

M I N U T E S

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, July 25, 2007, in the Council Chamber, 1408 Twp. Rd. 32.0, Didsbury, AB

PRESENT: Reeve A. Kemmere  
Councillor K. Blain  
Councillor G. Day  
Councillor D. Derksen  
Councillor L. Negroportes  
Councillor L. Yakimchuk

IN ATTENDANCE: D. Plamping, Chief Administrative Officer  
S. McInnis, Director, Operational Services  
G. Wiens, Director, Corporate Services  
D. Hawryluk, Manager, Planning and Development  
G. Eyers, Executive Assistant  
J. Koch, Communications Coordinator  
S. Carrick, Municipal Intern

CALL TO ORDER: Reeve Kemmere called the meeting to order at 1:00 p.m.

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

Reeve Kemmere introduced Council and staff.

AGENDA & MINUTES

Reeve Kemmere advised that the following be added to the agenda:

- (4.1) Order change to (3.6)
- (4.4) Revised Agenda Item
- (5.1) Revised Agenda Item
- (6.1) AAMDC Standing Policy Committee Appointment
- (8.2) Revised Agenda Item – Additional Information
- (8.3) Land Matter – Verbal Report by Councillor Blain

RC07-436 Moved by Councillor Derksen  
That Council adopt the agenda of the Regular Council Meeting of Wednesday, July 25, 2007 as amended.

Carried.

RC07-437 Moved by Councillor Yakimchuk  
That Council adopt the minutes of the Special Joint Council Meeting – Village of Cremona, of Wednesday, July 4, 2007.

Carried.

RC07-438 Moved by Councillor Blain  
That Council adopt the minutes of the Special Joint Council Meeting – Town of Carstairs, of Wednesday, July 4, 2007.

Carried.

RC07-439 Moved by Councillor Day  
That Council adopt the minutes of the Special Council Meeting of Wednesday, July 11, 2007.

Carried.

RC07-440 Moved by Councillor Derksen  
That Council adopt the minutes of the Regular Council Meeting of Wednesday, July 11, 2007.

Carried.

PUBLIC HEARINGS  
Bylaw #LU 24/07  
NE 26-33-29 W5M

Reeve Kemmere re-opened the public hearing regarding Bylaw #LU 24/07.

The application for redesignation of the NE 26-33-29 W5M, was introduced by the Development and Community Services 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 Development and Community Services Department provided specific information to the application as follows:

- To redesignate 3.0 acres from Agricultural District "A" to Country Residential "CR"
- Assessment Value of 88.9%
- CLI rating 1

The Development and Community Services Department recommended that Bylaw #LU 24/07 be defeated at second reading as the application does not comply with MDP Policy 3.2.3 (a).

Ken Taylor, applicant, provided an overview of the application stating that the proposed redesignation is a gore-strip. Mr. Jorgensen intends to subdivide the redesignation to provide the opportunity for his grandson to build a home.

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

Council discussed the following:

- Subdivided adjacent quarter sections
- Future Land Use
- Intent to separate title
- Lower capability agricultural land

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 stated that the only area of the MDP this application does not meet is that it would not be on lower capability agricultural land.

The Planning and Development Department was provided the opportunity for closing remarks and stated that higher capability land is defined as being higher than 28%,

Hearing no further comments Reeve Kemmere closed the Public Hearing.

The Chief Administrative Officer advised that Councillor Derksen was not present for the entire Public Hearing and therefore needs to indicate if he will participate in the vote.

Councillor Derksen advised that he will abstain from voting of Bylaw No. LU 24/07 as he was not present for a portion of the public hearing.

RC07-441 Moved by Councillor Yakimchuk  
That Council give second reading to Bylaw No. LU 24/07 to redesignate lands in the NE 26-33-29 W5M.

Carried.

Councillor Derksen abstained.

RC07-442 Moved by Councillor Negropontes  
That Council give third reading to Bylaw No. LU 24/07 to redesignate lands in the NE 26-33-29 W5M.

Carried.

Councillor Derksen abstained.

Bylaw #LU 25/07  
NW 9-33-4 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 25/07.

The application for redesignation of the NW 9-33-4 W5M, was introduced by the Development and Community Services 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 Development and Community Services Department provided specific information to the application as follows:

- To redesignate 5.74 acres from Agricultural District "A" to Agricultural (2) District "A(2)" and 4.28 acres from Country Residential "CR" to Agricultural (2) District "A(2)"
- Assessment Value of 26.0% and 15.0 %
- CLI rating 2

The Development and Community Services Department recommended that Bylaw #LU 25/07 be defeated at second reading as the application does not comply with MDP Policy 3.1.3.

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

Ken Taylor, applicant, stated the owner purchased both parcels of land after they had been subdivided. They have horses and recently determined that they are not permitted to have horses on the Country Residential (CR) parcel.

Mr. Papke, owner, stated that they currently have four (4) horses and cannot get the horses safely across the creek bottom.

Mr. Taylor stated that Mr. Papke has advised that they do not wish to have the entire quarter section as Agricultural for financial reasons and future considerations.

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

Council discussed the following:

- Consolidating the Country Residential with the balance of the quarter section
- Access to the area north of the creek adjacent to the proposed redesignation
- Retirement planning
- Additional land is required to accommodate his horses

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

Mr. Taylor was provided the opportunity for closing remarks and stated that the proposed redesignation would make the current use as a legal use.

The Planning and Development Department was provided the opportunity for closing remarks and recommended that the proposed redesignation be defeated and recommended that the Country Residential parcel be consolidated with the balance of the quarter section to an Agricultural Zone.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Yakimchuk  
RC07-443 That Council give second reading to Bylaw No. LU 25/07 to redesignate lands in the NW 9-33-4 W5M.

Motion Defeated.

Bylaw #LU 26/07  
SW 17-30-5 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 26/07.

The application for redesignation of the SW 17-30-5 W5M, was introduced by the Development and Community Services 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 Development and Community Services Department provided specific information to the application as follows:

- To redesignate 3.67 acres from Agricultural (2) District "A(2)" to Country Residential "CR"
- Assessment Value of 7.5 %
- CLI rating 5

The Development and Community Services Department recommended that Bylaw #LU 26/07 be defeated at second reading because it does not comply with MDP 3.2.10(j) or 3.2.8(a) and (c).

The Development and Community Services Department advised there was no correspondence received regarding this matter.

Ken Taylor, applicant, advised that it was his opinion that this application meets all requirements of the Municipal Development Plan Bylaw.

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

Marlene Harvey, adjacent landowner, stated that she is representing a number of landowners who are concerned regarding access to the property, increased traffic, road maintenance, and increase subdivisions.

Council discussed the following:

- Existing subdivisions of the adjacent quarter sections
- Outline Plan for the proposed redesignation
- Zoning of adjacent subdivisions
- Dust control

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

Mr. Taylor was provided the opportunity for closing remarks and indicated that the application complies with the current MDP Bylaw. An Outline Plan was prepared and submitted.

The Planning and Development Department was provided the opportunity for closing remarks and states that an Outline Plan was prepared but does not address the concerns of the entire area and recommends that an Area Structure Plan for the entire area be prepared.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

RC07-444 Moved by Councillor Blain  
That Council adopt the Outline Plan as submitted for the proposed redesignation of lands in the SW 17-30-5 W5M.

Motion Defeated.

RC07-445 Moved by Councillor Blain  
That Council defer second reading to Bylaw No. LU 26/07 to redesignate lands in the SW 17-30-5 W5M.

Carried.

Recess and Reconvene

Reeve Kemmere recessed the meeting at 3:18 p.m. and reconvened at 3:29 p.m.

Bylaw #LU 28/07  
SW 14-34-4 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 28/07.

The application for redesignation of the SW 14-34-4 W5M, was introduced by the Development and Community Services 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 Development and Community Services Department provided specific information to the application as follows:

- To redesignate 5.0 acres from Agricultural District "A" to Country Residential "CR"
- Assessment Value of 42.0 & 15.0 %
- CLI rating 4

The Development and Community Services Department recommended that Bylaw #LU 28/07 be given second reading.

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

Council discussed the following:

- Adjacent road
- Land Assessment

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.

RC07-446 Moved by Councillor Negropontes  
That Council give second reading to Bylaw No. LU 28/07 to redesignate lands in the SW 14-34-4 W5M.

Carried.

RC07-447 Moved by Councillor Derksen  
That Council give third reading to Bylaw No. LU 28/07 to redesignate lands in the SW 14-34-4 W5M.

Carried.

Bylaw #LU 30/07  
SW 21-33-1 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 30/07.

The application for redesignation of the SW 21-33-1 W5M, was introduced by the Development and Community Services 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 Development and Community Services Department provided specific information to the application as follows:

- To redesignate 5.0 acres from Agricultural District "A" to Country Residential "CR"
- Assessment Value of 73.2 %
- CLI rating 1

The Development and Community Services Department recommended that Bylaw #LU 30/07 be given second reading.

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

Pierre Martel, owner, stated that the application for redesignation of an 8.13 acre parcel was defeated July 26, 2006 and he provided clarification regarding access, culverts, sewage, and septic fields. A number of improvements have been made to the property.

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

Cathy Spicer, adjacent landowner, stated that the proposed redesignation is predominately wetland with a number of migratory birds and waterfowl, deer, and moose. She advised of other concerns regarding access which do not have culverts, incomplete development permit, roads installed across wetlands, 73% assessment, and panhandle access to the balance of the quarter section.

Council discussed the following:

- Access to the balance of the quarter section
- Wetland conservation

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

Mr. Morgan, owner, advised that he dug four ditches or trenches to control the water to accommodate the wildlife. The house that is currently under construction has been stalled due to his builder having health problems.

Rene Martel, advised that the 80' wide access road has never flooded. At the current zoning they are permitted to have horses and advised that if the proposed redesignation is approved they intend to rent land to accommodate their horses.

The applicant was provided the opportunity for closing remarks and declined.

The Planning and Development Department was provided the opportunity for closing remarks and stated that the application complies with the MDP Bylaw.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Blain  
 RC07-448 That Council adopt the Outline Plan for redesignation of lands in the SW 21-33-1 W5M as amended to include a pump-out septic system.

The question on resolution RC07-448 was not called.

Moved by Councillor Yakimchuk  
 RC07-449 That Council adopt the Outline Plan for redesignation of lands in the SW 21-33-1 W5M as amended to include a sewage holding tank system.

Carried.

The question on resolution RC07-448 was called.

Carried.

Moved by Councillor Derksen  
 RC07-450 That Council give second reading to Bylaw No. LU 30/07 to redesignate lands in the SW 21-33-1 W5M.

Carried.

Moved by Councillor Blain  
 RC07-451 That Council give third reading to Bylaw No. LU 30/07 to redesignate lands in the SW 21-33-1 W5M.

Carried.

Bylaw No. 15/07  
Business Park District

Reeve Kemmere opened the public hearing regarding Bylaw #15/07.

The Development and Community Services Department provided an overview of Bylaw No. 15/07 which is intended to amend Bylaw No. 55/95 to address Business Park District.

The Development and Community Services Department recommended that Bylaw #15/07 be given second reading.

Terry Johnston, stated that he is proposing a business development in the proposed Business Park District and is fully supportive of the proposed bylaw.

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

Council discussed the following:

- Bulk Oil and Propane Sales/Retail or Cardlock Sales will be considered as separate issues

Reeve Kemmere 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.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

RC07-452 Moved by Councillor Yakimchuk  
That Council give second reading to Bylaw No. 15/07 to amend Land Use Bylaw 55/95 – Business Park District. Carried.

RC07-453 Moved by Councillor Day  
That Council give third reading to Bylaw No. 15/07 to amend Land Use Bylaw 55/95 – Business Park District. Carried.

BYLAWS

Bylaw No. 16/07

Regional Wastewater Comm

RC07-454 Moved by Councillor Yakimchuk  
That Council give second reading to Bylaw No. 16/07 to Authorize Mountain view County to take the necessary action to establish a Regional Wastewater Services Commission. Carried.

RC07-455 Moved by Councillor Derksen  
That Council give third reading to Bylaw No. 16/07 to Authorize Mountain view County to take the necessary action to establish a Regional Wastewater Services Commission. Carried.

Bylaw No. LU 23/07  
SW 21-29-28 W4M

Councillor Derksen advised that he would abstain from voting on Bylaw No. LU 23/07 as he was not present for the entirety of the Public Hearing.

RC07-456 Moved by Councillor Blain  
That Council give third reading to Bylaw No. LU 23/07 to redesignate lands in the SW 21-29-28 W4M. Carried.

Councillor Derksen abstained.

Bylaw No. LU 39/07  
SE 16-32-2 W5M

RC07-457 Moved by Councillor Day  
That Council give first reading to Bylaw No. LU 39/07 to redesignate lands in the SE 16-32-2 W5M. Carried.

RC07-458 Moved by Councillor Derksen  
That Council set the Public Hearing for Bylaw No. LU 39/07 for August 22, 2007 at or after 1:00 p.m. to redesignate lands in the SE 16-32-2 W5M. Carried.

Bylaw No. LU 40/07  
SE 26-32-4 W5M

RC07-459 Moved by Councillor Negropontes  
That Council give first reading to Bylaw No. LU 40/07 to redesignate lands in the SE 26-32-4 W5M. Carried.

		Moved by Councillor Yakimchuk That Council set the Public Hearing for Bylaw No. LU 40/07 for September 12, 2007 at or after 6:00 p.m. to redesignate lands in the SE 26-32-4 W5M.	Carried.
Bylaw No. LU 41/07 NE 33-32-4 W5M	RC07-460	Moved by Councillor Day That Council give first reading to Bylaw No. LU 41/07 to redesignate lands in the NE 33-32-4 W5M.	Carried.
	RC07-461	Moved by Councillor Yakimchuk That Council set the Public Hearing for Bylaw No. LU 41/07 for September 12, 2007 at or after 6:00 p.m. to redesignate lands in the NE 33-32-4 W5M.	Carried.
Bylaw No. LU 42/07 SW 34-32-5 W5M	RC07-462	Moved by Councillor Derksen That Council give first reading to Bylaw No. LU 42/07 to redesignate lands in the SW 34-32-5 W5M.	Carried.
	RC07-463	Moved by Councillor Yakimchuk That Council set the Public Hearing for Bylaw No. LU 42/07 for August 22, 2007 at or after 1:00 p.m. to redesignate lands in the SW 34-32-5 W5M.	Carried.
Bylaw No. LU 43/07 SW 6-33-5 W5M	RC07-464	Moved by Councillor Negropontes That Council give first reading to Bylaw No. LU 43/07 to redesignate lands in the SW 6-33-5 W5M.	Carried.
	RC07-465	Moved by Councillor Derksen That Council set the Public Hearing for Bylaw No. LU 43/07 for August 29, 2007 at or after 1:00 p.m. to redesignate lands in the SW 6-33-5 W5M.	Carried.
Bylaw No. LU 44/07 SE 33-29-2 W5M	RC07-466	Moved by Councillor Day That Council give first reading to Bylaw No. LU 44/07 to redesignate lands in the SE 33-29-2 W5M.	Carried.
	RC07-467	Moved by Councillor Blain That Council set the Public Hearing for Bylaw No. LU 44/07 for August 29, 2007 at or after 1:00 p.m. to redesignate lands in the SE 33-29-2 W5M.	Carried.
OLD BUSINESS Special Council Meeting	RC07-468	Moved by Councillor Yakimchuk That Council cancel the Special Council Meeting scheduled for August 15, 2007.	Carried.
	RC07-469	Moved by Councillor Day That Council approve the holding of a Special Council Meeting for the purpose of holding Public Hearings starting at 1:00 p.m. at the County office Council Chambers on August 29, 2007.	Carried.
	RC07-470	Moved by Councillor Yakimchuk That Council approve the holding of a Special Council Meeting for the purpose of holding Public Hearings starting at 9:00 a.m. at the County office Council Chambers on October 3, 2007.	Carried.
MVREMS Appointment	RC07-471	Moved by Councillor Blain That Council appoint Reeve Kemmere to the Mountain View Regional Emergency Services Commission until the October 2007 Organizational Meeting; and further, that Councillor Negroponte's appointment to the Mountain View Regional Emergency Services Commission be rescinded.	Carried.
NEW BUSINESS AAMDC	RC07-472	Moved by Councillor Derksen That Council support the appointment of Reeve Kemmere to the AAMDC Standing Policy Committee on Social Policy and Services.	Carried.

ADOPTED  
Carried.

INFORMATION  
ITEMS

RC07-474 Moved by Councillor Yakimchuk  
That Council receive the following items as information:  
a) Chief Administrative Officer Action List dated July 18, 2007

Carried.

IN CAMERA

RC07-475 Moved by Councillor Yakimchuk  
That the Regular Council Meeting of July 25, 2007 go In Camera at 4:57 p.m.

Carried.

Recess and Reconvene

Reeve Kemmere recessed the meeting at 5:44 p.m. and reconvened at 8:10 p.m.

RC07-476 Moved by Councillor Blain  
That the Regular Council Meeting of July 25, 2007 return to the open meeting at 9:34 p.m.

Carried.

ADJOURN

RC07-477 Moved by Councillor Day  
That the Regular Council Meeting of Wednesday, July 25, 2007 be adjourned at 9:35 p.m.

Carried.

\_\_\_\_\_  
Reeve Kemmere

I hereby certify these minutes are correct.

\_\_\_\_\_  
Chief Administrative Officer