

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, September 16, 2009, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Reeve A. Kemmere
Councillor K. Blain
Councillor G. Day
Councillor E. Page
Councillor L. Yakimchuk

ABSENT: Councillor G. Ingeveld
Councillor L. Negropontes

IN ATTENDANCE: D. Plamping, Chief Administrative Officer
D. Hawryluk, Director, Planning and Development Services
T. Martens, Director, Legislative and Community Services
K. Bellamy, Acting Director, Operational Services
G. Wiens, Director, Corporate Services
J. Koch, Communications Coordinator
D. McDonald, Planner
C. Banack, Planner
S. Tremblay, Planner
G. Eyers, Executive Assistant

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

The meeting began with the recitation of the Lord's Prayer.

Reeve Kemmere introduced Council and Staff.

AGENDA Reeve Kemmere advised that the following would be added to the agenda:
(11.1) Legal Matter
(11.2) Legal Matter

Moved by Councillor Yakimchuk
RC09-541 That Council adopt the agenda of the Regular Council Meeting of September 16, 2009 as amended.

Carried.

ADOPTION OF MINUTES
RC09-542 Moved by Councillor Day
That the minutes of the Regular Council Meeting of August 26, 2009 be adopted.

Carried.

PUBLIC
HEARINGS
Bylaw #LU 07/09
SE 2-32-6 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 07/09.

The application for redesignation of the SE 2-32-6 W5M, was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, 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 acres from Agricultural District "A" to Country Residential (1) District "CR (1)"
- Division 4
- Rural Community: Bergen

The Planning and Development Department recommended that Bylaw #LU 07/09 be given second reading.

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

David Derksen, applicant, stated that they have consulted with the majority of the adjacent landowners and some are opposed to the proposed redesignation because they generally do not want neighbours.

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

Council questions resulted in the following information:

- The proposed redesignation is within 800 metres of a County Collector Road and the quarter section is adjacent to the County Collector Network
- Meets the 450 feet sightline requirement

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

The applicant was provided the opportunity for closing remarks and stated that the proposed redesignation meets all current policies.

The Planning and Development Department was provided the opportunity for closing remarks and stated that groundwater and sewage studies would be requested at the time of subdivision.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Day
RC09-543 That Council give second reading to Bylaw No. LU 07/09 to redesignate lands in the SE 2-32-6 W5M.

Carried.

Moved by Councillor Yakimchuk
RC09-544 That Council give third reading to Bylaw No. LU 07/09 to redesignate lands in the SE 2-32-6 W5M.

Carried.

Bylaw #LU 26/09
Portion of
NW 7-29-3 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 26/09.

The application for redesignation of a Portion of NW 7-29-3 W5M, was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 4.6 acres from Agricultural District "A" to Country Residential (1) District "CR (1)"
- Division 2
- Rural Community: Dogpound

The Planning and Development Department recommended that Bylaw #LU 26/09 be given second reading.

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

Ken Taylor, applicant, stated that the original application was for two lots. Any concerns regarding water and sewer will be addressed at the time of subdivision. Spring water on the south portion of the proposed redesignation would be addressed during landscaping and contoured into the County ditch.

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

Council questions resulted in the following information:

- If the applicant does not go with the third lot only a shared access would be required and a bulb access would not be required until a third lot is proposed

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

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

The Planning and Development Department was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Yakimchuk

RC09-545 That Council approve the concept plan (low intensity development) submitted for the lands within that portion of NW 7-29-3-5 which lies west of road plan 4359 EZ with the provision that the bulb access can be deferred until such time as a third lot is developed.

Carried.

Moved by Councillor Day

RC09-546 That Council give second reading to Bylaw No. LU 26/09 redesignating the lands within that portion of NW 7-29-3-5 which lies west of road plan 4359 EZ.

Carried.

Moved by Councillor Page

RC09-547 That Council give third reading to Bylaw No. LU 26/09 redesignating the lands within that portion of NW 7-29-3-5 which lies west of road plan 4359 EZ.

Carried.

Bylaw #LU 28/09
Block 3, Plan 248LK

Reeve Kemmere opened the public hearing regarding Bylaw #LU 28/09.

The application for redesignation of the Block 3, Plan 248LK, was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 3.3 acres from Agricultural District to Industrial District
- Division 3
- Rural Community: Rosebud

The Planning and Development Department recommended that Bylaw #LU 28/09 be given second reading.

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

Ken Taylor, applicant, stated that when the owner purchased the property they were under the impression that the lands were zoned industrial. When the owner was notified that they did not have the proper permits they applied for a Development Permit, Redesignation, and Subdivision. The owner of the oilfield trucking business has since relocated the business.

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

Council questions resulted in the following information:

- The building is currently vacant
- The adjacent Industrial lands to the south and east are owned by the same owner as the proposed redesignation

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

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

The Planning and Development Department was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Blain
RC09-548 That Council give second reading to Bylaw No. LU 28/09 to redesignate lands in Block 3, Plan 248LK.
Carried.

