

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, December 16, 2015, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

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

IN ATTENDANCE: J. Holmes, Acting Chief Administrative Officer
R. Beupertuis, Director, Corporate Services
R. Baker, Director, Operational 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 9:03 a.m.

AGENDA Reeve Beattie advised of the following amendments to the agenda:
8.4 2016 Capital and Projects Budget (Information attached)
8.5 SCBA Replacement – Fire Departments
8.6 2015 Cemetery Funding
8.7 2015 FCSS Funding Approvals
8.8 2015 Rural Community Grant Funding
7.1 CAO Report – change to 11.1

Moved by Councillor Sayer
RC15-756 That Council adopt the agenda of the Regular Council Meeting of December 16, 2015 as amended. Carried.
Reeve Beattie introduced Council and staff.

MINUTES Moved by Councillor McKean
RC15-757 That Council adopt the Minutes of the Council Budget Meeting of November 24, 2015. Carried.

Moved by Councillor Milne
RC15-758 That Council adopt the Minutes of the Regular Council Meeting of November 25, 2015. Carried.

PUBLIC HEARINGS
Bylaw #LU 62/15
NE 20-32-4 W5M
Reeve Beattie opened the Public Hearing regarding Bylaw #LU 62/15 and read the Bylaw.

The application for redesignation of the NE 20-32-4 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 50.7 acres from Agricultural District (A) to Agricultural (2) District (A(2)).
- Division 6
- Rural Community: Bergen

The Planning and Development Department recommended that Bylaw #LU 62/15 be given second reading.

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

Ken Taylor, applicant, stated that the existing building site would accommodate a residence. The owner would occupy the new residence. Multi-lot acreages are not a suitable option for the applicant.

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

Council questions resulted in the following information:

- The adjacent landowners were concerned that the road is a gravel surface as well as the speed of the traffic
- This would create an agricultural parcel

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 this will be an agricultural parcel that will be owner occupied.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor McKean

RC15-759 That Council give second reading to Bylaw No. LU 62/15 to redesignate lands in the NE 20-32-4 W5M.

The question on Motion RC15-759 was not called.

Moved by Councillor McKean

RC15-760 That Council amend Bylaw No. LU 62/15 to amend Land Use Bylaw No. 15/15.

Carried.

The question on Motion RC15-759 was called.

Carried.

Moved by Councillor McKean
RC15-761 That Council give third reading to Bylaw No. LU 62/15 to redesignate lands in the NE 20-32-4 W5M.

Carried.

Bylaw #LU 63/15
SE 7-32-3 W5M

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 63/15 and read the Bylaw.

The application for redesignation of the SE 7-32-3 W5M, was introduced by M. Pawlow, 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 40 acres from Agricultural District (A) to Agricultural (2) District (A(2)).
- Division 4
- Rural Community: Harmattan

The Planning and Development Department recommended that Bylaw #LU 63/15 be defeated as it does not comply with the Municipal Development Plan Policy.

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

Ken Taylor, applicant, stated that the property has been in the family of over 100 years. He discussed the current access as well as an access that is used during the summer. He provided a history of the property.

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

Kathleen Anderson stated that the land has been in the family for a number of years and she would like to pass it on to her children. It will continue to be farmed.

Cristy Curtain stated that they intend to continue to farm the land. Since they currently do not own the land it is difficult to obtain financing.

Lauren Mustoe stated that she spent many years growing up on the property. She wants to preserve the heritage. The use will not change.

Council questions resulted in the following information:

- There is an existing farmstead

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 access easement agreements are not considered a legal access. There is currently not an access agreement registered on title. The rural address sign is not located in an approved location.

The applicant was provided the opportunity for closing remarks and stated that an access agreement is not relevant. There is current legal and physical access.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Heck

RC15-762 That Council give second reading to Bylaw No. LU 63/15 to redesignate lands in the SE 7-32-3 W5M.

The question on Motion RC15-762 was not called.

Moved by Councillor Heck

RC15-763 That Council amend Bylaw No. LU 63/15 to amend Land Use Bylaw No. 15/15.

Carried.

The question on Motion RC15-762 was called.

Motion Defeated.

Bylaw #LU 67/15
NE 35-32-5 W5M

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 67/15 and read the Bylaw.

The application for redesignation of the NE 35-32-5 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 8.07 acres from Agricultural District (A) to Local Commercial District (C-LC).
- Division 6
- Rural Community: Eagle Hill/Westward Ho

The Planning and Development Department recommended that Bylaw #LU 67/15 be given second reading.

Ken Taylor, applicant, stated that this is an 8 acre parcel within the Southeast Sunde Area Structure Plan. A traffic impact assessment report has been undertaken and provided to the County. Some recommendations may need to be fulfilled such as intersection changes and relocating the access further south. The property is suitable for a commercial operation.

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

Marcy Giroux, adjacent landowner, stated that the access road will cause a lot of noise for the adjacent acreages as well as safety concerns. The owner has put in a number of loads of fill which will not address groundwater concerns.

Les and Donna Crouch, adjacent landowners, are in opposition to the proposal. The land owner has unnecessarily removed a number of trees. The noise and wind has affected their property. They feel that if this is approved conditions should be put in place for the owner to put trees on the berm and install a fence.

Paul Leussink stated that he purchased the property in order to sell hay and straw. He attempted to subdivide the residence but was unsuccessful. When the trees were removed the property was designated as an agricultural use.

Council questions resulted in the following information:

- Access to the property would be from Range Road 51
- The landowner is aware that the intersection upgrade would be his expense
- The owner stated there is a shared access from the west to the residence
- The access to the residence would be changed immediately to Range Road 51

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

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

The Planning and Development Department stated that under the agricultural zoning a permit was not required to remove trees.

Mr. Leussink stated that the berm was constructed of topsoil from the property. The gravel pad was constructed to control a muddy site.

The Planning and Development Department was provided the opportunity for closing remarks and stated that the applicant would be required to provide a number of studies at the development permit stage.

The applicant was provided the opportunity for closing remarks and stated that there is a service road dedication to the west. The owner wishes to sell the property to accommodate a commercial operation.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Milne
RC15-764 That Council give second reading to Bylaw No. LU 67/15 to redesignate lands in the NE 35-32-5 W5M.

The question on Motion RC15-764 was not called.

Moved by Councillor Milne
RC15-765 That Council amend Bylaw No. LU 67/15 to amend Land Use Bylaw No. 15/15.

Carried.

The question on Motion RC15-764 was called.

Carried.

Moved by Councillor Milne
RC15-766 That Council give third reading to Bylaw No. LU 67/15 to redesignate lands in the NE 35-32-5 W5M.

Carried.

Moved by Councillor Kemmere
RC15-767 That Council request that the Municipal Planning Commission give strong consideration to the providing of infrastructure that will provide protection to the lands to the south from noise, wind, and other negative impacts for lands redesignated in Bylaw No. LU 67/15 in the NE 35-32-5 W5M.

Carried.

Moved by Councillor Aalbers
RC15-768 That Council request that the Municipal Planning Commission consider restrictions to days and hours of operation of any business that may apply for a Development Permit within the NE 35-32-5 W5M that would negatively affect neighbouring properties.

Carried.

Recess and Reconvene

Reeve Beattie recessed the meeting at 10:40 a.m. and reconvened at 10:54 a.m.

Bylaw #LU 68/15
SE 35-32-6 W5M

Councillor Aalbers declared a pecuniary interest as she is an adjacent landowner and left the room at 10:55 a.m. She advised that she will not be returning to the table as she has an appointment in Calgary.

Reeve Beattie opened the Public Hearing regarding Bylaw #LU 68/15 and read the Bylaw.

The application for redesignation of the SE 35-32-6 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 149.97 acres from Agricultural District (A) to Aggregate Extraction/Processing District (AEP).
- Division 5
- Rural Community: McDougal Flats

The Planning and Development Department recommended that Bylaw #LU 68/15 be given second reading.

The Planning and Development Department advised that 25 letters of objection and a group letter with 103 signatures were received and were provided to Council. Twelve letters of support were also received. A summary of concerns was discussed.

The Planning and Development Department provided specific information to the application as follows:

- Business and Transportation
- Residences in Local Area
- Operation Description and Hours of Operation
- Community Consultation

Matthew Arnill, West-Can Seal Coating, stated that they do not have any additional information to provide at this time.

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

Rob Rhodes, County business owner, stated that he is in favour of the proposed development. West-Can has done an excellent job with consultation and undertaken a number of studies. In times of an economic downturn this is needed. West-Can does runs an excellent operation.

Robin Tudor, NE 26-32-6 W5M, stated that the Ross Pit has never been formally approved. He does not believe that the proposal meets the ASP. He is concerned regarding air quality in the McDougall Flats area.

Judy Madsen, 26-32-6 W5M, stated that she is concerned about dust, noise, and traffic. She feels strongly opposed about a gravel pit in a residential area. She read information that she had from the previous West-Can application and advised that things have not changed.

Eric Schulz, adjacent landowner, stated that this proposal will affect his quality of life. He was not looking for a gravel pit in his neighbourhood. He wants to protect his property values and his way of life.

Jamie Robins, NW 26-32-6 W5M, stated that she is concerned regarding the quality of water as well as the loss of agricultural land.

Carli Tuggle, stated that she is in favour of the proposal. She is a previous adjacent landowner to a West-Can operation. She is currently the Human Resource Manager for West-Can. West-Can is a strong supporter of the community. Any thriving business that is willing to expand in a time of economic downturn should not be restricted.

Mike McHenry, on behalf of Doogie Developments, is speaking in opposition of the proposal. An industrial use does not fit adjacent to residences. A previous application was opposed due to adverse effects on neighbouring properties. Other concerns are health risks, traffic, water contamination, noise, and property devaluation.

The Planning and Development Department explained the process for gravel pit redesignation and the Development Permit application process. A development permit will be required under the Gravel Extraction District.

Erhand Hermann, lives next door to the Didsbury West-Can facility, and stated that the company, management, and staff are very kind, considerate, respectful and mindful of adjacent properties. They are a very stable company. It has been a positive experience living next door to West-Can.

Murray Griffin, NE 26-32-6 W5M, read a quote from a newspaper article. He stated that due to family health concerns he sold a portion of his property to Doogie Developments. There is excess stress to the people that live in the area. He discussed the quality of the groundwater and the amount of water in the aquifer. He advised that the wells in the area are approximately 45 to 90 feet deep.

Bob Killeleagh, NW 25-32-6 W5M, stated that he is opposed to the West-Can proposal. He discussed an apparent quote by Mr. Arnill in the Mountain View Gazette. He is concerned about dust, noise, and water extraction, and it will be an environmental nightmare.

Judy Radley, SW 25-32-6 W5M, read a letter that she had previously submitted in regard to the West-Can application.

Andrew Arnill, provided a PowerPoint Presentation which included information regarding the following:

- Company history and current staff
- Economic spin-off
- Business standards

Sandra Cook, adjacent landowner, appreciates the number of people that support the company, but feels that these people do not live beside an active gravel pit.

Neil Bates, Doogie Developments, stated that he was previously advised that a gravel pit would never be approved in the area. He stated that the gravel being extracted is not staying in the County.

Earl Smith, SW 25-32-6 W5M, stated that the main issue is the loss of a buffer between the gravel pit and existing residences. He feels that there are other business options that the company could take.

Council questions resulted in the following information:

- Adjacent pits operate approximately 7 am to 7 pm and one has summer hours until 9 pm
- January 2015 West-Can undertook community consultation with approximately 100 business and household visits
- Crushing will be between 7 am and 6 pm
- The Ross Pit was approved by the Province but that approval has expired

The Planning and Development Department identified other gravel pits in the McDougall Flats area and the number of acres that are currently being mined.

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 proposed application complies with County Bylaws and Policies. It was confirmed that an Aggregate Committee had recently provided input to the County.

The applicant was provided the opportunity for closing remarks and provided clarification regarding the number of truck trips, hours of operation, engineering and studies provided. Matthew Arnill also discussed setbacks, stockpiles, berming and noise attenuation.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor McKean
RC15-769 That Council give second reading to Bylaw No. LU 68/15 to redesignate lands in the SE 35-32-6 W5M.

The question on Motion RC15-769 was not called.

Moved by Councillor McKean
RC15-770 That Council amend Bylaw No. LU 68/15 to amend Land Use Bylaw No. 15/15.

Carried.

The question on Motion RC15-769 was called.

Motion Defeated.

Recess and Reconvene

Reeve Beattie recessed the meeting at 12:50 p.m. and reconvened at 1:30 p.m.

BYLAWS

Bylaw #LU 73/15
NW 21-31-1W5M

Moved by Councillor Milne
RC15-771 That Council give first reading to Bylaw No. LU 73/15 redesignating the lands within the NW 21-31-1W5M as contained in the agenda package.

Carried.

- RC15-772 Moved by Councillor Milne
That Council set the Public Hearing for Bylaw No. LU 73/15 redesignating the lands within the NW 21-31-1W5M to January 27, 2015 at or after 9:00 a.m.
Carried.
- Bylaw #17/15
Subdivision and Development Authority
RC15-773 Moved by Councillor Sayer
That Council give first reading to Bylaw No. 17/15 – a Bylaw to amend the Subdivision and Development Authority Bylaw No. 05/07.
Carried.
- RC15-774 Moved by Councillor Sayer
That Council give second reading to Bylaw No. 17/15 – a Bylaw to amend the Subdivision and Development Authority Bylaw No. 05/07.
Carried.
- RC15-775 Moved by Councillor Sayer
That Council give unanimous consent to go to third reading of Bylaw No. 17/15 – a Bylaw to amend the Subdivision and Development Authority Bylaw No. 05/07.
Carried Unanimously.
- RC15-776 Moved by Councillor Sayer
That Council give third reading to Bylaw No. 17/15 – a Bylaw to amend the Subdivision and Development Authority Bylaw No. 05/07.
Carried.
- NEW BUSINESS
Policy No. 6308
Fee Simple Property
RC15-777 Moved by Councillor McKean
That Council approve Policy No. 6308 Management of Mountain View County's Fee Simple Property and receive for information Procedure No. 6308-01.
Carried.
- Policy No. 6309
Riparian Enhancement
RC15-778 Moved by Councillor Kemmere
That Council approve Policy No. 6309 Riparian and Ecological Enhancement Program Funding and receives for information Procedure No. 6309-001.
Carried.
- Policy No. 1010
High Speed Internet
For Council
RC15-779 Moved by Councillor Milne
That Council approve the amended Policy No. 1010 High Speed Internet Access for Council and receive for information Procedure No. 1010-01 High Speed Internet Access for Council.
Carried.
- 2016 Capital and
Projects Budget
RC15-780 Moved by Reeve Beattie
That Council approve the 2016 Capital and Projects Budget in the amount of \$29,892,000 which includes an amendment for Range Road 50.
Carried.

SCBA Replacement Fire Departments	RC15-781	Moved by Councillor Kemmere That Council approve the Purchase of Self Contained Breathing Apparatus for all 5 fire departments, and that Council extend an offer to all urban partners that indicates Mountain View County is willing to apply for a 10 year loan from Alberta Capital Finance and annually invoice each fire department their proportionate share of the loan for repayment; alternatively, a Municipal partner may pay their portion up front.	Carried.
2015 Cemetery Funding	RC15-782	Moved by Councillor Kemmere That Council receive as information the 2015 Cemetery Grant funding allocations as approved by the Community Services Grant Review Committee on Dec 14, 2015, in the amount of \$10,000.00.	Carried.
2015 FCSS Funding Approvals	RC15-783	Moved by Councillor McKean That Council receive as information the additional 2015 FCSS funding allocations as approved by the Community Services Grant Review Committee on December 14, 2015 in the amount of \$7,690.00.	Carried.
2015 Rural Community Grant Funding	RC15-784	Moved by Councillor Milne That Council receive as information the additional 2015 Rural Community Grant Funding allocation as approved by the Community Services Grant Review Committee on December 14, 2015 in the amount of \$1,575.00.	Carried.
INFORMATION ITEMS	RC15-785	Moved by Councillor McKean That Council receive the following item as information: a. 20151202 AAMDC Contact Newsletter	Carried.
COUNCILLOR REPORT		Council discussed the following: <ul style="list-style-type: none"> • CAAMDC Zone Meeting • Didsbury Community Policing Meeting • Mayor's and Reeve's Meeting • SPOG Directors Meeting • MVSH Sundre Lodge 	Carried.
IN CAMERA	RC15-786	Moved by Councillor Milne That the Regular Council Meeting of December 16, 2015 go into closed meeting at 2:04 p.m.	Carried.
	RC15-787	Moved by Councillor Milne That the Regular Council Meeting of December 16, 2015 return to the open meeting at 2:18 p.m.	Carried.
	RC15-788	Moved by Councillor Kemmere That Council approve publishing the Town of Olds and Mountain View County Inter-Municipal Cooperation Master Agreement; and further, that the ICI Agreement be brought back to the January 13, 2016 Regular Council Meeting.	Carried.

ADJOURNMENT

Reeve Beattie adjourned the Regular Council Meeting of December 16, 2015 at 2:18 p.m.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer