



MINUTES

Cypress County Council Meeting
Administration Building, Dunmore Alberta
June 19, 2018

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, Acting Director of Municipal Services and
Planning Supervisor
LesleyAnn Collins, Executive Assistant

CALL TO ORDER: 10:01 A.M

AGENDA - ADDITIONS, DELETIONS & APPROVAL:

Resolution No. 2018/326

Deputy Reeve Hamilton moved to accept the agenda with the addition of 9c) August Meeting Cancellation to New Business.

Carried.

PUBLIC HEARING:

Reeve Oster opened the Public Hearing for Bylaw 2018/15 Land Use Amendment and Bylaw 2018/17 Land Use Amendment.

Purpose of Public Hearing – Bylaw 2018/15

To re-classify a portion of the NE 28-12-5-W4, from Agricultural IDP District 1 “A-1 IDP” to Public and Semi-Public Service District “PS”.

Planning Supervisor, Jeffrey Dowling explained Cypress County has submitted application 18/A05, on behalf of the City of Medicine Hat, to reclassify a 0.084 ha (0.20 acres) parcel from Agricultural IDP District 1 (A-1 IDP) to Public and Semi-Public Service District (PS). The property is located at the NE 28-12-5-W4, and is presently dry, pasture land. The current agricultural title is 21.4 ha (53 acres) in size.

If the land use amendment is approved, then the intent is for Cypress County to apply to the Municipal Planning Commission for approval to subdivide the parcel from the remainder of the agricultural title. Cypress County will then be able to purchase the land from the City of Medicine Hat and construct Veinerville Pump Station 2 to provide separate water distribution connections to the existing water co-op, and for any future water co-ops.

The proposed re-classification area is located along Township Road 125, and is immediately south of the hamlet entrance into Veinerville. Both the proposed land use re-classification area, and the remainder of the agricultural title will have direct access to Township Road 125. There are established hamlet residences immediately adjacent to the proposed area to the north.

The proposed area is located within the Rural Development Area of the Tri-Area Intermunicipal Development Plan.

With the recommendation for Council to pass 1st reading for Bylaw 2018/15, the public hearing would be tentatively set for June 19th, 2018.

The Planning Supervisor recommends approval, as the proposal complies with the Human Development strategies under the Implementation of the Plan of the South Saskatchewan Regional Plan, as well as Rural Development Area Policy, Section 2.10.2, e) of The Tri-Area Intermunicipal Development Plan, and Section 3.8 (e) of the County’s Municipal Development Plan.

Applicant’s Comments

None.

Support of the Application

None.

Opposition of the Application

None.

Questions/Comments

None.

Applicant’s Final Comments

None.

Purpose of Public Hearing – Bylaw 2018/17

To re-classify a portion of the NE 1-20-1-W4, from Agricultural District 2 “A-2 General Agriculture” to Industrial District “I”.

Planning Supervisor, Jeffrey Dowling explained Pembina Pipeline Corporation has submitted application 18/A06, on behalf of 1195714 Alberta Ltd., to reclassify 63.9 ha (158 acres) from Agricultural District 2 (A-2 General Agriculture) to Industrial District (I). The property is located at the N.E. 1-20-1-W4. The applicant would like to develop a rail loading facility at the proposed re-classification area. This would allow a connection to the Great Sandhills Railway line that passes through the northeast corner of the proposed area in order to transport their propane product to customers in Saskatchewan.

The property is located approximately 0.8 km north of Highway 545, and is immediately to the west of the Saskatchewan border, and adjacent to the R.M. of Deer Forks No. 232. The proposed land use re-classification area will be accessed from the undeveloped road allowance that is in the R.M. of Deer Forks No. 232. The applicant is currently seeking permission to develop the road allowance to the R.M.’s standards.

The proposed re-classification area is currently dryland, cropland. Once the proposed area is developed, the applicants will have no intention of continuing with agricultural activities on the land. Therefore, the applicant is requesting that the entire property be re-classified for industrial use.

There are other existing Industrial District (I) properties situated directly adjacent and to the west, northwest, and north of the proposed re-classification area.

The proposed parcel is located outside of the Tri-Area Intermunicipal Development Plan.

With the recommendation for Council to pass 1st reading for Bylaw 2018/17, the public hearing would be tentatively set for June 19th, 2018.

The Planning Supervisor recommends approval, as the proposal complies with the Energy strategies under the Implementation of the Plan of the South Saskatchewan Regional Plan, and Section 3.5 (d) of the County’s Municipal Development Plan.

Applicant’s Comments

None.

Support of the Application

None.

Opposition of the Application

None.

Questions/Comments

None.

Applicant’s Final Comments

None.

The Reeve Closed the Public Hearing.

MINUTES: Resolution No. 2018/327

Councillor Mckenzie moved to approve the minutes of the June 5th 2018, meeting as presented.

Carried.

MUNICIPAL SERVICES:

**Bylaw 2018/15 –
Land Use
Amendment
(NE 28-12-5-W4)**

An application was received from Cypress County, on behalf of the City of Medicine Hat, to re-classify a portion of the NE 28-12-5-W4, from Agricultural IDP District 1 “A-1 IDP” to Public and Semi-Public Service District “PS”.

Resolution No. 2018/328

Councillor Hok moved 2nd reading of Bylaw 2018/15.

Carried.

Resolution No. 2018/329

Councillor Vossler moved 3rd reading of Bylaw 2018/15.

Carried.

**Bylaw 2018/17 –
Land Use
Amendment
(NE 1-20-1-W4)**

An application was received from Pembina Pipeline Corporation on behalf of 1195714 Alberta Ltd., to re-classify a portion of the NE 1-20-1-W4, from Agricultural District 2 “A-2 General Agriculture” to Industrial District “I”.

Resolution No. 2018/330

Councillor Mudie moved 2nd reading of Bylaw 2018/15.

Carried.

Resolution No. 2018/331

Councillor Belyea moved 3rd reading of Bylaw 2018/15.

Carried.

Fire Services Agreement

The Agreement Ver: 2.0 has been amended in accordance with the “without prejudice counter offer” authorized on June 5, 2018.

Recorded Vote Requested

Resolution No. 2018/332

Councillor McKenzie moved authorize the Reeve and CAO to sign the Fire Services Memorandum of Agreement between the City of Medicine Hat and Cypress County effective July 1, 2018 to March 31, 2020.

Carried.

In Favour: Oster, Hamilton, McKenzie, Hok,
Belyea, Kurpjuweit

Against: Geigle, Vossler, Mudie

Director of Municipal Services Report

The Director of Municipal Services Report was presented.

Resolution No. 2018/333

Deputy Reeve Hamilton moved to receive the Director of Municipal Services Report as presented.

Carried.

CORPORATE SERVICES:

Bylaw 2018/26 – Assessment Review Board

Section 456 of the Municipal Government Act requires Council to pass an Assessment Review Board Bylaw. Whereas the previous appointment was designated by the

Chief Administrative Officer, Section 456 requires the Assessment Review Board clerk position to be a Designated Officer appointed by Council.

Resolution No. 2018/334

Councillor Kurpjuweit moved 1st reading of Bylaw 2018/26.

Carried.

Resolution No. 2018/335

Councillor Belyea moved 2nd reading of Bylaw 2018/26.

Carried.

Resolution No. 2018/336

Councillor Hok moved for unanimous consent for Bylaw 2018/26 to be read for 3rd reading.

Carried Unanimously.

Resolution No. 2018/337

Deputy Reeve Hamilton moved 3rd reading of Bylaw 2018/26.

Carried.

**ARB Clerk
Designated Officer**

As per the updated MGA 456(1), the ARB Clerk position is now considered a Designated Officer position which must be appointed by Council.

Resolution No. 2018/338

Councillor Vossler moved to appoint Pam Hintz as the Designated Officer-Clerk position within the Assessment Review Board.

Carried.

**Bylaw 2018/17 –
Subdivision and
Development
Appeal Board**

Section 627 of the Municipal Government Act requires Council to pass a Subdivision and Development Appeal Board Bylaw. Whereas the previous appointment of the clerk was designated by the Chief Administrative Officer, Section 627 requires the Subdivision and Development Appeal Board clerk to be a Designated Officer appointed by Council.

Resolution No. 2018/339

Councillor Mudie moved 1st reading of Bylaw 2018/17.

Carried.

Resolution No. 2018/340

Councillor Geigle moved 2nd reading of Bylaw 2018/17.

Carried.

Resolution No. 2018/341

Deputy Reeve Hamilton moved for unanimous consent for Bylaw 2018/17 to be read for 3rd reading.

Carried Unanimously.

Resolution No. 2018/342

Councillor Hok moved 3rd reading of Bylaw 2018/17.

Carried.

**SDAB - Secretary
Designation**

As per the updated MGA 627.1(3), the SDAB Clerk position is now considered a Designated Officer position which must be appointed by Council. Previously, the MGA and Cypress County Bylaw (2008/34) permitted the CAO to appoint this position.

Resolution No. 2018/343

Councillor Vossler moved to appoint Pam Hintz as the Designated Officer-Clerk/Secretary position within the Subdivision and Development and Appeal Board (SDAB).

Carried.

**Municipal
Internship
Program**

The Municipal Internship Program is a partnership between Alberta Municipal Affairs and Alberta municipalities and planning service agencies. The objective of the program is to encourage recent post-secondary graduates to consider a career in municipal administration, land use planning or finance.

Resolution No. 2018/344

Councillor Belyea moved to direct Administration to apply for a Finance Internship and an Administration Internship and build the positions into the budget, should the applications be successful.

Carried.

**EGS Farms Ltd.
Offer to
Purchase Land**

EGS Farms Ltd purchased irrigated Farmland (East ½ of SW 15-12-6-4). It was discovered that the County owns ¾ of an acre located inside the borders of the land described above. EGS farms would like to purchase the parcel and amalgamate it back into the above stated land and have it reclassified back to farmland.

Resolution No. 2018/345

Councillor Vossler moved accept EGS Farms LTD \$2,000 offer to purchase ¾ acre plot located within the east half of SW 15-12-6-W4.

Carried.

**Bylaw 2018/21 –
Community
Aggregate
Payment Levy**

On May 1, 2018, Council passed Bylaw 2018/21 Community Aggregate Payment Levy. The Bylaw imposes a Levy of \$0.40/tonne on sand and gravel delivered from gravel operations within Cypress County. Administration was asked to research how to exempt contracts tendered in 2018 but not delivered until 2019.

Resolution No. 2018/346

Councillor Hok moved to hold a Public Engagement Session on Tuesday July 3, 2018 at 3:00P.M. so Cypress County Council can hear from the public and stakeholders regarding the Community Aggregate Payment Levy.

Carried.

**Director of
Corporate
Services Report**

The Director of Corporate Services Report was presented.

Resolution No. 2018/347

Councillor McKenzie moved to receive the Director Corporate Services Report as presented.

Carried.

PUBLIC WORKS:

**Bylaw 2018/13 –
Road Bans**

The last time Bylaw 2006/15 was amended was in 2006. Minor formatting was made to bring the Bylaw up to current standards.

Resolution No. 2018/348

Councillor Geigle moved 1st reading of Bylaw 2018/13.

Carried.

Resolution No. 2018/349

Councillor Vossler moved 2nd reading of Bylaw 2018/13.

Carried.

Resolution No. 2018/350

Councillor Mckenzie moved for unanimous consent for Bylaw 2018/13 to be read for 3rd reading.

Carried Unanimously.

Resolution No. 2018/351

Councillor Belyea moved 3rd reading of Bylaw 2018/13.

Carried.

**2018 Undeveloped
Road Maintenance
Requests**

In September 2016, Council approved Policy R9 Undeveloped Road Maintenance. The policy included minor maintenance, upon request, limited to grader work of less than one hour and coordinated with regular road maintenance. Major maintenance would include filling in low spots with a \$180,000 budget and graveling of ruts with a budget of \$50,000.

Resolution No. 2018/352

Deputy Reeve Hamilton moved to approve the sixteen Undeveloped Road Maintenance Requests in Attachment 1 at a cost of \$232,200, with the additional \$2,200 funded from unallocated funds in the 5 year Road Construction Plan, and address request 14 through the 2018 Road Construction Program and that staff bring forward Policy R9 Undeveloped Road Maintenance for Council review to a future meeting.

Carried.

**Gravel Road
Maintenance Request
Twp 90 Adjacent
to Bull Trail**

A report was presented outlining winter and summer maintenance on Twp Rd 90 east of the Bull Trail that enters White Ash Ranches and adjacent Bull Trail beginning January 2, 2018 to present date.

Resolution No. 2018/353

Councillor Vossler moved to receive the report as information and direct Administration to continue to monitor road maintenance on Twp Rd 90 east of Bull Trail that enters White Ash Ranches and adjacent Bull Trail and report to Council on request.

Carried.

**Director of
Public Works
Report**

The Director of Public Works Report was presented.

Resolution No. 2018/354

Councillor Kurpjuweit moved to receive the Director of Public Works Report as presented.

Carried.

**CHIEF ADMINISTRATIVE
OFFICER'S OFFICE:**

**Policy COU 8 –
Public Participation**

The Municipal Affairs Modernized MGA checklist identified that Municipalities must adopt a public participation policy as per the requirements in the Public Participation Policy Regulation.

Resolution No. 2018/355

Councillor Deputy Reeve Hamilton moved to direct staff to bring forward Policy COU 8 Public Participation for approval at the July 3, 2018 Council meeting.

Carried.

Appointment to Intermunicipal Steering Committee

On June 5, 2018 Deputy Reeve Hamilton, Councillor Geigle and Councillor Kurpjuweit were all nominated for two positions on the Intermunicipal Steering Committee. Voting by the eight members present resulted in Deputy Reeve Hamilton being appointed. A tie-breaking vote held to identify the second appointee resulted in a tie and a referral of the matter to June 19, 2018 when the participation of an odd number of Councillors was anticipated.

Resolution No. 2018/356

Councillor McKenzie moved to appoint Robin Kurpjuweit to the Intermunicipal Steering Committee.

Carried.

Resolution No. 2018/357

Councillor Vossler moved to destroy the ballots.

Carried.

Interim Chief Administrative Officer Report

The Interim Chief Administrative Officer Report was presented.

Resolution No. 2018/358

Councillor Belyea moved to receive the Interim Chief Administrative Officer Report as presented.

Carried.

RECESS: 12:10 P.M.

RECONVEINE: 12:48 P.M.

NEW BUSINESS:

**Delegation Request –
Dr. Ken Sauer**

Resolution No. 2018/359

Deputy Reeve Hamilton moved approve a delegation request from Dr. Ken Sauer, Rotary Club, for July 3, 2018 at 11:00 A.M.

Carried.

**Elkwater
Campsite Waste**

Staff research found that loads of waste hauled from the Elkwater Transfer Site doubled from 8 loads per month to 16 loads per month, during the camping season.

Resolution No. 2018/360

Councillor Mudie moved to direct staff to advise Alberta Recreation & Parks that they will be invoiced for additional loads of waste, greater than eight, during the months of May to September incurred by the Elkwater Campground.

Carried.

**August Meeting
Cancellation**

Resolution No. 2018/361

Councillor Vossler moved to cancel the August 7, 2018 Council meeting and reschedule the July 17 Council meeting to July 31, 2018.

Carried.

**REEVE AND
COUNCILLOR'S
REPORTS:**

Councillor Belyea attended a South East Alberta Watershed Alliance meeting.

Deputy Reeve Hamilton attended the ground-breaking Eagle Butte High School Modernization Project.

Councillor McKenzie attended a Cypress View Staff Appreciation Lunch, and a Schuler Community Association meeting.

Reeve Oster attended a Library Board meeting, and met with the Director of the Westside Water Co-op.

Resolution No. 2018/362

Deputy Reeve Hamilton moved to receive the Councillor reports as presented.

Carried.

Closed Session:

Peter Tarnawsky, John Belanger, Jeffrey Dowling and Curtis Richter attended to provide advice to Council and LesleyAnn Collins attended for general interest purposes

Resolution No. 2018/363

Councillor McKenzie moved that Council close the meeting to the public for Agenda Item 11a) Westar Landfill Update FOIP Section 24 and Section 27(1) at 1:11 P.M.

Carried.

Resolution No. 2018/364

Councillor Hok moved to open the meeting to the public at 1:57 P.M.

Carried.

Westar Landfill Update

Resolution No. 2018/365

Deputy Reeve Hamilton move to direct Administration to undertake the Recommended Next Steps as discussed in Closed Session.

Carried.

ADJOURN: The Reeve declared the meeting adjourned at 2:00 P.M.

REEVE

DESIGNATED OFFICER