

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, August 26, 2015, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

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

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
A. Wild, Communications Coordinator
G. Evers, Executive Assistant

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

AGENDA Reeve Beattie advised of the following amendments to the agenda:
8.7 Transfer Stations
11.1 Legal Matter
11.2 Legal Matter

Moved by Councillor Milne
RC15-537 That Council adopt the agenda of the Regular Council Meeting of August 26, 2015 as amended.
Carried.

PUBLIC HEARINGS
Bylaw #LU 39/15
NW 22-33-3 W5M
Reeve Beattie opened the public hearing regarding Bylaw #LU 39/15 and read the Bylaw.

The application for redesignation of the NW 22-33-3 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 3 acres from Agricultural (2) District (A(2)) to Country Residential District (R-CR) and redesignating 80.9 acres from Agricultural (2) District (A(2)) to Agricultural District (A)
- Division 6
- Rural Community: Hainstock

The Planning and Development Department recommended that Bylaw #LU 39/15 be given second reading.

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

Carsten & Kimberly Mildenstein, owners, did not have any additional information.

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

Ken McKinnon, adjacent landowner, stated that he is opposed to the proposed redesignation because there are far too many subdivisions within the County. He feels that this is only to generate a profit as the current owners are moving to Vancouver Island.

Darcy Roszler, adjacent landowner, is opposed to the proposed redesignation due to road and traffic concerns.

Council questions resulted in the following information:

- Use of the 80.9 acres would remain the same
- Physical access is from the south

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 apologized to his neighbors for not consulting them. He feels that the proposal would not cause a significant impact to the area as it meets all County requirements. He intends on returning to the area.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Aalbers

RC15-538 That Council give second reading to Bylaw No. LU 39/15 to redesignate lands in the NW 22-33-5 W5M.

The question on Motion RC15-538 was not called.

Moved by Councillor Aalbers

RC15-539 That Council amend Bylaw No. LU 39/15 by correcting the legal land description to read NW 22-33-3 W5M instead of NW 22-33-5 W5M

Carried.

The question on Motion RC15-538 was called.

Carried.

Moved by Councillor Aalbers
RC15-540 That Council give third reading to Bylaw No. LU 39/15 to redesignate lands in the NW 22-33-3 W5M.

Carried.

Bylaw #LU 42/15
SE 3-33-2 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 42/15 and read the Bylaw.

The application for redesignation of the SE 3-33-2 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 5.03 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 7
- Rural Community: Hainstock

The Planning and Development Department recommended that Bylaw #LU 42/15 be given second reading.

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

Ken Taylor, applicant, stated that the proposed redesignation area is non-farmed lands with existing buildings.

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 Milne
RC15-541 That Council give second reading to Bylaw No. LU 42/15 to redesignate lands in the SE 3-33-2 W5M.

Carried.

Moved by Councillor Milne
RC15-542 That Council give third reading to Bylaw No. LU 42/15 to redesignate lands in the SE 3-33-2 W5M.

Carried.

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

Councillor Aalbers left the table and joined the gallery at 9:34 a.m. as she is an adjacent landowner.

Reeve Beattie opened the public hearing regarding Bylaw #LU 43/15 and read the Bylaw.

The application for redesignation of the NW 35-32-6 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 12.5 acres from Agricultural District (A) to Direct Control District (DC)
- Division 5
- Rural Community: McDougal Flats

The Planning and Development Department recommended that Bylaw #LU 43/15 be given second reading.

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

Greg Botheras, applicant, stated that he does not have any additional information to provide.

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

Doris King, adjacent landowner, feels that this is just the beginning of what is going to happen in the area. She is strongly opposed to the redesignation and feels that the zoning needs to remain as agricultural.

Jackie Forbes, adjacent landowner, stated that she is opposed to any industrial zoning. The blowing sawdust causes issues for her property.

Jane Robins, adjacent landowner, stated that she is opposed to the proposed rezoning due to night time traffic concerns, privacy, property values, and visual aspects.

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

Council questions resulted in the following information:

- McDougall Flats ASP review will be undertaken later this year and carry on into 2016
- Setbacks have not been identified as there are no buildings planned
- Measures to control blowing wood fibres could be addressed in the Development Permit

- The current ASP identifies this as an Agricultural area

Recess and Reconvene

Reeve Beattie recessed the meeting at 9:55 a.m. and reconvened at 10:04 a.m.

Moved by Councillor McKean
RC15-543 That Council defer the Public Hearing for Bylaw No. LU 43/15 - NW 35-32-6 W5M until after the McDougall Flats Area Structure Plan has been reviewed.
Motion Defeated.

Council questions resulted in the following information:

- Hours of Operation would be considered at the time of Development Permit Application process

Greg Botheras, applicant, stated that they are currently not operating at that location. Previously the operation was 24 hours.

Council questions resulted in the following information:

- Blowing wood fiber dust could be addressed during Development Permit Application process
- The operation has been in existence for approximately 9 years. This would bring the operation into compliance as there is currently no development permit

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 has been concern regarding wood fibres, a fire plan, and parking of vehicles.

The applicant was provided the opportunity for closing remarks and stated that they have not had any issues or concerns during the past 9 years. This came to light as a result of an adjacent development.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor McKean
RC15-544 That Council give second reading to Bylaw No. LU 43/15 to redesignate lands in the NW 35-32-6 W5M.

The question on Motion #RC15-544 was not called.

Moved by Councillor McKean
RC15-545 That Council amend Bylaw No. LU 43/15 by correcting the legal land description to read NW 35-32-6 W5M instead of NE 35-32-6 W5M.

Carried.

Moved by Councillor Kemmere
RC15-546 That Council amend Bylaw No. LU 43/15 to include the Site Regulations as identified in Schedule A, Section 13 of current Land Use Bylaw No. 01/14 which identifies setbacks of a minimum of 30m from a paved surface; 40m from any gravel road; side yard of 6m; and, rear yard of 6m.
Carried.

Moved by Councillor Kemmere
RC15-547 That Council amend Bylaw No. LU 43/15 as follows by adding:
6 c) iii. Methods to control the blowing of wood fibre from the site shall be undertaken.
Carried.

Reeve Beattie stated that the matter would be deferred until later in the meeting in order to provide Council the opportunity to consider the written amended Bylaw No. LU 43/15.

Councillor Aalbers returned to the table at 10:32 a.m.

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

Reeve Beattie opened the public hearing regarding Bylaw #LU 44/15 and read the Bylaw.

The application for redesignation of the NE 24-3-5 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 12.4 acres from Agricultural District (A) to Aggregate Extraction/Processing District (AEP).
- Division 5
- Rural Community: Eagle Hill/Westward Ho

The Planning and Development Department recommended that Bylaw #LU 44/15 be given second reading.

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

Ken Taylor, applicant, stated that the matter is being brought forward to bring the owners construction business into compliance. The proposed redesignation also considers future development of the gravel pit.

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

Council questions resulted in the following information:

- The application was circulated to landowners within a 1 mile radius

ADOPTED

- Dust, noise, traffic, crushing and hours of operation would be addressed during the Development Permit process

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 Comprehensive Site Development Plan addresses possible future crushing.

Council questions resulted in the following information:

- The owner has indicated in the application that no crushing would take place

The Planning and Development Department confirmed that no crushing would be allowed under the new Development Permit.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Kemmere

RC15-548 That Council give second reading to Bylaw No. LU 44/15 to redesignate lands in the NE 24-3-5 W5M.

Carried.

Moved by Councillor Kemmere

RC15-549 That Council give third reading to Bylaw No. LU 44/15 to redesignate lands in the NE 24-3-5 W5M.

Carried.

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

Councillor Aalbers left the table and joined the gallery at 10:52 a.m. as she is an adjacent landowner.

A written copy of amended Bylaw No. LU 43/15 was provided to Council for consideration. The Planning and Development Department reviewed the proposed amendments.

The question on Motion RC15-544 was called.

Carried.

Moved by Councillor McKean

RC15-550 That Council give third reading to Bylaw No. LU 43/15 to redesignate lands in the NW 35-32-6 W5M.

Carried.

Councillor Aalbers returned to the table at 10:56 a.m.

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

Reeve Beattie opened the public hearing regarding Bylaw #LU 45/15 and read the Bylaw.

ADOPTED

The application for redesignation of the SE & SW 27-31-5 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 18 acres within SE 27-31-5-5 from Agricultural District (A) to Parks and Recreation District (P-PR); and 126.2 acres within SW 27-31-5-5 from Agricultural District (A) to Parks and Recreation District (P-PR)
- Division 4
- Rural Community: Bergen

The Planning and Development Department recommended that Bylaw #LU 45/15 be given second reading.

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

Dallas Rosevear, applicant, stated that some cabins have recently been renovated and replaced. The camp has recently reviewed existing uses and future plans. Consultation with adjacent landowners was undertaken and the matter of dust control will be handled by the camp owners.

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

Sharon Baldwin, adjacent landowner, is opposed to any Parks and Recreation designation because it can eventually become a public campground. Traffic and road safety is a concern because of the ditch slopes.

Robert Bowlen, adjacent landowner, stated that he is very concerned about the traffic and road safety.

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

Council questions resulted in the following information:

- A new Development Permit would be required if someone wished to change this to a public campground
- Range Rd 53 is a satisfactory standard for emergency vehicles but may require upgrades if the land use intensifies
- The camping is for staff only. There is no public camping on the property.

ADOPTED

Rob Kroeker, Camp Evergreen, stated that they have people direct traffic in the campground at a pull out area on Twp. Rd. 320.

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
RC15-551 That Council give second reading to Bylaw No. LU 45/15 to redesignate lands in the SE & SW 27-31-5 W5M. Carried.

Moved by Councillor McKean
RC15-552 That Council give third reading to Bylaw No. LU 45/15 to redesignate lands in the SE & SW 27-31-5 W5M. Carried.

NEW BUSINESS
Expropriation for
Right-of-Way

Ryan Morrison provided an update regarding Bridge File 73333 and land acquisitions negotiations.

Elizabeth Gentry and Alison Gentry discussed the information that was provided to Council at the meeting.

Council questions resulted in the following information:

- The amount of land being negotiated is .01 acres
- Road Closures are not a decision of Council

Ryan Morrison provided information regarding timelines and negotiations. Reclamation plans have also been provided to the landowner.

Tony Martens, Chief Administrative Officer, confirmed that the proposed conditions of sale of the parcel presented August 26, 2015, were the only outstanding conditions.

Council questions resulted in the following information:

- This would not landlock any parcels

Reeve Beattie thanked Ms. Gentry for the presentation.

Moved by Councillor Aalbers
RC15-553 That Council approve the issue of the Notice of Intention to Expropriate a portion of NW-10-30-5 W5M and authorize administration to take the necessary steps to serve and publish notice. Carried.

- Moved by Reeve Beattie
RC15-554 That Council direct Administration to make every effort to meet the proposed conditions as presented August 26, 2015 by Sixty-One Ranch Ltd. in an agreement without the need for expropriation of the NW 10-30-5 W5M.
Carried.
- Subdivision Time Extension
PLSD20130078
RC15-555 Moved by Councillor Kemmere
That Council the following:
 - The proposed two (2) year time extension to May 20, 2016; and
 - To refund the fees in the amount of \$750.00 to River's Edge Camping Association
Carried.
- OLD BUSINESS
Facility Design Review
Derrick Bentley, Business Development, Scott Builders Inc. advised that amendments have been made to the AG Services building plans and facility costs as requested by Council at the August 12, 2015 Regular Council meeting.

Council discussed the following:
 - Location of building, driveway, parking lot
 - Expanded second floor (Mezzanine)
 - Asphalt parking lot – Price to pave access road to be obtained
 - LED lighting in shop and office
 - Butler light strips
 - Wash Bay and Make Up Air (MUA) for Wash Bay
- Recess and Reconvene
Reeve Beattie recessed the meeting at 12:40 a.m. and reconvened at 1:20p.m.
- BYLAWS
Bylaw #LU 52/15
SE 2-30-4 W5M
RC15-556 Moved by Councillor Aalbers
That Council give first reading to Bylaw No. LU 52/15 redesignating the lands within the SE 2-30-4 W5M as contained in the agenda package.
Carried.
- RC15-557 Moved by Councillor Aalbers
That Council set the Public Hearing for Bylaw No. LU 52/15 redesignating the lands within the SE 2-30-4 W5M to September 30, 2015 at or after 9:00 a.m.
Carried.
- Bylaw #12/15
Wessex ASP
RC15-558 Moved by Councillor Milne
That Council give first reading to Bylaw No. 12/15 – Wessex Area Structure Plan as contained in the agenda package.
Carried.
- RC15-559 Moved by Councillor Milne
That Council set the Public Hearing for Bylaw No. 12/15 – Wessex Area Structure Plan to October 14, 2015 at or after 9:00 a.m.
Carried.

NEW BUSINESS

2015 Rural Community
Grant Funding

RC15-560 Moved by Councillor McKean
That Council receives as information the Additional 2015 Rural Community Grant Funding allocation as approved by the Community Services Grant Review Committee in the amount of \$5,000.00.

Carried.

Canadian Fallen
Heroes Foundation

RC15-561 Moved by Councillor McKean
That Council receives as information the correspondence from the Canadian Fallen Heroes Foundation.

Carried.

RC15-562 Moved by Councillor Aalbers
That Council provide the Canadian Fallen Heroes Foundation a sponsorship at the Gold level.

Motion Defeated.

Water Commission

RC15-563 Moved by Reeve Beattie
That Council authorize the CAO to enter into an agreement with the Mountain View Regional Water Service Commission for the future supply of water to Mountain View County in the amount of \$3,308,421.00

Carried.

RC15-564 Moved by McKean
That Council approve an additional \$154,210 for the 2015 payment to the Mountain View Regional Water Services Commission from the Tax Rate Stabilization.

Carried.

Drainage Tile
NW 9-29-3 W5M

RC15-565 Moved by Councillor Aalbers
That Council approve \$19,170.12 from the Acme Road Construction carryover budget for the drainage tile improvements to NW-9-29-3-W5.

Carried.

INFORMATION
ITEMS

RC15-566 Moved by Councillor Kemmere
That Council receive the following items as information:
a. 20150805 AAMDC Contact Newsletter
b. Letter from Municipal Affairs dated July 31, 2015
c. 20150812 AAMDC Contact Newsletter
d. 20150818 Council Directives

Carried.

Waste Transfer
Sites

Council discussed the effect on the County if Waste Transfer Sites were to close. Reeve Beattie and the Chief Administrative Officer will bring forward options for Council to the September 9, 2015 meeting.

IN CAMERA

RC15-567 Moved by Councillor Sayer
That the Regular Council Meeting of August 26, 2015 go into closed meeting at 2:02 p.m.

Carried.

RC15-568 Moved by Councillor Kemmere
That the Regular Council Meeting of August 26, 2015 return to the open meeting at 3:15 p.m.

Carried.

ADOPTED

ADJOURNMENT

Reeve Beattie adjourned the Regular Council Meeting of August 26, 2015 at 3:15 p.m.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer