

M I N U T E S

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, October 25, 2006, 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

ABSENT: Councillor A. Shea

IN ATTENDANCE: D. Plamping, Chief Administrative Officer
S. McInnis, Director, Operational Services
P. Olynyk, Director, Development and Community Services
G. Wiens, Director, Corporate Services
T. Martens, Manager, Legislative Services
T. Johnson, Planner
H. Horvath, Planner
G. Evers, Executive Assistant

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 would be added to the agenda:

- (5.5) Bergen and Bearberry Area Structure Plan
- (8.2) Legal Matters

Moved by Councillor Day
RC06-541 That Council adopt the agenda of the Regular Council Meeting of October 25, 2006 as amended.

Carried.

Moved by Councillor Yakimchuk
RC06-542 That Council adopt the minutes of the Special Council Meeting of Wednesday, October 11, 2006.

Carried.

Moved by Councillor Derksen
RC06-543 That Council adopt the minutes of the Regular Council Meeting of Wednesday, October 11, 2006.

Carried.

PUBLIC HEARINGS
Bylaw # 11/06
Amend Bylaw #55/95

Reeve Kemmere opened the public hearing regarding Bylaw #11/06.

Bylaw #11/06 was re-introduced by Tony Martens, on behalf of the applicant Mountain View County, including amendments to the Land Use bylaw No. 55/95 as follows:

- Increased Fees
- Appeal Process
- Amend Stop Order Approval
- Soil Removal

Tony Martens recommended that Bylaw #11/06 be given second reading and advised that Bylaw No. 11/06 was given first reading September 27, 2006.

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

Council discussed the following:

- Stop Work Orders
- Processing time-lines
- Building Permit process

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.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

RC06-544 Moved by Councillor Negropontes
That Council give second reading to Bylaw No. 11/06.

Carried.

RC06-545 Moved by Councillor Derksen
That Council give third reading to Bylaw No. 11/06.

Carried.

Bylaw #LU 32/06
NE 8-31-2 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 32/06.

The application for redesignation of the NE 8-31-2 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 from Agricultural District "A" to Country Residential "CR"
- Assessment Value of 89.0%, 5.5%
- CLI rating 2

The Development and Community Services Department recommended that Bylaw #LU 32/06 be defeated due to the amount of high quality agricultural land included in the proposed lot and the lack of separation from the balance of the quarter.

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

Dave Shields, owner, stated that it was his opinion that the assessment map did not show a correct assessment as he has never farmed the area to be redesignation. Water runs off this area in the springtime.

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

Council discussed the following:

- location of low assessed land
- land productivity

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 advised that during a site visit noticed that the area had been cut and she presumed that it would be baled and that there was noticeable standing water.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Derksen
RC06-546 That Council give second reading to Bylaw No. LU 32/06. Carried.

Moved by Councillor Blain
RC06-547 That Council give third reading to Bylaw No. LU 32/06. Carried.

Bylaw #LU 34/06
NW 34-32-7 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 29/06.

The application for redesignation of the NW 34-32-7 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 53.0 acres from Agricultural District "A" to Agricultural (2) District "A2"
- Assessment Value of 34.0%, 7.5%
- CLI rating 5

The Development and Community Services Department recommended that Bylaw #LU 34/06 be defeated due to the negative impact on surrounding lands and that the proposed use will not be changed.

Betty Winkler, owner, provided handouts regarding the proposed redesignation.

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

The Development and Community Services Department advised that all correspondence received was provided in the Council agenda package.

Council discussed the following:

- South boundary of the proposed redesignation
- Location of oil lease
- Intent to sell the balance of the quarter
- Intended land use

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 she intends to live on the proposed redesignation area and sell the balance of the quarter.

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
RC06-548 That Council give second reading to Bylaw No. LU 34/06. Motion Defeated.

Bylaw #LU 40/06
SW 4-33-6 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 40/06.

The application for redesignation of the SW 4-33-6 W5M, was introduced by the Development and Community Services Department and Council was advised that the applicant, Ernie and Kim McMillan, have requested that the redesignation application for Bylaw #LU 40/06 be withdrawn.

The Development and Community Services Department recommended that Bylaw #LU 40/06 be given defeated.

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

Hearing no further comments Reeve Kemmere closed the Public Hearing.

RC06-549 Moved by Councillor Yakimchuk
That Council give second reading to Bylaw No. LU 40/06. Motion Defeated.

BYLAWS
Bylaw #LU 36/06
SW 11-30-2 W5M

RC06-550 Moved by Councillor Derksen
That Council give first reading to Bylaw No. LU 36/06. Carried.

RC06-551 Moved by Councillor Negropontes
That Council set the Public Hearing for Bylaw No. LU 36/06 for December 13, 2006 at or after 6:00 p.m. Carried.

Order of Agenda
Defeated Bylaw #LU24/06
Request for Refund

Reeve Kemmere advised that Council would address Agenda Item (6.2) and (5.2) to accommodate people in the gallery.

RC06-552 Moved by Councillor Blain
That Council gives approval to the Chief Administrative Officer to refund the fees received by Mountain View County from the applicant pertaining Bylaw No. LU 24 / 06 for the Redesignation of NW 34-31-5-W5M in the amount of Thirty-Eight Thousand Five Hundred Dollars (\$38,500.00). Carried.

RC06-553 Moved by Councillor Day
THAT Council gives approval to the Chief Administrative Officer to refund the fees received by Mountain View County for the Subdivision Application pertaining to NW 34-31-5-W5M in the amount of Twenty-Seven Thousand Dollars (\$27,000.00). Carried.

Vision, Mission, and
Council Goals

Mrs. Geraldine Wiper addressed Council and advised of her concerns regarding maintaining agricultural land, environmental stewardship, and setting aside lands for public use.

RC06-554 Moved by Councillor Derksen
That Council approve the Vision Statement for Mountain View County as being:
"A progressive rural community in which to safely live, work and play"

The question on Motion #RC06-554 was not called.

RC06-555 Moved by Councillor Negropontes
That Council amend the Vision Statement for Mountain View County to be:
"A progressive environmentally sensitive rural community in which to safely live, work and play"

Councillor Negropontes requested that the vote be recorded.
For: Councillors Blain and Negropontes
Opposed: Councillors Day, Derksen, Kemmere, Yakimchuk

Motion Defeated.

Vote on Resolution RC06-554 was called.

Carried.

RC06-556 Moved by Councillor Day
That Council approve the Mission Statement for Mountain View County as being:
"Mountain View County, through visionary planning and use of quality resources, seeks to provide ethical governance and exceptional services in support of its diverse rural communities"

Carried.

RC06-557 Moved by Councillor Yakimchuk
That Council approve the 2007 Council Goals for Mountain View County as being:

1. Set standards for road building and maintenance and develop a long range plan for road infrastructure
2. To write the MDP and other Planning documents to reflect a response to growth in a progressive and environmentally responsible and sensitive way
3. Develop a stronger relationship with municipal, provincial and federal governments
4. Support individual rural communities through policy and grants to revive community identity and togetherness, to enhance and sustain the rural culture
5. Continue regional and community cooperation, collaboration and communication for long term sustainability and prosperity
6. To bring communal water and sewer to the more intensive residential and commercially developed areas
7. Encourage ecologically friendly development through incentives to developers and builders who use water and sewer systems with minimal or no environmental impact
8. To review the contracting of construction, maintenance, consulting and other services delivered by the County
9. Develop a policy which will lead to controlled carefully planned industrial/commercial park developments that visually fit into our rural setting

Carried.

Recess and Reconvene

Reeve Kemmere recessed the meeting at 3:04 p.m. and reconvened at 3:25 p.m.

Bergen & Bearberry
Area Structure Plans

RC06-558 Moved by Councillor Day
That Council approve the submitted Area Structure Plan Process and timeline, and authorize Administration to send a letter to the community groups in the Bearberry and Bergen areas outlining the Area Structure Plan process and timeline approved by Council; and further, that a meeting be held with these groups to discuss the proposed timelines and process.

Carried.

The Chief Administrative Officer was requested to bring back the Area Structure Plan process as a draft policy.

Recess and Reconvene

Reeve Kemmere recessed the meeting at 3:57 p.m. and reconvened at 7:47 p.m.

Bylaw #15/06
Solid Waste Collection
Amending Bylaw

RC06-559 Moved by Councillor Yakimchuk
That Council give first reading to Bylaw No. 15/06.

Carried.

RC06-560 Moved by Councillor Blain
That Council give second reading to Bylaw No. 15/06

Carried.

RC06-561 Moved by Councillor Derksen
That Council give unanimous consent to proceed with third reading of Bylaw No. 15/06.
Motion Defeated.

OLD BUSINESS
Parkland Regional
Library Budget

RC06-562 Moved by Councillor Blain
That Council approves the 2007-2009 Parkland Regional Library Budget as presented.
Carried.

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| | | Councillor Derksen left the meeting at 8:08 p.m. and returned at 8:12 p.m. | |
| Long Range Road Network Plan | RC06-563 | Moved by Councillor Blain That Council approve the Mountain View County Long Range Road Network Plan as amended. | Carried. |
| Council Agenda Packages | RC06-564 | Moved by Councillor Yakimchuk That Council authorize the Chief Administrative Officer to arrange for the delivery of any Council member mail and agendas that have not been picked up by 1:00 p.m. on each Friday. | Carried. |
| NEW BUSINESS Tax Penalty Cancellation Rolls 230032000 and 230104000 | RC06-565 | Moved by Councillor Negropontes That Council deny the request to cancel a total of \$38.85 in tax penalties for tax rolls 230032000 and 230104000. | Carried. |
| Maintenance vs Project Activities | RC06-566 | Moved by Councillor Day That Council endorse that the current Operational Services staffing levels, subject to the normal reviews by Council and the Chief Administrative Officer, be maintained and that the priority for the Operational Services staff will be infrastructure maintenance. | Carried. |
| INFORMATION ITEMS CAO Action List | RC06-567 | Moved by Councillor Negropontes That Council receive the Chief Administrative Officer's Action List dated October 17, 2006 as information. | Carried. |
| IN CAMERA | RC06-568 | Moved by Councillor Negropontes That the Regular Council Meeting of October 25, 2006 go In Camera at 9:05 p.m. | Carried. |
| | RC06-569 | Moved by Councillor Yakimchuk That the Regular Council Meeting of October 25, 2006 reconvene at 9:07 p.m. | Carried. |
| | RC06-570 | Moved by Councillor Negropontes That Council authorize the Reeve and Chief Administrative Officer to enter into an agreement with Richard Allen Wigmore to secure a known gravel source adjacent to a County owned pit, at a cost of \$2,000 per year rent. | Carried. |
| | RC06-571 | Moved by Councillor Day To provide a notice of motion to the next Policies and Priorities Committee Meeting regarding land conservation for public uses. | Carried. |
| | | Reeve Kemmere excused himself and left the meeting at 9:11 p.m. due to a claim of defamation regarding the Legal Matters agenda item. | |
| | | Deputy Reeve Day assumed the position of Chair. | |
| | RC06-572 | Moved by Councillor Blain That the Regular Council Meeting of October 25, 2006 go In Camera at 9:12 p.m. | Carried. |
| | RC06-573 | Moved by Councillor Derksen That the Regular Council Meeting of October 25, 2006 reconvene at 9:28 p.m. | Carried. |

ADJOURN

RC06-574

Moved by Councillor Yakimchuk
That the Regular Council Meeting of Wednesday, October 25, 2006 be adjourned at
9:28 p.m.

ADOPTED

Carried.

Reeve Kemmere

I hereby certify these minutes are correct.

Chief Administrative Officer