

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Monday, January 14, 2015, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

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

IN ATTENDANCE: T. Martens, Chief Administrative Officer
G. Wiens, Director, Corporate Services
R. Baker, Director, Operational Services
J. Holmes, Director, Legislative, Community, & Agricultural Services
M. Bloem, Director, Planning and Development Services
C. Tinney, Planner
D. Gonzalaz, Planner
A. Wild, Communications Coordinator
G. Evers, Executive Assistant

AGENDA Reeve Beattie advised of the following amendments to the agenda:
6.4 Bylaw No. 01/15 – Moratorium Bylaw
8.4 2015 Spring CAAMDC Resolutions
8.7 Mountain View Regional Waste Commission Requisitions
8.8 Council Workshop

Moved by Councillor Sayer
RC15-031 That Council adopt the agenda of the Regular Council Meeting of January 14, 2015 as amended. Carried.

MINUTES Moved by Councillor McKean
RC15-032 That Council adopt the Minutes of the Regular Council Meeting of December 10, 2015. Carried.

PUBLIC HEARINGS
Bylaw #LU 64/14
Plan 9913472, Block 1
in the SW 11-33-28 W4M
Reeve Beattie opened the public hearing regarding Bylaw #LU 64/14.

The application for redesignation of Plan 9913472, Block 1 in the SW 11-33-28 W4M, was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location

ADOPTED

map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 12.2 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 7
- Rural Community: Reed Ranch

The Planning and Development Department recommended that Bylaw #LU 64/14 be given second reading.

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

David Derksen, applicant, stated that he had provided a copy of a letter to the Planning Department that was sent to the NRCB regarding the cancellation of the CFO designation.

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

Dan Dolinski, representing the Hazel family stated that they are in opposition to the proposed redesignation and that the County should preserve agricultural land. Only two residences should be permitted for each quarter section.

Council questions resulted in the following information:

- The CFO designation has been cancelled by the NRCB on the proposed redesignation lands
- There is another approved CFO on an adjacent quarter section

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 provided the opportunity for closing remarks and stated that the land has been sold. It is his opinion that people do not want farmsteads. This proposal would not take any additional farmland out of production. The land changed ownership approximately two years ago.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Aalbers

RC15-033 That Council give second reading to Bylaw No. LU 64/14 to redesignate lands in Plan 9913472, Block 1 in the SW 11-33-28 W4M.

Motion Defeated.

Bylaw #LU 65/14
SE 3-30-4 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 65/14.

The application for redesignation of the SE 3-30-4 W5M, was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 5 acres from Agricultural District (A) to Country Residential (R-CR) District.
- Division 2
- Rural Community: Dogpound

The Planning and Development Department recommended that Bylaw #LU 65/14 be given second reading.

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

Jean Minchau, applicant, stated that she wishes to defer her comments until later in the meeting.

Dan Sheehan stated that he is representing Ron and Deb Ward who are adjacent landowners. He stated that should Mr. and Mrs. Ward ever wish to sell their 20 acre parcel an access to the balance of the quarter section would be required on the existing road allowance. He discussed noise, odor, safety, and traffic concerns. Mr. Sheehan stated that the 1991 ASP and IDP need to be updated.

Greg Earle, adjacent resident, stated that his family is concerned regarding their intensive livestock operation and odors that will affect the proposed redesignation. Additional traffic is also a concern.

Tim Earle, adjacent landowner, advised that he is a 4th generation farmer. He stated that the road was impassable earlier this year for approximately 6 weeks and it is not fit for additional traffic. He has concerns regarding the affects to his existing calving operation.

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

Jean Minchau, applicant, stated that her deceased mother wished to take a subdivision out of this quarter section. She stated that she had provided a letter to the Planning Department which addresses most of the concerns brought forward by the adjacent residents. The adjacent farming operations have never been an issue with her family. She

ADOPTED

requested that Council provide them the same opportunity that adjacent landowners have been provided.

Council questions resulted in the following information:

- The strip of land to the west of the proposed redesignation is not a dedicated road or County road allowance
- The proposed parcel is flat

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 provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor McKean

RC15-034 That Council give second reading to Bylaw No. LU 65/14 to redesignate lands in the SE 3-30-4 W5M.

Motion Defeated.

Bylaw #LU 66/14
SE 10-31-2 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 66/14.

The application for redesignation of the SE 10-31-2 W5M, was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 3 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 3
- Rural Community: Westcott

The Planning and Development Department recommended that Bylaw #LU 66/14 be deferred until the applicant provides satisfactory groundwater and geotechnical reports.

Terry Kuiper, owner, stated that he received the information regarding some concerns. He purchased the property approximately 18 months ago.

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

ADOPTED

Marie Barclay, adjacent landowner, is concerned regarding Scentless Camomile and she feels that the property needs to be cleaned up. Are there 5 year ownership restrictions?

Council questions resulted in the following information:

- 5 year ownership is required only for multi-lot subdivisions
- Remediation for the remainder of the subdivision could be a condition of subdivision

Moved by Councillor Sayer

RC15-035 That Council defer the Public Hearing of Bylaw No. LU 66/14 redesignating the lands within SE 10-31-2 W5M until the applicant provides a Groundwater Supply Evaluation report and Geotechnical report in order to determine that the site is suitable for residential development.

Carried.

Bylaw #LU 67/14
SW 6-32-1 W5M and
Plan 1210342, Block 1, Lot 1

Reeve Beattie opened the public hearing regarding Bylaw #LU 67/14.

The application for redesignation of the SW 6-32-1 W5M and Plan 1210342, Block 1, Lot 1, was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 0.6 acres within SW 6-32-1-5 from Agricultural District (A) to Country Residential (1) District (R-CR1); and by redesignating an approximate zero point six 0.6 acres within Plan 1210342, Block 1 from Country Residential (1) District (R-CR1) to Agricultural District (A)
- Division 3
- Rural Community: Rosebud

The Planning and Development Department recommended that Bylaw #LU 67/14 be given second reading.

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

Brian Krasowski, owner, stated that there is a pipeline right-of-way on the southwest of the quarter section. He has a letter from the pipeline company stating that they do not intend on using the right-of-way.

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

Council did not have any questions.

ADOPTED

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 pipeline right-of-way is still in existence.

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

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Milne

RC15-036 That Council give second reading to Bylaw No. LU 67/14 to redesignate lands in the SW 6-32-1 W5M and Plan 1210342, Block 1, Lot 1.

Carried.

Moved by Councillor Milne

RC15-037 That Council give third reading to Bylaw No. LU 67/14 to redesignate lands in the SW 6-32-1 W5M and Plan 1210342, Block 1, Lot 1.

Carried.

Recess and Reconvene

Reeve Beattie recessed the meeting at 10:32 a.m. and reconvened at 10:38 a.m.

Bylaw #LU 68/14
SW 23-33-5 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 68/14.

The application for redesignation of the SW 23-33-5 W5M, was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 6 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 5
- Rural Community: Eagle Hill / Westward Ho

The Planning and Development Department recommended that Bylaw #LU 68/14 be given second reading.

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

Ken Taylor, applicant, stated that the Gruendel family own 3 adjacent quarter sections and most have been farmed for a number of years. The intent is to consolidate the remainder of the 11 acres with the quarter section to the east which would allow legal access to the quarter section to the east.

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

Council questions resulted in the following information:

- The adjacent quarter section to the east currently has the maximum number of subdivisions
- River floodwater has never crossed the road
- There are no adjacent gravel pits currently in operation

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 there have never been any flood studies done for the proposed area.

The applicant was provided the opportunity for closing remarks and stated that the lands to the east of the road have never flooded.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor McKean

RC15-038 That Council give second reading to Bylaw No. LU 68/14 to redesignate lands in the SW 23-33-5 W5M.

The question on Motion RC15-038 was not called.

Moved by Councillor McKean

RC15-039 That Council amend Bylaw No. LU 68/14 to redesignate lands in the SW 23-33-5 W5M as shown on amended Schedule "A".

Carried.

The question on Motion RC15-038 was called.

Motion Defeated.

Bylaw #LU 69/14
SW 32-29-4W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 69/14.

The application for redesignation of the SW 32-29-4 W5M, was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 40 acres from Agricultural District (A) to Agricultural (2) District (A(2)).
- Division 2
- Rural Community: Water Valley/ Winchell Lake

The Planning and Development Department recommended that Bylaw #LU 69/14 be defeated at second reading as it does not comply with the Municipal Development Plan bylaw or the Land Use Bylaw.

Ken Taylor, applicant, stated that the lands are jointly owned by three siblings. Mr. Taylor stated that the owners intend to continue farming the proposed redesignation area.

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

Del Young stated that she has resided on the property for more than 40 years.

Council questions resulted in the following information:

- The Municipal Development Plan Bylaw states that a farmstead separation needs to be from an unsubdivided quarter section

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 there were some letters of support received. If the proposal is reduced in size it would need to remain an AG 2 parcel.

Moved by Councillor Milne
RC15-040 That Council defer the Public Hearing of Bylaw No. LU 69/14 redesignating the lands within SW 32-29-4 W5M to January 28, 2015 at or after 9:00 a.m.
Carried.

NEW BUSINESS

2015 Spring CAAMDC Resolutions

Moved by Councillor Kemmere
RC15-041 That Council approves forwarding the Resource Extraction within Municipal Boundaries Resolution to the Spring CAAMDC zone meeting.
Carried.

Moved by Councillor Milne
RC15-042 That Council approves forwarding the Relaxed Hunting Regulations for Elk Resolution to the Spring CAAMDC zone meeting.
Carried.

IN CAMERA

Moved by Councillor Sayer
RC15-043 That the Regular Council Meeting of January 14, 2015 go into closed meeting at 11:50 a.m.
Carried.

- RC15-044 Moved by Councillor Aalbers
That the Regular Council Meeting of January 14, 2015 return to the open meeting at 12:24 p.m.
Carried.
- Recess and Reconvene Reeve Beattie recessed the meeting at 12:24 p.m. and reconvened at 1:11 p.m.
- Councillor Kemmere did not return to the meeting.
- BYLAWS
- Bylaw #LU 01/15
SW 17-32-5 W5M RC15-045 Moved by Councillor Milne
That Council give first reading to Bylaw No. LU 01/15 redesignating the lands within the SW 17-32-5 W5M as contained in the agenda package.
Carried.
- RC15-046 Moved by Councillor Milne
That Council set the Public Hearing for Bylaw No. LU 01/15 redesignating the lands within the SW 17-32-5 W5M to February 11, 2015 at or after 9:00 a.m.
Carried.
- Bylaw #LU 02/15
NE 28-29-3 W5M RC15-047 Moved by Councillor Aalbers
That Council give first reading to Bylaw No. LU 02/15 redesignating the lands within the NE 28-29-3 W5M as contained in the agenda package.
Carried.
- RC15-048 Moved by Councillor Aalbers
That Council set the Public Hearing for Bylaw No. LU 02/15 redesignating the lands within the NE 28-29-3 W5M to February 11, 2015 at or after 9:00 a.m.
Carried.
- Bylaw #LU 03/15
SE 35-31-6 W5M RC15-049 Moved by Councillor Sayer
That Council give first reading to Bylaw No. LU 03/15 redesignating the lands within the SE 35-31-6 W5M as contained in the agenda package.
Carried.
- RC15-050 Moved by Councillor Sayer
That Council set the Public Hearing for Bylaw No. LU 03/15 redesignating the lands within the SE 35-31-6 W5M to February 11, 2015 at or after 9:00 a.m.
Carried.
- Bylaw #LU 07/15
Moratorium Bylaw RC15-051 Moved by Councillor Milne
That Council give first reading to Bylaw No. LU 07/15 – Moratorium Bylaw as contained in the agenda package.
The question on Motion RC15-051 was not called.
- RC15-052 Moved by Councillor Sayer
That Council amend Bylaw No. LU 07/15 – Moratorium Bylaw to read “This Bylaw shall be deemed to be repealed on September 30, 2015 without further action.”
Motion Defeated.
- The question on Motion RC15-051 was called.
Carried.

- Moved by Councillor Milne
RC15-053 That Council set the Public Hearing for Bylaw No. LU 07/15 – Moratorium Bylaw to February 11, 2015 at or after 1:00 p.m. Carried.
- NEW BUSINESS
Penalty Cancellation
Roll 430131001 RC15-054 Moved by Reeve Beattie
That Council uphold the request to waive penalties which total \$222.16 for Roll # 430131001 (NE-13-30-04-W5 Plan 9612025, Lot 1). Motion Defeated.
- Moved by Councillor Sayer
RC15-055 That Council deny the request to waive penalties which total \$222.16 for Roll # 430131001 (NE-13-30-04-W5 Plan 9612025, Lot 1). Carried.
- Additional Named
Insured RC15-056 Moved by Reeve Beattie
That Council approve the list of additional named insured (ANI) as follows:
 - Bergen Community Association
 - Cremona Gold & Silver Club
 - Didsbury Search & Rescue
 - Dogpound Community Hall Association
 - Eagle Valley Community Association
 - Fallen Timber Community Association
 - First Alberta Two Cylinder Club
 - Graham Community Association
 - Hainstock Community Association
 - Innis Lake Ladies Club
 - James River Community Association
 - Lion’s Club of District 37-0 Youth Camp
 - Sundre & District Agriculture Society
 - Sundre Community Van Association
 - Sundre Rodeo & Race Association
 - Sundre Search and Rescue
 - Water Valley Community Association
 - Westward Ho Campers’ Association
 - Zella Community Association
Carried.
- Olds Splash Park
Committee RC15-057 Moved by Councillor Aalbers
That Council direct the Chief Administrative Officer to appoint a staff member to the Olds Splash Park Committee for the duration of the project; and further, that no financial support be committed to at this time. Carried.
- CAAMDC – Cost Sharing
For FCM Committee member RC15-058 Reeve Beattie provided an overview of the matter of Cost Sharing for any FCM Committee member representing the CAAMDC Zone 2 and that it will be brought forward at the CAAMDC Meeting on January 16, 2015.
Moved by Councillor Milne
That Council receive the verbal report regarding the CAAMDC Zone 2 – Cost Sharing for FCM Committee Members as information. Carried.

ADOPTED

Design Guidelines
RC15-059 Moved by Councillor Milne
That Council approves the budget of \$50,000.00 for the
“Develop Design Guidelines & General Construction
Specifications” originally presented to Council during the
2015 Budget deliberations.

Carried.

MVRWMC Requisitions
RC15-060 Moved by Councillor McKean
That Council approve the Mountain View Regional Waste
Management Commission 2015 Requisition up to
\$465,000.

Carried.

INFORMATION
ITEMS
RC15-061 Moved by Councillor Aalbers
That Council receive the following items as information:
- 20141027 MVRWMC Regular Meeting Approved
Minutes
- 20141029 MVRWMC Org Meeting Approved Minutes
- 20141107 MVRWMC Special Meeting Approved
Minutes
- 20141204 AAMDC Contact Newsletter
- 20141210 Town of Carstairs - MVRWMC Letter
- 20141214 Town of Sundre - MVRWMC Notice
- 20141217 AAMDC Contact Newsletter
- 20141218 Village of Cremona – MVRWMC
- 20141219 SRDRWC Regular Meeting Minutes -
Unadopted
- 20141231 AAMDC Contact Newsletter
- 20150106 - Council Directives

Carried.

Councillor Reports
Council discussed the following:
• Sundre MOA Meeting
• MVSH Update

IN CAMERA
RC15-062 Moved by Councillor Sayer
That the Regular Council Meeting of January 14, 2015 go
into closed meeting at 2:02 p.m.

Carried.

RC15-063 Moved by Councillor Aalbers
That the Regular Council Meeting of January 14, 2015
return to the open meeting at 2:27 p.m.

Carried.

ADJOURNMENT
Reeve Beattie adjourned the Regular Council Meeting of
January 14, 2015 at 2:27 p.m.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer