

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, July 11, 2018, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB.

PRESENT: Reeve B. Beattie
Councillor A. Aalbers (Deputy Reeve)
Councillor D. Fulton
Councillor G. Harris
Councillor P. Johnson
Councillor A. Kemmere

ABSENT: Councillor D. Milne

IN ATTENDANCE: J. Holmes, Chief Administrative Officer
C. Atchison, Director, Legislative, Community, and Agricultural Services
R. Baker, Director, Operational Services
R. Beaupertuis, Director, Corporate Services
M. Bloem, Director, Planning and Development Services
A. Wild, Communications Coordinator
G. Eyers, 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:
5.3 Bylaw No 16/18 - Land Use Bylaw Amendments (additional information)
10.9 Netook Crossing Development Agreement
10.10 Closure of Road Plan 6333L

Moved by Councillor Kemmere
RC18-374 That Council adopt the agenda of the Regular Council Meeting of July 11, 2018 as amended. Carried.

MINUTES Moved by Councillor Harris
RC18-375 That Council adopt the Minutes of the Regular Council Meeting of June 13, 2018. Carried.

PUBLIC HEARINGS
Bylaw #LU 26/18
NW 17-32-4 W5M and
Plan 0011953 Block 1
Reeve Beattie opened the Public Hearing regarding Bylaw #LU 26/18 and read the Bylaw.

The application for redesignation of the NW 17-32-4 W5M and Plan 0011953 Block 1, 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 66.55 acres from Agricultural District (A) to Agricultural (2) District (A(2)), and 4.99 acres from Country Residential District (R-CR) to Agricultural District (A).
- Division 6
- Rural Community: Bergen

The Planning and Development Department recommended that Bylaw #LU 26/18 be defeated at second reading for the following reasons:

- The proposal has development constraints due to existing oil and gas activity that potentially creates a large residential parcel with Agricultural District zoning.
- The proposal is incompatible with the existing oil and gas activity and its negative impacts.
- The proposal does not comply with County's Municipal Development Plan as sufficient information in support of future agricultural use of the proposed parcel was not provided
- Estate planning is not a land use consideration in evaluating redesignation/subdivision proposals.

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

Ken Taylor, applicant, stated that the owners currently reside on the northeast side of the quarter section. There was a condition on the previous development permit for an access agreement which was never completed. The subdivision in the southeast of the quarter section has not been developed. The intent of the proposed Bylaw is to redesignate the 4.99 acres in the southeast of the quarter section and consolidate it back into the quarter section. He stated that he did not agree with the calculation of the setback restricted lands as presented. They intend to sell the proposed subdivided lands to a son.

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

Council questions resulted in the following information:

- The future owner intends to have livestock on the property
- The 32.15 acres that are indicated as restricted setback lands include pipeline setbacks, municipal setbacks, and topography restraints
- The owner currently operates a farming operation

Reeve Beattie 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 stated that the applicant has not provided comments that address County policy concerns.

The applicant was provided the opportunity for closing remarks and stated that the pipelines are not visible. The property has treed areas and cleared pasture land. The owners' son needs to have title of the land to obtain a mortgage. The land has a 44% CLI rating. He stated that there are a number of parcels on the adjacent quarter sections.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Fulton

RC18-376 That Council give second reading to Bylaw No. LU 26/18 to redesignate lands in the NW 17-32-4 W5M and Plan 0011953 Block 1.

Motion Defeated.

Bylaw #LU 27/18
NE 35-29-2 W5M

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 27/18 and read the Bylaw.

The application for redesignation of the NE 35-29-2 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 2 acres from Agricultural District (A) to Country Residential (1) District (R-CR1).
- Division 1
- Rural Community: Jackson

The Planning and Development Department recommended that Bylaw #LU 27/18 be given second reading.

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

Kris Vester, owner, stated that he 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 area on the southwest of the quarter section is low lying and would require a slope stability study
- The access to the quarter section is in the southeast area of the quarter section
- The proposed building site has a minor slope

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 meets the needs of the applicant. The County does not have any concerns regarding the proposed building site.

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

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Kemmere
RC18-377 That Council give second reading to Bylaw No. LU 27/18 to redesignate lands in the NE 35-29-2 W5M.

Carried.

Moved by Councillor Kemmere
RC18-378 That Council give third reading to Bylaw No. LU 27/18 to redesignate lands in the NE 35-29-2 W5M.

Carried.

Bylaw #16/18
Land Use Bylaw
Amendments

Reeve Beattie opened the Public Hearing regarding Bylaw #16/18 and read the Bylaw.

Bylaw No. 16/18 - Land Use Bylaw Amendments was introduced by J. Ross, Planning and Development Department, and the following information was introduced as provided in the agenda package. The Planning and Development Department provided specific information regarding proposed amendments to the Land Use Bylaw.

The Planning and Development Department recommended that Bylaw #16/18 be given second reading with amendments.

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.

Recess and Reconvene

Reeve Beattie recessed the meeting at 11:02 a.m. and reconvened at 11:13 a.m.

Council discussed proposed amendments to the bylaw as follows:

- Clear cutting, selective logging, and a Forestry Management Plan

- Aerodrome
- Batch Plants
- Seasonal Camping and RV Storage
- Environmentally Sensitive Areas
- Shipping Container (Sea Can)

Recess and Reconvene

Reeve Beattie recessed the meeting at 12:15 p.m. and reconvened at 1:07 p.m.

Council discussed proposed amendments to the bylaw.

Reeve Beattie left the meeting at 1:18 p.m. and returned at 1:19 p.m.

Reeve Beattie advised that Bylaw No. 16/18 – Land Use Bylaw Amendments would be brought back later in the meeting.

BYLAWS

Bylaw #LU 29/18
SE 8-33-6 W5M Plan 0312025
Block 1 Lot 1

Moved by Councillor Aalbers
 RC18-379 That Council give first reading to Bylaw No. LU 29/18 redesignating the lands within the SE 8-33-6 W5M Plan 0312025 Block 1 Lot 1 as contained in the agenda package.
 Carried.

Moved by Councillor Aalbers
 RC18-380 That Council set the Public Hearing for Bylaw No. LU 29/18 redesignating the lands within the SE 8-33-6 W5M Plan 0312025 Block 1 Lot 1 to August 22, 2018 at or after 9:00 a.m.
 Carried.

Bylaw #LU 30/18
SE 27-31-1 W5M

Moved by Councillor Harris
 RC18-381 That Council give first reading to Bylaw No. LU 30/18 redesignating the lands within the SE 27-31-1 W5M as contained in the agenda package.
 Carried.

Moved by Councillor Harris
 RC18-382 That Council set the Public Hearing for Bylaw No. LU 30/18 redesignating the lands within the SE 27-31-1 W5M to September 12, 2018 at or after 9:00 a.m.
 Carried.

Bylaw #17/18
Establishing MPC
and ASDAA

Moved by Councillor Harris
 RC18-383 That Council give first reading to Bylaw No. 17/18 - Establishing MPC and ASDAA as contained in the agenda package.
 Carried.

Moved by Councillor Harris
 RC18-384 That Council give second reading to Bylaw No. 17/18 - Establishing MPC and ASDAA as contained in the agenda package.
 Carried.

Moved by Councillor Aalbers
 RC18-385 That Council give unanimous consent to proceed to third reading to Bylaw No. 17/18 - Establishing MPC and ASDAA as contained in the agenda package.

The question on Motion RC18-385 was not called.

Moved by Reeve Beattie
RC18-386 That Bylaw No. 17/18 - Establishing MPC and ASDAA be deferred to later in the meeting.

Carried.

Bylaw #18/18
Road Closure Bylaw

Reeve Beattie advised that Agenda Item 7.4 - Road Closure Bylaw would be deferred to later in the meeting as it would possibly be dealt with under agenda item 10.10.

Bylaw #16/18
Land Use Bylaw
Amendments

Moved by Councillor Kemmere
RC18-387 That Council give second reading to Bylaw No. 16/18 – Land Use Bylaw Amendments.

The question on Motion RC18-387 was not called.

Moved by Councillor Harris
RC18-388 That Council amend Bylaw No. 16/18 as presented in the Agenda Package to add to the definition of Horticultural Use that Horticultural Use, Medicinal and Cannabis Production Facility is not included.

Carried.

Moved by Councillor Kemmere
RC18-389 That Council amend Bylaw No. 16/18 as follows;
1. Amend definition of business contractors to delete “industrial”.
2. Delete from table 4.2-1 Shipping Container (Sea Can) provisions for P-PR and P-PCR.
3. Add to table 4.2-1 P-PR that two (2) Shipping Containers (Sea Can) shall be exempt from obtaining a Development Permit.
4. Amend Section 9.10.1 to replace “shall” with “should” in criteria 1.
5. Amend Section 10.11a.11 to clarify the provision applies to the existing aggregate extraction/processing operations that are an exempt use under the Operating Regulations within the AEP District.
6. Amend Section 11.2 purpose statement to add that residential uses are secondary to the agricultural use.
7. Delete from Section 15.1 purpose statement “Sensitive and”
8. Delete from Section 15.2 Shipping Containers (Sea Can) as a permitted use and add as a discretionary use for more than two (2) units.
9. Add to Section 15.2 Shipping Containers (Sea Can) as an exempt use for less than two (2) units.
10. Add to Section 18 Shipping Containers (Sea Can) use and as a discretionary use within P-PR and P-PCR Districts and permitted exempt use within A and A(2) District.

Carried.

Moved by Councillor Aalbers
RC18-390 That Council direct Administration to bring back amendments to the Tree Clearing definition within the August 22, 2018 Regular Council Meeting as part of the ESA Public Hearing.

Carried.

ADOPTED

The question on Motion RC18-387 was called.

Carried.

Moved by Councillor Aalbers
RC18-391 That Council give third reading to Bylaw No. 16/18 - Land Use Bylaw Amendments.

Councillor Johnson requested that the vote be recorded.

In Favour: Councillors Fulton, Harris, Aalbers, Kemmere, and Reeve Beattie.

Opposed: Councillor Johnson

Carried.

Bylaw #17/18
Establishing MPC and ASDAA

The question on motion RC18-385 was called.

Carried Unanimously.

Moved by Reeve Beattie
RC18-392 That Council give third reading to Bylaw No. 17/18 - Establishing MPC and ASDAA as contained in the agenda package.

Carried.

Bylaw #16/18
Land Use Bylaw
Amendments

Moved by Councillor Aalbers
RC18-393 That Council approve the amendments to Policy 6002 and Procedure 6002-01 Development Standard Conditions and Policy 6004 and Procedure 6004-01 Subdivision Standard Conditions as amended.

Councillor Harris left the meeting at 1:47 p.m.

Councillor Aalbers left the meeting at 1:49 p.m.

The question on Motion RC18-393 was not called.

Reeve Beattie advised that amended Procedure 6002-01 Development Standard Conditions and Policy 6004 and Procedure 6004-01 Subdivision Standard Conditions would be brought back later in the meeting.

DIRECTIVES
Regular Council
Directives

Moved by Councillor Kemmere
RC18-394 That Council receive the Council Directives as information.

Carried.

NEW BUSINESS
Budget Meeting Dates

Moved by Councillor Kemmere
RC18-395 That Council approve the dates for Regular Council Meetings and Policies and Priorities Committee Meetings for the 2019 Budget process as follows:

- Wednesday, October 3, 2018 P&P – Discuss Service Levels and Budget Environmental Scan
- Week of October 15, 2018- Audit Committee to review project sheets
- Wednesday, November 7, 2018 - Project budget submitted to P&P
- Wednesday, November 28, 2018 - Project budget submitted to Council

ADOPTED

- Wednesday, December 12, 2018- Project and Interim Budget submitted to Council for Approval
 - Wednesday, January 9, 2019 - Council Meeting Operating Budget
 - Wednesday, February 27, 2019 -Council Meeting - Operating Budget
 - Wednesday, March 27, 2019 - Complete Budget presented to Council for approval
 - Wednesday, April 10, 2019 - Council adopt tax rate bylaw
- Carried.

General discussion took place regarding the timing of Operating Budget approval. The Audit Committee has recommended keeping the status quo.

Banking Services
Contract

- RC18-396 Moved by Councillor Fulton
That Council receives as information that Scotiabank was successful for the banking RFP.
- Carried.

Long Range
Infrastructure Plan

- RC18-397 Moved by Councillor Johnson
That Council approve a workshop with the 2018 County Long-range Infrastructure Plan as the only agenda item; and that workshop be held prior to commencing the budget discussions on October 3, 2018.
- Carried.

Regional Fire
Request for Proposal

- RC18-398 Moved by Councillor Kemmere
That Council support phasing out the HUB Radio System and implement the Alberta First Responder Radio Communication System (AFRRCS) for all Fire Departments within the region.
- Carried.

- RC18-399 Moved by Councillor Kemmere
That Council authorize the Chief Administrative Officer to proceed with the purchase of Alberta First Responder Radio Communication System (AFRRCS) Radios in partnership with the Town of Olds, provided that the purchase amount falls within the approved 2018 Budget.
- Carried.

Crime Prevention
Initiative Grants

- RC18-400 Moved by Councillor Kemmere
That Council approves funding to the following applicants/organizations regarding Crime Prevention Initiatives grant funding as follows:
- | | |
|--------------------------------|------------|
| Olds Citizen on Patrol Society | \$1,250.00 |
| Sundre Citizens on Patrol | \$2,000.00 |
| Olds Rural Crime Watch | \$4,307.50 |
- Carried.

Bridge File 1179 and
BF 9284 Engineering

- RC18-401 Moved by Councillor Johnson
That Council approve a culvert replacement for the repair of Bridge File 9284 using County resources; and further, defer discussion on the replacement of Bridge File 1179 to August 22, 2018.
- Carried.

- Councillor Harris returned to the meeting at 2:41 p.m.
- Bridge File 74313
Replacement
RC18-402
- Moved by Councillor Kemmere
That Council approve \$550,000 for the construction of BF 74313 to be funded from the Bridge Reserve.
- Carried.
- Bylaw #16/18 - Land Use Bylaw/
Procedure 6002-01
Policy 6004 &
Procedure 6004-01
- The question on Motion RC18-393 was called.
- Carried.
- Netook Crossing
Development Agreement
RC18-403
- Moved by Councillor Harris
That Council authorize Administration to waive the Offsite Levy for the remaining 18 unsold lots owned by Prodev Limited Partnership and refund the current landowners the \$3,500 per acre Offsite Levy paid to the County; and further, authorize Administration to waive the maintenance period to expedite the issuance of the Final Acceptance Certificate after the final inspection of the road remedial work, and the assignment of the one (1) year warranty for the road remedial work to the County; and further, agree that prior to the issuance of the Final Acceptance Certificate, Prodev Limited Partnership shall assign the Water Licence to the County at no cost and provide confirmation from Alberta Environment and Parks that Licence conditions are up to date; and further, authorize Administration to reduce or use the Letter of Credit issued by Prodev Limited Partnership to pay for the road remedial work contract costs between Prodev Limited Partnership and their Contractor; and further, authorize Administration to defer the payment of the outstanding Development Fees until the bulk sale of the 18 lots provided that the Letter of Credit is not released until the payment is received; and further, direct Administration to proceed with the preparation of a Utility Rate Bylaw.
- Carried.
- Reeve Beattie recessed the meeting at 3:04 p.m. reconvened at 3:16 p.m.
- Procedure 6002-01
Policy 6004 &
Procedure 6004-01
- Council directed the Chief Administrative Officer to do a clerical amendment to Schedule "A" - Section 5 (2) of the Standard Conditions of Procedure 6004-01 to ensure that it is compliant with the Municipal Government Act (MGA).
- Closure of
Road Plan 6333L
RC18-404
- Moved by Councillor Harris
That Council request the Minister of Transportation to Authorize the permanent closure of unnecessary Road Plan Number 6333L, and that the closed Road Plan be consolidated with the adjacent land in SE 16-29-3 W5M.
- Carried.

- RC18-405 Moved by Councillor Kemmere
That Council refund the \$1,500 application fee associated with the unnecessary road closure of Road Plan Number 6333L.
Carried.
- COUNCILLOR REPORTS Council discussed the following:

 - RMA District Chair meeting
 - MVCU Annual Fundraiser
- RC18-406 Moved by Councillor Johnson
That Council receive the verbal Councillor Reports as information.
Carried.
- INFORMATION ITEMS

 - RC18-407 Moved by Councillor Kemmere
That Council receive the following items as information:

 - a. 20180522 - Letter from Didsbury and District Historical Society
 - b. 20180529 - Letter from Municipal Affairs - MSI Funding

Carried.
- Bylaw #18/18 Road Closure Bylaw RC18-408 Moved by Councillor Harris
That Council remove Agenda Item 7.4 Bylaw #18/18 - Road Closure Bylaw from the agenda.
Carried.
- IN CAMERA

 - RC18-409 Moved by Councillor Fulton
That the Regular Council Meeting of July 11, 2018 go into closed meeting at 3:31 p.m. to deal with items relative to the FOIP Act, Section 24 – Advice from Officials.
Carried.
 - RC18-410 Moved by Councillor Harris
That the Regular Council Meeting of July 11, 2018 return to the open meeting at 4:22 p.m.
Carried.
- MPC Appointments

 - RC18-411 Moved by Councillor Kemmere
That Council appoint Gerald Ingeveld and Michael McNaughton as members at large to the Municipal Planning Commission until the 2020 Organizational Meeting.
Carried.
- Cremona Bulk Water Station RC18-412 Moved by Councillor Harris
That Council support the installation of a Bulk Water Station in Cremona through funding up to 80% of the final cost of the project from the Cremona ICC Reserve.
Carried.
- ADJOURNMENT

Reeve Beattie adjourned the Regular Council Meeting of July 11, 2018 at 4:24 p.m.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer