

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, April 20, 2011, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Reeve P. Munro
Councillor B. Beattie
Councillor K. Good
Councillor A. Kemmere
Councillor P. McKean
Councillor D. Milne
Councillor R. Orr

IN ATTENDANCE: T. Martens, Chief Administrative Officer
D. Hawryluk, Director, Planning and Development Services
G. Wiens, Director, Corporate Services
T. Connatty, Planner
C. Banack, Planner
A. Wild, Communications Coordinator
V. Lodermeier, Administrative Assistant

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

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

Reeve Munro introduced Council and Staff.

AGENDA Reeve Munro advised of the following amendments to the agenda:
(8.5) Policies and Priorities Meetings
(8.6) Budget for Projects
(10.1) Carstairs Public Library Report

Moved by Councillor McKean
RC11-295 That Council adopt the agenda of the Regular Council Meeting of April 20, 2011 as amended. Carried.

MINUTES Moved by Councillor Good
RC11-296 That Council adopt the minutes of the Regular Council Meeting of March 2, 2011. Carried.

PUBLIC HEARINGS
Bylaw #LU 19/11
SE 19-31-2 W5M
Reeve Munro opened the public hearing regarding Bylaw #LU 19/11.

The application for redesignation of the SE 19-31-2 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

ADOPTED

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 two point five three acres from Agricultural District (A) to Country Residential (1) District (R-CR1)
- Division 4
- Rural Community: Westcott

The Planning and Development Department recommended that Bylaw #LU 19/11 be given second reading.

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

Reeve Munro 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 Munro closed the Public Hearing.

Moved by Councillor Milne
RC11-297 That Council give second reading to Bylaw No. LU 19/11 to redesignate lands in the SE 19-31-2 W5M.
Carried.

Moved by Councillor Beattie
RC11-298 That Council give third reading to Bylaw No. LU 19/11 to redesignate lands in the SE 19-31-2 W5M.
Carried.

Bylaw #LU 21/11
NW 17-30-5 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 21/11.

The application for redesignation of the NW 17-30-5 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 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 fifty point zero (50.0) acres from Agricultural District (A) to Parks and Recreation District (P-PR)
- Division 2
- Rural Community: Fallen Timber

ADOPTED

The Planning and Development Department recommended that Bylaw #LU 21/11 be given second reading.

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

Adrian Di Paola, owner, stated that he had nothing to add to the proposal at this time.

Reeve Munro asked if there were any comments from the gallery in favor of the application.

Gray Harris spoke in support of the application due to the type of the sport.

Herald Cooper supported the application as he is a business partner in a recreation facility located in the County.

Mr. Cooper stated that he does archery training as a kids program and that Mr. Di Paola trains his staff. It is a great use of the property,

Patrick Cummins supported the application and stated that an archery range will have no lasting impact on the land and the land can be reversed back to it's original state.

Reeve Munro asked if there were any comments from the gallery opposed to the application.

Shannon Simmonds has concerns regarding an increase in traffic and people; Landowner's inability to follow procedure and rules; No sense of security; Property value decrease, and visitors disturbing their animals.

Wayne Simmonds has concerns with traffic increase; no privacy; lack of security; arrows flying onto their property.

Reeve Munro asked if there were any further comments from the gallery.

Amanda Stuhl, Bylaw Officer, reported on the concerns received from adjacent landowner regarding traffic increase, flying arrows and building being constructed. Bylaw Officer investigated the complaint found no permits were obtained for building of shop, or the sales of archery equipment. This investigation has been on going for three and half years. Since the issuance of the violation ticket the landowner has been cooperative. There has been no complaints regarding arrows landing on other properties or livestock be being hit by arrows.

Herald Cooper's closing comments were that he operates a recreation facility year round. He needs certified staff for archery programs and Mr. Adrian Di Paola trains his staff,

ADOPTED

his archery equipment is purchased from Adrian Di Paola; and is a resource to their program.

Wayne and Shannon Simmonds closing comments were concerns for the safety of their livestock. They do not want arrows on their property and would like to see the buffer zone increased.

Adrian Di Paola, owner, stated the course is setup with safety in mind. The 3D course is not open all year round. There are 20 targets; arrows will not travel to the adjacent lands. Participants are trained before they use the course. He is a member of ABA and ATAA facilitated to FCA. In order to join you need to have an FCA license.

The business is a hobby as he likes to teach. Archery was a supplementary business to the farm originally. The barn was built to train ponies and do archery.

Patrick Cummins stated he visited the facility once. It is clean and well run.

The Planning and Development Department was provided the opportunity for closing remarks and clarified the applicant did configure the range to lessen the impact on the surrounding land uses.

The applicant was provided the opportunity for closing remarks and stated this is an Archery club not a camping facility. He sells archery equipment, and farms. It is a requirement of the County to rezone in order to conform.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Kemmere
RC11-299 That Council give second reading to Bylaw No. LU 21/11 to redesignate lands in the NW 17-30-5 W5M. Carried.

Moved by Councillor Milne
RC11-300 That Council give third reading to Bylaw No. LU 21/11 to redesignate lands in the NW 17-30-5 W5M. Carried.

Moved by Councillor Beattie
RC11-301 That Council recommend to Municipal Planning Commission to include conditions on the development permit on dust control, difinity of boundary area, proper signage and limitations to camping. Carried

Recessed and Reconvened

Reeve Munro recessed the meeting at 10:38 a.m. and reconvened at 10:50 a.m.

Bylaw #LU 22/11
NW 32-29-1 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 22/11.

The application for redesignation of the NW 32-29-1 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 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 six point zero (6.0) acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 1
- Rural Community: Wessex

The Planning and Development Department recommended that Bylaw #LU 22/11 be given second reading.

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

Kelvin Jones, owner, stated that he does mixed farming in other municipalities. The quarter is pasture and cultivation and transportation has given their approval. There has been no opposition from neighbours; Preservation of the farm land. Subdivision would leave land productive and low productive land for yard site. Water is excellent, and plenty. Stability slope study and Concept plan have been done as it is a requirement of the County. The proposed plan is for a six acre subdivision.

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

Council questions resulted in the following information:

- Policy 3.3.3 for clusters is maximum of 10 acres, can have 6 acres with 3 titles.
- Concept plan still part of process
- R-CR1 zoning to the North of proposed lands
- No concerns with the environmentally sensitive area
- Two Multi lots in area to the North. One multi lot has 3 lots the other has 4 lots

Reeve Munro 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 applicants have to provide a concept plan as a requirement of Policy 3.3.3 beneficial for future planning.

The applicant was provided the opportunity for closing remarks and stated that the application is in alignment with County bylaws, good use and preserves pasture. Resignation is suitable, close to Carstairs annexation area.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean
RC11- 302 That Council approve the concept plan (small development) affecting the lands within NW 32-29-1-W5M.
Motion Defeated.

Moved by Councillor McKean
RC11-303 That Council give second reading to Bylaw No. LU 22/11 to redesignate lands in the NW 32-29-1 W5M.
Carried.

Moved by Councillor Kemmere
RC11-304 That Council give third reading to Bylaw No. LU 22/11 to redesignate lands in the NW 32-29-1 W5M.
Carried.

BYLAWS

Bylaw #LU 28/11
SE 5-31-27 W4M

Moved by Councillor Kemmere
RC11-305 That Council give first reading to Bylaw No. LU 28/11 redesignating the lands within the SE 5-31-27 W4M.
Carried.

Moved by Councillor Beattie
RC11-306 That Council set the Public Hearing for Bylaw No. LU 28/11 redesignating the lands within the SE 5-31-27 W4M to May 18, 2011 at or after 9:00 a.m.
Carried.

Bylaw #03/11
Noise Control Bylaw

Reeve Munro advised that a non-statutory Public Hearing was held on April 6, 2011. He stated that Motion RC11-286 is on the floor and read as follows:
"That Council give second reading to Bylaw No. 03/11 Noise Control Bylaw."

Moved by Councillor Good
RC11-307 That Council give second reading to Bylaw No. 03/11 Noise Control Bylaw.

Reeve Munro requested that the vote be recorded.
Opposed: Councillors Beattie, Good, Kemmere, McKean, Milne, Orr and Reeve Munro.
Motion Defeated.

Moved by Councillor McKean
RC11-308 That Council give first reading to Bylaw No. 07/11 Noise Control Bylaw.
Carried.

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

Bill Sheehan's concern was that the previous Bylaw would impact peoples' livelihood.

Liz Negropontes concern was in regard to the breach of the peace raised at the last session on April 6. The bylaw

cannot be enforced and will need to be dealt with on complaint basis.

Council questions resulted in the following information:

- Stakeholders need to be familiarized with Bylaw 07/11 Noise Control Bylaw.
- Bylaw specific to class one rifles or pistols

Don Day is concerned that the bylaw only addresses rifle and pistol shooting ranges. Shotgun exemptions should be indicated in the bylaw. This bylaw opens the door for shooting range complaints.

Moved by Councillor Beattie
RC11-309 That Council give second reading to Bylaw No. 07/11 Noise Control Bylaw.
Carried.

Moved by Councillor Milne
RC11-310 That Council request that the Chief Administrative Officer bring back amendments on "Definitions" spell out class 1 and 2, Section 302 include Class 1, Section 501 include class 1, Check structure basis and 200.00 dollar fine" to Bylaw 07/11 to the next Regular Council meeting.
Carried.

Recess and Reconvene
Reeve Munro recessed the meeting at 12:20 p.m. and reconvened at 1:00 p.m.

Bylaw #04/11
Exclusive Use for
Ambulance Services RC11-311 Moved by Councillor McKean
That Council give first reading to Bylaw No. LU 04/11 Exclusive Use Bylaw of Ambulance Services.
Carried.

Moved by Councillor Good
RC11-312 That Council give second reading to Bylaw No. 04/11 Exclusive Use Bylaw of Ambulance Services.
Carried.

Moved by Councillor Milne
RC11-313 That Council give unanimous consent to proceed to third reading of Bylaw No. 04/11 Exclusive Use Bylaw of Ambulance Services.
Carried Unanimously.

Moved by Councillor Beattie
RC11-314 That Council give third reading to Bylaw No. 04/11 Exclusive Use Bylaw of Ambulance Services.
Carried.

Delegation
Grant Stange, Collin Burrows, stated the audit report was ready to submit. He highlighted that the financial statements were the responsibility of management and that their Auditors responsibility is to express an opinion on the statements. The test used to gather sufficient and appropriate evidence to support their opinion. The statement presents the financial position and the results of the operation for year end 2010 for Mountain View County.

- Moved by Councillor Beattie
RC11-315 That Council approve the 2010 audited financial statements report as information
Carried.
- NEW BUSINESS
Operations and Planning
Process Review RC11-316 Moved by Councillor Kemmere
That Council enter into a contact with Sierra Systems to undertake the Operational Process Review of the Planning and Development Services Department and Operational Services Department at a maximum cost of \$54,775; and further, that the funds be taken from the Tax Rate Stabilization Reserve.
Carried.
- Rural Community
Recreational Grant RC11-317 Moved by Councillor McKean
That Council accept Policy 8004 – Rural Community Recreational Grant and Procedure 8004-01 as information
Carried.
- RC11-318 Moved by Councillor McKean
Council increase funding for Rural Community Recreation grants by \$16,727.00 and that the funding come from increased tax revenue created from exempt properties being made taxable.

The question to Motion # RC11-318 was not called.
- RC11-319 Moved by Councillor Kemmere
That Council defer Motion RC11-318 until after the Property Tax Exemption item has been discussed.
Carried.
- Property Tax Exemption
Request RC11-320 Moved by Councillor Beattie
That Council approve Policy #1023 – Policy Tax Exemptions effective January 1, 2012.
Carried.
- RC11-321 Moved by Councillor Beattie
That Council provide 2011 tax exemption to the Carstairs Gun Club, Lone Pine Clay Target Club, and Thorncliffe Greenview Community Association.
Carried
- RC11-322 Moved by Councillor McKean
That Council increase funding for Rural Community Recreation grants by \$10,000.00 and that the funding come from increased tax revenue created from exempt properties being made taxable and the remainder come from Tax Rate Stabilization fund.
Carried.
- RC11-323 Moved by Councillor McKean
That Council reset the Policies and Priorities Committee meeting to the second Wednesday of each month to 9:00 a.m. from 2:00 p.m.

Councillor McKean withdrew Motion #RC11-323.

ADOPTED

RC11-324 Moved by Councillor Beattie
That Council appoint Councillors Good, McKean and Orr to the Review Committee under Policy 8004 to review grant applications and make recommendations to County Council.

Carried.

RC11-325 Moved by Councillor Milne
That Council request that the Chief Administrative Officer develop a Terms of Reference for Special Committee review for grant applications.

Carried

RC11-326 Moved by Councillor Kemmere
That Council add pre-budget discussion to the agenda of the first Policies and Priorities meeting of the month.

Carried

INFORMATION
ITEMS

RC11-327 Moved by Councillor Good
That Council receive the following information:
(a) CAO Action List for April 20, 2011
(b) MVRWMC Minutes March 24, 2011
(c) SRDRWC Minutes March 18, 2011
(d) Farm Safety Educational Program

Carried.

COUNCILLOR REPORT

Councillor Good provided a verbal report regarding the Carstairs Public library. The library may bring a request to Council on a park and building facility for consideration.

Councillor McKean provided a verbal report regarding the Cremona Public library and advised that they are looking at expanding the building and may come to the County for support.

Councillor Milne provided a verbal report regarding the Didsbury Public library and advised that membership numbers have increased. The members are excited about e-books.

Councillor Beattie gave verbal report regarding the Agricultural Services Board. They are doing well and resolutions are coming forward.

Councillor Orr gave a verbal report regarding SPOG, Airport, and the Economic Development Committee.

CONFIDENTIAL ITEMS
IN CAMERA

RC11-328 Moved by Councillor Beattie
That the Regular Council Meeting of April 20, 2011 go into closed meeting at 2:26 p.m.

Carried.

RC11-329 Moved by Councillor McKean
That the Regular Council Meeting of April 20, 2011 return to the open meeting at 2:32 p.m.

Carried.

ADJOURNMENT

RC11-330 Moved by Councillor Milne
That Regular Council Meeting of April 20, 2011 be
adjourned at 2:34 p.m.

ADOPTED

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer