

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, July 8, 2015, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

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

ABSENT: Reeve B. Beattie  
Councillor A. Aalbers

IN ATTENDANCE: Tony Martens, Chief Administrative Officer  
J. Holmes, Director, Legislative, Community and Ag Services  
R. Baker, Director, Operational Services  
M. Pawlow, Manager, Planning Services  
A. Wild, Communications Coordinator  
V. Lodermeier, Administrative Assistant

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

AGENDA Deputy Reeve McKean advised of the following amendments to the agenda:  
11.3 CAO Meeting

Moved by Councillor Sayer  
RC15-460 That Council adopt the agenda of the Regular Council Meeting of July 8, 2015 as amended.  
Carried.

MINUTES Moved by Councillor Milne  
RC15-461 That Council adopt the Minutes of the Regular Council Meeting of June 10, 2015.  
Carried.

Moved by Councillor Sayer  
RC15-462 That Council adopts the Minutes of the Regular Council Meeting of June 24, 2015.  
Carried.

PUBLIC HEARINGS  
Bylaw #LU 26/15  
NW 30-32-27 W4M  
Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 26/15 and read the Bylaw.

The application for redesignation of the NW 30-32-27 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, 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 Country Residential District (R-CR)
- Division 7
- Rural Community: Reed Ranch

The Planning and Development Department recommended Bylaw #LU 26/15 be refused as the application has potential to have a negative effect as the proposal is in close proximity to a confined feeding operation.

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

Ken Taylor, applicant stated that the owner has 3 quarters in the area. The land was purchased in 2006 with the intent that family members would farm the land.

Proposed building site has been rented out in the past and now the wish is to separate the building site from the remainder of the quarter. The grain bins will be removed from the building site leaving existing house and shop. The proposed site is outside the setback requirements identified in the Municipal Development Plan for confined feeding operations. Ken Taylor asked that Council approve the application as being part of the agricultural preservation area.

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

Council questions resulted in the following information:

- Developed site has been in existence prior to confined feeding operations
- NRCB regulates setback requirements for confined feeding operations
- Minimum distance separation from confined feeding operations is gauged by number of animal units and estimation of expansion to operations

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

The Planning and Development Department stated that the setback requirements for Confined Feeding Operations are NRCB regulations. The concern with the application is not the subdivision, but the zoning of Country Residential District and the impact that it will have to the area.

The applicant was provided the opportunity for closing remarks and stated that the country residential zoning will not have an effect on the confined feeding operations in the area as the area could be considered as an agricultural

ADOPTED

preservation area, which allows a farmstead removal as first parcel out.

Hearing no further comments Deputy Reeve McKean closed the Public Hearing.

Moved by Councillor Milne  
RC15-463 That Council give second reading to Bylaw No. LU 26/15 to redesignate lands in the NW 30-32-27 W4M. Carried.

Moved by Councillor Milne  
RC15-464 That Council give third reading to Bylaw No. LU 26/15 to redesignate lands in the NW 30-32-27 W4M. Carried.

Bylaw #LU 33/15  
Plan 8710431  
NW 4-33-1 W5M

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 33/15 and read the Bylaw.

The application for redesignation of the Plan 8710431, within NW 4-33-1 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 Agricultural District (A) to Institutional, Educational and Cultural District (S-IEC).
- Division 7
- Rural Community: Netook

The Planning and Development Department recommended that Bylaw #LU 33/15 be given second reading as it is suitable for the intended use.

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

Deputy Reeve McKean asked if there were any comments from the gallery.

Ray Hamel, adjacent landowner, provided pictures of the subject property stating he was opposed to the application. His concerns were with the salt water runoff contaminating his land coming from the proposed site on to his property.

Council questions resulted in the following information:

- Site assessment to be done in 2 phases. Phase 1 gathers information on site contamination; Phase 2 removal of contaminated soil
- Loading of salt done inside a building
- recommend to test the water for salt content;
- Site purchased from Alberta Transportation

ADOPTED

Deputy Reeve McKean 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 Deputy Reeve McKean closed the Public Hearing.

Moved by Councillor Heck

RC15-465 That Council give second reading to Bylaw No. LU 33/15 to redesignate lands within the Plan 8710431 within NW 4-33-1 W5M.

Carried.

Moved by Councillor Heck

RC15-466 That Council give third reading to Bylaw No. LU 33/15 to redesignate lands within the Plan 8710431 within NW 4-33-1 W5M.

Carried.

Moved by Councillor Kemmere

RC15-467 That Council support bringing to the 2016 budget a project for an ESA 1 and 2 process to identify any significant outstanding sensitive issues, and all reasonable measures be taken from this point forward to control the runoff that is leaving this site.

Carried.

Bylaw #LU 34/15  
NE 32-30-2 W5M

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 34/15 and read the Bylaw.

The application for redesignation of the NE 32-30-2 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 from Agricultural District (A) to Country Residential District (R-CR)
- Division 4
- Rural Community: Westcott

The Planning and Development Department recommended that Bylaw #LU 34/15 be refused as it may have a negative effect on area.

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

David Derksen, applicant stated that the site recommended by Planning and Development is currently a calving site and used for agricultural; the site that is

proposed has a building site and less intrusive to the agricultural land.

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

David Shields, owner stated the proposed area has not been productive agricultural land in the past. The area used for calving is more valuable to stay with the existing use.

Council questions resulted in the following information:

- Proposed site has adequate area for waste water
- Proposed area is not identified as an environmental sensitive area

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

The Planning and Development Department stated the trees along the fence line are not on the property line.

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

Hearing no further comments Deputy Reeve McKean closed the Public Hearing.

Moved by Councillor Sayer

RC15-468 That Council amend Bylaw No. LU 34/15 to redesignate lands within the NE 32-30-2 W5M to read "To redesignate from Agricultural District (A) to Country Residential District (R-CR) an approximate 3.2 acres (1.29 Hectares) in the NE 32-30-2-W5M.

Carried.

Moved by Councillor Sayer

RC15-469 That Council give second reading to Bylaw No. LU 34/15 to redesignate lands in the NE 32-30-2 W5M.

Defeated.

Recess and Reconvene

Deputy Reeve McKean recessed the meeting at 10:23 a.m. and reconvened at 10:35 a.m.

Bylaw #LU 35/15  
SE 8-31-2 W5M

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 35/15 and read the Bylaw.

The application for redesignation of the SE 8-31-2 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:

ADOPTED

- To redesignate from Agricultural District (A) to Country Residential District (R-CR)
- Division 4
- Rural Community: Westcott

The Planning and Development Department recommended that Bylaw #LU 35/15 be given second reading.

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

Dave Derksen, applicant representing Allan Shields, owner, confirmed there was a building site on the proposed area.

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

Council questions resulted in the following information:

- Proposed site to be moved approximately 80 feet north
- Pipeline is a low pressure line
- Two approaches on the quarter; one to proposed site the other approach at the north end of the quarter

Moved by Councillor Kemmere

RC15-470 That Council defer the Public Hearing of Bylaw No. LU 35/15 until later in the meeting to bring back an amended map to show location and size of proposed parcel.

Carried.

Bylaw #LU 36/15  
NE 30-32-2 W5M

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 36/15 and read the Bylaw.

The application for redesignation of the NE 30-32-2 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 from Agricultural District (A) to Country Residential District (R-CR)
- Division 6
- Rural Community: Westerdale

The Planning and Development Department recommended that Bylaw #LU 36/15 be given second reading.

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

David Derksen, applicant stated information is accurate as presented by Planning Services.

Moved by Councillor Kemmere  
RC15-471 That Council defer the Public Hearing of Bylaw No. LU 36/15 redesignating the lands within NE 30-32-2 W5M to be left open until such time proper legal processes can be clarified and followed in order to move forward.

Carried.

Bylaw #LU 37/15  
Plan 9711075, Block 3  
NE 12-32-5 W5M

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 37/15 and read the Bylaw.

The application for redesignation of lands within Plan 9711075, Block 3 within NE 12-32-5 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 from Agricultural District (A) to Country Residential District (R-CR)
- Division 4
- Rural Community: Bergen

The Planning and Development Department recommended that Bylaw #LU 37/15 be given second reading.

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

Ken Taylor, applicant stated a previous lot was removed from the quarter for the father in law. There is a residence on the 12 acre parcel. The road leads to a dead end and the acreage owner to the east is opposed to the proposal due to not wanting more traffic on the road. There are four residential sites in the area. Proposed area is poor agricultural land. A letter of concern from the Grace's was addressed as they have a feed lot in the area to the east.

Lance Greer, owner stated the County gave relief on taxes due to runoff from the hog operation. He no longer is receiving a tax break regarding the runoff from the hog operation as the operation is no longer in existence.

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

Council questions resulted in the following information:

- NRCB has stated there is no permit as the hog operation is no longer in existence.

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

ADOPTED

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

The applicant was provided the opportunity for closing remarks and asked for councils support.

Hearing no further comments Deputy Reeve McKean closed the Public Hearing.

Moved by Councillor Milne  
RC15-472 That Council give second reading to Bylaw No. LU 37/15 to redesignate lands within Plan 9711075, Block 3 within NE 12-32-5 W5M.

Carried.

Moved by Councillor Milne  
RC15-473 That Council give third reading to Bylaw No. LU 37/15 to redesignate lands within Plan 9711075, Block 3 within NE 12-32-5 W5M.

Carried.

#### BYLAWS

Bylaw #LU 43/15  
NW 35-32-6 W5M

Moved by Councillor Kemmere  
RC15-474 That Council give first reading to Bylaw No. LU 43/15 redesignating the lands within the NW 35-32-6 W5M as contained in the agenda package.

Carried.

Moved by Councillor Kemmere  
RC15-475 That Council set the Public Hearing for Bylaw No. LU 43/15 redesignating the lands within the NW 35-32-6 W5M to August 26, 2015 at or after 9:00 a.m.

Carried.

Bylaw #LU 44/15  
NE 24-3-5 W5M

Moved by Councillor Heck  
RC15-476 That Council give first reading to Bylaw No. LU 44/15 redesignating the lands within the NE 24-3-5 W5M as contained in the agenda package.

Carried.

Moved by Councillor Heck  
RC15-477 That Council set the Public Hearing for Bylaw No. LU 44/15 redesignating the lands within the NE 24-3-5 W5M to August 26, 2015 at or after 9:00 a.m.

Carried.

Bylaw #LU 45/15  
SE & SW 27-31-5 W5M

Moved by Councillor Milne  
RC15-478 That Council give first reading to Bylaw No. LU 45/15 redesignating the lands within the SE & SW 27-31-5 W5M as contained in the agenda package.

Carried.

Moved by Councillor Milne  
RC15-479 That Council set the Public Hearing for Bylaw No. LU 45/15 redesignating the lands within the SE & SW 27-31-5 W5M to August 26, 2015 at or after 9:00 a.m.

Carried.

OLD BUSINESS  
Bylaw # 07/15  
Land Use Bylaw

Moved by Councillor Sayer  
RC15-480 That Council approve amendments presented to Bylaw No. 07/15 Land Use Bylaw to make provision for existing

ADOPTED

parcels in the floodway at McDougal Flats as contained in the agenda package.

The question on Motion #RC15-480 was not called.

Moved by Councillor Kemmere  
RC15-481 That Council defer Bylaw No. 07/15 to later in the meeting to incorporate suggested changes.

Carried.

Bylaw #LU 35/15  
SE 8-31-2 W5M

Deputy Reeve McKean reconvened the public hearing regarding Bylaw #LU 35/15 to address amendments to the Bylaw.

T. Connatty, Planning and Development provided the amended bylaw sketch to Council

Deputy Reeve McKean 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 Deputy Reeve McKean closed the Public Hearing.

Moved by Deputy Reeve McKean  
RC15-482 That Council amend Bylaw No. LU 35/15 to read "To redesignate from Agricultural District (A) to Country Residential District (R-CR) an approximate 3.0 acres (1.21 Hectares) in the SE 8-31-2 W5M as outline in schedule A.

Carried.

Moved by Deputy Reeve McKean  
RC15-483 That Council give second reading to Bylaw No. LU 35/15 to redesignate lands in the SE 8-31-2 W5M.

Carried.

Moved by Deputy Reeve McKean  
RC15-484 That Council give third reading to Bylaw No. LU 35/15 to redesignate lands in the SE 8-31-2 W5M.

Carried.

NEW BUSINESS  
East Side  
Sundre Oversize  
Contribution

Moved by Councillor Kemmere  
RC15-485 That Council direct administration to withhold the East Side Sundre Contribution until such time as the County or developers within the County are allowed to tie in to the Town of Sundre's Water and Wastewater utilities and further that this does comply with Sundre's motion 182/15 as identified in the agenda package.

Carried.

- FRIAA Natural Areas Fire Smart Program RC15-486 Moved by Councillor Milne  
That Council approve submitting a joint expression of interest for a Forest Resource Improvement Association of Alberta (FRIAA) grant with the Town of Sundre in 2015 for lands in and adjacent to the Town.  
Carried.
- RC15-487 Moved by Councillor Milne  
That Council agrees that the Town of Sundre be designated the managing partner of the FRIAA grant for lands listed in the joint 2015 grant application. Responsibilities would include receiving, administering, allocating, reporting and accounting for the grant funds on behalf of the partners.  
Carried.
- Bear Country Signage RC15-488 Moved by Deputy Reeve McKean  
That Council approves \$3,000 from the Tax Rate Stabilization Fund to purchase and install 23 Bear Country Signs at various locations throughout the western area of the County.  
Carried.
- SPOG Neighbours Day Event RC15-489 Moved by Councillor Milne  
That Council participates in the 18<sup>th</sup> annual SPOG Neighbours Day by covering the Mountain View County booth along with administrative staff and offers the invitation to participate to committees of council.  
Carried.
- Solar Power Pilot Project RFP RC15-490 Moved by Councillor Kemmere  
That Council approves working with Sky Fire Energy to implement a 10kW solar power system on the administration building, with the inclusion of an online monitoring software.  
Carried.
- Recess and Reconvene Deputy Reeve McKean recessed the meeting at 12:04 p.m. and reconvened at 12:58 p.m.

## DELEGATIONS

## Citizenship Awards Presentations

Deputy Reeve McKean and Council welcomed the successful Citizenship Award recipients Courtney Williams, Hugh Sutherland School Carstairs; Heather Walker, Cremona High School; Mikaela Epp, Didsbury High School; Rachael Odersky, Olds High School; Brielle Jansen, Olds Koinonia Christian School; Alisa Brace, Sundre High School to the July 8, 2015 Regular Council meeting and presented them with a Citizenship Award and \$500.

## Bylaw 07/17

## Land Use Bylaw

Deputy Reeve McKean reconvened the public hearing to Bylaw No. 07/15 to address the suggest changes.

The question on resolution RC15-481 was called with an amendment. The amended motion is to read "That Council approve amendments 9.12.1 a)5; c; d)1,3 and 4, as presented, to Bylaw No. 07/15 Land Use Bylaw to make

			ADOPTED
		provision for existing parcels in the floodway of McDougal Flats.	
			Carried.
	RC15-491	Moved by Councillor Sayer That Council give second reading to Bylaw No. 07/15 Land Use Bylaw to amend the Land Use Bylaw No. 01/14.	Carried.
	RC15-492	Moved by Councillor Sayer That Council give third reading to Bylaw No. 07/15 to amend the Land Use Bylaw 01/14.	Carried.
Netook Crossing Development Agreement	RC15-493	Moved by Councillor Kemmere That Council defer Netook Crossing Development Agreement amendments until after the FAC's are signed.	Carried.
Waste Pick Up Options	RC15-494	Moved by Deputy Reeve McKean That Council accept the recommendation to have Can Pak Environmental Inc. be the waste service provider to our waste service customers.	
		Deputy Reeve McKean rescinded motion RC15-494.	
	RC15-495	Moved by Councillor Kemmere That Council support Mountain View Regional Waste Commission in their desire to negotiate with Can Pak Environmental Inc. to provide the service that is presently being provide for pick up in the rural area.	Carried.
IN CAMERA	RC15-496	Moved by Councillor Sayer That the Regular Council Meeting of July 8, 2015 go into closed meeting at 1:37p.m.	Carried.
	RC15-497	Moved by Councillor Sayer That the Regular Council Meeting of July 8, 2015 return to the open meeting at 2:10 p.m.	Carried.
Agricultural Facility	RC15-498	Moved by Councillor Milne That Council authorizes administration to enter into an agreement with Scott Builders Inc. for a Design Build Consulting Services Agreement to construct an Agricultural Services Shop at a cost of up to \$2,110,000.00 funded from the Working Capital Reserve.	Carried.
	RC15-499	Moved by Councillor Kemmere That Council request the administration draft a 30 year lease agreement with Olds Search and Rescue, with provisions which allow the County to terminate the lease if Search and Rescue does not build within a 3 year time frame, and a provision that requires the County's approval of design prior to commencement of any construction.	Carried.

Sundre Airport  
Lots RC15-500 Moved by Deputy Reeve McKean  
That Council considers the offer of \$170,000.00 for Block 9 at the Sundre Airport with a condition that the Access Right of Way will be paved at the County's expense.

Carried.

Agricultural Facility  
RC15-501 Moved by Councillor Kemmere  
That Council request the Chief Administrative Officer to prepare a substantial communications package for the public that identifies all items that went forward in the decision to build the Agricultural Shop, and to use newspaper publications, social media and public open houses as the best efforts are to be put forward in explaining the need for a new shop.

Carried.

INFORMATION  
ITEMS RC15-502 Moved by Councillor Sayer  
That Council receive the Council Directives as information:

Carried.

Recessed and Reconvened Deputy Reeve recessed the meeting at 2:18 p.m. and reconvened at 2:26 p.m

CAO Meeting Deputy Reeve McKean recommended the CAO meeting be held In Camera.

IN CAMERA  
RC15-503 Moved by Councillor Milne  
That the Regular Council Meeting of July 8, 2015 go into closed meeting at 2:26 p.m.

Carried.

RC15-504 Moved by Councillor Milne  
That the Regular Council Meeting of July 8, 2015 return to the open meeting at 2:43 p.m.

Carried.

ADJOURNMENT Deputy Reeve McKean adjourned the Regular Council Meeting of July 8, 2015 at 2:43 p.m.

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Chair

I hereby certify these minutes are correct.

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Chief Administrative Officer