

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, October 11, 2017, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Reeve B. Beattie
Deputy Reeve P. McKean
Councillor A. Aalbers
Councillor A. Kemmere
Councillor K. Heck
Councillor D. Milne
Councillor J. Sayer

IN ATTENDANCE: T. Martens, Chief Administrative Officer
R. Beaupertuis, Director, Corporate Services
R. Baker, Director, Operational Services
J. Holmes, Director, Legislative, Community, & Agricultural Services
M. Pawlow, Acting Director, Planning and Development Services
A. Wild, Communications Coordinator
G. Eyers, Executive Assistant

CALL TO ORDER: Reeve Beattie called the meeting to order at 9:00 a.m.

Reeve Beattie introduced Council and staff

AGENDA Reeve Beattie advised of the following amendments to the agenda:

- 5.4 Bylaw No. LU 43/17 - NE 29-32-5 W5M, SE 29-32-5 W5M and SE 32-32-5 W5M (Revised / Additional Information)
- 11.6 Fire Departments - Regional Tender Purchase (Information attached)
- 11.7 Draft 2017 Construction Cost Changes - Regulated Industrial Property
- 11.8 Economic Development Action Plan
- 11.9 Tax Penalty Forgiveness
- 11.10 Contractor Road Signage - Councillor Aalbers

Moved by Councillor Kemmere

RC17-650 That Council adopt the agenda of the Regular Council Meeting of October 11, 2017 as amended.

Carried.

MINUTES Councillor Kemmere requested that the Minutes of September 13, 2017 be amended to indicate that he had provided written comments.

PUBLIC HEARINGS
Bylaw #17/17
SW 26-32-5 W5M
(Seidel Pit)

Reeve Beattie reconvened the Public Hearing regarding Bylaw #17/17 and read the Bylaw.

The application for redesignation of the SW 26-32-5 W5M, was introduced by J. Ross, Planning and Development Department, and information was provided regarding specific amendments to the application as follows:

- To amend the Land Use Bylaw Section 14.3 AEP District to include the SW 26-32-5-5 (Seidel Pit) within the Operating Regulations of the District

The Planning and Development Department recommended that Bylaw #17/17 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council.

Reeve Beattie asked if there were any comments from the gallery. No one came forward.

Council did not have any questions.

Reeve Beattie asked if there were any comments from the gallery. No one came forward.

The Planning and Development Department was provided the opportunity for closing remarks and declined.

The applicant was not in attendance.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Aalbers

RC17-651 That Council give second reading to Bylaw No. 17/17 to redesignate lands in the SW 26-32-5 W5M.

Carried.

Moved by Councillor Aalbers

RC17-652 That Council give third reading to Bylaw No. 17/17 to redesignate lands in the SW 26-32-5 W5M.

Carried.

Bylaw #LU 44/17
SW 20-30-1 W5M

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 44/17 and read the Bylaw.

The application for redesignation of the SW 20-30-1 W5M, was introduced by T. Connatty, Planning and Development Department, and the following information was introduced as provided in the agenda package such as the bylaw, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 24.51 acres from Agricultural District (A) to Agricultural (2) District (A(2))
- Division 1
- Rural Community: Wessex

The Planning and Development Department recommended that Bylaw #LU 44/17 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council.

Wayne Poffenroth, applicant, stated that he did not have any additional information.

Reeve Beattie asked if there were any comments from the gallery. No one came forward.

Council questions resulted in the following information:

- Legal and physical access would be a condition of subdivision
- An access agreement may be required

Reeve Beattie asked if there were any comments from the gallery. No one came forward.

The Planning and Development Department was provided the opportunity for closing remarks and stated that an access would be addressed prior to a Development Permit being issued.

The applicant was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Sayer

RC17-653 That Council give second reading to Bylaw No. LU 44/17 to redesignate lands in the SW 20-30-1 W5M.

Carried.

Moved by Councillor Sayer

RC17-654 That Council give third reading to Bylaw No. LU 44/17 to redesignate lands in the SW 20-30-1 W5M.

Carried.

Bylaw #LU 46/17
NE 11-33-28 W4M

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 46/17 and read the Bylaw.

The application for redesignation of the NE 11-33-28 W4M, was introduced by T. Connatty, Planning and Development Department, and the following information was introduced as provided in the agenda package such as the bylaw, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

ADOPTED

- To redesignate 8.08 acres from Agricultural District (A) to Residential Farmstead District (R-F)
- Division 7
- Rural Community: Reed Ranch

The Planning and Development Department recommended that Bylaw #LU 46/17 be defeated because the proposed parcel does not comply with the Farmstead separation policies within the MDP.

The Planning and Development Department advised that all correspondence received was provided to Council.

Ben Luellau, owner, stated that there are some agricultural improvements that do not show on the photos. The main water well for the feedlot is on the proposed parcel. Both nearby Confined Feeding Operation Permits have been cancelled. He thanked Council for their consideration.

Reeve Beattie asked if there were any comments from the gallery. No one came forward.

Council questions resulted in the following information:

- The well provides water for the house and the feedlot across the road
- The property will be sold to an employee
- The latest changes in the MDP allows for a new agricultural parcel or farmstead parcel
- There is currently no water being provided for the property across the road. There are 4 existing wells on the property across the road

Reeve Beattie asked if there were any comments from the gallery. No one came forward.

The Planning and Development Department was provided the opportunity for closing remarks and stated that the well on the proposed property would not be able to supply water across property lines. This matter would be addressed at the time of subdivision.

The applicant was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor McKean

RC17-655 That Council give second reading to Bylaw No. LU 46/17 to redesignate lands in the NE 11-33-28 W4M.

Carried.

Moved by Councillor McKean
RC17-656 That Council give third reading to Bylaw No. LU 46/17 to redesignate lands in the NE 11-33-28 W4M.

Carried.

Bylaw #LU 43/17
NE 29-32-5 W5M,
SE 29-32-5 W5M
and SE 32-32-5 W5M

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 43/17 and read the Bylaw.

The Planning and Development Department advised that there were two (2) letters presented to Council prior to the meeting.

Moved by Councillor McKean
RC17-657 That Council receive correspondence presented to Council prior to the meeting from Paul DiStefano and Ronald Boghean regarding Bylaw #LU 43/17 as information.

Carried.

The application for redesignation of the NE 29-32-5-5, SE 29-32-5-5 and SE 32-32-5-5 W5M, was introduced by D. Gonzalez, Planning and Development Department, and the following information was introduced as provided in the agenda package such as the bylaw, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 478.94 acres in the NE 29-32-5-5, SE 29-32-5-5 and SE 32-32-5-5 from Agricultural District (A) to Aggregate Extraction/Processing District (AEP).
- Division 5
- Rural Community: McDougal Flats

The Planning and Development Department recommended that Bylaw #LU 43/17 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council.

Patricia Maloney, Dillon Consulting, applicant, and Ryan Morrison, Assistant Director, Operational Services, provided a presentation. Ms. Maloney stated that lands within the floodway have been removed from the application.

Ms. Maloney provided information regarding the following:

- Project Details
- Floodway Mapping
- Concept Plan
- Traffic Impact Analysis
- Progressive Reclamation
- Community Mitigation

Reeve Beattie asked if there were any comments from the gallery.

Robin Tudor asked if it is normal practice to amend the application just prior to a public hearing.

The Chief Administrative Officer advised that bylaws can be amended any time prior to third reading.

Robin Tudor stated that he, and others, are scared. He advised that he feels that they are not being provided correct information. They are concerned about dust, noise, property values, and loss of control. He provided information regarding dust from a provincial crushing operation, the mill, and any disturbed dirt that took place on a specific Sunday this past summer. He stated that he projects that there could be 75,000 tons being hauled to the east part of the County which equates to 1875 super-b loads; 20 trips per day for 200 days from the proposed pit. He discussed possible flood impacts, water tables, property values, cost of tarping of loads, and payment for loss of property values.

Mr. Tudor asked if a specific Councillor should recuse herself because she owns property in the area.

Mr. Tudor discussed pecuniary interests and changes in value.

Tony Martens stated that there is no pecuniary interest of any Councillor sitting at this Public Hearing as per Section 170 of the Municipal Government Act. The only way there would be a pecuniary interest is if the Councillor owned the land. There is no conflict of interest for any Councillors as the lands are owned by Mountain View County. Section 202 of the Municipal Government Act states that only Council can pass bylaws.

Del Botheras stated that he resides adjacent to a large gravel pit and is in favour of gravel pits. He stated that they are good neighbors' and generally provide a lot of money for the area. He is concerned about the proposed haul route and stated that it should be on 10th Street as it is the shortest route.

Robert Beuck, resident of South McDougal Flats, stated that his biggest concern is the aquifer. The area for proposed extraction is in the major aquifer. He discussed water quantity, quality, and availability.

Council asked Mr. Beuck what contamination he referred to and was advised that his concern is contamination caused by equipment. Mr. Beuck discussed extraction methods and was advised by Ron Baker, Director, Operational Services, that the County currently does not wash gravel and does not extract water from pits.

Mr. Beuck discussed the Councillors Oath of Office.

Recess and Reconvene

Reeve Beattie recessed the meeting at 10:28 a.m. and reconvened at 10:46 a.m.

Mark Pollard, Coyote Creek resident, stated that he has concerns regarding RR 55 and the extent of groundwater in the area. He stated that during spring floods there is a lot of groundwater

movement and active canals. The proposed access road adjacent to Coyote Creek will back up water and cause nothing but problems. He stated that the access road should be a different route. Coyote Creek had reduced water this summer due to the flow of the water in the aquifer.

Ron Baker advised Council that no FREC funding can be spent on this project as those funds were allocated for a specific use.

Carol Pollard asked when reclamation will commence at the Sundre Contracting gravel pit on RR55 and it was recommended that she contact Alberta Environment. She is concerned that many people are being affected. The South McDougal Flats ASP refers to access points and is concerned that the proposed access road adjacent to Coyote Creek would affect the flow of water.

Staff advised that a hydrology study could be a condition of a development permit.

Mike Marko, Manager of Planning and Development, Town of Sundre, stated that elected officials and Town of Sundre staff are in attendance. They are not necessarily opposed to the redesignation but would like to express concerns regarding the extraction of large quantities of gravel. Their concerns include the surrounding community, environment, and traffic. He stated that the Town feels that this project is premature and that further collaboration with the Town, AB Transportation, and other affected groups should be undertaken. The South McDougal Flats ASP does not address local concerns of the community. The Comprehensive Site Plan prepared by Dillon Consulting is a high-level report and does not address many concerns. The Town of Sundre has been advised that flood mapping is currently being amended. A Collaboration Framework should be undertaken to address concerns of residents.

Council questions resulted in the following information:

- Town participation and Membership on Area Structure Plan Committees
- Referral areas and circulation process for lands within fringe areas
- Natural resource extraction definition in the current IDP
- Mr. Marko stated that an Intermunicipal Collaboration Framework would assist in Land Use Planning

Mike Farrell, Coyote Creek resident, discussed the proposed access road, the number of trucks per day, and requested that Council listen to the affected landowners.

Marlow Currie, South McDougal Flats Area Protection Society, provided information regarding recent meetings. He stated that they have a number of concerns which include public consultation, coordination of information, and concept plan. Mr. Currie stated that the Society feels that there has not been

sufficient public consultation, studies, and future gravel needs assessments.

Ron Baker stated that this is intended to replace the McDougal Pit. There are approximately 3 more years of gravel remaining at the McDougal Pit.

Nat Franzon, Coyote Creek resident, asked the following questions:

- What guarantee that water wells will not be contaminated?
- What guarantee is there that water tables will not be affected?
- Why doesn't the County get gravel out of the rivers

Council questions resulted in the following information:

- Rivers are not owned by the County, rather by the Province

Ron Boghean, Coyote Creek landowner, stated that he provided a written statement which includes his reason for moving to the area. For a Town to survive you need economic development which includes young families and youth. He stated that with this proposed development there would be 1100 acres of gravel pits immediately adjacent to the Town of Sundre. He stated that this land would then be perfect for development as it would be flat and excavated once reclaimed. The Town of Sundre needs economic development to survive.

Council discussed the following:

- Drilling would be done to determine depth of gravel prior to excavation
- Further studies would be included as conditions of a development permit

Joe van Weenen, Past President Arowen Campgrounds Ltd., stated that he is hearing "not in my back yard". He feels that the County operates their pits ethically, however, private operators do not. He is not sure if this is the right thing to do because this is affecting a lot of lives.

Bert Hamilton, asked if there is another Flood study taking place. He said that he struggles with this because of the previous moratorium. He feels that elevation defines floodway so how far down would a pit be able to go? He stated that the water level in the river determines the level of the aquifer which may fluctuate up to 8 feet. Council needs to think about what you will leave for your grandkids.

Council discussed the fluctuation of groundwater levels and the possibility of flooding basements.

Bruce Johnson, Coyote Creek, stated that the water came up to about 2 feet below ground level, and during the summer went down about 8 feet. It has since then come back up about 5 feet. He feels it will be next to impossible to forecast the proposed depth of the pit.

Bev Hallett, Sundre resident, is opposed to the application as she feels that all concerns are important. She stated that wind and dust need to be addressed. Approximately 20% of Sundre residents are seniors. She feels the application is premature.

Myron Thompson, Town of Sundre Councillor, stated he is concerned about the future of the Town of Sundre. The Town needs to work with County residents in the area regarding future development of Town. He discussed the Sundre Visitor Information Centre. He feels that a decision today is premature and this would be a snap decision. Conversations with the Town of Sundre need to take place regarding development in the area. The rivers and highways are the responsibility of the Province.

Reeve Beattie asked if there were any comments from the gallery. No one came forward.

Recess and Reconvene

Reeve Beattie recessed the meeting at 12:12 p.m. and reconvened at 1:00 p.m.

Council discussed the following:

- The applicant advised that a Development Permit application would be for the entire area and all required studies would be done before development
- The open house in Sundre was advertised in the local newspaper as well as on the County website. Approximately 40 people attended. Results of the survey were posted on the County website
- Additional public consultation would be required if a Development Permit is not applied for within a year after the Redesignation is given
- Gravel costs would be lower than if gravel was purchased from a private pit operator
- There will not be an increase in truck traffic over what is currently being generated from the McDougal Pit. County road repairs and service levels would not change. This is a replacement pit for use once the McDougal Pit is depleted.
- Reclamation Reserves are in place and funds are set aside for future pit reclamations
- Gravel studies determined that gravel in this area is better than in the east portion of the County. This gravel would be used for pit-run, chips, and crushed gravel. The gravel in the east has a lot of sand or clay
- A needs assessment has been undertaken to service the east side of the County
- In 2016 94% of the gravel from the McDougal Pit did not go through the Town of Sundre
- An air quality study was done by PAMZ in May and in August. The May report is out and there were no air quality violations reported
- In the application, there is allowance for potential Airport expansion. Airport expansion requirements and setbacks are required by Federal regulations. Existing gravel pits have never caused issues at the Sundre Airport.

- The preferred access would be through the industrial area
- The Province has a process for gravel extraction in the County
- The County does not allow gravel extraction or development in a floodway
- If studies and not satisfactory then Development Permits are not issued

The Planning and Development Department was provided the opportunity for closing remarks and stated that a Transportation Impact Assessment has been submitted and it needs to be approved by AB Transportation before development can proceed. Alberta Transportation does not have concerns regarding the proposed redesignation use. After reclamation the lands would revert back to an Agriculture zoning. A park use would not be approved until the entire area is reclaimed. Access can be reviewed and can be included in an amended TIA.

Ms. Maloney confirmed that lands can be redesignated to a park use after each area is reclaimed if each phase is a separate approval. The plan for extraction and reclamation is from north to south and then leave a park behind.

The Planning and Development Department was provided the opportunity for closing remarks and declined.

The applicant was provided the opportunity for closing remarks and stated that this is a replacement pit. It is their opinion that this is not premature but it is preplanning so that when the McDougal Pit closes this one will be ready.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor McKean

RC17-658 That Council give second reading to Bylaw No. LU 43/17 to redesignate lands in the NE 29-32-5 W5M, SE 29-32-5 W5M and SE 32-32-5 W5M.

The question on Motion RC17-658 was not called.

Moved by Reeve Beattie

RC17-659 That Council amend Bylaw No. LU 43/17 - Schedule "A", reducing the portion of land proposed to be redesignated Aggregate Extraction/Processing District to the SE 32-32-5 W5M.

Carried.

The question on Motion RC17-658 was called.

Carried.

Moved by Councillor McKean

RC17-660 That Council give third reading to Bylaw No. LU 43/17 to redesignate lands in the SE 32-32-5-5.

Carried.

		Moved by Councillor Kemmere	
	RC17-661	That Council recommend that the Municipal Planning Commission consider that access for the SE 32-32-5-5 be to the north through the industrial area.	Carried.
Recess and Reconvene		Reeve Beattie recessed the meeting at 2:13 p.m. and reconvened at 2:26 p.m.	
IN CAMERA		Moved by Councillor Kemmere	
	RC17-662	That the Regular Council Meeting of October 11, 2017 go into closed meeting at 2:26 p.m.	Carried.
		Moved by Councillor Milne	
	RC17-663	That the Regular Council Meeting of October 11, 2017 return to the open meeting at 2:56 p.m.	Carried.
Culvert Replacement		Moved by Reeve Beattie	
	RC17-664	That Council approve the replacement of the culvert on lands owned by Lyrel Aurini and Ivan Price in the E½ of the NW 7-29-3-W5M.	Carried.
DIRECTIVES			
Regular Council Directives		Moved by Councillor McKean	
	RC17-665	That Council receive the Council Directives as information.	Carried.
Council Strategic Outcomes		Moved by Councillor Heck	
	RC17-666	That Council receive the Council Strategic Outcomes as information.	Carried.
NEW BUSINESS			
MVRWMC Information		Moved by Councillor Milne	
	RC17-667	That Council receive the following items as information: a. MVRWMC Approved 2018 Budget b. MVRWMC 2018 Fee Schedule c. MVRWMC Year in Review October 2016-September 2017	Carried.
Energy Assessment Audit		Moved by Councillor Milne	
	RC17-668	That Council support the completion of a Detailed Energy Assessment/Audit of County buildings including the Administration building but excluding the Agriculture shop.	Carried.
Parkland Regional Library		Moved by Councillor Milne	
	RC17-669	That Council approves the Parkland Regional Library Proposed 2018 Budget as presented, at an \$8.12 per capita rate for 2018, based on the most recent population figures as published by Alberta Municipal Affairs.	Carried.
Carstairs and MVC Shared Facilities		Moved by Councillor Kemmere	
	RC17-670	That Council approve the Carstairs and Mountain View County Shared Facilities Sub-Agreement.	Carried.

Olds Rotary Club Fund Raiser	RC17-671	Moved by Reeve Beattie That Council sponsor an Executive Table – Bottlenose Dolphin Sponsor Recognition for 4 Tickets at a cost of \$750 for the 2017 Olds Rotary East Coast Kitchen Party fundraiser; and further, that the cost to be funded from the Council Grants G/L account. Carried.
Fire Departments Regional Tender	RC17-672	Moved by Councillor McKean That Council approve the Regional Fire Departments moving forward with a Request for Quotation (RFQ) as presented by the Regional Fire Chiefs on October 4; and further, that if a quotation comes in at a price less than \$430,000 Council amend the 20 Year Capital Fire Apparatus Replacement Plan for the 2017 Cremona and Didsbury Tender purchases to \$430,000 each; and further, that quotation results for the additional purchase of the Carstairs and Olds Tenders be brought back to Council for consideration. Carried.
2017 Draft Construction Costs	RC17-673	Moved by Councillor Kemmere That Council receive the Draft 2017 Construction Cost Changes - Regulated Industrial Property as information. Carried.
Economic Development Action Plan	RC17-674	Moved by Councillor McKean That Council request that the Economic Development Action Plan Committee review the target timelines and completion dates for the 2018-2020 Economic Development Action Plan and bring it back to Council for consideration. Carried.
Tax Penalty Forgiveness	RC17-675	Moved by Councillor Aalbers That Council approve reversing \$90.41 in tax penalties due to late payment of taxes as included in the “Tax Fee and Penalty Breakdown” due to personal hardship for the following tax rolls: - 534113000; 534123000; 534022000; 534031000; 534032000; 534033000; 534102000; 534121000; 534121001; 534121002; and, 534121003. Carried.
Contract Signage and Construction Safety		Councillor Aalbers provided information regarding the lack of, and use, of signage by Contractors and requested that staff address the matter.
INFORMATION ITEMS	RC17-676	Moved by Councillor McKean That Council receive the following items as information: a. 20170921 - AAMDC Contact Newsletter b. 20170828 MVRWMC Approved Minutes Carried.

ADJOURNMENT

Reeve Beattie adjourned the Regular Council Meeting of October 11, 2017 at 4:08 p.m.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer