

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD DECEMBER 6, 2018 IN THE COUNTY ADMINISTRATION OFFICE, LETHBRIDGE, ALBERTA.

PRESENT:

Division No. 1	- L. Hickey, Reeve
Division No. 4	- K. Benson, Deputy Reeve
Division No. 2	- T. Campbell
Division No. 3	- R. Horvath
Division No. 5	- S. Campbell
Division No. 6	- K. VanderVeen
Division No. 7	- M. Zeinstra

ADMINISTRATION PRESENT:

Chief Administrative Officer	- A. Mitchell
Director of Corporate Services	- T. Anderson
Director of Municipal Services	- R. Bacon
Director of Community Services	- L. Randle
Shared Services Coordinator	- M. Zavala
Recording Secretary	- L. Megella

REEVE LORNE HICKEY IN THE CHAIR

CALL TO ORDER Reeve Hickey called the meeting to order at 10:06 a.m.

Note: N. Jamieson, Sunny South News present at 10:06 a.m.

AMENDMENTS TO THE AGENDA

Ann Mitchell, Chief Administrative Officer and members of Council made the following additions to the December 6, 2018 agenda.

- G3. Bylaw 18-033 - Market Access Network Base Stabilization - Borrowing Bylaw (Amending Bylaw 1491)
- L4. Town of Coaldale – Ground Breaking Ceremony for Fire Hall Renovation and Expansion Project – December 10, 2018, Coaldale Fire Hall

520/18 K. BENSON MOVED that Council approve the agenda as amended. CARRIED

CONFIRMATION **B1. Confirmation of Minutes**

521/18 S. CAMPBELL MOVED that the November 15, 2018 Council Meeting Minutes be approved as presented. CARRIED

REPORTS **E1. Quarterly Financial Report – August to October 2018**

522/18 M. ZEINSTRA MOVED that County Council receives the Quarterly Financial Report – August to October 2018, for information. CARRIED

APPOINTMENTS **F1. Jill Muirhead, Applied Studies Student, University of Lethbridge**

Martin Ebel, Economic Development Coordinator introduced Jill Muirhead, Applied Studies Student at the University of Lethbridge who provided Council with a presentation on her findings and recommendations for disaster recovery for the commercial/industrial sector in Lethbridge County.

Reeve

Chief Administrative Officer

523/18 M. ZEINSTRA MOVED that the update provided by Jill Muirhead, Applied Studies Student, University of Lethbridge, be received for information and further that that Lethbridge County Council include consideration of commercial/industrial recovery in its strategic planning sessions in the future, and eventually develop a formal plan or roadmap for recovery. CARRIED

REPORTS**E2. Planning and Development 3rd Quarter Report 2018**

524/18 K. VANDERVEEN
MOVED that County Council receives the Planning and Development 3rd Quarter Report for 2018 for information. CARRIED

BYLAWS (excluding public hearings)**G1. Bylaw 18-028 - Rex Vandenberg - Amendment to Land Use Bylaw Fr: Rural Agriculture (RA) To: Rural General Industrial (RGI) - NE 35-10-21-W4**

525/18 M. ZEINSTRA MOVED that County Council read Bylaw 18-028 for a first time. CARRIED

G2. Bylaw 18-029 - Aceses Ventures Ltd. - Amendment to Land Use Bylaw Fr: Rural Agriculture (RA) To: Direct Control (DC) - Ptn. of NW 19-10-22-W4, Ptn. of SE 19-10-22-W4 and Ptn. of SW 19-10-22-W4

526/18 K. VANDERVEEN
MOVED that County Council read Bylaw 18-029 for a first time. CARRIED

MUNICIPAL SERVICES**H1. Calcium Base Stabilization Project Completion**

527/18 R. HORVATH MOVED that County Council fund the Calcium Base Stabilization Project overage of \$733,576 from the following sources:

- 1) Council authorizes Administration to prepare an amending borrowing bylaw to Bylaw #1491 for \$454,000 to cover the 4 miles added during the revision of the Policy;
- 2) Base Stabilization Reserve - \$254,981; and
- 3) Utilize the Public Works 2018 Projected Year End Surplus to fund the balance of \$24,595. CARRIED

BYLAWS (excluding public hearings)**G3. Bylaw 18-033 - Market Access Network Base Stabilization - Borrowing Bylaw (Amending Bylaw 1491)**

528/18 K. VANDERVEEN
MOVED that County Council read Bylaw 18-033 a first time. CARRIED

529/18 M. ZEINSTRA MOVED that County Council read Bylaw 18-033 a second time. CARRIED

530/18 R. HORVATH MOVED that County Council proceeds to third reading of Bylaw 18-033.

CARRIED UNANIMOUSLY

531/18 M. ZEINSTRA MOVED that County Council read Bylaw 18-033 a third time. CARRIED

 Reeve

 Chief Administrative Officer

ADMINISTRATION K1. County Council Re: Meeting Date Change (December 17, 2018)

532/18 S. CAMPBELL MOVED that County Council reschedules the December 20, 2018 Council meeting to December 17, 2018 to accommodate holiday schedules, and further that these dates be advertised in the Sunny South News, County's website and social media pages and the public hearings for Bylaws 18-026 and 18-027 be rescheduled and advertised to December 17, 2018. CARRIED

K2. Emergency Services Proposal with Town of Coaldale

533/18 T. CAMPBELL MOVED that the emergency services proposal with the Town of Coaldale be reviewed by Administration and brought back to Council with further recommendations and clarifications. CARRIED

534/18 S. CAMPBELL MOVED that County Council appoint Larry Randle as the Director of Emergency Management. CARRIED

535/18 K. VANDERVEEN
MOVED the meeting adjourn for lunch at 12:06 p.m. CARRIED

The meeting reconvened at 1:33 p.m. with all members of Council present as previously mentioned.

APPOINTMENTS F2a). SD Application 2018-0-164 - J. Koliaska Enterprises - Block C, Plan 719GH

536/18 K. VANDERVEEN
MOVED that the Country Residential & Agricultural subdivision of Parcecl C, Plan 719GH within SW1/4 10 & SE1/4 9-8-21-W4M (Certificate of Title No. 161 122 077), to subdivide a title of 50.83 acres (20.57 ha) and create a 4.42 acre (1.79 ha) parcel for Country Residential use and a 46.41 acre (18.78 ha) remnant agricultural title; 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 4.42 acres at the market value of \$20,000 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.
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.
REASONS:
1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. As the subdivision of an existing developed yard area, 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.

Reeve

Chief Administrative Officer

3. The Subdivision Authority has determined that this is a pre-existing residential yard and the proposal can be considered in respect of the City of Lethbridge and Lethbridge County IDP, and no further subdivision will be permitted until further planning initiatives are undertaken, including the preparation of an area structure plan.

4. There are no objections to the proposal, including Alberta Transportation and the City of Lethbridge. The City has no concerns on the understanding this proposal complies with the applicable policies of the IDP. CARRIED

F2b) SD Application 2018-0-168 - Grandview Cattle Feeders - NE 36-10-23-W4

537/18 M. ZEINSTRA MOVED that SD Application 2018-0-168 - Grandview Cattle Feeders - NE 36-10-23-W4 be deferred to the December 17, 2018 Council meeting regarding clarification on the access to the property from Alberta Transportation. CARRIED

F3. PUBLIC HEARING - Bylaws 18-023 and 18-024 – Simon Bos Nurseries (Acestes Ventures Ltd.) Amendment to Land Use Bylaw – Fr: Rural Agriculture to Direct Control on NW 7-10-19-W4 and SE 12-10-20-W4

538/18 M. ZEINSTRA MOVED that the Public Hearing for Bylaws 18-023 and 18-024 – Simon Bos Nurseries (Acestes Ventures Ltd.) Amendment to Land Use Bylaw – Fr: Rural Agriculture to Direct Control on NW 7-10-19-W4 and SE 12-10-20-W4 open at 2:07 p.m. CARRIED

The following individuals were present for the public hearing:

- Simon Bos
- Cameron MacLennan
- John Leusink
- Grace Matthies
- Clyde Carr
- Dave Matthies
- Arron Davidson
- John Ellis

Reeve Hickey invited Ms. Hilary Janzen, Senior Planner, to give an overview of Bylaws 18-023 and 18-024 – Simon Bos Nurseries (Acestes Ventures Ltd.) and answer questions from Council.

Reeve Hickey asked if anyone present wished to speak in opposition to Bylaw 18-023 or Bylaw 18-024. The following individuals spoke:

- John Leusink
- Grace Mathies

Reeve Hickey asked three more times if anyone else wished to speak in opposition to Bylaw 18-023 or Bylaw 18-024. No one came forward.

Reeve Hickey asked if anyone present wished to speak in favour of Bylaw 18-023 or Bylaw 18-024. forward. The following individuals spoke:

- Clyde Carr, President, Acestes Ventures Ltd.
- John Ellis, owner, Acestes Ventures Ltd.
- Cameron MacLennan, Huckvale LLP
- Simon Bos, owner of the proposed site

Reeve

Chief Administrative Officer

Reeve Hickey asked three more times if anyone else wished to speak in favour of Bylaw 18-023 or Bylaw 18-024. No one came forward.

Reeve Hickey asked three times if anyone else wished to speak in favour or in opposition to Bylaw 18-023 or Bylaw 18-024. No one came forward.

Reeve Hickey asked Council if they had any further questions. Council had no further questions.

Reeve Hickey asked if anyone else wished to speak. Mr. Steve Harty, Senior Planner, ORRSC addressed Council regarding the bylaws.

- 539/18 M. ZEINSTRA MOVED that the Public Hearing for Bylaws 18-023 and 18-024 – Simon Bos Nurseries (Acestes Ventures Ltd.) Amendment to Land Use Bylaw – Fr: Rural Agriculture to Direct Control on NW 7-10-19-W4 and SE 12-10-20-W4 close at 3:19 p.m. CARRIED
- 540/18 K. VANDERVEEN
MOVED that Bylaw 18-023 be deferred to the December 17, 2018 Council meeting. **MOTION DEFEATED**
- 541/18 K. BENSON MOVED that Council refuse Bylaw 18-023. CARRIED
- 542/18 S. CAMPBELL MOVED that Council refuse Bylaw 18-024. CARRIED

NOTICE OF MOTION

Notice of Motion

Councillor Klaas VanderVeen made a “Notice of Motion” that at the December 17, 2018 Council meeting; he will make the following motion: “THAT County Administration look into primary uses of agriculture land in the Land Use Bylaw as they relate to siting of Solar Farms.”

INVITATIONS

L1. Brownlee LLP - 2019 Emerging Trends in Municipal Law, February 7, 2019, Calgary

- 543/18 K. VANDERVEEN
MOVED that any member of Council wishing to attend the Brownlee LLP - 2019 Emerging Trends in Municipal Law scheduled for February 7, 2019 at the Best Western Premier Calgary Plaza Hotel be authorized to do so. CARRIED

L2. Lethbridge College Board of Governors Holiday Reception - December 13, 2018, Garden Court Restaurant

- 544/18 S. CAMPBELL MOVED that the Reeve or his designate be authorized to attend the Lethbridge College Board of Governors Holiday Reception scheduled for December 13, 2018 at the Garden Court Restaurant, Lethbridge College. CARRIED

L3. Nobleford & District Emergency Services Re: Award Ceremony and Year End Firefighter Banquet - December 15, 2018 - Nobleford Community Complex

- 545/18 R. HORVATH MOVED that any member of Council wishing to attend the Nobleford & District Emergency Services Award Ceremony and Year End Firefighter Banquet for December 15, 2018 at the Nobleford Community Complex be authorized to do so. CARRIED

Reeve

Chief Administrative Officer

L4. Town of Coaldale Re: Ground Breaking Ceremony for Fire Hall Renovation and Expansion Project - December 10, 2018, 1:00 p.m., Coaldale Fire Hall

- 546/18 K. VANDERVEEN
 MOVED that any member of Council wishing to attend the Town of Coaldale Re: Ground Breaking Ceremony for Fire Hall Renovation and Expansion Project - December 10, 2018, 1:00 p.m., Coaldale Fire Hall be authorized to do so. CARRIED

CLOSED SESSION

(Confidential Items) **N1. Land; N2. Land**

Freedom of Information and Protection of Privacy Act (FOIP) (Section 25)

- 547/18 M. ZEINSTRA MOVED that in accordance with Section 197 of the *Municipal Government Act*, Council move into Closed Meeting in the Council Chambers, at 3:45 p.m., to consider the following confidential items pursuant to the *Freedom of Information and Protection of Privacy Act*:

Item N1. Land and N2. Land – pursuant to Section 25 of the FOIP Act. **CARRIED UNANIMOUSLY**

Pursuant to Section 197(6) of the *Municipal Government Act*, the following members of Administration were in attendance in the Closed Meeting:

- A. Mitchell CAO (Advice)
- T. Anderson, Director of Corporate Services (Advice)
- R. Bacon, Director of Municipal Services (Advice)
- L. Randle, Director of Community Services (Advice)
- H. Janzen, Senior Planner (Advice)
- L. Megella, Executive Assistant (Recording Secretary)

- 548/18 K. VANDERVEEN
 MOVED that County Council move into open session at 3:54 p.m. CARRIED

CLOSED SESSION

(Confidential Items) **N1. Land (Pursuant to Section 25 of the Freedom of Information and Protection of Privacy Act)**

- 549/18 K. VANDERVEEN
 MOVED that County Council approve the land sale. CARRIED

CLOSED SESSION

(Confidential Items) **N2. Land (Pursuant to Section 25 of the Freedom of Information and Protection of Privacy Act)**

- 550/18 M. ZEINSTRA MOVED that County Council approve the land sale. CARRIED

COUNCILLOR REPORTS

M1. Councillor Reports

Councillor Reports were deferred to the December 17, 2018 Council meeting.

ADJOURNMENT

- 551/18 K. VANDERVEEN
 MOVED the meeting adjourn at 3:55 p.m. CARRIED

Reeve

Chief Administrative Officer