Moved by Councillor Page
RC09-549 That Council give third reading to Bylaw No. LU 28/09 to redesignate lands in Block 3, Plan 248LK.
Carried.

Bylaw #LU 29/09
NE 16-31-3 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 29/09.

The application for redesignation of the NE 16-31-3 W5M, was introduced by the Planning and Development Department and Council was advised that the applicant had requested a deferral as they are currently undertaking a noise study.

Reeve Kemmere clarified that if Council defers the proposed bylaw the applicant and public would both be provided the opportunity to speak.

The application for redesignation of the NE 16-31-3 W5M was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 6.6 acres from Agricultural District to Country Residential One (CR1)
- Division 4
- Rural Community: Westcott

The Planning and Development Department recommended that Bylaw #LU 29/09 redesignating the lands within NE 16-31-3 W5M be deferred to October 7, 2009 at or after 9:00 a.m.

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

Lawrence Trenholm, applicant, stated that he had hired a company to undertake a noise study, however, the company has not shown up for their appointments. He has undertaken his own noise and traffic study and provided a handout to Council. In consultation with County staff, noise, dust control, or traffic safety are not issues. He also provided information regarding water quantities.

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

Laurie Robson, adjacent landowner, stated she has concerns regarding the close proximity of neighbours. Traffic safety concerns include buffering, speed and gravel truck traffic.

Colin Minty provided information regarding the designated airplane runway located on the quarter section to the Southeast.

Mike and Linda Krebs, adjacent landowners, stated that they are concerned regarding the loss of agricultural lands. The current proposed maps are the same as a previous application for redesignation that was denied. Mr. and Mrs. Krebs discussed their concern regarding sight-lines in detail.

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

- RC09-550 Moved by Councillor Blain
That Council defer the Public Hearing of Bylaw No. LU 29/09 redesignating the lands within NE 16-31-3 W5M to October 7, 2009 at or after 9:00 a.m.
Carried.
- Recess and Reconvene Reeve Kemmere recessed the meeting at 10:55 a.m. and reconvened at 11:04 a.m.
- BYLAWS
- Bylaw #LU 31/09
SW 20-30-3 W5M RC09-551 Moved by Councillor Page
That Council give first reading to Bylaw No. LU 31/09 redesignating the lands within the SW 20-30-3 W5M.
Carried.
- RC09-552 Moved by Councillor Blain
That Council set the Public Hearing for Bylaw No. LU 31/09 redesignating the lands within the SW 20-30-3 W5M for October 7, 2009 at or after 9:00 a.m.
Carried.
- Bylaw #LU 35/09
SW 19-31-2 W5M RC09-553 Moved by Councillor Yakimchuk
That Council give first reading to Bylaw No. LU 35/09 redesignating the lands within the SW 19-31-2 W5M.
Carried.
- RC09-554 Moved by Councillor Day
That Council set the Public Hearing for Bylaw No. LU 35/09 redesignating the lands within the SW 19-31-2 W5M for October 7, 2009 at or after 9:00 a.m.
Carried.
- Bylaw #LU 36/09
NW 34-31-5 W5M RC09-555 Moved by Councillor Page
That Council give first reading to Bylaw No. LU 36/09 redesignating the lands within the NW 34-31-5 W5M.
Carried.
- RC09-556 Moved by Councillor Day
That Council set the Public Hearing for Bylaw No. LU 36/09 redesignating the lands within the NW 34-31-5 W5M for October 21, 2009 at or after 9:00 a.m.
Carried.
- Councillor Yakimchuk declared a pecuniary interest because Bylaw 39/09 pertains to land that she owns and left the room at 11:07 a.m.
- Bylaw #LU 39/09
NE 19-29-3 W5M RC09-557 Moved by Councillor Blain
That Council give first reading to Bylaw No. LU 39/09 redesignating the lands within the NE 19-29-3 W5M.
Carried.
- RC09-558 Moved by Councillor Day
That Council set the Public Hearing for Bylaw No. LU 39/09 redesignating the lands within the NE 19-29-3 W5M for October 7, 2009 at or after 9:00 a.m.
Carried.

Councillor Yakimchuk re-joined the table at 11:08 a.m.

Bylaw #LU 41/09
SW 31-29-3 W5M RC09-559 Moved by Councillor Yakimchuk
That Council give first reading to Bylaw No. LU 41/09 redesignating the lands within the SW 31-29-3 W5M.
Carried.

RC09-560 Moved by Councillor Page
That Council set the Public Hearing for Bylaw No. LU 41/09 redesignating the lands within the SW 31-29-3 W5M for October 21, 2009 at or after 9:00 a.m.
Carried.

Bylaw #20/09
Fee Schedule RC09-561 Moved by Councillor Yakimchuk
That Council give first reading to the Bylaw No. 20/09- Fee Schedule.
Carried.

RC09-562 Moved by Councillor Page
That Council give second reading to Bylaw No. 20/09- Fee Schedule.

The question on motion RC09-562 was not called.

RC09-563 Moved by Councillor Day
That Bylaw No. 20/09 - Fee Schedule be amended by removing the Long Range Planning fee from Private Sewage Permits, Electrical Permits, Plumbing Permits and Gas Permits and that the Safety Codes Fee be added to Plumbing Permits.
Carried.

The question on motion RC09-562 was called.

RC09-564 Moved by Councillor Day
That Council give unanimous consent to proceed to third reading of Bylaw No. 20/09- Fee Schedule.
Carried Unanimously.

Council was provided with a written copy of amended Bylaw No. 20/09.

RC09-565 Moved by Councillor Yakimchuk
That Council give third reading to Bylaw No. 20/09- Fee Schedule.
Carried.

NEW BUSINESS

Credit Card Payments RC09-566 Moved by Councillor Day
That Council approve the acceptance of VISA and Mastercard payments for services up to and including \$3,000.00; and, further that tax payments and Municipal Reserve payments are not eligible to be paid by credit card, and that re-designation and subdivision fees must be

		added together when determining whether the fees are under \$3,000.00.	
			Carried.
Sustainability Plan	RC09-567	Moved by Councillor Day That Council receive the Sustainability Plan Work Plan as information.	
			Carried.
Recreational Infrastructure Canada Grant	RC09-568	Moved by Councillor Yakimchuk That Council approve funding the \$100,000.00 applicant portion of the Recreational Infrastructure Canada Grant (RINC) from Cash in Lieu Reserves for developing foot access and related infrastructure at Bagnall Park, pending approval of the grant, and approval from Sustainable Resource Development.	
			Carried.
SD 08-003 Time Extension	RC09-569	Moved by Councillor Blain That Council grant a time extension to October 30, 2009 for SD 08-003 located on the NE 33-31-27-W4M to meet outstanding conditions of subdivision approval; and that the applicant be notified by hand delivered letter or registered mail.	
			Carried.
Recess and Reconvene		Reeve Kemmere recessed the meeting at 12:07 p.m. and reconvened at 2:57 p.m.	
MPC Structure	RC09-570	Moved by Councillor Yakimchuk That Council request the Chief Administrative Officer to make the necessary arrangements to have the Municipal Planning Commission membership effective January 1, 2010 solely public members at large.	
		The question on motion RC09-570 was not called.	
	RC09-571	Moved by Councillor Blain To amend motion RC09-570 to read "request the Chief Administrative Officer to make the necessary arrangements to have the Municipal Planning Commission membership effective January 1, 2010 with Council members and Public Members at large with the majority of the MPC membership being Public Members at large."	
			Carried.
		The question on motion RC09-570 was called.	
			Carried.
2009 AUMA Conference	RC09-572	Moved by Councillor Blain That Council authorize Reeve Kemmere to attend the 2009 AUMA Convention, November 4 – 6, 2009 in Calgary.	
		The question on motion RC09-572 was not called.	

- RC09-573 Moved by Councillor Day
That Council authorize any Councillors who wish to attend the 2009 AUMA Convention, November 4 – 6, 2009 in Calgary.

Councillor Day withdrew motion RC09-573.
- RC09-574 Moved by Councillor Yakimchuk
To amend motion RC09-572 to read “authorize two attendees, Reeve Kemmere and Councillor Day or Ingeveld, to attend the 2009 AUMA Convention, November 4 – 6, 2009 in Calgary.”

Carried.
The question on motion RC09-572 was called.

Carried.
- RC09-575 Moved by Councillor Day
That the Chief Administrative Officer be requested to amend the Policy regarding Councillor attendance at the annual AUMA Conference.

Carried.
- Policy 6014
RC09-576 Moved by Councillor Yakimchuk
That Council approve Policy 6014 - Guidelines for the Evaluation and Consideration of Agricultural Parcel Redesignation and Subdivision Applications and request that the Chief Administrative Officer amend Procedure 6014-01 by removing Section 3.0 from Schedule “A” of Procedure 6014-01.

The question on motion RC09-576 was not called.
- RC09-577 Moved by Councillor Blain
That Council defer Policy 6014 - Guidelines for the Evaluation and Consideration of Agricultural Parcel Redesignation and Subdivision Applications to the September 23, 2009 Policies and Priorities Committee Meeting.

Carried.
- 2009 Synergy Conference
RC09-578 Moved by Councillor Blain
That Council authorize Councillor Page to attend the 2009 Synergy Alberta Conference, October 27 – 28, 2009 in Red Deer, AB.

Carried.
- CORRESPONDENCE
Information Items
RC09-579 Moved by Councillor Page
That Council receive the following items as information:
(a) CAO Action List for September 16, 2009

Carried.

CONFIDENTIAL
ITEMS

RC09-580 Moved by Councillor Day
That the Regular Council Meeting of September 16, 2009
go into closed meeting at 3:46 p.m.

Carried.

RC09-581 Moved by Councillor Blain
That the Regular Council Meeting of September 16, 2009
return to the open meeting at 4:37 p.m.

Carried.

ADJOURNMENT

RC09-582 Moved by Councillor Day
That Regular Council Meeting of September 16, 2009 be
adjourned at 4:37 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer