

M I N U T E S

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, December 19, 2007, in the Council Chamber, 1408 Twp. Rd. 32.0, Didsbury, AB

PRESENT: Reeve A. Kemmere
Councillor K. Blain (arrived at 9:35 a.m.)
Councillor G. Day (arrived at 9:09 a.m.)
Councillor G. Ingeveld
Councillor E. Page
Councillor L. Yakimchuk

ABSENT: Councillor L. Negropontes

IN ATTENDANCE: G. Wiens, Director, Corporate Services/Acting Chief Administrative Officer
T. Martens, Director, Legislative and Community Services
R. Morrison, Manager, Infrastructure Project
D. Hawryluk, Director, Planning and Development
J. Koch, Communications Coordinator
S. Carrick, Municipal Intern
G. Eyers, Executive Assistant

CALL TO ORDER: Reeve Kemmere called the meeting to order at 9:04 a.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:
(8.2) Personnel requested by Councillor Ingeveld

Moved by Councillor Yakimchuk
RC07-740 That Council adopt the agenda of the Regular Council Meeting of Wednesday, December 19, 2007 as amended.

Carried.

Councillor Day joined the meeting at 9:09 a.m.

Moved by Councillor Page
RC07-741 That Council adopt the minutes of the Special Council Meeting of Wednesday, December 5, 2007.

Carried.

DELEGATIONS
Olds Fire
Department

Reeve Kemmere welcomed Lorne Thompson, Olds Fire Chief, to the Council Meeting.

Mr. Thompson provided information regarding the current ladder truck being used by the Olds Fire Department which included:

- Uses and benefits of the proposed truck
- Articulating platform ladder

Council discussed the following:

- Ordering timelines
- Lifecycle of equipment
- Availability of water

Reeve Kemmere thanked Mr. Thompson for his presentation.

RC07-742 Moved by Councillor Yakimchuk
That Council receive the information as presented by Lorne Thompson regarding the proposed Articulated Ladder Fire Truck.

Carried.

PUBLIC HEARINGS
Bylaw #LU 57/07
SE 34-32-5 W5M

Reeve Kemmere reconvened the public hearing regarding Bylaw #LU 57/07.

The application for redesignation of the SE 34-32-5 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 2.87 acres from Agricultural District "A" to Country Residential "CR"
- Assessment Value of 7.5%
- CLI rating 5

The Planning and Development Department recommended that Bylaw #LU 57/07 be given second reading for the following reasons:

- The application complies with South East Area Structure Plan
- The applicant's Engineers have confirmed that the two proposed lots will not impact any lands in the SW 34-32-5-W5M therefore the subject lands are suitable for the intended use of residential

The Planning and Development Department advised that all correspondence received was provided to Council. Ms. Porter, and adjacent landowner, has requested that the proposed redesignation not be approved until an acceptable drainage study is prepared.

Councillor Blain joined the meeting at 9:35 a.m.

Paddy Munro, owner, advised what had been done in the past regarding existing subdivisions and waterflows.

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

Tom Boucher, Surveyor, advised that he has inspected the land since 1989 and the lands are drier now than they were in 1989.

Benvinda Porter, adjacent landowner, advised that she purchased her land in 2000 from Mr. Jack Osadchuk. Prior to the existing subdivision spring runoff dried out by June and since the existing subdivision was approved she has a continual stream of water coming from the east and south. Her land is continually wet and never dries out. She provided a detailed presentation regarding her opinion on water flows in the area.

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

Council discussed the following:

- Water studies
- Water flows
- Site visits
- Culvert locations
- Proposed drainage study

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 he had been working on the proposed subdivisions in phases since 2000.

The Planning and Development Department was provided the opportunity for closing remarks and stated that when the 2008 Master Stormwater Drainage Plan for the Southeast Sundre Area Structure Plan is undertaken it should address this specific area.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

RC07-743 Moved by Councillor Day
That Council give second reading to Bylaw No. LU 57/07 redesignation of lands in the SE 34-32-5 W5M.

Carried.

RC07-744 Moved by Councillor Blain
That Council give third reading to Bylaw No. LU 57/07 redesignation of lands in the SE 34-32-5 W5M.

Carried.

RC07-745 Moved by Councillor Ingeveld
That Council instruct administration to ensure that the 2008 Master Stormwater Drainage Plan for the Southeast Sundre Area Structure Plan area address Benvinda Porter's land (SW 34-32-5-W5M, 7 acres) and that the Master Stormwater Drainage Plan make recommendations on rectifying (if any) drainage issues on Mrs. Porter's land.

Carried.

Bylaw #LU 58/07
SW 19-33-3 W5M

Reeve Kemmere open the public hearing regarding Bylaw #LU 58/07.

The application for redesignation of the SW 19-33-3 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 4.84 acres from Agricultural District "A" to Country Residential "CR"
- Assessment Value of 52.8%
- CLI rating 4

The Planning and Development Department recommended that Bylaw #LU 58/07 be given second reading for the following reasons:

- The application complies with MDP policies 3.2.7
- The land is suitable for its intended use
- No objections were received

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

Dave Derksen, on behalf of Francis and Astrid Scarrott, owners, stated that he available to answer any questions.

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

Council discussed the following:

- Farm buildings to the North are of no benefit to the proposed redesignation
- Septic system conditions at time of subdivision
- Adjustment of easterly boundary if septic is an open discharge

The Planning and Development Department recommended that Bylaw #LU 58/07 be deferred as they are unaware that the current septic system was an open discharge. Mr. Derksen concurred with a deferral.

RC07-746 Moved by Councillor Yakimchuk
That Bylaw No. LU 58/07 redesignation of lands in the SW 19-33-3 W5M be deferred to January 16, 2008 at or after 9:00 a.m. pending receipt of information regarding the existing septic system.

Carried.

Bylaw #LU 60/07
SW 10-31-4 W5M

Reeve Kemmere open the public hearing regarding Bylaw #LU 60/07.

The application for redesignation of the SW 10-31-4 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 5.0 acres from Agricultural District "A" to Country Residential "CR"
- Assessment Value of 10.0%, 52.0%, 48.0%
- CLI rating 3

The Planning and Development Department recommended that Bylaw #LU 60/07 be given second reading.

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

Carson Steele, owners, declined the opportunity to speak.

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

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.

RC07-747 Moved by Councillor Blain
That Council give second reading to Bylaw No. LU 60/07 redesignation of lands in the SW 10-31-4 W5M.

Carried.

RC07-748 Moved by Councillor Page
That Council give third reading to Bylaw No. LU 60/07 redesignation of lands in the SW 10-31-4 W5M.

Carried.

Bylaw #LU 63/07
NW 34-30-4 W5M

Reeve Kemmere open the public hearing regarding Bylaw #LU 63/07.

The application for redesignation of the NW 34-30-4 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 7.5 acres from Agricultural District "A" to Country Residential "CR"
- Assessment Value of 46.0%, 10%
- CLI rating 3

The Planning and Development Department recommended that Bylaw #LU 63/07 be given second reading.

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

Richard Sereda, owner, declined the opportunity to provide comment.

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

Council discussed the following:

- County road allowance location
- Proposed subdivision

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.

RC07-749 Moved by Councillor Ingeveld
That Council adopt the Outline Plan as submitted for the proposed redesignation of lands in the NW 34-30-4 W5M. Carried.

RC07-750 Moved by Councillor Yakimchuk
That Council give second reading to Bylaw No. LU 63/07 redesignation of lands in the NW 34-30-4 W5M. Carried.

RC07-751 Moved by Councillor Day
That Council give third reading to Bylaw No. LU 63/07 redesignation of lands in the NW 34-30-4 W5M. Carried.

Recess and Reconvene

Reeve Kemmere recessed the meeting at 10:55 a.m. and reconvened at 11:05 a.m.

Bylaw #LU 64/07
NE 2-33-5 W5M

Reeve Kemmere open the public hearing regarding Bylaw #LU 64/07.

The application for redesignation of the NE 2-33-5 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 56.19 acres from Agricultural District "A" (24.2 ac) and Agricultural (2) District "A2" (31.99 ac) to Country Residential "CR"
- Assessment Value of 8.0%, 49.0%
- CLI rating 5

The Planning and Development Department recommended that Bylaw #LU 64/07 be given second reading.

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

Mel Bergeson, Werner, Sharon, Sherri, and Sommerfeld, Scott, owners, declined the opportunity to comment.

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

Council discussed the following:

- Referral was sent to the Town of Sundre

Van Rideout, applicant, advised that attempts were made a number of attempts to contact the adjacent landowner, Mr. Nielson, and was unable to contact him. He further discussed various studies that had been undertaken.

Mel Bergeson, owner, advised that there is an existing turning lane to access the property.

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 discussed the recommended action regarding the Outline Plan.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

RC07-752 Moved by Councillor Yakimchuk
 That Council adopt the Outline Plan as submitted for the proposed redesignation of lands in the NE 2-33-5 W5M excluding the portions discussing individual servicing; and further, that the developer shall provide a servicing strategy report acceptable to the County at time of subdivision.

The question on Motion #RC07-762 was not called.

RC07-753 Moved by Councillor Ingeveld
 That the Outline Plan as submitted for the proposed redesignation of lands in the NE 2-33-5 W5M be amended by deleting "all adjacent landowners were contacted".

Carried.

The question on Motion RC07-762 was called.

Carried.

RC07-754 Moved by Councillor Page
 That Council give second reading to Bylaw No. LU 64/07 redesignation of lands in the NE 2-33-5 W5M.

Carried.

RC07-755 Moved by Councillor Yakimchuk
 That Council give third reading to Bylaw No. LU 64/07 redesignation of lands in the NE 2-33-5 W5M.

Carried.

BYLAWS
 Bylaw No. 22/07
 Fee Bylaw

Councillor Blain declared a pecuniary interest during discussion of the Fees Bylaw – Schedule 'B' (Parks Fees) as she owns a campground at 11:45 a.m. and left the room.

Councillor Blain returned to the room and rejoined the table at 12:03 p.m. and did not participate in Park Fees discussion.

RC07-756 Moved by Councillor Ingeveld
 That Council give Bylaw No. 22/07 – Fee Schedule Bylaw second reading.

The question on Motion RC07-756 was not called.

		Moved by Councillor Day	
	RC07-757	That Bylaw No. 22/07 – Fee Schedule Bylaw, be amended as follows: - Schedule "C" (Page 126) - Redesignation and Subdivision Fees be amended as presented - Schedule "B" – Park Fees - Remove: Late payment Fee - Remove: May 31 st date - Add: Seasonal Refers to Camping from May 1 to October 31 st	Carried.
		The question on Motion RC07-756 was called.	Carried.
	RC07-758	Moved by Councillor Yakimchuk That Council give Bylaw No. 22/07 – Fee Schedule Bylaw third reading. The question on Motion RC07-756 was not called.	
Recess and Reconvene		Reeve Kemmere recessed the meeting at 12:05 and reconvened at 1:40 p.m.	
OLD BUSINESS			
Internship Program	RC07-759	Moved by Councillor Page That Council receive the letter from the Minister of Municipal Affairs and Housing advising that Mountain View County has been selected to host an intern for the 2008-09 Second Year Internship Program for Administration.	Carried
NEW BUSINESS			
Deferred Services Agreements	RC07-760	Moved by Councillor Yakimchuk That Council direct the Chief Administrative Officer to implement the Deferred Services Agreement condition on Subdivision, Development and Location Permit applications when one or more of the following situations occur: - The application is located within an approved Area Structure Plan which requires the applicant to enter into a Deferred Services Agreement; and/or - The application is located within an identified growth centre as outlined in the Municipal Development Plan Bylaw 17/07; and /or - The subdivision application is for a multi – lot subdivision (3 or more) located outside of an identified growth centre as outlined in the Municipal Development Plan Bylaw 17/07; and /or - The application is located within 0.81km (1/2 (half) mile) of a County Collector Network road as defined in the Municipal Development Plan Bylaw 17/07.	Carried.
	RC07-761	Moved by Councillor Blain That Council direct the Chief Administrative Officer not to apply the Deferred Services Agreement condition, where the previous resolution would have applied, to Development and Location Permit applications which are intended for an agricultural use as outlined in the Mountain View County Land Use Bylaw, Bylaw 55/95, provided the parcel of land for the application does not contain a residence or a Confined Feeding Operation.	Carried
Planning and Development Statistics	RC07-762	Moved by Councillor Day That Council accept the November 2007 Planning and development Statistics as information.	Carried
Bylaw No. 22/07 Fee Schedule Bylaw		Councillor Blain abstained from voting on Motion RC07-758 as she was not present for the entire discussion regarding the Fee Schedule Bylaw. Greg Wiens, Acting Chief Administrative Officer, provided the amended Bylaw for Council viewing. The question on Motion RC07-758 was called.	Carried.

Notice of Motion		Councillor Blain brought forward a Notice of Motion that all fees pertaining to Parks be brought back for Council consideration under separate Bylaws.	
Financial Statement Overview	RC07-763	Moved by Councillor Ingeveld That Council receive the Mountain View County Financial Statement overview and Bank Reconciliation for November 30, 2007 as information.	Carried
Grant Funding	RC07-764	Moved by Councillor Day That Council authorize administration to apply for grant funding under the Alberta Infrastructure Maintenance Program (AMIP) and Municipal Sustainability Initiative (MSI) for any County activities that are eligible under the grant programs; and further, that Council authorize administration to transfer any budget surplus created by applying grant funding to an initiative that was originally expected to be funded from sources other than grant funding, to the Tax Rate Stabilization Reserve and the Road Network Reserve on a 20% / 80% ratio, respectively.	Carried.
2007 Operational Services Deficit	RC07-765	Moved by Councillor Page That Council fund the 2007 Net Deficit from the Tax Rate Stabilization Reserve.	Carried
Unallocated Project Funds	RC07-766	Moved by Councillor Day That Council approve the use of up to \$400,000.00 from the unallocated project fund, to fund the various projects as listed in the Operational Services Project Matrix.	Carried.
MSI Grant	RC07-767	Moved by Councillor Yakimchuk That Council authorize the Reeve to sign the agreement with Municipal Affairs and Housing regarding the Municipal Sponsorship Program 2007/2008.	Carried.
Patrol Vehicle Security Cameras	RC07-768	Moved by Councillor Day That Council authorize the purchase of the Patrol Vehicle Security Cameras in the amount not to exceed \$20,000.00 to be funded from the 2008 Legislative & Community Services Budget.	Carried.
INFORMATION ITEMS	RC07-769	Moved by Councillor Ingeveld That Council receive the following items as information: - Chief Administrative Officer Action List dated December 12, 2007 - Municipal Affairs correspondence dated December 5 2007 re: Municipal Sponsorship Program - Didsbury Fire Authority Minutes Dec 4, 2007 - MVRWMC Minutes November 2007	Carried.
	RC07-770	Moved by Councillor Ingeveld That the Chief Administrative Officer be requested to bring the matter of formatting of the CAO Action list for Councillors use.	Carried.
IN CAMERA	RC07-771	Moved by Councillor Yakimchuk That the Regular Council Meeting of December 12, 2007 go In Camera at 2:29 p.m.	Carried.
	RC07-772	Moved by Councillor Blain That the Regular Council Meeting of December 12, 2007 return to the open meeting at 3:32 p.m.	Carried.

ADJOURN

UNADOPTED

RC07-773

Moved by Councillor Page
That the Regular Council Meeting of Wednesday, December 12, 2007 be adjourned at
3:33 p.m.

Carried.

Reeve Kemmere

I hereby certify these minutes are correct.

Chief Administrative Officer