular 6.0-acre (2.43 ha) title boundary with the adjacent agricultural title, for county residential use; BE APPROVED subject to the following:
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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 and comply with 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 surveyed plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the 6.0-acre parcel being reconfigured. The titles and portions of land to be subdivided and consolidated to reconfigure the boundaries (property line) of the two adjacent parcels, are to be done by a plan prepared by a certified Alberta Land Surveyor in a manner such that the resulting titles cannot be further subdivided without approval of the Subdivision Authority.

CARRIED

D.2. **Subdivision Application #2023-0-023 – Green Haven Tree Farm - Parcel X, Plan 7156HS & Lot 1, Block 1, Plan 0213343 within SW1/4 2-9-21-W4M**

143-2023	Councillor VanderVeen	MOVED that the Commercial and Country Residential subdivision of Parcel X, Plan 7156HS & Lot 1, Block 1, Plan 0213343 within SW1/4 2-9-21-W4M (Certificate of Title No. 091 285 093, 161 086 278), to reconfigure the property boundaries (property line adjustment) and size of two adjacent parcels resulting in a 1.30-acre (0.527 ha) country residential title being enlarged to 2.17-acres (0.88 ha), and then subdivide the adjacent resized commercial parcel by creating a new 6.37-acre title and a remnant 7.90-acre (3.20 ha) title for commercial use; BE APPROVED subject to the following:
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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 on the 0.87 land area difference for the yard (2.17 acres less 1.3 acres previously paid) and on the 7.90-acres at the market value of \$40,000 per acre with the actual acreage and amount to be paid (approx. \$35,080) to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

AND FURTHER that a Deferred Reserve caveat be registered on the new 6.37-acre title to reflect the 10% reserve requirement, with the actual acreage and amount be determined at the final stage, for Municipal Reserve purposes.

AND FURTHERMORE, upon payment of the Municipal Reserve, the existing deferred reserve caveat registered on the parent title in the 10% amount of 1.43 acres 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 Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with 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 final surveyed plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcels being subdivided as approved. The titles and portions of land to be subdivided and consolidated to reconfigure the boundaries (property line) of the two adjacent parcels, is to be done by a plan prepared by a certified Alberta Land Surveyor in a manner such that the resulting titles cannot be further subdivided without approval of the Subdivision Authority.
4. That the septic field associated with the greenhouse in the very southeast corner of the proposed new 6.37-acre parcel be decommissioned and relocated for the business, with confirmation provided to the satisfaction of the Subdivision Authority, prior to final endorsement.
5. That the septic field associated with the manufactured home dwelling be decommissioned, with confirmation provided to the satisfaction of the Subdivision Authority, prior to final endorsement.

CARRIED

**D.3. Subdivision Application #2023-0-025 – Variety Farms Inc.
 - Lot 1, Block 1, Plan 0010552 and SW1/4 26-11-23-W4M**

144-2023	Councillor VanderVeen	MOVED that the Country Residential subdivision of Lot 1, Block 1, Plan 0010552 and SW1/4 26-11-23-W4M all within SW1/4 26-11-23-W4M (Certificate of Title No. 141 030 106 +3, 141 030 106 +4), to reconfigure an existing 4.45-acre (1.8 ha) title and reduce it in size to 3.0-acres (1.21 ha) for country residential use; BE APPROVED subject to the following:
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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 and comply with 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 surveyed plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcels being subdivided and consolidated. The titles and portions of land to be subdivided and consolidated to

reconfigure the boundaries (property line) of the two adjacent parcels, is to be done by a plan prepared by a certified Alberta Land Surveyor in a manner such that the resulting titles cannot be further subdivided without approval of the Subdivision Authority.

4. That the easement(s) as required by FortisAlberta shall be established prior to finalization.

CARRIED

Reeve Campbell returned to the meeting and resumed the chair at 9:48 a.m.

D.4. Subdivision Application #2023-0-037 – Vandebroek - NE1/4 30-10-22-W4M

145-2023 Councillor VanderVeen MOVED that the Rural Commercial subdivision of NE1/4 30-10-22-W4M (Certificate of Title No. 091 102 352 +4), to create a 4.24 acre (1.72 ha) commercial parcel from a cut-off/fragmented quarter-section title comprised of 98.88 acres (40.02 ha) for rural commercial 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 and comply with 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 final subdivision plan by a certified Alberta Land Surveyor to certify final parcel dimensions and to correspond to the approval for endorsement.

4. That the easement(s) as required by ATCO Gas shall be established prior to final endorsement.

CARRIED

Reeve Campbell recessed the meeting at 10:00 a.m.

Reeve Campbell reconvened the meeting at 10:05 a.m.

E. PUBLIC HEARINGS - 10:00 A.M.

E.1. Bylaw 23-008 - Amendment to Bylaw 18-012 being the Chinook Industrial Park Area Structure Plan and Bylaw and Bylaw 23-009 - Land Use Bylaw Amendment from Lethbridge Urban Fringe To Rural General Industrial and Business Light Industrial - Public Hearing

Reeve Campbell called a recess to the Council Meeting, for the Public Hearing for Bylaw 23-008 and 23-009 at 10:05 a.m.

146-2023 Councillor VanderVeen MOVED that the Public Hearing for Bylaw 23-008 and Bylaw 23-009 commence at 10:06 a.m.

CARRIED

The Interim Director of Community Services reviewed Bylaw 23-008 and 23-009.

Reeve Campbell asked if anyone wished to speak in favour or opposition of Bylaw 23-008 and Bylaw 23-009.

Christina Lombardo, on behalf of the applicant, spoke in support of Bylaw 23-008 and Bylaw 23-009.

Michael Kelly, the developer, spoke in support of Bylaw 23-008 and Bylaw 23-009.

Reeve Campbell asked if anyone wished to speak in favour or opposition of Bylaw 23-008 and Bylaw 23-009.

No further comments were made.

147-2023	Councillor Hickey	MOVED that the Public Hearing for Bylaw 23-008 and Bylaw 23-009 adjourn at 10:20 a.m.	CARRIED
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Reeve Campbell reconvened the Council meeting at 10:20 a.m.

148-2023	Deputy Reeve Kuerbis	MOVED that Bylaw 23-008 be read a second time as amended.	CARRIED
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149-2023	Councillor VanderVeen	MOVED that Bylaw 23-009 be read a second time.	CARRIED
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150-2023	Councillor Van Essen	MOVED that Bylaw 23-008 be read a third time.	CARRIED
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151-2023	Councillor Hickey	MOVED that Bylaw 23-009 be read a third time.	CARRIED
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D. SUBDIVISION APPLICATIONS

**D.5. Subdivision Application #2023-0-038 – Neher/Hohlbein
- Lot 8, Block 1, Plan 1712357 & Lot 11, Block 1, Plan 2111421 within N1/2 5-10-21-W4M**

152-2023	Deputy Reeve Kuerbis	MOVED that the Country Residential subdivision of Lot 8, Block 1, Plan 1712357 and Lot 11, Block 1, Plan 2111421 within N1/2 5-10-21-W4M (Certificate of Title No. 211 168 948 +2, 211 168 948 +3), to reconfigure the layout (property boundaries) and title acreage size amounts of two adjacent parcels through subdivision and consolidation, by adjusting titles 37.06 & 43.45 acres (14.99 & 17.58 ha) in size and creating reconfigured new titles 14.00 & 66.61 acres (5.67 & 26.95 ha) respectively in size, for county residential use; BE APPROVED subject to the following:
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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 and comply with 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 surveyed plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcels being subdivided. The titles and portions of land to be subdivided and consolidated to reconfigure the boundaries (property line) of the two adjacent parcels, are to be done by a plan prepared by a certified Alberta Land Surveyor in a manner such that the resulting titles cannot be further subdivided without approval of the Subdivision Authority.

4. That the existing access easements for property owners shall remain as registered on title(s) to enable landowners to continue to use the private road access.

5. The applicant must meet any requirements of Alberta Culture for Historical Resources and is responsible for submitting a Historic Resources (HR) Application to Alberta Culture via the Online Permitting and Clearance (OPaC) system as applicable. A copy in writing of any Historical Resources Act exemption or clearance must be provided to the Subdivision Authority prior to final endorsement.

CARRIED

F. DEPARTMENT REPORTS

F.2. MUNICIPAL SERVICES

F.2.1. Proclamation of National Public Works Week - May 21 - 27, 2023

153-2023 Councillor MOVED that Council proclaim May 21-27, 2023 as "National Public Van Essen Works Week" in Lethbridge County.

CARRIED

F.1. COMMUNITY SERVICES

F.1.1. January-March 2023 Community Peace Officer Report.

The Community Peace Officer presented to Council the January-March 2023 Community Peace Officer Report.

F.3. CORPORATE SERVICES

F.3.1. Bylaw 23-017 Tax Mill Rate

154-2023 MOVED to lay Bylaw 23-017 Tax Mill Rate Bylaw on the table.

CARRIED

F.3.2. Quarterly Financial Report - January - March 2023

The Director of Finance and Administration presented to Council the quarterly financial report for January-March 2023.

F.1. INFRASTRUCTURE

F.2. ADMINISTRATION

G. CORRESPONDENCE

G.1. Lethbridge-Coaldale 4-H Beef Club - 100th Anniversary Gala Invitation

Council reviewed the Lethbridge-Coaldale 4-H Beef Club's 100th Anniversary Gala invitation.

Councillor Mark Sayers excused himself from voting and left the meeting as he sits on the 4-H Committee.

155-2023 Councillor Hickey MOVED that Lethbridge County purchase a table of 8 for the Lethbridge-Coaldale 4-H Beef Club's 100th Anniversary Gala being held on Saturday, June 10, 2023.

CARRIED

G.2. Invitation to bid on the 2026 Alberta Winter and Summer Games

Council reviewed the invitation to bid on the 2026 Alberta Winter and Summer Games.

G.3. Farming for Tomorrow - Lethbridge Exhibition & Agri-Food Hub Trade Center Commemorative Publication

Council reviewed the Farming for Tomorrow's Lethbridge Exhibition & Agri-Food Hub Trade Center Commemorative Publication information.

Reeve Campbell recessed the meeting at 11:45 a.m.

Reeve Campbell reconvened the meeting at 11:53 a.m.

F. DEPARTMENT REPORTS

F.3. CORPORATE SERVICES

F.3.1. Bylaw 23-017 Tax Mill Rate

156-2023	Councillor Van Essen	MOVED to lift Bylaw 23-017 Tax Mill Rate Bylaw from the table.	CARRIED
157-2023	Deputy Reeve Kuerbis	MOVED that the 2023 Tax Mill Rate Bylaw 23-017 be read a first time as amended.	CARRIED
158-2023	Councillor Van Essen	MOVED that the 2023 Tax Mill Rate Bylaw 23-017 be read a second time.	CARRIED
159-2023	Deputy Reeve Kuerbis	MOVED that Council proceeds to consideration of third reading of Bylaw 23-017.	DEFEATED

J. CLOSED SESSION

J.1. - Economic Development Opportunity (FOIP Section 16 - Disclosure harmful to business interests of a third party)

160-2023	Deputy Reeve Kuerbis	MOVED that the Lethbridge County Council Meeting move into Closed Session, pursuant to Section 197 of the Municipal Government Act, the time being 12:05 p.m. for the discussion on the following: J.1. - Closed Session - Economic Development Opportunity (FOIP Section 16 - Disclosure harmful to business interests of a third party)
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Present during the Closed Session:
Lethbridge County Council
Chief Administrative Officer
Senior Management
Administrative Staff
CARRIED

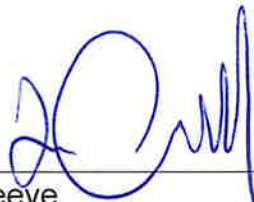

161-2023	Councillor Hickey	MOVED that the Lethbridge County Council Meeting move out of the closed session at 12:29 p.m.	CARRIED
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H. NEW BUSINESS

I. COUNTY COUNCIL AND COMMITTEE UPDATES

K. ADJOURN

162-2023	Councillor Zeinstra	MOVED that the Lethbridge County Council Meeting adjourn at 12:30 p.m.	CARRIED
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Reeve

CAO