

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, October 28, 2009, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Deputy Reeve L. Yakimchuk (Chair)
Councillor K. Blain
Councillor G. Day
Councillor G. Ingeveld
Councillor E. Page
Councillor L. Negropontes

ABSENT: Reeve A. Kemmere

IN ATTENDANCE: D. Plamping, Chief Administrative Officer
D. Hawryluk, Director, Planning and Development Services
T. Martens, Director, Legislative and Community Services
G. Wiens, Director, Corporate Services
J. Koch, Communications Coordinator
T. Connatty, Planner
C. Banack, Planner
D. McDonald, Planner
G. Evers, Executive Assistant

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

Deputy Reeve Yakimchuk introduced Council and Staff.

The meeting began with the recitation of the Lords Prayer.

AGENDA Deputy Reeve Yakimchuk advised that the agenda be revised as follows:
(11.1) Land Matter (information attached)

Moved by Councillor Day
RC09-679 That Council adopt the agenda of the Regular Council Meeting of October 28, 2009 as amended.

Carried.

PUBLIC
HEARINGS
Bylaw #LU 46/09
NE 34-33-2 W5M

Deputy Reeve Yakimchuk opened the public hearing regarding Bylaw #LU 46/09.

Ken Taylor, applicant, joined the meeting by conference call.

The application for redesignation of the NE 34-33-2 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 3.0 acres from Agricultural District "A" to Country Residential "CR"
- Division 7
- Rural Community: Netook

The Planning and Development Department recommended that Bylaw #LU 46/09 be given second reading.

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

Ken Taylor, applicant, stated that the applicant intends to give the proposed redesignation to their daughter.

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

Council questions resulted in the following information:

- Riparian areas

Deputy Reeve Yakimchuk 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 Deputy Reeve Yakimchuk closed the Public Hearing.

Moved by Councillor Negropontes
RC09-680 That Council give second reading to Bylaw No. LU 46/09 to redesignate lands in the NE 34-33-2 W5M.

Carried.

Moved by Councillor Day
RC09-681 That Council give third reading to Bylaw No. LU 46/09 to redesignate lands in the NE 34-33-2 W5M.

Carried.

Bylaw #LU 27/09
SE 27-33-7 W5M

The conference call with Mr. Taylor was concluded.

Deputy Reeve Yakimchuk reconvened the public hearing regarding Bylaw #LU 27/09.

The application for redesignation of the Plan 9011376 Block 1 within SE 27-33-7 W5M, was introduced by the Planning and Development Department and advised that a presentation had previously been provided to Council.

The Planning and Development Department advised that all correspondence received was provided to Council and that Alberta Transportation had recommended defeat of the Concept Plan because there it does not provide access to all lots.

The Planning and Development Department recommended that Bylaw #LU 27/09 be defeated.

Layton Bruce, owner, was provided the opportunity to speak and stated that they had already provided comments.

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

Council questions resulted in the following information:

- Deficiencies in the Concept Plan were provided to Council
- Access has been determined by County staff and is limited due to sight lines
- An additional water well would be required
- Future realignment of the intersection 72A and Hwy 584

Mr. Bruce stated that a Geotech Study and a landscape plan had been undertaken, He also stated that no specific public consultation has been undertaken as this has been ongoing for approximately four (4) years. All neighbours are aware of the proposed redesignation and no one is concerned.

Deputy Reeve Yakimchuk asked if there were any comments from the gallery.

Greg McFadden, adjacent landowner, stated that he does not support the proposed redesignation if the road realignment is undertaken.

Verna McFadden, adjacent landowner, stated that she was not in favour of the proposed redesignation and that no adjacent landowners were ever contacted by Mr. Bruce. The road is used by the community and not just logging trucks.

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 Deputy Reeve Yakimchuk closed the Public Hearing.

Moved by Councillor Ingeveld
RC09-682 That Council adopt the Concept Plan – High Intensity Development submitted for the proposed redesignation of lands within Plan 9011376 Block 1 within SE 27-33-7 W5M.
Motion Defeated.

Moved by Councillor Ingeveld
RC09-683 That the Chief Administrative Officer be requested to undertake an Area Redevelopment Plan for the Bearberry/Coalcamp Area; and further, that the matter be brought forward to the 2010 Budget process.
Carried.

Moved by Councillor Blain
RC09-684 That Council give second reading to Bylaw No. LU 27/09 to redesignate lands in the Plan 9011376 Block 1 within SE 27-33-7 W5M.
Carried.

Moved by Councillor Negropontes
RC09-685 That Council give third reading to Bylaw No. LU 27/09 to redesignate lands in the Plan 9011376 Block 1 within SE 27-33-7 W5M.
Carried.

Moved by Councillor Negropontes
RC09-686 That a subdivision application regarding redesignated lands in the Plan 9011376 Block 1 within SE 27-33-7 W5M be brought forward to the Municipal Development Planning Commission and that notification letters be sent to all adjacent landowners.
Carried

Moved by Councillor Negropontes
RC09-687 That Council recommend that within in the minutes it be noted that the decision on Bylaw No. LU 27/09 utilized Section 7.4 Introduction of the Bearberry Area Structure Plan as follows:
“Residential development is appropriate and will serve to support local businesses locating within the community

centre and should be supported by an overall development concept illustrating the proposed mix of uses.”

Carried.

Recess and Reconvene

Deputy Reeve Yakimchuk recessed the meeting at 10:23 a.m. and reconvened at 10:37 a.m.

Bylaw #LU 31/09
SW 20-30-3 W5M

Deputy Reeve Yakimchuk reconvened the public hearing regarding Bylaw #LU 31/09.

The application for redesignation of the SW 20-30-3 W5M, was introduced by the Planning and Development Department. Council was advised that the application has been amended to include two (2) subdivision configuration options.

The Planning and Development Department recommended that Bylaw #LU 31/09 be given second reading.

Cornelis Uittenbogerd, owner, stated that he is in favour of the recommended designs.

Deputy Reeve Yakimchuk asked if there were any comments from the gallery.

Mary Jane Davies, adjacent landowner, stated that she was opposed to the proposed redesignation because of the possibility of overgrazing and contamination of the creek. Traffic and cluster development concerns were also noted.

Fred Allen, adjacent landowner, stated that he is opposed to the proposed redesignation because it is taking productive farm land out of use.

Anne Bohannon, adjacent landowner, stated that she is concerned because of all of the new acreages that have been developed within a five mile radius. Water wells and a chicken operation are also of concern.

Palmer Schuetzle, adjacent landowner, stated that the original intention of the owner was to farm the lands and the proposed redesignation is for financial gain only.

Council questions resulted in the following information:

- The previous subdivision was not endorsed
- The location of the fragmented land is intended to reduce the impact on Agricultural lands
- The applicant will cancel the Mountain View County/NRCB permit for the chicken operation if this redesignation is granted

Deputy Reeve Yakimchuk 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 provided an overview of the previous application, for the benefit of the gallery. The applicant has requested a time extension of the previous application if this proposed redesignation is not approved.

Hearing no further comments Deputy Reeve Yakimchuk closed the Public Hearing.

Moved by Councillor Negropontes
RC09-688 That Council give second reading to Bylaw No. LU 31/09 to redesignate lands in the SW 20-30-3 W5M.
Motion Defeated.

Moved by Councillor Blain
RC09-689 That a time extension for one year from today's date be granted for the previous Subdivision Application (SD08-054) for the lands in the SW 20-30-3 W5M; and further, that no additional subdivision be supported in the SW 20-30-3 W5M.
Carried.

Moved by Councillor Blain
RC09-690 That Council waive the following fees in full:
• Redesignation Application fees for RD08-134
• Subdivision Application fees for SD08-202
• Time Extension Application fees for SD08-054
Carried.

Bylaw #LU 44/09
SW 14-31-3 W5M

Deputy Reeve Yakimchuk opened the public hearing regarding Bylaw #LU 44/09.

The application for redesignation of the SW 14-31-3 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 3.0 acres from Agricultural District "A" to Country Residential "CR"
- Division 4
- Rural Community: Westcott

The Planning and Development Department recommended that Bylaw #LU 44/09 be given second reading.

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

Dan Batke, applicant, declined the opportunity to present information.

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

Council did not have any questions regarding the application.

Deputy Reeve Yakimchuk 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 Deputy Reeve Yakimchuk closed the Public Hearing.

Moved by Councillor Blain

RC09-691 That Council give second reading to Bylaw No. LU 44/09 to redesignate lands in the SW 14-31-3 W5M.

Carried.

Moved by Councillor Negropontes

RC09-692 That Council give third reading to Bylaw No. LU 44/09 to redesignate lands in the SW 14-31-3 W5M.

Carried.

Bylaw #LU 43/09
NE 36-33-3 W5M

Deputy Reeve Yakimchuk opened the public hearing regarding Bylaw #LU 43/09.

The application for redesignation of the NE 36-33-3 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 acres from Agricultural District "A" to Country Residential One District "CR(1)"
- Division 6
- Rural Community: Hainstock

The Planning and Development Department recommended that Bylaw #LU 43/09 be given second reading.

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

Olivia Blum, owner, stated that they intend to have family live on the redesignation.

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

Council questions resulted in the following information:

- There was no evidence of water on the property at the time of the sight visit and access to the triangular areas would not be impeded

Deputy Reeve Yakimchuk 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 Deputy Reeve Yakimchuk closed the Public Hearing.

Moved by Councillor Ingeveld
RC09-693 That Council approve the concept plan – low intensity development affecting the lands within the NE 36-33-3 W5M.

Motion Defeated.

Moved by Councillor Day
RC09-694 That Council give second reading to Bylaw No. LU 43/09 to redesignate lands in the NE 36-33-3 W5M.

Carried.

Moved by Councillor Ingeveld
RC09-695 That Council give third reading to Bylaw No. LU 43/09 to redesignate lands in the NE 36-33-3 W5M.

Carried.

BYLAWS
Bylaw #LU 49/09
NE 19-29-4 W5M

Moved by Councillor Ingeveld
RC09-696 That Council give first reading to Bylaw No. LU 49/09 redesignating the lands within the NE 19-29-4 W5M.

Carried.

Moved by Councillor Page
RC09-697 That Council set the Public Hearing for Bylaw No. LU 49/09 redesignating the lands within the NE 19-29-4 W5M to December 2, 2009, 2009 at or after 9:00 a.m.
Carried.

Recess and Reconvene Deputy Reeve Yakimchuk recessed the meeting at 11:51 a.m. and reconvened at 4:47 p.m.

CONFIDENTIAL ITEMS
IN CAMERA

Moved by Councillor Ingeveld
RC09-698 That the Regular Council Meeting of October 28, 2009 go into closed meeting at 4:47 p.m.
Carried.

Moved by Councillor Ingeveld
RC09-699 That the Regular Council Meeting of October 28, 2009 return to open meeting at 5:15 p.m.
Carried.

Moved by Councillor Ingeveld
RC09-700 That Council authorize the purchase of three (3) quarters of land located at SE 26, SW and SE 24 Twp. 33 Rge 7 West of the 5th Meridian for the amount of \$1,529,000.00 for the purpose of gravel reserves.

Councillor Negropontes requested that the vote on Motion RC09-700 be recorded.

In Favour: Councillors Day, Ingeveld, Page, and Yakimchuk,
Opposed: Councillor Negropontes

The question on Motion #RC09-700 was called.
Carried.

Moved by Councillor Day
RC09-701 That the funding for the purchase of three (3) quarters of land located at SE 26, SW and SE 24 Twp. 33 Rge 7 West of the 5th Meridian for the amount of \$1,529,000.00 be taken from the Working Capital Reserve.
Carried.

Moved by Councillor Page
RC09-702 That the Chief Administrative Officer be requested to bring forward a list of potential lands to sell to replenish the working capital reserve.
Carried.

ADOPTED

ADJOURNMENT

RC09-703 Moved by Councillor Ingeveld
That Regular Council Meeting of October 28, 2009 be
adjourned at 5:22 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer