

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, February 17, 2010, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Reeve A. Kemmere
Councillor G. Ingeveld
Councillor L. Negropontes
Councillor L. Yakimchuk

ABSENT: Councillor K. Blain
Councillor G. Day
Councillor E. Page

IN ATTENDANCE: D. Plamping, Chief Administrative Officer
N. Patherick Manager, Planning and Development Services
T. Martens, Director, Legislative and Community Services
S. McInnis, Director, Operational Services
G. Wiens, Director, Corporate Services
J. Koch, Communications Coordinator
V. Lodermeier, Administrative Assistant

CALL TO ORDER: Reeve Kemmere called the meeting to order at 9:03 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 amendment would be made to the agenda:
(8.0) Letter of Response from Minister

AGENDA Moved by Councillor Yakimchuk
RC10-130 That Council adopt the agenda of the Regular Council Meeting of February 17, 2010 as amended.
Carried.

ADOPTION OF MINUTES Moved by Councillor Negropontes
RC10-131 That Council adopt the minutes of the Regular Council Meeting of January 20, 2010.
Carried.

RC10-132 Moved by Councillor Ingeveld
That Council adopt the minutes of the Regular Council Meeting of January 27, 2010.
Carried.

PUBLIC HEARINGS
Bylaw No. LU 42/09
SW 6-32-1 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 42/09.

The application for redesignation of the SW 6-32-1 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 information, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 2.2 acres from Agricultural District "A" to Country Residential (1) "CR (1)"
- Division 3
- Rural Community: Rosebud

The Planning and Development Department recommended that Bylaw #LU 42/09 be defeated at second reading.

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

David Derksen, applicant, stated that the application was presented well by the Planning Department. The issue is the access, and boundary line was placed along equivalent as existing, the access could be relocated, but can not be put in the southeast corner because of opposition. There is a concern with the water. Access site line is excellent. Fencing could be placed between properties to restrict dogs. We discussed the water issue, when drilling the well we will test to see what their well is flowing at. If there is an issue with water there could be a cistern put in place.

Lynn Doering came forward and spoke on the area being subdivided. The subdivision was to alleviate financial stress and to allow them to upgrade their farm equipment.

Reeve Kemmere asked if there were any comments from the gallery. One resident came forward.

Peggy Bakker stated she was not opposed to the subdivision only had concern with the water flow in their well which is currently running at 4 gallons per minute. There were concerns that the property is close and upstream from their well. The water consumption presently is being rationed; the well can only run for 30 minutes before it runs dry. Would like to have assurance that will allow their needs not to be negatively impacted by this proposal. If the water is depleted, what are they willing to do about the quality of water and supply of the water?

Council questions resulted in the following information:

- The setbacks are adequate
- The trees will stay
- Land to the west is crop land
- Water wells will be tested to ensure no negative impact neighboring wells.
- Ground water study could elevate any concerns; the analysis cost could range from \$2500 to \$7000
- Water issues could result in developer putting in a cistern
- The area to the northwest of the quarter has a sour gas line and it is in a lower area not recommended to for development
- Mr. Doering had no concern with their well
- Water issue would be dealt with at the Subdivision stage

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

The applicant was provided the opportunity for closing remarks:

- Do not want to cluster development
- Only want the one lot as proposed
- Leave proposed access as is
- Favourable to have extra condition placed at the time of subdivision on water testing

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

Hearing no further comments Reeve Kemmere closed the Public Hearing.

- RC10-133 Moved by Councillor Yakimchuk
That Council approve the Concept Plan affecting the lands within the lands of SW 6-32-1 W5M
Carried
- RC10-134 Moved by Councillor Ingeveld
That Council give second reading to Bylaw No. LU 42/09 to redesignate lands in the SW 6-32-1 W5M.
Carried.
- RC10-135 Moved by Councillor Yakimchuk
That Council give third reading to Bylaw No. LU 42/09 to redesignate lands in the SW 6-32-1 W5M.
Carried.
- RC10-136 Moved by Councillor Yakimchuk
That Council recommend to the Municipal Planning Commission to include a condition on assessing water supply, which would involve an in-depth water flow test.
Carried

Bylaw No. LU 02/10
SW 2-33-6 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 02/10.

The application for redesignation of the SW 2-33-6 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 information, 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 5
- Rural Community: McDougal Flats

The Planning and Development Department recommended that Bylaw #LU 02/10 be given second reading.

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

Ken Taylor, applicant, stated parcels have been there a long time. The Kolstads live in the southwest corner. Area is currently being rented and renters wish to purchase. An access easement will be addressed between landowner and future buyer. The remainder of the area is treed and maximizes the numbers of lots on this parcel.

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

Council had no further questions.

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 Ingeveld

RC10-137 That Council give second reading to Bylaw No. LU 02/10 to redesignate lands in the SW 2-33-6 W5M.

Carried.

Moved by Councillor Negropontes

RC10-138 That Council give third reading to Bylaw No. LU 02/10 to redesignate lands in the SW 2-33-6 W5M.

Carried.

Bylaw No. LU 03/10
NW 10-33-1 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 03/10.

The application for redesignation of the NW 10-33-1 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 information, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 6.0 acres from Agricultural District "A" to Country Residential (1) District "CR(1)"
- Division 7
- Rural Community: Netook

The Planning and Development Department recommended that Bylaw #LU 03/10 be given second reading.

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

David Derksen, applicant, stated that policy was followed and the application was presented well.

Reeve Kemmere asked if there were any comments from the gallery. One resident came forward.

Glen Pacholok was opposed to application due to his concerns with the water flow. The acreages to the south have concerns with the flow of the water as well.

Council questions resulted in the following information:

- Land is currently hay land
- Past crops produced approximately 60 bushels of wheat 80 bushels of barley and 35-40 canola.

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

RC10-139

That Council approve the Concept Plan affecting the lands within the lands of NW 10-33-1 W5M, Descriptive Plan 9111348, Lot 3.

Carried.

Moved by Councillor Ingeveld
RC10-140 That Council give second reading to Bylaw No. LU 03/10 to redesignate lands in the NW 10-33-1 W5M.
Carried.

Moved by Councillor Yakimchuk
RC10-141 That Council give third reading to Bylaw No. LU 03/10 to redesignate lands in the NW 10-33-1 W5M.
Carried.

Moved by Councillor Negropontes
RC10-142 That Council recommend to Municipal Planning Commission to include a condition on assessing water supply, which would involve an in-depth water flow test.
Carried

Bylaw No. LU 05/10
NE 20-31-3 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 05/10.

The application for redesignation of the NE 20-31-3 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 information, 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 05/10 be given second reading.

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

Ken Taylor, applicant, stated that they wanted to put the parcel in the northeast corner to get it away from impeding on neighboring agricultural operations.

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

Council questions resulted in the following information:

- Farming operation is hay and pasture, and runs pasture cattle; there is no spreading of manure.

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 Negropontes
RC10-143 That Council give second reading to Bylaw No. LU 05/10 to redesignate lands in the NE 20-31-3 W5M.

Carried.

Moved by Councillor Yakimchuk
RC10-144 That Council give third reading to Bylaw No. LU 05/10 to redesignate lands in the NE 20-31-3 W5M.

Carried.

Bylaw No. LU 08/10
SW 22-32-5 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 08/10.

The application for redesignation of the SW 22-32-5 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 information, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 3.67 acres from Agricultural District "A" to Country Residential (1) "CR(1)"
- Division 5
- Rural Community: Eagle Hill/Westward Ho

The Planning and Development Department recommended that Bylaw #LU 08/10 be given second reading.

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

Reid Ritchie, owner, stated that he had nothing to add, application was presented well.

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

Council questions resulted in the following information:

- No public consultation was submitted
- Applicant did not talk to owners to the south could not be reached, and owners to the north have concerns with the re-developing.
- Submitted 3 letters of opposition,
- The applicant wanted to do the full build out.
- The application meets the intent of the Municipal Development Plan
- There will be more subdivision in the area

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
RC10-145 That Council approve the Concept Plan affecting the lands within the lands of SW 22-32-5-W5M, Plan 8911474, Block 1.
Motion Defeated

Moved by Councillor Ingeveld
RC10-146 That Council give second reading to Bylaw No. LU 08/10 to redesignate lands in the SW 22-32-5 W5M.
Motion Defeated.

Recessed and Reconvened Reeve Kemmere recessed the meeting at 10:30 a.m. and reconvened at 10:37 a.m.

BYLAWS

Bylaw #05/10
Land Use Amend RC10-147 Moved by Councillor Ingeveld
That Council give first reading to Bylaw No. 05/10 – Land Use Bylaw No. 55/95 Amendment.
Carried.

Moved by Councillor Yakimchuk
RC10-148 That Council set the Public Hearing for Bylaw No. 05/10 – Land Use Bylaw No. 55/95 Amendment to March 24, 2010 at or after 9:00 a.m.
Carried.

Bylaw #LU 13/10
SW 32-31-27-4 RC10-149 Moved by Councillor Ingeveld
That Council give first reading to Bylaw No. LU 13/10 redesignating the lands within the SW 32-31-27-4.
Carried.

Moved by Councillor Negropontes
RC10-150 That Council set the Public Hearing for Bylaw No. LU 13/10 redesignating the lands within the SW 32-31-27-4 to March 24, 2010 at or after 9:00 a.m.
Carried.

Bylaw #LU 14/10
NE 36-31-3-5 RC10-151 Moved by Councillor Yakimchuk
That Council give first reading to Bylaw No. LU 14/10 redesignating the lands within the NE 36-31-3-5.
Carried.

Moved by Councillor Ingeveld
RC10-152 That Council set the Public Hearing for Bylaw No. LU 14/10 redesignating the lands within the NE 36-31-3-5 to March 24, 2010 at or after 9:00 a.m.
Carried.

Bylaw #LU 16/10
NE 29-30-2-W5M RC10-153 Moved by Councillor Yakimchuk
That Council give first reading to Bylaw No. LU 16/10 redesignating the lands within the NE 29-30-2-W5M.
Carried.

- RC10-154 Moved by Councillor Negropontes
That Council set the Public Hearing for Bylaw No. LU 16/10 redesignating the lands within the NE 29-30-2-W5M to March 24, 2010 at or after 9:00 a.m.
Carried.
- Bylaw #LU 17/10
NW 19-33-2-W5M RC10-155 Moved by Councillor Ingeveld
That Council give first reading to Bylaw No. LU 17/10 redesignating the lands within the NW 19-33-2-W5M.
Carried.
- RC10-156 Moved by Councillor Yakimchuk
That Council set the Public Hearing for Bylaw No. LU 17/10 redesignating the lands within the NW 19-33-2-W5M to March 24, 2010 at or after 9:00 a.m.
Carried.
- Bylaw #LU 18/10
SE 26-33-2-W5M RC10-157 Moved by Councillor Negropontes
That Council give first reading to Bylaw No. LU 18/10 redesignating the lands within the SE 26-33-2-W5M.
Carried.
- RC10-158 Moved by Councillor Yakimchuk
That Council set the Public Hearing for Bylaw No. LU 18/10 redesignating the lands within the SE 26-33-2-W5M to April 7, 2010 at or after 9:00 a.m.
Carried.
- Bylaw #LU 19/10
SW 12-33-1-5, RC10-159 Moved by Councillor Ingeveld
Lot 1, Bl 1, Pl 0611405 That Council give first reading to Bylaw No. LU 19/10 redesignating the lands within the SW 12-33-1-5, Lot 1, Block 1, Plan 0611405.
Carried.
- RC10-160 Moved by Councillor Negropontes
That Council set the Public Hearing for Bylaw No. LU 19/10 redesignating the lands within the SW 12-33-1-5, Lot 1, Block 1, Plan 0611405 to March 24, 2010 at or after 9:00 a.m.
Carried.
- Bylaw #LU 20/10
SE 12-33-5-W5M RC10-161 Moved by Councillor Ingeveld
That Council give first reading to Bylaw No. LU 20/10 redesignating the lands within the SE 12-33-5-W5M.
Carried.
- RC10-162 Moved by Councillor Negropontes
That Council set the Public Hearing for Bylaw No. LU 20/10 redesignating the lands within the SE 12-33-5-W5M to April 7, 2010 at or after 9:00 a.m.
Carried.
- NEW BUSINESS
Letter of Response
from Minister RC10-163 Moved by Councillor Yakimchuk
The Council receive the letter from the Minister of Municipal Affairs dated February 4, 2010 finding that the petition received on December 16, 2009 for an inquiry into the affairs of Mountain View County was insufficient under the provisions of the Municipal Government Act.
Carried

		Move by Councillor Negropontes	
	RC10-164	That Council direct the Chief Administrative Officer to obtain proposals from experienced, qualified consultants on a review of the issues, up to the date of the presentation of the petition to the Minister of Municipal Affairs, raised by the petitioners, including necessary interviews and report if administration has acted illegally or inappropriately; if planning has acted illegally or inappropriately; if council has acted illegally or inappropriately; if operations has acted illegally or inappropriately, and consult the community through a telephone survey on the municipality's strengths and opportunities for improvement.	Carried
Fuel Supply Contract		Moved by Councillor Ingeveld	
	RC10-165	That Mountain View County continues to use Prairie Fuel Advisors (PFA) for 2010-2011, and its fuel suppliers.	Carried.
Dust Control Policy		Moved by Councillor Negropontes	
	RC10-166	That Council approve Policy 4015 – Dust Control and receive Procedure 4015 – 1 Dust Control as information.	Carried.
Outdoor Farm Show		Moved by Councillor Yakimchuk	
	RC10-167	That Council approve that the Agricultural Services Board lead the Outdoor Farm Show project on behalf of Mountain View County.	Carried.
Crossing Signal Grant		Moved by Councillor Ingeveld	
	RC10-168	That Council approve the allocation of \$32,000.00 from the Operations Project Reserve to cover the cost of Mountain View County's 12.5% share of the capital cost to install a signal at the Railway Crossing on RR 1.5 south of the Town of Olds.	Carried.
Asset Disposal		Moved by Councillor Yakimchuk	
	RC10-169	That Council receive as information the 2010 Surplus Equipment listing.	Carried.
Rural Community Grants		Moved by Councillor Ingeveld	
	RC10-170	That Council approve funding the following organizations for 2010 from the Rural Community Grant funding:	
		Bergen News	\$ 1,000.00
		Foothills Curling Association	\$ 5,000.00
		Mountain View Music Festival	\$ 4,000.00
		Olds & Community Assistance Foundation	\$ 400.00
		Strings and Keys Music Program	\$ 3,000.00
		Word to the West Literacy Fest	\$ 1,600.00
			Carried.
Rural Community Hall Grants		Moved by Councillor Ingeveld	
	RC10-171	That Council approve funding the following organizations in 2010 through the 2010 Rural Community Hall Grant Program:	
		Bergen Community Association	\$ 5,000.00
		Eagle Hill Hall	\$ 4,000.00
		Harmattan Hall	\$ 5,000.00
		Innis Lake Community Hall	\$ 1,000.00

ADOPTED

Lone Pine Hall	\$ 5,000.00
Midway Community Centre	\$ 5,000.00
Rosebud Community Club	\$ 5,000.00
Rugby Hall	\$ 5,000.00
Water Valley Community Association	\$ 7,000.00
Westcott Hall	\$ 5,000.00
Zella Hall	\$ 3,000.00

Carried.

Transportation
Grants

RC10-172	Moved by Councillor Negropontes	
	That Council approve grants to the following organizations for 2010:	
	Aspen Ridge	\$ 3,000.00
	Chinook Winds Lodge	\$ 3,000.00
	Foothills Lodge	\$ 3,000.00
	Mount View Lodge	\$ 3,000.00
	Alberta Health Services	
	- Didsbury District Health Services	\$ 1,500.00
	Carstairs and District Half Century Association	\$ 2,300.00
	Cremona Gold & Silver Travel	\$ 2,300.00
	Didsbury & District Community Bus Association	\$ 2,300.00
	Five-O Club of Didsbury	\$ 2,300.00
	Mountain View Choraliers	\$ 3,000.00
	Sundre West Country Centre	\$ 2,000.00
	Accredited Supports to the Community, MVAMH	\$ 3,000.00
	Midway Community Centre Bus	\$ 4,800.00
	Sundre Community Van	\$ 5,000.00
	STARS	\$ 4,500.00

Carried.

RC10-173	Moved by Councillor Ingeveld	
	That Council approve funding in the amount of \$31,769.00 come from the County's Tax Rate Stabilization funding for 2010.	

Carried

RC10-174	Moved by Councillor Ingeveld	
	That Council request that the Reeve send a letter on the impacts of the loss of the grant and to the Minister of Seniors and Community Supports, Mary Anne Jablonski, the Minister of Municipal Affairs, and a copy to the Chairman of CAEP.	

Carried

RC10-175	Moved by Councillor Negropontes	
	That Council request that a letter on the impacts of the loss of the grant is sent to the presidents of various grant recipients outlining the recent decision of the province to cut the transportation grant to Municipalities.	

Carried

Special Council
Meetings

RC10-176	Moved by Councillor Ingeveld	
	That Council approve Special Council Meetings for Wednesday, June 16, 2010 commencing at 5:00 p.m. and Saturday, June 19, 2010 commencing at 9:00 a.m. to hold a public hearing regarding the Land Use Bylaw.	

Carried.

Time Extension SD 07-069	RC10-177	Moved by Councillor Yakimchuk That Council approve the time extension for conditionally approved subdivision SD 07-069 to March 12, 2010.	Carried.
Time Extension SD 08-014	RC10-178	Moved by Councillor Ingeveld That Council approve a six-month time extension for conditionally approved subdivision SD 08-014 to August 18, 2010.	Carried.
Time Extension SC 08-151	RC10-179	Moved by Councillor Negropontes That Council approve the proposed time extension until April 30, 2010 for SD 08-151 to allow time to complete the remaining conditions.	Carried.
Medium and High Density Development	RC10-180	Moved by Councillor Ingeveld That Council request the Chief Administrative Officer not to accept any new applications for medium density residential subdivisions (6 to 80 parcels per quarter section) or high density residential subdivisions (81 to 240 parcels per quarter section) outside of an identified growth centre or the Bearberry Area Structure Plan or requests to complete Area Structure Plans on lands outside of those areas outlined as growth areas within Mountain View County's Municipal Development Plan until a review to the Municipal Development Plan Bylaw has been completed.	Carried.
Council Training Landowner Information Session	RC10-181	Moved by Councillor Ingeveld That Council authorize all Councillors to attend Olds College for the information session on Balancing the Approach to Oil and Gas Development, March 1, 2010.	Carried.
Alberta Highway Services Contract Renewal	RC10-182	Moved by Councillor Ingeveld That Council support negotiations with Alberta Highway Services (AHS) to enter into a contract favourable to Mountain View County.	
		The question on resolution RC10-182 was not called.	
	RC10-183	Moved by Councillor Yakimchuk That Council defer negotiations with Alberta Highway Services until the meeting after the Council Workshop.	Carried.
CONFIDENTIAL ITEMS IN CAMERA	RC10-184	Moved by Councillor Negropontes That the Regular Council Meeting of February 17, 2010 go into closed meeting at 11:47 a.m.	Carried.
	RC10-185	Moved by Councillor Negropontes That the Regular Council Meeting of February 17, 2010 return to the open meeting at 12:29 p.m.	Carried

CORRESPONDENCE

Information
Items

RC10-186 Moved by Councillor Yakimchuk
That Council receive the following items as information:

- CAO Action List for February 17, 2010
- MVSH Minutes December 2009
- MAP Minutes approved December 15 2009
- Community Policing Minutes January 26, 2010
- Municipal Sustainability Meeting Summary

Carried.

ADJOURNMENT

RC10-187 Moved by Councillor Negropontes
That Regular Council Meeting of February 17, 2010 be
adjourned at 12:30 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer