

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Monday, February 11, 2015, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Reeve B. Beattie
Councillor A. Aalbers
Councillor A. Kemmere (joined the meeting at 9:20 a.m.)
Councillor P. McKean
Councillor D. Milne
Councillor J. Sayer

ABSENT: Councillor K. Heck

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

AGENDA Reeve Beattie advised of the following amendments to the agenda:
4.4 Bylaw No. LU 07/15 - Moratorium Bylaw (1:00 p.m.) (additional information attached)
8.2 Didsbury Shop Needs Assessment (RPM Consulting 10:30 a.m.)
8.8 Cancellation of March 4, 2015 Policies and Priorities Committee Meeting - verbal

Moved by Councillor Milne
RC15-091 That Council adopt the agenda of the Regular Council Meeting of February 11, 2015 as amended. Carried.

MINUTES Moved by Councillor Sayer
RC15-092 That Council adopt the Minutes of the Regular Council Meeting of January 14, 2015. Carried.

PUBLIC HEARINGS
Bylaw #LU 01/15
SW 17-32-5 W5M
Reeve Beattie opened the public hearing regarding Bylaw #LU 01/15.

The application for redesignation of the SW 17-32-5 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

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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 from Agricultural District (A) to Agricultural (2) District (A(2))
- Division 5
- Rural Community: Bergen

The Planning and Development Department recommended that Bylaw #LU 01/15 be given second reading.

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

Marian Johnson, owner, stated that she does not have any additional comments.

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 stated that the application meets all County policies.

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
 RC15-093 That Council give second reading to Bylaw No. LU 01/15 to redesignate lands in the SW 17-32-5 W5M. Carried.

Moved by Councillor Sayer
 RC15-094 That Council give third reading to Bylaw No. LU 01/15 to redesignate lands in the SW 17-32-5 W5M. Carried.

Bylaw #LU 02/15
NE 28-29-3 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 02/15.

The application for redesignation of the NE 28-29-3 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 Agricultural District (A) to Agricultural (2) District (A(2))
- Division 1
- Rural Community: Dogpound

The Planning and Development Department recommended that Bylaw #LU 02/15 be given second reading.

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

Dan and Laurie Nixon, owners, stated that they did not have any additional information to provide.

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

Council questions resulted in the following information:

- The existing culvert transfers water during wet seasons

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 Aalbers

RC15-095 That Council give second reading to Bylaw No. LU 02/15 to redesignate lands in the NE 28-29-3 W5M.

Carried.

Moved by Councillor Aalbers

RC15-096 That Council give third reading to Bylaw No. LU 02/15 to redesignate lands in the NE 28-29-3 W5M.

Carried.

Bylaw #LU 03/15
SE 35-31-6-5 W5M and
Plan 0614437, Block 2, Lot 1

Reeve Beattie opened the public hearing regarding Bylaw #LU 03/15.

The application for redesignation of the SE 35-31-6 W5M and Plan 0614437, Block 2, 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 Country Residential (R-CR) District to Agricultural (2) District (A(2))
- Division 4
- Rural Community: Bergen

The Planning and Development Department recommended that Bylaw #LU 03/15 be given second reading.

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

Greg and Lisa Tebb, applicants, stated that they did not have any additional information to provide.

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 provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor McKean

RC15-097 That Council give second reading to Bylaw No. LU 03/15 to redesignate lands in the SE 35-31-6 W5M and Plan 0614437, Block 2, Lot 1.

The question on Motion RC15-097 was not called.

Moved by Councillor McKean

RC15-098 That Council amend Bylaw No. LU 03/15 to redesignate lands in the SE 35-31-6 W5M and Plan 0614437, Block 2, Lot 1 as shown on amended Bylaw LU 03/15 and Schedule "A".

Carried.

The question on Motion RC15-097 was called.

Carried.

Moved by Councillor McKean

RC15-099 That Council give third reading to Bylaw No. LU 03/15 to redesignate lands in the SE 35-31-6 W5M and Plan 0614437, Block 2, Lot 1.

Carried.

Councillor Kemmere joined the meeting at 9:20 a.m.

BYLAWS

Bylaw #LU 08/15
NW 9-33-1 W5M

RC15-100 Moved by Councillor Milne
That Council give first reading to Bylaw No. LU 08/15 redesignating the lands within the NW 9-33-1 W5M as contained in the agenda package.

Carried.

RC15-101 Moved by Councillor Milne
That Council set the Public Hearing for Bylaw No. LU 08/15 redesignating the lands within the NW 9-33-1 W5M to March 11, 2015 at or after 9:00 a.m.

Carried.

Bylaw #LU 09/15
NE 24-30-2 W5M Plan 1210960
Block 1 Lot 2

RC15-102 Moved by Councillor Aalbers
That Council give first reading to Bylaw No. LU 09/15 redesignating the lands within the NE 24-30-2 W5M Plan 1210960 Block 1 Lot 2 as contained in the agenda package.

Carried.

RC15-103 Moved by Councillor Aalbers
That Council set the Public Hearing for Bylaw No. LU 09/15 redesignating the lands within the NE 24-30-2 W5M Plan 1210960 Block 1 Lot 2 to March 11, 2015 at or after 9:00 a.m.

Carried.

Bylaw #LU 11/15
SW 24-29-2-5 and
Plan 8510172, Block Z

RC15-104 Moved by Councillor Milne
That Council give first reading to Bylaw No. LU 11/15 redesignating the lands within the SW 24-29-2-5 and Plan 8510172, Block Z as contained in the agenda package.

Carried.

RC15-105 Moved by Councillor Milne
That Council set the Public Hearing for Bylaw No. LU 11/15 redesignating the lands within the SW 24-29-2-5 and Plan 8510172, Block Z to March 11, 2015 at or after 9:00 a.m.

Carried.

NEW BUSINESS
2015 Equipment
Disposal

RC15-106 Moved by Councillor Kemmere
That Council add Units #1.130, #1.133, #1.151, #2.191, #2.213 and a snow wing to the 2015 Disposal List.

Carried.

2/27 ASP Steering
Committee

RC15-107 Moved by Councillor Kemmere
That Council accepts as information the resignation of committee member Neila Krall from the Highway 2 & 27 Area Structure Plan Steering Committee.

Carried.

RC15-108 Moved by Councillor Kemmere
That Council defer replacement of the Hwy 2 & 27 Area Structure Plan Steering Committee member that has resigned.

Carried.

Olds Search
And Rescue

RC15-109 Moved by Councillor McKean
That Council defer the request to enter into a lease agreement with Olds Search & Rescue Society for the

ADOPTED

purpose of constructing a permanent structure to house their equipment, classroom and office until the Council building needs assessment has been reviewed by Council.

Carried.

Policy No. 8009 – Music
Education Fund RC15-110

Moved by Reeve Beattie
That Council defer Policy No. 8009 – Music Education Fund and Procedure No. 8009-01 – Music Education Fund until later in the meeting when Mr. and Mrs. Syer are in attendance.

Carried.

Schafer Refund
Request RC15-111

Moved by Reeve Beattie
That Council direct Administration to pursue collection of the \$500 of court costs awarded to Mountain View County in the Court of Queen’s Bench Schafer decision.

Carried.

RC15-112

Moved by Reeve Beattie
That Council refund \$512 of the survey costs to the one landowner as requested in the letter from Howard and Anne Schafer dated January 6, 2015.

Motion Defeated.

Olds Search
And Rescue

Reeve Beattie provided an overview, of Council discussion earlier in the meeting, to the Olds Search and Rescue members in attendance.

Policy No. 8009 – Music
Education Fund RC15-113

Moved by Councillor McKean
That Council approve Policy No. 8009 – Strings and Keys Music Education Fund and amended Procedure No. 8009-01 – Music Education Fund.

The question on Motion RC15-113 was not called.

Recess and Reconvene

Reeve Beattie recessed the meeting at 10:15 a.m. and reconvened at 10:28 a.m.

The question on Motion RC15-113 was called.

Carried.

RC15-114

Moved by Councillor Milne
That Council appoint Laurie Syer, Jamie Syer, for a two year term and Judy Bargholz for a one year term to the Strings and Keys Funding Committee; and further, that Reeve Beattie be appointed as Council representative to the Strings and Keys Funding Committee until the 2015 Organizational Meeting.

Carried.

Didsbury Shop
Needs Assessment

Colin Roggeveen, RPM Consulting, provided an overview of the Didsbury Maintenance Shop Assessment including current and future needs, facility locations, County office, and the current Didsbury site.

RC15-115

Moved by Councillor Aalbers
That Council accept the Didsbury Shop Needs Assessment report as information.

Carried.

Red Deer River Berm

Sean Sullivan, Matrix Solutions, provided a summary of the Hydraulic Modelling on the Red Deer River Berm project overview.

Councillor Aalbers left the room at 11:38 a.m. and returned at 11:41 a.m.

Mr. Sullivan continued discussion regarding the Unsteady State Hydraulic Modeling.

Council questions resulted in the following information:

- Potential bank erosion if the berm is not constructed
- Possible return of the river to the '52 channel
- Side channel is a costly alternative

Reeve Beattie thanked Mr. Sullivan for the presentation.

Moved by Councillor McKean
RC15-116 That Council proceed with the approval process for the construction of the Red Deer River Berm approximately located from SE-25-33-5-W5M to NW-19-32-5-W5M; and further, that staff bring back information regarding downstream mitigation and costs.

Councillor Kemmere requested that the vote be recorded.

The question on Motion RC15-116 was not called.

Recess and Reconvene

Reeve Beattie recessed the meeting at 12:25 p.m. and reconvened at 1:10 p.m.

Bylaw #LU 07/15
Moratorium Bylaw

Reeve Beattie opened the public hearing regarding Bylaw #LU 07/15.

The Planning and Development Department provided an overview of the temporary moratorium bylaw and advised that the ESRD Study is not yet finalized and development should not proceed until the mapping and policies of the County's statutory plans and Land Use Bylaw can be updated to reflect the floodway and flood fringe.

The Planning and Development Department recommended that Bylaw #LU 07/15 Moratorium Bylaw be given second reading.

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

Marga Betz, landowner, SE 30-32-5 W5M, stated that she is opposed to the Moratorium Bylaw. The Federal and Provincial governments have approved Flood Proof Regulations. She has flown over the river many times. An existing ditch and channel on her property have never had

ADOPTED

running water in them. She is requesting that the County not approve an extension to the moratorium bylaw.

Ellen Power, landowner, SW 30-32-5 W5M, stated that the moratorium bylaw no longer includes her property but she is still opposed to the moratorium bylaw. She feels that the matter should have more public exposure by way of the press and television statements.

David Lamb, landowner, directly south of Coyote Creek, stated that he is opposed to the moratorium and that his course of action is becoming more restricted. He is concerned that the renewal of his mortgage in April will be jeopardized and he may have to resort to litigation. He has been unable to build on this property since 2012. He feels that the County does not have the right to put a temporary moratorium in place.

Dave Reimer, landowner, SW 20-32-5 W5M, feels that the County should not be making this decision as the Province has not approved the flood study. The County will need to revise other planning policies and regulations.

Council questions resulted in the following information:

- If the Land Use Bylaw is amended other regulations and Area Structure Plans will need to be amended which will include public input
- ESRD advised the County in 2012 that the County should treat the land between the '52 channel and the main channel as floodway

Dave Reimer stated that because of the proposed moratorium bylaw the County has affected development, property values and the renewal of mortgages for a number of County residents.

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

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.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor McKean

RC15-117 That Council give second reading to Bylaw No. LU 07/15 – Moratorium Bylaw.

Carried.

ADOPTED

Moved by Councillor McKean
RC15-118 That Council give third reading to Bylaw No. LU 07/15
Moratorium.

Carried.

Red Deer River Berm
SE-25-33-5-W5M to
NW-19-32-5-W5M

Moved by Councillor McKean
RC15-119 That Council proceed with the approval process of the Red
Deer River Berm approximately located from SE-25-33-5-
W5M to NW-19-32-5-W5M; and further, that staff bring
back information regarding downstream mitigation and
costs.

Councillor Kemmere requested that the vote be recorded.

In Favour: Councillor McKean, Councillor Milne, Councillor
Aalbers, and Reeve Beattie

Opposed: Councillor Kemmere and Councillor Sayer

Carried.

Reeve Beattie left the meeting at 2:05 p.m. and turned the
Chair over the Deputy Reeve McKean.

Moved by Councillor Milne
RC15- 120 That Council cancel the Policies and Priorities Committee
meeting of March 4, 2015.

Carried.

INFORMATION
ITEMS

Moved by Councillor Sayer
RC15-121 That Council receive the Council Directives as information.

Carried.

IN CAMERA

Moved by Councillor Kemmere
RC15-122 That the Regular Council Meeting of February 11, 2015 go
into closed meeting at 2:10 p.m.

Carried.

Moved by Councillor Aalbers
RC15-123 That the Regular Council Meeting of February 11, 2015
return to the open meeting at 2:32 p.m.

Carried.

ADJOURNMENT

Deputy Reeve McKean adjourned the Regular Council
Meeting of February 11, 2015 at 2:32 p.m.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer