

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, August 24, 2016, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

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

ABSENT: Deputy Reeve P. McKean

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. 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.

Reeve Beattie introduced Council and staff.

AGENDA Reeve Beattie advised of the following amendments to the agenda:
8.10 Closed Road Allowance
8.11 Casino Licence - Licenced Charity
8.12 Agricultural Services Shop Financial Report
8.13 National Disaster Mitigation Program
8.14 AUMA Convention - October 4 - 7, 2016 (verbal)
8.15 Dust Control - verbal
9.1 Information Items
e. 20160810 - AAMDC Contact Newsletter
f. 20160819 - AAMDC Contact Newsletter

Moved by Councillor Milne
RC16-488 That Council adopt the agenda of the Regular Council Meeting of August 24, 2016 as amended.
Carried.

PUBLIC HEARINGS
Bylaw #LU 36/16
NW 18-31-26 W4M
Reeve Beattie opened the Public Hearing regarding Bylaw #LU 36/16 and read the Bylaw.

The application for redesignation of NW 18-31-26 W4M was introduced by D. Gonzalez, Planning & Development Department,

ADOPTED

and provided in the agenda package information 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 5.38 acres from Agricultural District (A) to Residential Farmstead District (R-F)
- Division 3
- Rural Community: Lonepine

The Planning and Development Department recommended that Bylaw #LU 36/16 be given second reading.

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

Derek Laurance Page and Daniel George Page, owners, were not in attendance.

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.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Aalbers
RC16-489 That Council give second reading to Bylaw No. LU 36/16 to redesignate lands in the NW 18-31-26 W4M. Carried.

Moved by Councillor Aalbers
RC16-490 That Council give third reading to Bylaw No. LU 36/16 to redesignate lands in the NW 18-31-26 W4M. Carried.

Bylaw #LU 41/16
SE 14-33-28 W4M

Reeve Beattie read Bylaw #LU 41/16.

Reeve Beattie advised that a request to defer has been received from the applicant.

The Planning and Development Department recommended that the public hearing for Bylaw #LU 41/16 proceed as there are members of the gallery who may wish to speak.

David Derksen, applicant, stated that the owner is concerned with the setback measurement and the owner is requesting a 30 day deferral.

Moved by Councillor Milne
 RC16-491 That Council defer the Public Hearing of Bylaw No. LU 41/16 redesignating the lands within SE 14-33-28 W4M.

Motion Defeated.

The application for redesignation of the SE 14-33-28 W4M, was introduced by D. Gonzalez, Planning and Development Department, and provided in the agenda package information 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 41.86 acres from Agricultural District (A) to Agricultural (2) District (A(2)).
- Division 7
- Rural Community: Reed Ranch
- Letters of concern are included in the agenda package

The Planning and Development Department stated that Bylaw #LU 41/16 cannot be supported for the following reasons:

- a) The proposal is contrary to the policies of the Municipal Development Plan;
- b) There is a civil matter that needs to be addressed before Council can make an informed land use decision.

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 41/16 and read the Bylaw.

David Derksen, applicant, stated everything presented is correct, however, there are a number of issues. The intent of Bluedon Farms is to clean up and make improvements to the CFO operation. There are a number of cattle operations adjacent to this property. The issue is where the setback is measured from. They do not intend to cause any issues for the Life Lease holders.

Andrew Luellau, representing Bluedon Farms, requested that the application be approved as presented. They do not intend to cause any issues to the Life Lease holders. They intend to clean up the property and have a potential purchaser for the area in question.

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

Gail Dodd, representing Helen Dodd, stated that Bluedon Farm encroaches on the Dodd Life Lease area. She showed Council photos of the boundaries which were recently surveyed. She discussed existing water wells. The quonset and scale are within the boundaries of the Life Lease area. The east boundary of the Life Lease has been encroached upon by approximately 40 feet. There are also issues with pumpout septic systems and a maze of waterlines. Ms. Dodd requested that Council take all of these matters into consideration.

Council questions resulted in the following information:

- The Life Lease holder is not aware of any ground testing that has been done in regard to buried gas tanks

- Mr. Luellau stated that any buried items that have been discovered have been addressed and removed from the site
- The Life Lease holder has been advised that a caveat referencing the Life Lease will automatically be registered against any new titles, unless, both parties agree to removal or a court removes the caveat

Gail Dodd read and excerpt of correspondence sent to Bluedon Farms from Alvin Ganser (agenda item attachment 12).

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 proposal does not meet County policies. The Life Lease Agreement is a civil matter and a land use decision should be made by Council after the civil matter is addressed.

The applicant was provided the opportunity for closing remarks. Andrew Luellau stated that Bluedon Farms has not moved any survey stakes. The issue is where to begin measuring the area. The Life Lease Agreement indicates a size but does not indicate where to measure from. Andrew Luellau requested that Council approve the application.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Aalbers
 RC16-492 That Council give second reading to Bylaw No. LU 41/16 to redesignate lands in the SE 14-33-28 W4M.

The question on motion RC16-492 was not called.

Moved by Councillor Aalbers
 RC16-493 That Council amend Bylaw No. LU 41/16 and Schedule "A" to ensure that the easterly property line is equal or greater than 91.44m.

Carried.

The question on motion RC16-492 was called.

Motion Defeated.

BYLAWS
 Bylaw #LU 35/16
 NW 10-32-5 W5M

Moved by Councillor Sayer
 RC16-494 That Council give first reading to Bylaw No. LU 35/16 redesignating the lands within the NW 10-32-5 W5M as contained in the agenda package.

Carried.

Moved by Councillor Sayer
 RC16-495 That Council set the Public Hearing for Bylaw No. LU 35/16 redesignating the lands within the NW 10-32-5 W5M to September 14, 2016 at or after 9:00 a.m.

Carried.

OLD BUSINESS

CAO Report
IN CAMERA

RC16-496 Moved by Councillor Sayer
That the Regular Council Meeting of August 24, 2016 go into closed meeting at 10:20 a.m.

Carried.

RC16-497 Moved by Councillor Kemmere
That the Regular Council Meeting of August 24, 2016 return to the open meeting at 10:43 a.m.

Carried.

Recess and Reconvene

Reeve Beattie recessed the meeting at 10:43 a.m. and reconvened at 10:53 a.m.

NEW BUSINESS

2016 CAAMDC

Resolution - Excessive
Speeding

RC16-498 Moved by Reeve Beattie
That Council approves forwarding the Excessive Speeding Resolution to the Fall AAMDC Zone Meeting.

Carried.

2016 CAAMDC

Resolution - Aggregate

Council requested that staff bring forward the Aggregate Extraction and Reclamation Resolution with recommended amendments to the September Policies and Priorities Meeting for further discussion.

Closed Road
Allowance

RC16-499 Moved by Councillor Sayer
That Council direct staff to send letters to the adjacent landowners to a County owned parcel of land located between the NE 33-29-1 W5M and NW 34-29-1 W5M giving them the opportunity to purchase and consolidate one half of the lands and if either one declines then offer the opportunity to purchase and consolidate the entire piece of land to the other adjacent landowner; and further, that the purchaser be responsible for any legal and survey costs and any modifications required to approaches.

Carried.

Development –
Sundre Airport

RC16-500 Moved by Councillor Aalbers
That Council direct Administration to bring the matter of the County developing new lots at the Sundre Airport back to the 2017 Budget for discussion.

Carried.

Hwy 2/27 ASP
Development

RC16-501 Moved by Councillor Kemmere
That Council advise any potential applicant that an application for redesignation within the 2/27 ASP and the Special Policy Area of the MDP is premature until the ASP review is completed.

Carried.

Repayment of a loan
from the MVRWC

RC16-502 Moved by Councillor Milne
That Council approve an early repayment in full of a loan from the Mountain View Regional Water Commission on the 1st year anniversary date of the loan (September 9, 2016). The early payment amount is \$1,488,795 and will be funded from the Tax Stabilization fund.

Carried.

- Recess and Reconvene Reeve Beattie recessed the meeting at 12:03 p.m. and reconvened at 12:50 p.m.
- IN CAMERA
- RC16-503 Moved by Councillor Kemmere
That the Regular Council Meeting of August 24, 2016 go into closed meeting at 12:51 p.m.
Carried.
- Reeve Beattie declared a pecuniary interest to item 11.1 Land Matter at 2:10 p.m. and left the room.
- RC16-504 Moved by Councillor Sayer
That the Regular Council Meeting of August 24, 2016 return to the open meeting at 2:30 p.m.
Carried.
- Keiver Pit Agreement 2016
- RC16-505 Moved by Councillor Milne
That Council direct the Chief Administrative Officer to make an offer, at the current assessed value, to purchase the land located at SW 14-32-5 W5M.
Carried.
- Reeve Beattie re-joined the table at 2:25 p.m.
- Councillor Kemmere left the meeting at 2:25 p.m.
- Eagle Valley ASP
Review Steering Committee
Appointment
- RC16-506 Moved by Councillor Milne
That Council appoint Councillor Aalbers, Councillor Heck and Councillor McKean to the Eagle Valley Area Structure Plan Review Steering Committee for the duration of the project; and further, that Council appoint David Bach, James A. Smith and Rosalie Jorgensen, as public members and Peggy Johnson as the Eagle Valley Community Association's Representative to the Eagle Valley Area Structure Plan Review Steering Committee for the duration of the project.
Carried.
- Sale of County
Owned Land
- RC16-507 Moved by Councillor Aalbers
That Council authorize administration to proceed with negotiation of the disposal of the E½ 29-31-01-W5M properties.
Carried.
- County Owned
Land Direction
- RC16-508 Moved by Councillor Aalbers
That Council approve entering into a lease agreement with the current tenant, for County owned lands in the E½ 29-31-01-W5M for a one year extension subject to the disposal of the land.
Carried.
- RC16- 509 Moved by Councillor Aalbers
That Council direct administration to arrange a meeting with our rural neighbours to discuss the preferred process on developing collaborative agreements as per the Municipal government Act (MGA).
Carried.
- 2016 County
Fleet Report
- Ryan Morrison provided a presentation regarding the current fleet including potential budgetary impacts for 2017.

		Moved by Councillor Milne	
	RC16-510	That Council accepts the report on the Mountain View County fleet as information.	Carried.
Sale of County Owned Land		Moved by Councillor Sayer	
	RC16-511	That Council authorize administration to sell the 1.37 acre parcel, of County owned land on the NW 16-34-3 W5M, in order to be consolidated with the parent parcel owned by Shirley Felker for \$5000 and the cost of any legal fees, title registration fees and other related expenses.	Carried.
Visitor Experience Funding		Moved by Councillor Milne	
	RC16-512	That Council approves the Town of Didsbury request for \$5000 towards the cost of picnic tables and benches to be placed outside of the Memorial Complex.	Carried.
Casino Licence		Moved by Councillor Aalbers	
	RC16-513	That Council receives as information Charitable Gaming – Casino License and Gaming Model, Operating Guidelines and 2014-2015 Review.	Carried.
Agricultural Services Shop Financial Report		Moved by Councillor Heck	
	RC16-514	That Council receive the construction of the Agricultural Shop costs for information.	Carried.
National Disaster Mitigation Program		Moved by Councillor Sayer	
	RC16-515	That Council accept the National Disaster Mitigation Program (NDMP) package as information.	Carried.
AUMA Convention		Moved by Councillor Milne	
	RC16-516	That Council approve that any Councillor be approved to attend the AUMA Convention in Edmonton October 5 – 7, 2016.	Carried.
Dust Control		Ron Baker, Director, Operational Services provided information regarding the 2016 application of calcium and advised that heavy rains have affected the 2016 calcium applications.	
		Moved by Councillor Aalbers	
	RC16-517	That Council receive the verbal report regarding dust control as information.	Carried.
INFORMATION ITEMS		Moved by Councillor Aalbers	
	RC16-518	That Council receive the following items as information: a. 20160803 - AAMDC Contact Newsletter b. 20160803 - Citizenship Award Response c. 2016 Stars of Alberta Volunteer Awards d. Council Directives e. 20160810 - AAMDC Contact Newsletter f. 20160819 - AAMDC Contact Newsletter	Carried.

ADJOURNMENT

Reeve Beattie adjourned the Regular Council Meeting of August 24, 2016 at 3:28 p.m.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer