

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, June 15, 2011, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

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

ABSENT: Councillor A. Kemmere

IN ATTENDANCE: T. Martens, Chief Administrative Officer
J. Holmes, Director, Legislative and Community Services
D. Hawryluk, Director, Planning and Development Services
G. Wiens, Director, Corporate Services
T. Connatty, Planner
S. McCartney, Planning Intern
A. Wild, Communications Coordinator
G. Evers, Executive Assistant

CALL TO ORDER: Reeve Munro called the meeting to order at 9:08 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:

- 4.1 Bylaw No. LU 29/11 - NW 6-30-1 W5M (revised information)
- 4.3 Bylaw No. LU 37/11 - SW 5-31-27 W4M (additional information)
- 8.4 Landowner Construction Payments
- 8.5 Weed Inspector Appointments
- 8.6 Parade Funding
- 8.7 Meeting with Town of Olds and SRDRWC
- 11.4 Labour Matter

Moved by Councillor Milne
RC11-425 That Council adopt the agenda of the Regular Council Meeting of June 15, 2011 as amended.
Carried.

MINUTES FOR ADOPTION

Moved by Councillor McKean
RC11-426 That Council adopt the minutes of the Regular Council Meeting of April 27, 2011 and May 18, 2011.
Carried.

PUBLIC HEARINGS
Bylaw #LU 29/11
NW 6-30-1 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 29/11.

The application for redesignation of the NW 6-30-1 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 four point five zero (4.5) 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 29/11 be given second reading as amended to 4.5 acres.

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

Don Day, 804367 Alberta Inc., owner, requested that a Concept Plan not be required. The proposed redesignation is to accommodate a family member.

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

Council questions resulted in the following information:

- Access would be from the north
- A caveat could be a condition considered at the time of subdivision

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

Moved by Reeve Munro

RC11-427 That Council defer the Public Hearing of Bylaw No. LU 29/11 redesignating the lands within NW 6-30-1 W5M to later in the meeting pending receipt of a legal opinion regarding a caveat.

Carried.

Bylaw #LU 35/11
SE 3-31-1 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 35/11.

The application for redesignation of the SE 3-31-1 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

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 five point two (5.2) acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 3
- Rural Community: Rosebud

The Planning and Development Department recommended that Bylaw #LU 35/11 be given second reading.

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

Gary Graf, owner, stated that the buildings are setback approximately 13 metres. His mother-in-law has been living at this location.

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

Council questions resulted in the following information:

- The area that is proposed as a Restrictive Covenant to protect a riparian area was indicated on a map
- Restrictive Covenants are considered at the time of subdivision
- The applicant stated that they would fence the protected area if a restrictive covenant was required
- The area is used for cattle grazing
- The original farmsite is in the northeast area of the quarter section

Reeve Munro 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 Munro closed the Public Hearing.

Moved by Councillor McKean

RC11-428 That Council give second reading to Bylaw No. LU 35/11 to redesignate lands in the SE 3-31-1 W5M.

Carried.

Moved by Councillor Beattie

RC11-429 That Council give third reading to Bylaw No. LU 35/11 to redesignate lands in the SE 3-31-1 W5M.

Carried.

Bylaw #LU 37/11
SW 5-31-27 W4M

Reeve Munro opened the public hearing regarding Bylaw #LU 37/11.

The application for redesignation of the SW 5-31-27 W4M, 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 3
- Rural Community: Lonepine

The Planning and Development Department recommended that Bylaw #LU 37/11 be given second reading.

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

Dallas Rosevear, Rosevear Land Services Ltd., applicant, stated that the original application was for three 2 acre parcels. There are currently two residences on the property and the owner intends to relocate one of the mobile homes to an alternate property.

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

Marty Reider, adjacent landowner, states that he owns a cattle operation and has safety concerns regarding a subdivision in an agricultural area.

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

Council questions resulted in the following information:

- There is no Concept Plan in place at this time
- A Concept Plan was requested by adjacent landowners to control future subdivision
- Taxes are based on the use of the land
- The removal of one of the mobile homes would be a condition of subdivision

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 two animal units would be permitted if this is approved.

ADOPTED

The applicant was provided the opportunity for closing remarks and stated that safety is always a concern and all risks need to be managed.

Mr. Reider stated that the existing residences were put in place before they were approved. The acreages should be located closer to the owner's residence.

The applicant was provided the opportunity for closing remarks and stated that the original application was for three 2 acre parcels. In consultation, it was agreed with the owner and adjacent landowner, that one 6 acre parcel would be best. The application was then amended.

Council questions resulted in the following information:

- A secondary dwelling is permitted on a parcel greater than 10 acres

The Planning and Development Department was provided the opportunity for closing remarks and stated that the dwellings were approved in 2008 on separate applications.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean

RC11-430 That Council approve the Concept Plan (small development) affecting the lands within SW 5-31-27 W4M.
Carried.

Moved by Councillor Milne

RC11-431 That Council give second reading to Bylaw No. LU 37/11 to redesignate lands in the SW 5-31-27 W4M.

Reeve Munro requested that the vote be recorded.

In favour: Councillors Beattie, Orr, Milne

Opposed: Councillor McKean, Good and Reeve Munro.

Motion Defeated.

Recess and Reconvene

Reeve Munro recessed the meeting at 10:36 a.m. and reconvened at 10:47 a.m.

Add Agenda Item

Moved by Councillor McKean

RC11-432 That the Water Valley Rodeo Road be added to the agenda.
Carried.

Bylaw #LU 29/11
NW 6-30-1 W5M

Reeve Munro reopened the public hearing regarding Bylaw #LU 29/11 and stated that the matter had been deferred from earlier in the meeting to provide staff the opportunity to obtain a legal opinion regarding caveats.

The Director of Legislative and Community Services reviewed a legal opinion and stated that an easement for nuisance could be considered.

Don Day stated that a nuisance easement would be acceptable.

The Director of Legislative and Community Services stated that an easement is registered on title and would affect future owners.

The Chief Administrative Officer stated that it may be possible that the removal of an easement could conditional upon Council approval.

Don Day stated that Council approval for removal of an easement would be acceptable.

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 Mr. Day is in agreement to an easement as discussed and that this is a reclaimed gravel pit.

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
RC11-433 That Council approve the concept plan (small development) affecting the lands within NW 6-30-1-W5M.
Motion Defeated.

Moved by Councillor McKean
RC11-434 That Council give second reading to Bylaw No. LU 29/11 redesignating the lands within the NW 6-30-1-W5M.

The question on Motion RC11-434 was not called.

Moved by Councillor McKean
RC11-435 That Bylaw No. LU 29/11 redesignating lands within the NW 6-30-1-W5M be amended to read four point five (4.5) acres within NW 6-30-1-W5M.
Carried.

The question on Motion RC11-434 was called.
Carried.

Moved by Councillor Beattie
RC11-436 That Council give third reading to Bylaw No. LU 29/11 redesignating the lands within the NW 6-30-1-W5M.
Carried.

Moved by Councillor Beattie
RC11-437 That Council request that the Subdivision Approving Authority consider a Nuisance Easement being placed on lands affected by redesignation in Bylaw No. LU 29/11.
Carried.

BYLAWS

- Bylaw #LU 39/11
NW 6-33-5 W5M RC11-438 Moved by Councillor McKean
That Council give first reading to Bylaw No. LU 39/11 redesignating the lands within the NW 6-33-5 W5M.
Carried.
- RC11-439 Moved by Councillor McKean
That Council set the Public Hearing for Bylaw No. LU 39/11 redesignating the lands within the NW 6-33-5 W5M to July 6, 2011 at or after 9:00 a.m.
Carried.
- Bylaw #LU 40/11
SW 22-33-7 W5M RC11-440 Moved by Councillor Good
That Council give first reading to Bylaw No. LU 40/11 redesignating the lands within the SW 22-33-7 W5M.
Carried.
- RC11-441 Moved by Councillor Good
That Council set the Public Hearing for Bylaw No. LU 40/11 redesignating the lands within the SW 22-33-7 W5M to July 6, 2011 at or after 9:00 a.m.
Carried.
- Councillor McKean declared a pecuniary interest and left the room and joined the gallery at 11:02 a.m. as the applicant for Bylaw No. LU 41/11 is a family member.
- Bylaw #LU 41/11
NW 4-29-4 W5M RC11-442 Moved by Councillor Beattie
That Council give first reading to Bylaw No. LU 41/11 redesignating the lands within the NW 4-29-4 W5M.
Carried.
- RC11-443 Moved by Councillor Beattie
That Council set the Public Hearing for Bylaw No. LU 41/11 redesignating the lands within the NW 4-29-4 W5M to July 6, 2011 at or after 9:00 a.m.
Carried.
- Councillor McKean returned to the table at 11:03 a.m.
- Bylaw #LU 42/11
NE 11-30-28 W4M RC11-444 Moved by Councillor Milne
That Council give first reading to Bylaw No. LU 42/11 redesignating the lands within the NE 11-30-28 W4M.
Carried.
- RC11-445 Moved by Councillor Milne
That Council set the Public Hearing for Bylaw No. LU 42/11 redesignating the lands within the NE 11-30-28 W4M to July 6, 2011 at or after 9:00 a.m.
Carried.
- Bylaw #LU 43/11
SW 26-33-3 W5M RC11-446 Moved by Councillor Orr
That Council give first reading to Bylaw No. LU 43/11 redesignating the lands within the SW 26-33-3 W5M.
Carried.
- RC11-447 Moved by Councillor Orr
That Council set the Public Hearing for Bylaw No. LU 43/11 redesignating the lands within the SW 26-33-3 W5M to July 20, 2011 at or after 9:00 a.m.
Carried.

- Bylaw #LU 44/11
SE 23-30-27 W4M RC11-448 Moved by Councillor Good
That Council give first reading to Bylaw No. LU 44/11 redesignating the lands within the SE 23-30-27 W4M.

The question on Motion RC11-448 was not called.
- RC11-449 Moved by Reeve Munro
That Bylaw No. LU 44/11 redesignating the lands within the SE 23-30-27 W4M be deferred for one week pending receipt of owner approval to proceed with the application.
Motion Defeated.

The question on Motion RC11-448 was called. Carried.
- RC11-450 Moved by Councillor Good
That Council set the Public Hearing for Bylaw No. LU 44/11 redesignating the lands within the SE 23-30-27 W4M to July 20, 2011 at or after 9:00 a.m. Carried.
- Bylaw #LU 45/11
NE 23-30-27 W4M RC11-451 Moved by Councillor McKean
That Council give first reading to Bylaw No. LU 45/11 redesignating the lands within the NE 23-30-27 W4M. Carried.

RC11-452 Moved by Councillor McKean
That Council set the Public Hearing for Bylaw No. LU 45/11 redesignating the lands within the NE 23-30-27 W4M to July 20, 2011 at or after 9:00 a.m. Carried.
- Bylaw #LU 46/11
SE 23-31-27 W4M RC11-453 Moved by Councillor Milne
That Council give first reading to Bylaw No. LU 46/11 redesignating the lands within the SE 23-31-27 W4M. Carried.

RC11-454 Moved by Councillor Milne
That Council set the Public Hearing for Bylaw No. LU 46/11 redesignating the lands within the SE 23-31-27 W4M to July 20, 2011 at or after 9:00 a.m. Carried.
- Bylaw #LU 48/11
NE 16-32-5 W5M RC11-455 Moved by Councillor Orr
That Council give first reading to Bylaw No. LU 48/11 redesignating the lands within the NE 16-32-5 W5M. Carried.

RC11-456 Moved by Councillor Orr
That Council set the Public Hearing for Bylaw No. LU 48/11 redesignating the lands within the NE 16-32-5 W5M to July 20, 2011 at or after 9:00 a.m. Carried.
- Bylaw #10/11
Short Term
Borrowing Bylaw RC11-457 Moved by Councillor Orr
That Council give first reading to Bylaw No. 10/11 – Short Term Borrowing Bylaw. Carried.

RC11-458 Moved by Councillor Good
That Council give second reading to Bylaw No. 10/11 – Short Term Borrowing Bylaw. Carried.

ADOPTED

- RC11-459 Moved by Councillor Good
That Council give unanimous consent to proceed to third reading of Bylaw No. 10/11 – Short Term Borrowing Bylaw.
Carried Unanimously.
- RC11-460 Moved by Councillor Beattie
That Council give third reading to Bylaw No. 10/11 – Short Term Borrowing Bylaw.
Carried.
- NEW BUSINESS
Cremona Lagoon Road
- RC11-461 Moved by Councillor Good
That Council direct the Chief Administrative Officer to investigate the construction of an access road to the town of Cremona's Lagoons and that administration negotiate with the Town of Cremona a procedure so that County residents can dispose of sanitary effluent at this location.

The question on Motion RC11-461 was not called.
- RC11-462 Moved by Councillor Beattie
That Council request the Chief Administrative Officer investigate options for disposal of sanitary effluent with the Village of Cremona.
Carried.
- Village of Cremona Canada Day
- RC11-463 Moved by Councillor Beattie
That Council approve that any Councillors attend the Village of Cremona Canada Day Celebrations July 1, 2011.
Carried.
- FCSS Grant Allocations
- RC11-464 Moved by Councillor Good
That Council defer the 2011 FCSS Grant Allocations pending receipt of further information.
Carried.
- 2011 Landowner Payment Schedule
- RC11-465 Moved by Councillor McKean
That Council approve a rate increase from \$2500.00 per acre to \$3200.00 per acre for Construction payments to Landowners for land purchases to approve the 2011 Landowner Payment Schedule.
Carried.
- Parade Funding
- RC11-466 Moved by Councillor Good
That Council approve the 2011 parade transportation equal cost for parades and be from existing budgets.

Councillor Good withdrew motion RC11-466.
- RC11-467 Moved by Councillor McKean
That Council approve \$1045 for the Cremona and Sundre parade transportation costs from existing Council budgets.
Carried.
- Meeting with Town of Olds And SRDRWC
- RC11-468 Moved by Councillor Milne
That Council approve that Reeve Munro, Councillor Kemmere the Chief Administrative Officer attend the meeting June 20, 2011 with the Town of Olds and the SRDRWC to discuss sewage lagoons.
Carried.

Water Valley Rodeo Road		Ryan Morrison provided information and options regarding Range Road 52 flood repairs.	
	RC11-469	Moved by Councillor Beattie That Council request that the Chief Administrative Officer provide costs to lowering the Road 52 to allow flood waters to pass over the roads; and investigate repair options.	Carried.
Recess and Reconvene		Reeve Munro recessed the meeting at 12:22 p.m. and reconvened at 1:04 p.m.	
Add Agenda Item		Moved by Reeve Munro	
	RC11-470	That Council add the matter of Municipal Area Partnership representative be added to the agenda.	Carried.
		Moved by Reeve Munro	
	RC11-471	That Council accept the resignation of Councillor Milne as the Council representative on the Municipal Area Partnership Committee; and further, that Councillor Beattie be appointed as the Council representative on the Municipal Area Partnership Committee.	Carried.
CORRESPONDENCE			
Information Items		Moved by Councillor McKean	
	RC11-472	That Council receive the following items as information: - CAO Action List for June 15, 2011 - SRDWWC January 21, 2011 Minutes - SRDWWC March 18, 2011 AGM Minutes - SRDWWC March 18, 2011 Minutes - SRRWWC - May 20 2011 Minutes	Carried.
IN CAMERA		Moved by Councillor Beattie	
	RC11-473	That the Regular Council Meeting of June 15, 2011 go into closed meeting at 1:05 p.m.	Carried.
		Moved by Councillor McKean	
	RC11-474	That the Regular Council Meeting of June 15, 2011 return to the open meeting at 1:23 p.m.	Carried.
Weed Inspector Appointments		Moved by Councillor Beattie	
	RC11-475	That Council appoint Jennifer Aarts, Kirsty Layton and Kurtis Rasmussen as a Weed Inspector for Mountain View County for the period of June 1, 2011 until the end of their 2011 term appointment.	Carried.
NE-26-29-6-W5		Moved by Councillor McKean	
	RC11-476	That Council approve amending application for subdivision PLRD2010000423 to remove the request for subdivision based on fragmentation and add a request for road dedication of +/- 0.2 acres to provide access to the SE-35-29-6-W5.	Carried.

ADOPTED

SE & SW 25-34-7-W5
RC11-477 Moved by Councillor Milne
That Council advise the Chief Administrative Officer to investigate the possibility of trading one of the three quarter sections of land contained in the Pockar Ranch Purchase with Mr & Mrs Aalbers and come back with a report on the feasibility of this trade.

Carried.

NE-8-33-3 W5M
RC11-478 Moved by Councillor Orr
That Council authorizes the Chief Administrative Officer to enter into a one year grazing lease with the previous lessee of the NE-8-33-3-W5M at the established lease rate of \$1050.00 for the year.

Carried.

ADJOURNMENT
RC11-479 Moved by Councillor Beattie
That Regular Council Meeting of June 15, 2011 be adjourned at 1:26 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer