

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, December 12, 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
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:
5.4 Bylaw No. LU 43/18 – SW 27-33-28 W4M
(Additional Information)

Moved by Councillor Kemmere
RC18-693 That Council adopt the agenda of the Regular Council Meeting of December 12, 2018 as amended. Carried.

MINUTES Moved by Councillor Harris
RC18-694 That Council adopt the Minutes of the Regular Council Meeting of November 14, 2018. Carried.

PUBLIC HEARINGS
Bylaw #LU 39/18
SE 35-32-2 W5M and Plan 0714301
Block 1 Lot 1

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 39/18 and read the Bylaw.

The application for redesignation of the SE 35-32-2 W5M and Plan 0714301 Block 1 Lot 1, was introduced by D. Gonzalez, Planning and Development Department, and the following information was introduced as provided in the agenda package

ADOPTED

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 7.03 acres from Agricultural District (A) to Residential Farmstead District (R-F) and 5.03 acres from Agricultural District (A) to Residential Farmstead District (R-F)
- Division 7
- Rural Community: Westerdale

The Planning and Development Department recommended that Bylaw #LU 39/18 be defeated at second reading. Based on the information submitted by the applicant and the file history on the subject property, Planning and Development cannot support this proposal because the evidence demonstrates that the proposal does not meet the definition of a Farmstead; and therefore, does not comply with the policies of the Municipal Development Plan.

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

Ken Taylor, applicant, stated that there was an application in 2006 which was for approximately 12.06 acres. In 2007 Council did not approve that entire area and approved only the 7.03 acres. The applicant wishes to redesignate the entire 12.06 acres to Residential Farmstead District.

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

Council questions resulted in the following information:

- The applicant wishes to put the current redesignated area back into the quarter section and then create a farmstead separation of 12.06 acres
- At this time there is currently a first parcel out which has been used as a residential parcel
- The existing residence is not located on the first parcel out

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 Harris

RC18-695 That Council give second reading to Bylaw No. LU 39/18 to redesignate lands in the SE 35-32-2 W5M and Plan 0714301 Block 1 Lot 1.

Carried.

Moved by Councillor Kemmere
RC18-696 That Council give third reading to Bylaw No. LU 39/18 to redesignate lands in the SE 35-32-2 W5M and Plan 0714301 Block 1 Lot 1.

Carried.

Bylaw #LU 40/18
SW 18-31-4 W5M

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 40/18 and read the Bylaw.

The application for redesignation of the SW 18-31-4 W5M, was introduced by R. Pohl, 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 3.32 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 4
- Rural Community: Elkton/Rugby

The Planning and Development Department recommended that Bylaw #LU 40/18 be given second reading.

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

Ken Taylor, applicant, stated that this is within the potential multi-lot residential development area and meets the requirements of current County policies and bylaws.

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
RC18-697 That Council give second reading to Bylaw No. LU 40/18 to redesignate lands in the SW 18-31-4 W5M.

Carried.

Moved by Councillor Milne
RC18-698 That Council give third reading to Bylaw No. LU 40/18 to redesignate lands in the SW 18-31-4 W5M.

Carried.

Bylaw #LU 41/18
SE 21-32-6 W5M and
Descriptive Plan in SE 21-32-6 W5M

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 41/18 and read the Bylaw.

The application for redesignation of the SE 21-32-6 W5M and Descriptive Plan in SE 21-32-6 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 0.39 acres from Agricultural District (A) to Residential Farmstead District (R-F) and 5.95 acres from Agricultural District (A) to Residential Farmstead District (R-F)
- Division 5
- Rural Community: Bergen

The Planning and Development Department recommended that Bylaw #LU 41/18 be given second reading.

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

Donald Nickolas Smith, owner, advised that the previous owner had replaced the fence-line and put it in the current location. He assumed that the fence-line was the property line when he erected the woodshed and shop.

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

Council questions resulted in the following information:

- The real property report identified that there are only 2 buildings encroaching on the right of way
- The encroachments may be dealt with at the subdivision stage by way of a setback relaxation

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
RC18-699 That Council give second reading to Bylaw No. LU 41/18 to redesignate lands in the SE 21-32-6 W5M and Descriptive Plan in SE 21-32-6 W5M.

Carried.

Moved by Councillor Aalbers
RC18-700 That Council give third reading to Bylaw No. LU 41/18 to redesignate lands in the SE 21-32-6 W5M and Descriptive Plan in SE 21-32-6 W5M.

Carried.

Recess and Reconvene

Reeve Beattie recessed the meeting at 10:04 a.m. and reconvened at 10:16 a.m.

Bylaw #LU 43/18
SW 27-33-28 W4M

Councillor Kemmere advised that a former business partner of his is involved in this application and he does not have any pecuniary interest. He has also been involved in meetings of the community association but was not involved in providing direction for this application.

Moved by Councillor Kemmere
RC18-701 That Council receive additional emailed information for consideration from Val Leibel dated December 11, 2018.

Carried.

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 43/18 and read the Bylaw.

The application for redesignation of the SW 27-33-28 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, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 4.00 acres from Institutional, Educational & Cultural District (S-IEC) to Country Residential District (R-CR)
- Division 7
- Rural Community: Reed Ranch

The Planning and Development Department recommended that Bylaw #LU 43/18 be given second reading.

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

Petria Erick, representing Betchton Community Centre Association, stated the Board has received a number of offers to purchase the property, however, they have agreed as a community to auction the property once it is rezoned. They held a public community meeting and voted to rezone the property to Country Residential and sell it.

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

Gary Rock, local resident, stated that he is a volunteer on the committee to dispose of the property. At the public meeting it was voted on that the best zoning would be Country Residential and that the majority also voted that it be sold at a public auction.

Lorne Unger, area resident, stated that the Betchton property has not been farmed for many years. In March the community voted to dispose of the property. It was originally donated to the community. A Country Residential property owner would be a benefit and be part of the community.

Arnold Lachman stated that the property was not donated to the community but was in fact purchased by the School Board. He stated that there are also two water wells and not one. At one time there was an outhouse in the basement of the building. He feels that the property is contaminated. There has been no concern for the adjacent landowners.

Petria Erick, adjacent landowner, stated that acreage owners can be a benefit to the community. This is an opportunity to have another great neighbor in the community.

Harvey Milligan, a friend of Rick and Val Leibel, feels that it can also be turned back into the quarter section and farmed. There are also safety concerns because of site-lines at the access to the property.

Cheryl James, resident to the east, stated that without a redesignation to Country Residential the community would be subject to many unwanted land uses. She advised that when the approach to the adjacent residence to the south was approved the County did not have any safety concerns.

Dan Imler, landowner to the south, is opposed to the proposed redesignation because there could possibly be three additional residences in the area. He is also concerned about safety because of dogs running at large.

Pat James, community association representative, stated that the intent is to obtain the highest and best value for the lands. These lands are owned by the community. The disposition of the monies raised will be determined by the community. The community voted to sell the property at fair market value. The property has been assessed at \$220,000. He stated that young people from the neighbourhood may end up purchasing this and staying in the area. They feel that the best use of the land would be Country Residential. The appraisal was done based on the current zoning. The assessed value is similar to the appraised value.

Rick Leibel, adjacent landowner, stated that they have concerns regarding dogs. He stated that there will also be a loss of history if this property is sold.

Dean Thomas discussed the property titles to the west of the parcel and stated that there are currently 3 parcels which are all owned by the County. He stated that acreage owners would be subject to smells, noise, dust and traffic concerns.

Gord Lodder, resides east of the Betchton Hall, was advised by the Planning Department that any purchaser could apply to rezone any property. He is in favour of the proposed redesignation.

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

Council questions resulted in the following information:

- If a Development application comes forward and it meets a permitted or discretionary use it can be approved by the approving authority
- Council was advised of all of the permitted uses and discretionary uses
- There are other redesignation zones that a parcel of this size could fit
- Any liability regarding the condition of the land and soils would be the responsibility of the property owner and not the County.

Petria Erick advised that there is a list of preferences that were received from the community regarding disposal of funds. There is existing debt that would need to be addressed before any funds are disposed of. The land was originally bought by Alberta Education and then purchased from the local school board.

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 majority of the community wishes that the property be redesignated and sold by public auction. The Planning and Development Department is recommending approval of the proposed redesignation.

The applicant was provided the opportunity for closing remarks and stated that the property boundaries are in line with the quarter section boundary.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Milne

RC18-702 That Council give second reading to Bylaw No. LU 43/18 to redesignate lands in the SW 27-33-28 W4M.

Carried.

Moved by Councillor Milne

RC18-703 That Council give third reading to Bylaw No. LU 43/18 to redesignate lands in the SW 27-33-28 W4M.

Carried.

Bylaw #LU 44/18
NE 29-30-1-5 W5M

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 44/18 and read the Bylaw.

The application for redesignation of the NE 29-30-1-5 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 13.82 acres from Agricultural District (A) to Agricultural (2) District (A(2))
- Division 3
- Rural Community: Wessex

The Planning and Development Department recommended that Bylaw #LU 44/18 be given second reading.

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

David Derksen, applicant, stated that he does not have any additional information.

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

Council questions resulted in the following information:

- The bottom of the coulee is a grazing area
- The fragmented portion would result in 3 titles in the original quarter section which is supported in the fragmentation policy
- The intent is to consolidate the remainder of the quarter section with the property to the north

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 Fulton

RC18-704 That Council give second reading to Bylaw No. LU 44/18 to redesignate lands in the NE 29-30-1-5 W5M.

Carried.

ADOPTED

Moved by Councillor Fulton
RC18-705 That Council give third reading to Bylaw No. LU 44/18 to redesignate lands in the NE 29-30-1-5 W5M.

Carried.

Moved by Councillor Kemmere
RC18-706 That Council approve the request from Dave Derksen to address Council.

Carried.

Mr. Derksen thanked Council and staff for their cooperation over the years and advised them that he is retiring.

BYLAWS

Bylaw #LU 46/18
SE 14-30-4 W5M

Moved by Councillor Aalbers
RC18-707 That Council give first reading to Bylaw No. LU 46/18 redesignating the lands within the SE 14-30-4 W5M as contained in the agenda package.

Carried.

Moved by Councillor Aalbers
RC18-708 That Council set the Public Hearing for Bylaw No. LU 46/18 redesignating the lands within the SE 14-30-4 W5M to January 9, 2018 at or after 9:00 a.m.

Carried.

Recess and Reconvene

Reeve Beattie recessed the meeting at 12:04 p.m. and reconvened at 12:49 p.m.

Bylaw #25/18
Code of Conduct

Moved by Councillor Harris
RC18-709 That Council give third reading to Bylaw No. 25/18 – Code of Conduct Bylaw.

Carried.

NEW BUSINESS

Request for DP Refund
Sundre Flying Club

Moved by Councillor Aalbers
RC18-710 That Council approve refunding Sundre Flying Club Development Application fee for file PLDP20180232 in the amount of \$555.00; and further, does not include the non-refundable \$75.00 Long Range Planning Fee.

Carried.

Council Strategic
Planning Workshop

Moved by Councillor Milne
RC18-711 That Council request that the Chief Administrative Officer arrange a one-day Council Strategic Planning Workshop for March 28, 2019.

Carried.

MVSH 2019 Budget
and Requisition

Moved by Councillor Aalbers
RC18-712 That Council support Mountain View Seniors Housing recommendation for a 2019 total requisition of \$2,450,000.

Carried.

Audit Committee
Meeting Minutes

Moved by Reeve Beattie
RC18-713 That Council receive as information the draft meeting minutes from the November 16, 2018 Audit Committee Meeting.

Carried.

Policy No. 1008
Reserve Funds

		Moved by Councillor Harris	
	RC18-714	That Council approve amendments to Policy 1008 to add the Agricultural Society Arena Reserve - Cremona 1008 (q) and the Carry Over Project Reserve 1008 (r); and further, amend Policy #1008 (q) to include “#5. The project work must commence prior to the end of the 2020 year.” and include “#6. This reserve does not accrue interest.”	Carried.
Repairs to Exterior Insulation		Moved by Councillor Aalbers	
	RC18-715	That Council approve the expenditure of \$280,000.00 to repair the problems with the Exterior Insulation Finish System at the County Administration building as recommended in the Williams Engineering Canada Report; and further, the approval be included in the 2019 budget.	Carried.
Winchell Pit Tree Clearing		Moved by Councillor Aalbers	
	RC18-716	That Council accept the Public Engagement Plan for the tree clearing at the Winchell gravel pit; further proceed with a tree clearing public consultation session and include a gravel extraction information session within the community.	Carried.
WV Campground Playground Equipment		Moved by Councillor Aalbers	
	RC18-717	That Council approve allocating unused funds from the County Playground Grant funds from 2018 to the Carry Over Reserve for the purchase of playground equipment for the Water Valley Campground Day Use Area.	Carried.
2018 Carry Forward Projects		Moved by Councillor Aalbers	
	RC18-718	That Council receive as information the carry forward projects by funding source.	Carried.
2019 Operating Budget		Moved by Councillor Harris	
	RC18-719	That Council approve an interim 2019 Operating Budget with the following conditions: 1. This budget will use the same parameters as the 2018 Operating Budget. 2. This interim budget will remain in effect until approval of the 2019 Operating Budget. 3. Council may adjust this interim budget by separate motions related to specific areas of the 2018 Budget.	Carried.
Recess and Reconvene		Reeve Beattie recessed the meeting at 2:22 p.m. and reconvened at 2:39 p.m.	

2019 Project Budget

Council requested the following amendments to the 2019 Project Budget:

- Remove OS19-16 – Range Road 13 Guardrail (Capital Project) \$110,000
- Add the approved expenditure of \$280,000.00 - Exterior Insulation Finish System at the County Administration building (Operating Expenditure)
- OS19-20 – Airport Lot Reconfiguration – Asterick – Council Approval Required (after Olds/Didsbury Airport Economic Analysis)

Moved by Councillor Kemmere

RC18-720 That Council approve the 2019 New Project Budget of \$19,147,880 which is comprised of \$16,218,200 of capital projects, \$2,059,680 of operating projects and \$870,000 of liability projects.

Carried.

INFORMATION ITEMS

Moved by Councillor Milne

RC18-721 That Council receive the following items as information:
a. 20181130 RMA Contact Newsletter

Carried.

RMA

Moved by Councillor Aalbers

RC18-722 That Council request Administration review Municipal Solar opportunities to look at the McDougal Project, and other possible opportunities within the County, regarding the Provincial Community General Program that will be available in 2019.

Carried.

IN CAMERA

Moved by Councillor Aalbers

RC18-723 That the Regular Council Meeting of December 12, 2018 go into closed meeting at 3:25 p.m. to deal with items relative to the FOIP Act, Section 21 and 24.

Carried.

Moved by Councillor Harris

RC18-724 That the Regular Council Meeting of December 12, 2018 return to the open meeting at 3:53 p.m.

Carried.

ADJOURNMENT

Reeve Beattie adjourned the Regular Council Meeting of December 12, 2018 at 3:53 p.m.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer