



CYPRESS COUNTY
Meeting Minutes
Council September 18, 2018 - 10:00 A.M.

Council Present: Richard Oster, Reeve
Dan Hamilton, Deputy Reeve
Dustin Vossler, Councillor
Darcy Geigle, Councillor
Robin Kurpjuweit, Councillor
Shane Hok, Councillor
Ernest Mudie, Councillor
Michelle McKenzie, Councillor
Alf Belyea, Councillor

Administration Present: Peter Tarnawsky, Interim Chief Administrative Officer
John Belanger, Director of Corporate Services
Curtis Richter, Director of Public Works
Jeffrey Dowling, Director of Municipal Services
LesleyAnn Collins, Executive Assistant

1 CALL TO ORDER

The Reeve called the meeting to order at 10:01 A.M.

Resolution No. 2018/502 2 AGENDA - ADDITIONS, DELETIONS AND APPROVAL
Moved Councillor Geigle

That Council approve the agenda with the addition of
9.2 Organizational Meeting to Chief Administrator's Office,
10. 2 Delegation Request Dan Hofer Hwy 515 Concerns and
10.3 Chat News Introductions.

CARRIED

***Assistant Planner, Kaylene Simpson joined the meeting at 10:02 A.M.*

3 PUBLIC HEARING

Reeve Oster opened the Public Hearing for Bylaw 2018/24 Land Use Amendment, Bylaw 2018/31 Land Use Amendment (NE 32-11-6-W4) and Bylaw 2018/32 Hamlet Public Road Way.

3.1 Bylaw 2018/24 - Land Use Amendment (SW 1-12-8-W4)

Assistant Planner, Kaylene, Simpson explained that Rex McCarthy have submitted an application to reclassify a 2.52 ha (6.23 acres) parcel from Agricultural District 2 (A-2 General Agriculture) to Country Residential Farmstead Separation District (CR-FS). The property is located at the S.W. 1-12-8-W4. If the land use amendment is approved, then the applicant's intent is to apply to the Municipal Planning Commission for approval to subdivide the parcel from the remainder of the agricultural title. The existing title is 64.7 ha (160.0 acres) in size.

The property is located along Highway 523 and is approximately 2 kms south of Township Road 122. The proposed reclassification area, and the remainder of the agricultural title have direct access to Highway 523.

The proposed reclassification area consists of the applicant's residence and existing farm yard. The remainder of the agricultural title consists of dry land pasture. The applicant is requesting to include a low-lying area that is situated to the south. Storm water naturally flows to this area, and the applicant intends to construct a dugout for the purposes of watering the yard. There is an existing Pipeline Right-of-Way located immediately adjacent to the north proposed property boundary, which has been excluded from the proposed reclassification area. At the time of subdivision consideration, a variance of the side yard setback will be required.

If the application were to be approved, the proposed reclassification and subsequent subdivision would result in the first title to be taken out of the quarter section. A residence could still be developed on the remainder of the agricultural title. The proposed parcel is located outside of the Tri-Area Intermunicipal Development Plan boundaries.

The Assistant Planner recommends approval as the proposal complies with the Agricultural strategy under the Implementation of the Plan of the South Saskatchewan Regional Plan, and Section 3.4 (n) of the County's Municipal Development Plan.

Applicants Comments

The applicant, Elaine McCarthy inquired if a development permit would be required for the proposed dugout adjacent to Hwy 523.

The Assistant Planner stated that a development permit is not required from the County. As the proposed dugout is adjacent to a provincial Highway it is at the discretion of Alberta Transportation.

Support of the Application

None.

Opposition of the Application

None.

Applicants Final Comments

None.

3.2 Bylaw 2018/31 - Land Use Amendment (Ne 32-11-6-W4)

The Assistant Planner, Kaylene Simpson explained Lorne and Helga Morisseau have submitted an application to reclassify a 0.76 ha (1.87 acres) parcel from Agricultural District 2 (A-2 General Agriculture) to Country Residential District (CR). The property is located at the N.E. 32-11-6-W4. If the land use amendment is approved, then the applicant's intent is to apply to the Municipal Planning Commission for approval to subdivide the parcel from the remainder of the agricultural title. The existing title is 64.3 ha (158.9 acres) in size.

The property is located at the intersection of Township Road 120 and Range Road 64 and is approximately 0.8 kms east of Highway 3. The proposed reclassification area, and the remainder of the agricultural title have direct access to both Township Road 120 and Range Road 64.

The proposed reclassification area consists of an existing residence and yard, which is currently leased by the applicants. The remainder of the quarter section contains a residence and farm yard and an irrigation pivot.

The Western Tractor development on the north side of Township Road 120 resulted in Road Plan 181 1166 being registered against the N.E. 32-11-6-W4. The purpose of the road plan is to make an allowance for the upgrading of Township Road 120 and Range Road 64 intersection if required in the future. Therefore, a portion of the north east corner containing this road plan has been excluded from the proposed reclassification area.

There are two active gas wells owned by the City of Medicine Hat which are in proximity to the proposed reclassification area. At the time of subdivision, the City of Medicine Hat and the Alberta Energy Regulator will need to be consulted.

If the application were to be approved, the proposed reclassification and subsequent subdivision would result in the first title to be taken out of the quarter section. As an existing residence is already located on the remainder of the quarter section, the construction of an additional residence would be at the discretion of the Municipal Planning Commission as a Class II Discretionary Use. The proposed parcel is located outside of the Tri-Area Intermunicipal Development Plan boundaries.

The Assistant Planner recommends approval as the proposal complies with the Agricultural strategy under the Implementation of the Plan of the South Saskatchewan Regional Plan, and Section 3.4 (n) of the County's Municipal Development Plan.

Applicants Comments

The applicant had no presentation.

Support of the Application

None.

Opposition of the Application

None.

Applicants Final Comments

None.

3.3 Bylaw 2018/32 - Hamlet Public Roadway

A Bylaw for the regulation of vegetation control in ditches, on streets, sidewalks, as well as vehicles or materials on streets parked or stored and approaches.

Director of Public Works, Curtis Richter explained a Bylaw, rather that a Policy is required for Hamlet Public Roadways (Streets) to allow for enforcement. The Bylaw addresses more than vegetation, rocks or debris in Hamlet boulevards, ditches and laneways/alleys. It considers maintenance practices and future construction goals as “Promoting Hamlets” continue to grow.

In conjunction with the Bylaw, a Policy would be established with respect to ditches, boulevards, laneways/alleys and address the existing Policy R 02 Road Approaches. The Bylaw will be enforced and penalties (fines) are included in the Bylaw under “Schedule A” for offences that occur.

A Hamlet is considered an unincorporated urban settlement designated by Council pursuant to the Municipal Government Act (MGA). To maintain consistency, the Bylaw would apply in all Cypress County Hamlets.

Applicants Comments

None.

Support of the Application

Allen Hubbard, who is a resident of Dunmore feels the Eagle Ridge subdivision in Dunmore is unsightly and is concerned whether the County is planning to spray the rocks in the ditches. Mr. Hubbard is in favour of having the rocks removed and grass in the ditches. The CAO, Peter Tarnawsky asked if he had a preference of what the ditches should look like. Mr. Hubbard replied that his preference is to have grass, and property owners should be responsible to maintain the area. Mr. Hubbard inquired about penalties for unsightliness and whether it would be a monthly fine. The Director of Public Works, Curtis Richter stated that there would have to be consultation with the Peace Officer. Councillor Geigle asked Mr. Hubbard how his neighbours felt about maintenance of the ditches. Mr. Hubbard stated his impression was that his neighbours would be in favour of maintaining the ditches.

Opposition of the Application

None.

Applicants Final Comments

None.

The Reeve closed the Public Hearing.

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|-----------------------------------|--------------|--|----------------|
| Resolution No.
2018/503 | 4 | MINUTES
Moved Councillor Vossler | |
| | | That Council approve the minutes of the September 5, 2018 Council meeting as presented. | CARRIED |
| | 6 | MUNICIPAL SERVICES | |
| Resolution No.
2018/504 | 6.1 | Bylaw 2018/04 - Land Use Bylaw First reading
Moved Councillor Kurpjuweit | |
| | | That Council provide 1 st reading of Bylaw 2018/04 Land Use. | CARRIED |
| Resolution No.
2018/505 | 6.2 | Bylaw 2018/24 - Land Use Amendment (SW 1-12-8-W4) Second Reading
Moved Councillor Vossler | |
| | | That Council provide 2 nd reading of Bylaw 2018/24. | CARRIED |
| Resolution No.
2018/505 | 6.2.1 | Bylaw 2018/24 - Land Use Amendment (SW 1-12-8-W4) Third Reading
Moved Deputy Reeve Hamilton | |
| | | That Council provide 3 rd reading of Bylaw 2018/24. | CARRIED |
| Resolution No.
2018/506 | 6.3 | Bylaw 2018/31 - Land Use Amendment (NE 32-11-6-W4) Second Reading
Moved Councillor McKenzie | |
| | | That Council provide 2 nd reading of Bylaw 2018/31. | CARRIED |
| Resolution No.
2018/507 | 6.3.1 | Bylaw 2018/31 - Land Use Amendment (NE 32-11-6-W4) Third Reading
Moved Councillor Belyea | |
| | | That Council provide 3 rd reading of Bylaw2018/31. | CARRIED |

*** Assistant Planner, Kaylene Simpson left the meeting at 10:49 A.M.*

Resolution No. 6.4 Bylaw 2018/34 - MD of Taber & Cypress County ICF First Reading
2018/508 **Moved** Councillor Hok

That Council provide 1st reading of Bylaw 2018/34.

CARRIED

Recess: 10:53 A.M.

Reconvene: 11:00 A.M.

5 DELEGATIONS

5.1 Prairie Rose School Division

Rodger Clarke, Ryan Boser, Raegen Weekes and Willie Desjardin appeared before Council and presented a proposal for a Community Training Centre in Dunmore. The Prairie Rose School Division proposed a cost sharing agreement with the County.

5.2 RCMP Enhanced Policing Report

Staff Sergeant Sean Maxwell, and Constable Rebecca Wilke, the County's Enhanced officer, of the RCMP Redcliff Detachment appeared before Council and gave a report on enforcement throughout the County for the past three months.

10.3 Chat News Introductions

Dan Reynish, Leah Murray and Regan Tate from CHAT News appeared before Council to introduce themselves and discussed a continued working relationship concerning County matters.

Recess: 12:06 P.M.

Reconvince: 12:52 P.M.

Resolution No. 6.5 Bylaw 2018/34 – Wild Horse Border Crossing
2018/509 **Moved** Councillor Belyea

That Council receive the report as information.

CARRIED

MUNICIPAL SERVICES

Resolution No. 7.3 Director of Municipal Services Report
2018/510 **Moved** Councillor Hok

That Council receive the Director of Municipal Services report as presented.

CARRIED

DELEGATION

5.2 TransCanada Pipeline

Cole Thompson and Rebecca McElhoes, Public Affairs & Communications from TransCanada Pipeline appeared before Council and presented a report future plans to abandon a 64 km section of natural gas pipeline and associated surface facilities that extends between Cypress County and the County of Forty Mile.

7 CORPORATE SERVICES

Resolution No. 7.2 Policy ADM 7 – Cemetery Fencing and Identification

2018/511 **Moved** Councillor Vossler

That Council approve Policy ADM 7 Cemetery Fencing and Identification as presented.

CARRIED

Resolution No. 7.2 Policy COU 1 - Council Remuneration

2018/512 **Moved** Councillor Kurpjuweit

That Council approve Policy COU 1 Council Remuneration as presented.

CARRIED

Resolution No. 7.3 Director of Corporate Services Report

2018/513 **Moved** Councillor Kurpjuweit

That Council receive the Director of Corporate Services report as presented.

CARRIED

8 PUBLIC WORKS

Resolution No. 8.1 Bylaw 2018/32 - Hamlet Public Roadway

2018/514 **Moved** Councillor Hok

That Council lift Bylaw 2018/32 Hamlet Public Roadway from the table.

CARRIED

Resolution No. 8.1.1 Bylaw 2018/32 - Hamlet Public Roadway

2018/515

Councillor Kurpjuweit

That Council direct Administration to bring back Bylaw 2018/32 Hamlet Public Roadway with amendments to allow property owners to place rocks in ditches adjacent to their property within Hamlet boundaries including details on fines and enforcement.

CARRIED

- Resolution No. 8.2**
2018/516 **Policy R 17 - Endeavor to Assist**
Moved Councillor Hok
- That Council approve Policy R 17 Endeavour to Assist as presented.
- CARRIED**
-
- Resolution No. 8.3**
2018/517 **Hilda Raw Water Well Building**
Moved Councillor Vossler
- That Council approve an additional \$54,100 to supplement the approved budget of \$54,000 for the Hilda Raw Water Well Rehabilitation Project with funds coming from the Water and Sewer Fund; and direct Administration to award the project to the lowest bidder, stay within the and complete over the next 2 or 3 years.
- DEFEATED**
-
- Resolution No. 8.3.1**
2018/518 **Hilda Raw Water Well Building**
- Councillor Kurpjuweit
- That Council amend the agenda to include Hilda Raw Water Well Building to 12.3 Closed Session under FOIPPA Section 25(1)(c)iii.
- CARRIED**
-
- Resolution No. 8.4**
2018/519 **Director of Public Works Report**
Moved Councillor McKenzie
- That Council receive the Director of Public Works Report as presented.
- CARRIED**
-
- Resolution No. 9**
2018/520 **CHIEF ADMINISTRATOR'S OFFICE**
Moved Councillor Belyea
- That Council approve the Interim Chief Administrative Officer report as presented.
- CARRIED**
-
- Resolution No. 9.1**
2018/521 **Organizational Meeting Date**
Moved Councillor Oster
- That Council hold the Organizational meeting on Monday October 15, 2018 at 10:00 A.M. and reschedule the October 16, 2018 Council meeting to immediately following the Organizational meeting.
- CARRIED**
-
- Resolution No. 9.2**
2018/522 **Delegation Request - Dan Hofer Hwy 515 Concerns**
- Councillor Mudie

That Council approve a delegation request from Dan Hofer regarding condition of Hwy 515 on October 2, 2018.

CARRIED

10 NEW BUSINESS

Resolution No. 10.1 Private Dust Control Strip Extensions
2018/523 **Moved** Councillor Vossler

That Council direct Administration to bring forward possible amendments to Policy R1 Private Dust Control during 2019 budget deliberations.

Resolution No. 11 REEVE AND COUNCILLOR REPORTS
2018/524 **Moved** Deputy Reeve Hamilton

Deputy Reeve Hamilton, Councillor Hok and Kurpjuweit meet with the Dunmore Equestrian Society.

Councillor Belyea attended a Redcliff/Cypress regional Landfill Authority meeting.

Councillor Hok attended a Redcliff/Cypress Regional Landfill meeting and a Highway 3 Twinning Association meeting.

Reeve Oster attended a Redcliff/Cypress regional Landfill meeting and a Mayor's and Reeve's meeting.

Council as a whole, with the exception of Councillor Vossler, participated in the Elected Officials Emergency Management Training.

That Council receive the Reeve and Councillor reports as presented.

CARRIED

12 CLOSED SESSION

Resolution No. 12.1 Close The Meeting
2018/525 **Moved** Councillor Belyea

That Council close the meeting to the Public for Agenda items

12.1 Approval of CAO Agreement FOIPPA Sec 19(1),

12.2 Water License Update FOIPPA Sec 24 and

12.3 Hilda Raw Water Well Building Sec 25(1)(c)iii at 3:07 P.M.

CARRIED

Resolution No. 12.2 Open the Meeting
2018/526 **Moved** Councillor Vossler

That Council move to open the meeting to the Public at 4:04 P.M.

CARRIED

Recess: 4:04 P.M.

Reconvince: 4:07 P.M.

***Deputy Reeve Hamilton left the meeting at 4:07 P.M.*

Resolution No. 12.3 Approval of CAO Agreement - FOIPPA Sec 19(1)
2018/527 **Moved** Councillor Hok

That Council approve the Chief Administrative Officer Term Agreement between Tarolyn Aaserud and Cypress County.

CARRIED

Resolution No. 12.3.1 Approval of CAO Agreement - FOIPPA Sec 19(1)
2018/528 **Moved** Councillor Vossler

That Council authorize the Reeve to sign the agreement with Tarolyn Aasreud on behalf of Cypress County.

CARRIED

Resolution No. 12.3.2 Approval of CAO Agreement - FOIPPA Sec 19(1)
2018/529 **Moved** Councillor McKenzie

That the CAO Agreement between Tarolyn Aaserud and Cypress County remain confidential in accordance with FOIPPA Section 17 "disclosure harmful to personal privacy".

CARRIED

Resolution No. 12.5 Hilda Raw Water Well Building (8.3 Public Works)
2018/530 **Moved** Councillor Kurpjuweit

That Council reconsider Hilda Raw Water Well Building.

CARRIED

Resolution No. 12.5.1 Hilda Raw Water Well Building (8.3 Public Works)
2018/531 **Moved** Councillor Vossler

That Council approve an additional \$18,000 to supplement the approved budget of \$54,000 for the Hilda Raw Water Well Rehabilitation Project with funds coming from the Water and Sewer Fund; and direct Administration to award the project to the lowest bidder, with completion over the next two to three years.

CARRIED

13 ADJOURNMENT

The Reeve declared the meeting adjourned at 4:16 P.M.

Reeve

Designated Officer