

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, December 7, 2011, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Deputy Reeve P. McKean (Chair)  
Councillor K. Good  
Councillor A. Kemmere  
Councillor D. Milne  
Councillor P. Munro  
Councillor R. Orr

ABSENT: Reeve B. Beattie

IN ATTENDANCE: J. Holmes, Acting Chief Administrative Officer  
J. Rusling, Interim Director, Planning and Development Services  
G. Wiens, Director, Corporate Services  
D. Gonzalez, Planner  
C. Tinney, Planner  
A. Wild, Communications Coordinator  
G. Evers, Executive Assistant

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

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

Deputy Reeve McKean introduced Council and Staff.

AGENDA Deputy Reeve McKean advised of the following amendments to the agenda:

- 6.7 Bylaw No. 16/11 – Fee Schedule Bylaw (Information attached)
- 8.1 2012 Budget
  - a) 2012 Operating and Capital Projects Budget (Information attached)
- 8.7 Fire Service Agreements (Information attached)
- 8.9 Red Deer River Watershed Alliance
- 8.10 Carstairs Gymnasium Expansion
- 8.11 County Wide Efficiency
- 11.2 Land Matter (Under separate cover)

Moved by Councillor Munro

RC11-827 That Council adopt the agenda of the Regular Council Meeting of December 7, 2011 as amended.

Carried.

MINUTES

RC11-828 Moved by Councillor Kemmere  
That Council adopt the Minutes of the Regular Council Meeting of October 26, 2011.

Carried.

RC11-829 Moved by Councillor Milne  
That Council adopt the Minutes of the Regular Council Meeting of November 2, 2011.

Carried.

RC11-830 Moved by Councillor Munro  
That Council adopt the Minutes of the Regular Council Meeting of November 16, 2011.

Carried.

PUBLIC HEARINGS

Bylaw #LU 70/11  
NE 23-32-3 W5M

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 70/11.

The application for redesignation of the NE 23-32-3 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 acres from Agriculture District (A) to Country Residential District (R-CR
- Division 6
- Rural Community: Westerdale Community

The Planning and Development Department recommended that Bylaw #LU 70/11 be given second reading.

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

David Derksen, applicant, stated that he has no further information.

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

Council questions resulted in the following information:

- An agreement is pending with an oil company for access to the other residence
- The previous redesignation was not completed

Deputy Reeve McKean 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 Deputy Reeve McKean closed the Public Hearing.

Moved by Councillor Kemmere  
RC11-831 That Council give second reading to Bylaw No. LU 70/11 to redesignate lands in the NE 23-32-3 W5M. Carried.

Moved by Councillor Munro  
RC11-832 That Council give third reading to Bylaw No. LU 70/11 to redesignate lands in the NE 23-32-3 W5M. Carried.

Bylaw #LU 71/11  
SW 36-29-2 W5M

Jim Clark joined the meeting via conference call.

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 71/11.

The application for redesignation of the SW 36-29-2 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 5.3 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 1
- Rural Community: Jackson

The Planning and Development Department recommended that Bylaw #LU 71/11 be given second reading.

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

Jim Clark, applicant, declined to provide additional information.

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

Council questions resulted in the following information:

- The parcel within the proposed redesignation area was redesignated in 2005 but was never subdivided
- The proposed redesignation area would be considered as a fragmented parcel

Bill Sheehan, adjacent landowner, stated that a previous subdivision application was considered which was denied because of access site lines. He is not opposed to the proposed redesignation but is just providing information.

Council questions resulted in the following information:

- The access issue was just for the previous redesignation
- Site lines would be considered on the entire fragmented parcel

Mr. Clark advised that sitelines on properties to the south are much worse than this one.

Council requested that staff provide additional information regarding sitelines that were considered in the previous subdivision application.

Moved by Councillor Orr

RC11-833 That Council defer Bylaw No. LU 71/11 to redesignate lands in the SW 36-29-2 W5M to later in the meeting.

Carried.

The conference call with Jim Clark was concluded.

Bylaw #LU 72/11  
SE 34-33-2 W5M

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 72/11.

The application for redesignation of the SE 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 54.4 acres from Agricultural District "A" to Agricultural (2) District "A2"
- Division 7
- Rural Community: Hainstock

The Planning and Development Department recommended that Bylaw #LU 72/11 be given second reading.

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

Wade Harris, owner, declined the opportunity to provide comment.

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

Patrick and Lorraine Cassidy stated that they do not agree with the proposed subdivision as all current policies must be met. Water supply is a concern for all adjacent landowners. This additional subdivision would affect the number of animal units that the Cassidy's would be permitted to keep and would affect their livelihood. Mr.

Cassidy stated that this application does not meet all current bylaws and agricultural uses should be protected.

Don Braun is concerned that the boundary is along the creek and stated that it should be at the tree line on either side of the creek.

Barry Anderson stated that if all of the existing residences were permitted to have a secondary suite, and additional residences permitted on the proposed subdivision, there would be a total of 9 residences on the quarter section. There is another building on the property that has power and heat as indicated in photos provided. The owner has never farmed this land himself but has rented out the farmland which produces excellent crops. Water quantity is a major concern to adjacent landowners. This would be a waste of good agricultural land. Mr. Anderson stated that there are no neighbours in the area that are in favour of this application and it should be denied.

The applicant was provided the opportunity for comment and stated he intends to subdivide and possibly sell either the land to the north or the land to the south. Mr. Harris's brother may build a residence on the south portion of the quarter section. Mr. Harris stated that if water is a concern for Mr. Cassidy he could water his livestock from the creek.

Mr. Harris advised that they have a new well and it is not a very good one.

Council questions resulted in the following information:

- Access to the balance was required at the time of the previous subdivision
- Water quantity information is available
- The Animal Control Bylaw regulates the number of animal units permitted

Deputy Reeve McKean 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 water quantity could be considered at the time of subdivision, however, the applicant has stated the he is not prepared to pay for a water report. The boundary could be amended and by a restrictive covenant the area adjacent to the creek could be protected.

The applicant was provided the opportunity for closing remarks and stated that he was just trying to be a good neighbour. He does not wish to be affect the lives of his neighbours.

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

RC11-834 Moved by Councillor Munro  
That Council give second reading to Bylaw No. LU 72/11 to redesignate lands in the SE 34-33-2 W5M.  
Motion Defeated.

Bylaw #LU 71/11  
SW 36-29-2 W5M

Jim Clark joined the meeting via conference call.

Deputy Reeve McKean reconvened the public hearing regarding Bylaw #LU 71/11.

The Planning and Development Departments stated that staff have reviewed the subdivision file and requested additional time to review the file.

RC11-835 Moved by Councillor Kemmere  
That Council defer the Public Hearing of Bylaw No. LU 71/11 redesignating the lands within SW 36-29-2 W5M to January 18, 2012 at or after 9:00 a.m.

Carried.

The conference call with Jim Clark was concluded.

Recess and Reconvene

Deputy Reeve McKean recessed the meeting at 10:20 a.m. and reconvened at 10:36 a.m.

Bylaw #LU 73/11  
NE 6-32-6 W5M

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 73/11.

The application for redesignation of the NE 6-32-6 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 27.4 acres from Agricultural District (A) to Agricultural (2) District (A2) and 2.0 acres from Agricultural District (A) to Country Residential One District (R-CR1)
- Division 5
- Rural Community: Bearberry / Coalcamp

The Planning and Development Department recommended that Bylaw #LU 73/11 be given second reading.

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

Bill Shaw, applicant, stated that both parcels meet the requirements of the Municipal Development Plan and County policies. The applicant intends to sell the 27 acre parcel and continue farming the balance. A joint agreement would be put in place to accommodate access to the 27 acres and the balance of the quarter. There is a

suitable building envelope. Suitable hydrology and a geology reports have been prepared.

Lisa Molstad stated that they intend to build an indoor riding arena with the funds from the sale of the 27 acre property.

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

Darlene Korolewich stated that she is in favour of the application as it is important to the Molstad's.

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

Council questions resulted in the following information:

- The applications for subdivision would be two separate subdivisions
- A joint access agreement would be executed

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

The applicant was provided the opportunity for closing remarks and stated that there are no density issues and no impacts to adjacent landowners.

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

Moved by Councillor Munro

RC11-836 That Council give second reading to Bylaw No. LU 73/11 to redesignate lands in the NE 6-32-6 W5M.

Carried.

Moved by Councillor Good

RC11-837 That Council give third reading to Bylaw No. LU 73/11 to redesignate lands in the NE 6-32-6 W5M.

Carried.

Bylaw #LU 74/11  
SW 34-32-3 W5M

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 74/11.

The application for redesignation of the SW 34-32-3 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 13.7 acres from Agriculture District (A) to Agricultural (2) District (A2)
- Division 6
- Rural Community: Westerdale

The Planning and Development Department recommended that Bylaw #LU 74/11 be given second reading.

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

Darlene Witte, owner, was unable to attend the meeting.

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

Council questions resulted in the following information:

- There is water year round
- The applicant would be required to develop a road which would provide access to the adjacent landlocked property

Deputy Reeve McKean 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 Deputy Reeve McKean closed the Public Hearing.

Moved by Councillor Good  
RC11-838 That Council give second reading to Bylaw No. LU 74/11 to redesignate lands in the SW 34-32-3 W5M. Carried.

Moved by Councillor Kemmere  
RC11-839 That Council give third reading to Bylaw No. LU 74/11 to redesignate lands in the SW 34-32-3 W5M. Carried.

Bylaw #LU 75/11  
SW 3-32-2 W5M

Deputy Reeve McKean opened the public hearing regarding Bylaw #LU 75/11.

The application for redesignation of the SW 3-32-2 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 11.4 acres within SW 3-32-2-5 from Agriculture District (A) to agricultural (2) District (A2)
- Division 3
- Rural Community: Westerdale

ADOPTED

The Planning and Development Department recommended that Bylaw #LU 75/11 be given second reading.

The Planning and Development Department advised that no correspondence was received.

Ron & Michelle Doiron, owners, declined to opportunity to provide further information.

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

Council questions resulted in the following information:

- The boundary of the proposed redesignation is the creek

Deputy Reeve McKean 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 Deputy Reeve McKean closed the Public Hearing.

Moved by Councillor Kemmere

RC11-840 That Council give second reading to Bylaw No. LU 75/11 to redesignate lands in the SW 3-32-2 W5M.

Carried.

Moved by Councillor Milne

RC11-841 That Council give third reading to Bylaw No. LU 75/11 to redesignate lands in the SW 3-32-2 W5M.

Carried.

BYLAWS

Bylaw #11/11  
Land Use Bylaw

Moved by Councillor Munro

RC11-842 That Council give first reading to Bylaw No. 11/11 – Land Use Bylaw 10/10 Amendments.

Carried.

Moved by Councillor Munro

RC11-843 That Council set the Public Hearing for Bylaw No. 11/11 – Land Use Bylaw 10/10 Amendments for January 18, 2012 at or after 9:00 a.m.

Carried.

Bylaw #LU 76/11  
NW 8-33-4 W5M

Moved by Councillor Munro

RC11-844 That Council give first reading to Bylaw No. LU 76/11 redesignating the lands within the NW 8-33-4 W5M.

Carried.

- Moved by Councillor Munro  
RC11-845 That Council set the Public Hearing for Bylaw No. LU 76/11 redesignating the lands within the NW 8-33-4 W5M for January 4, 2012 at or after 9:00 a.m.  
Carried.
- Bylaw #LU 77/11  
SW 8-33-4 W5M  
RC11-846 Moved by Councillor Good  
That Council give first reading to Bylaw No. LU 77/11 redesignating the lands within the SW 8-33-4 W5M.  
Carried.
- RC11-847 Moved by Councillor Good  
That Council set the Public Hearing for Bylaw No. LU 77/11 redesignating the lands within the SW 8-33-4 W5M for January 4, 2012 at or after 9:00 a.m.  
Carried.
- Bylaw #LU 79/11  
SE 4-31-5 W5M  
RC11-848 Moved by Councillor Milne  
That Council give first reading to Bylaw No. LU 79/11 redesignating the lands within the SE 4-31-5 W5M.  
Carried.
- RC11-849 Moved by Councillor Milne  
That Council set the Public Hearing for Bylaw No. LU 79/11 redesignating the lands within the SE 4-31-5 W5M for January 4, 2012 at or after 9:00 a.m.  
Carried.
- Bylaw #LU 80/11  
SE 1-33-6 W5M  
RC11-850 Moved by Councillor Kemmere  
That Council give first reading to Bylaw No. LU 80/11 redesignating the lands within the SE 1-33-6 W5M.  
Carried.
- RC11-851 Moved by Councillor Kemmere  
That Council set the Public Hearing for Bylaw No. LU 80/11 re-designating the lands within the SE 1-33-6 W5M for January 4, 2012 at or after 9:00 a.m.  
Carried.
- Bylaw #LU 81/11  
SW 6-34-4 W5M  
RC11-852 Moved by Councillor Orr  
That Council give first reading to Bylaw No. LU 81/11 redesignating the lands within the SW 6-34-4 W5M.  
Carried.
- RC11-853 Moved by Councillor Orr  
That Council set the Public Hearing for Bylaw No. LU 81/11 redesignating the lands within the SW 6-34-4 W5M, for January 4, 2012 at or after 9:00 a.m.  
Carried.
- Bylaw No. 16/11  
Fee Schedule Bylaw  
RC11-854 Moved by Councillor Orr  
That Council give first reading to Bylaw #16/11 - Fee Schedule.  
Carried.
- RC11-855 Moved by Councillor Kemmere  
That Council give second reading to Bylaw #16/11 - Fee Schedule.
- The question on Motion RC11-855 was not called.

Moved by Councillor Munro  
 RC11-856 That Council amend Bylaw #16/11 - Fee Schedule  
 Schedule "A" -  
 Gravel Sales - Crushed Gravel  
 Shelly Pit - \$12.00/tonne  
 Dyck Pit - \$12.00/tonne  
 All other County pits \$10.00/tonne

Carried.

Moved by Councillor Munro  
 RC11-857 That Council amend Bylaw #16/11 - Fee Schedule  
 Schedule "A" -  
 Road Crossing Re-Inspection - \$300.00  
 Rig Move Pre-Inspection - \$300.00  
 Rig Move Post-Inspection - \$300.00  
 Access Road and 1 Inspection Application (Commercial) -  
 \$300.00  
 Access Road and Re-Inspections (Commercial) - \$300.00

Carried.

The question on Motion RC11-855 was called.

Carried.

Moved by Councillor Kemmere  
 RC11-858 That Council give unanimous consent to proceed to third  
 reading of Bylaw #16/11 - Fee Schedule.

Carried Unanimously.

Deputy Reeve McKean stated that the matter would be  
 deferred to later in the meeting in order for Council to  
 consider the written amendments to Bylaw #16/11 - Fee  
 Schedule Bylaw.

NEW BUSINESS  
 2012 Budget

Moved by Councillor Kemmere  
 RC11-859 That Council approve the operating and capital projects for  
 2012 in the amount of \$18,538,300 as detailed in the  
 Projects Matrix.

Carried.

Moved by Councillor Milne  
 RC11-860 That based on the recommendation from the Policies and  
 Priorities Committee that Council approve a 3% cost of  
 living adjustment for County salaries, wages and per diems  
 effective January 1, 2012.

Carried.

Moved by Councillor Kemmere  
 RC11-861 That Council approve an interim 2012 operating budget  
 with the following conditions:

1. This budget will use the same parameters as the  
 2011 budget;
2. This interim budget will remain in effect until approval  
 of the 2012 budget.
3. Council may adjust this interim budget by separate  
 motions related to specific areas of the 2011 budget

Carried.

Oil and Gas Workshop	RC11-862	Moved by Councillor Munro That Council approve that Councillor Munro attend the Oil Sands and Hydraulic Facturing Workshop in Calgary February 29, 2012 to March 1, 2012 and that the workshop cost of \$1,399.00 be funded from the Councillor Training budget.	Carried.
Special Council Meeting	RC11-863	Moved by Councillor Munro That Council hold a Special Council meeting on December 14, 2011 at 9:00 a.m. to address Bylaw 15/11 - Municipal Development Plan Amendment.	Carried.
Agriculture Reserve Funding	RC11-864	Moved by Councillor Milne That Council approves \$2,278.00 from the Agricultural Reserve to fund the Mountain View County Agriculture Appreciation Night.	Carried.
Alberta Highway Services Contract	RC11-865	Moved by Councillor Good That the request to renew the winter maintenance contract with Alberta Highway Services on April 15, 2012 be denied.	Carried.
Recess and Reconvene		Deputy Reeve McKean recessed the meeting at 12:14 p.m. and reconvened at 1:00 p.m.	
Community Engagement Site Committee	RC11-866	Moved by Councillor Kemmere That Council appoint Patricia McKean to the Cremona Community Engagement Site Committee until the 2012 Organizational meeting.	Carried.
Gravel Levy (CAP)	RC11-867	Moved by Councillor Munro That Council receive correspondence from Eli Dobush dated November 7, 2011 regarding the Community Aggregate Program.	Carried.
Red Deer River Watershed Alliance	RC11-868	Moved by Councillor Munro That Council request the Chief Administrative Officer to organize an information meeting with the Red Deer River Watershed Alliance (RDRWA) Chair and Vice Chair other board members; and that Council invites other Rural Municipal members of the RDRWA to attend the information meeting with the RDRWA Chair and Vice Chair; and that Council with hold the 2012 membership contribution to the Red Deer River Watershed Alliance until after the information meeting.	Carried.
Carstairs Gymnasium Expansion	RC11-869	Moved by Councillor Good That Council approve funding up to \$50,000 towards additional floor space costs of the Carstairs Gym project and include this amount in the 2013 budget; and these funds be taken from the Cash-in-lieu Reserve.	Carried.

County Wide  
Efficiencies

Councillor Good advised that he will be bringing forward a proposal early in the new year regarding company efficiencies which includes efficiencies from the bottom up. Staff could be rewarded for their suggested cost savings.

Bylaw No. 16/11  
Fee Schedule Bylaw

Deputy Reeve McKean stated that the matter was deferred from earlier in the meeting in order to provide for Council to consider the written Bylaw #16/11 – Fee Schedule Bylaw.

Moved by Councillor Munro  
RC11-870 That Council give third reading to Bylaw #16/11 – Fee Schedule.  
Carried.

Fire Service  
Agreements

The Acting Chief Administrative Officer provided an overview regarding the Fire Service Agreement templates and stated that the schedule of each agreement would need to be negotiated with the individual municipalities.

Greg Harris, Chair of the Cremona Fire Services Authority, stated that the Authority is very different from the other urban Fire Services and should remain to operate as it currently exists.

Moved by Councillor Kemmere  
RC11-871 That Council request that the Chief Administrative Officer bring back a report to Council, including costs, and obtain input from the Fire Authority's regarding the Fire Authority Templates.  
Carried.

CORRESPONDENCE  
Information  
Items

Moved by Councillor Munro  
RC11-872 That Council receive the following items as information:  
a) SRDRWC 11Nov18 Organizational Meeting Minutes – Unapproved  
b) SRDRWC 11Nov18 Reg Meeting Minutes – Unapproved  
c) MVSH Board Draft Minutes-2011\_10\_27  
d) MVRWMC October 21 2011  
e) MVRWMC Oct 21-11 Planning Meeting  
Carried.

IN CAMERA

Moved by Councillor Good  
RC11-873 That the Regular Council Meeting of December 7, 2011 go into closed meeting at 2:30 p.m.  
Carried.  
Moved by Councillor  
RC11-874 That the Regular Council Meeting of December 7, 2011 return to the open meeting at 3:00 p.m.  
Carried.  
Councillor Munro left the meeting at 3:00 p.m.

ADOPTED

Water Test  
Results

RC11-875 Moved by Councillor Milne  
That Council receive as information the water well test  
results on SW 26, SE 27, NW 23 and NE 22-29-5-W5M.

Carried.

RC11-876 Moved by Councillor Orr  
That Council authorize the Chief Administrative Officer to  
obtain appraisal information regarding lands discussed  
during the In Camera Portion of the meeting.

Carried.

Communications

Council discussed issues regarding the Municipal  
Development Plan Bylaw communication.

ADJOURNMENT

RC11-877 Moved by Councillor  
That Regular Council Meeting of December 7, 2011 be  
adjourned at 3:15 p.m.

Carried.

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Chair

I hereby certify these minutes are correct.

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Chief Administrative Officer