

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, January 6, 2010, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT:

Councillor K. Blain  
Councillor G. Day  
Councillor G. Ingeveld  
Councillor L. Negropontes  
Councillor L. Yakimchuk

ABSENT:

Reeve A. Kemmere  
Councillor E. Page

IN ATTENDANCE:

T. Martens, Acting Chief Administrative Officer  
D. Hawryluk, Director, Planning and Development Services  
S. McInnis, Director, Operational Services  
G. Wiens, Director, Corporate Services  
J. Koch, Communications Coordinator  
G. Evers, Executive Assistant

CALL TO ORDER:

Tony Martens, Acting Chief Administrative Officer called the meeting to order at 9:00 a.m.

Tony Martens, Acting Chief Administrative Officer, declared the meeting open for nomination of the position of Chair for the January 6, 2010 Regular Council Meeting, due to the absence of the Reeve and Deputy Reeve.

Councillor Day nominated Councillor Yakimchuk for the position of Chair for the January 6, 2010 Regular Council Meeting.

Tony Martens called for nominations a second and third time and declared that nominations were closed and declared Councillor Yakimchuk as Chair of the meeting.

Councillor Yakimchuk introduced Council and Staff.

The meeting began with the recitation of the Lords Prayer.

AGENDA

Councillor Yakimchuk advised that the agenda be revised as follows:

- (8.4) Municipal Planning Commission - Chair Appointment
- (8.5) Municipal Planning Commission - Membership Amendment
- (8.6) CAAMDC Resolutions
- (8.7) Meeting Absence

(8.8) Elected Officials Education Program – Community Development/Citizen Engagement – January 22, 2010

(8.9) Yard Light Request NE 22-29-5 W5

(8.10) Snow Storm Response (additional information)

(11.2) Legal Matter

(11.3) Legal Matter

(11.4) Land Matter (information to be provided at the meeting)

Moved by Councillor Ingeveld

RC10-001 That Council adopt the agenda of the Regular Council Meeting of January 6, 2010 as amended.

Carried.

MINUTES

Moved by Councillor Blain

RC10-002 That Council adopt the minutes of the Regular Council Meeting of December 2, 2009 as amended.

Carried.

PUBLIC HEARINGS

Bylaw #LU 52/09  
SW 14-29-27 W4M

Councillor Yakimchuk opened the public hearing regarding Bylaw #LU 52/09.

The application for redesignation of the SW 14-29-27 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 5.14 acres from Agricultural District “A” to Country Residential “CR”
- Division 1
- Rural Community: Midway

The Planning and Development Department recommended that Bylaw #LU 52/09 be given second reading.

The Planning and Development Department advised that no objections were received.

Douglas Miller representing Odessa Farms Ltd., owner, stated that the location is on RR 27 and Twp 29.

Councillor Yakimchuk asked if there were any comments from the gallery. No one came forward.

Council questions resulted in the following information:

- The poll shed would not be able to cross the property line and setbacks would be dealt with at the time of subdivision

Councillor Yakimchuk 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 Councillor Yakimchuk closed the Public Hearing.

Moved by Councillor Day  
RC10-003 That Council give second reading to Bylaw No. LU 52/09 to redesignate lands in the SW 14-29-27 W4M.  
Carried.

Moved by Councillor Ingeveld  
RC10-004 That Council give third reading to Bylaw No. LU 52/09 to redesignate lands in the SW 14-29-27 W4M.  
Carried.

Bylaw #LU 53/09  
SW 5-30-1 W5M

Councillor Yakimchuk opened the public hearing regarding Bylaw #LU 53/09.

The application for redesignation of the SW 5-30-1 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 6.60 acres from Agricultural District "A" to Country Residential One "CR1"
- Division 1
- Rural Community: Wessex

The Planning and Development Department recommended that Bylaw #LU 53/09 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council and that no objections were received. An Urban Overlay has been undertaken

Ken Taylor, applicant, stated that the applications is as presented.

Councillor Yakimchuk asked if there were any comments from the gallery. No one came forward.

Council questions resulted in the following information:

- Lot 1 and 2 are 1.85 ac each

- The access has been designed to accommodate access to any future subdivision as well as the proposed 3 lots

Councillor Yakimchuk 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 Councillor Yakimchuk closed the Public Hearing.

Moved by Councillor Blain  
RC10-005 That Council approve the urban overlay plan for the lands within the SW 5-30-1- W5M.

Carried.

Moved by Councillor Negropontes  
RC10-006 That Council give second reading to Bylaw No. LU 53/09 to redesignate lands in the SW 5-30-1 W5M.

Carried.

Moved by Councillor Day  
RC10-007 That Council give third reading to Bylaw No. LU 53/09 to redesignate lands in the SW 5-30-1 W5M.

Carried.

Bylaw #LU /58/09  
NW 28-32-27 W4M

Councillor Yakimchuk opened the public hearing regarding Bylaw #LU 58/09.

The application for redesignation of the NW 28-32-27 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 10.0 acres from Agricultural District "A" to Country Residential "CR"
- Division 7
- Rural Community: Reed Ranch

The Planning and Development Department recommended that Bylaw #LU 58/09 be given second reading.

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

Ken Kaiser, owner, was not present.

Councillor Yakimchuk asked if there were any comments from the gallery. No one came forward.

Council did not have any questions.

Councillor Yakimchuk 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 Councillor Yakimchuk closed the Public Hearing.

Moved by Councillor Negropontes  
RC10-008 That Council give second reading to Bylaw No. LU 58/09 to redesignate lands in the NW 28-32-27 W4M.

Carried.

Moved by Councillor Ingeveld  
RC10-009 That Council give third reading to Bylaw No. LU 58/09 to redesignate lands in the NW 28-32-27 W4M.

Carried.

Bylaw #LU 61/09  
SE 36-33-3 W5M

Councillor Yakimchuk opened the public hearing regarding Bylaw #LU 61/09.

The application for redesignation of the SE 36-33-3 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 3.0 acres from Agricultural District "A" to Country Residential "CR"
- Division 6
- Rural Community: Hainstock

The Planning and Development Department recommended that Bylaw #LU 61/09 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council and objections have been addressed by the applicant.

David Derksen, applicant, stated that the Planning and Development Department have provided an excellent presentation. All concerns have been addressed by the applicant.

Councillor Yakimchuk asked if there were any comments from the gallery. No one came forward.

Council questions resulted in the following information:

- The wetlands and environmental area would be considered at the time of subdivision

Councillor Yakimchuk 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 Councillor Yakimchuk closed the Public Hearing.

Moved by Councillor Blain  
RC10-010 That Council give second reading to Bylaw No. LU 61/09 to redesignate lands in the SE 36-33-3 W5M.

Carried.

Moved by Councillor Negropontes  
RC10-011 That Council give third reading to Bylaw No. LU 61/09 to redesignate lands in the SE 36-33-3 W5M.

Carried.

Moved by Councillor Day  
RC10-012 That an Environmental Easement be considered at the time of subdivision of the lands within SE 36-33-3 W5M.

Carried.

#### BYLAWS

Bylaw #LU 16/09  
NE 31-31-4 W5M

Moved by Councillor Negropontes  
RC10-013 That Council give first reading to Bylaw No. LU 16/09 redesignating the lands within the NE 31-31-4 W5M.

Carried.

Moved by Councillor Blain  
RC10-014 That Council set the Public Hearing for Bylaw No. LU 16/09 redesignating the lands within the NE 31-31-4 W5M to January 27, 2010 at or after 9:00 a.m.

Carried.

Bylaw #LU 01/10  
NW 22-33-27 W4M

Moved by Councillor Ingeveld  
RC10-015 That Council give first reading to Bylaw No. LU 01/10 redesignating the lands within the NW 22-33-27 W4M.

Carried.

Moved by Councillor Day  
RC10-016 That Council set the Public Hearing for Bylaw No. LU 01/10 redesignating the lands within the NW 22-33-27 W4M to February 3, 2010 at or after 9:00 a.m.

Carried.

Recess and Reconvene

Councillor Yakimchuk recessed the meeting at 10:07 a.m. and reconvened at 10:20 a.m.

## NEW BUSINESS

Development Permit Fee

PLDP20090000100

Moved by Councillor Day  
 RC10-017 That Council waive the Development Permit fee of \$525.00 for application PLDP20090000100 and authorize a refund; and further, that this does not include the non refundable \$75.00 Long Range Planning Fee or the Building Permit application fee.

Carried.

Bill 50

Moved by Councillor Ingeveld  
 RC10-018 That Council authorize any Councillors to attend the Bill 50 Presentation by AB Energy and AESO, hosted by Clearwater County, January 18, 2010.

Carried.

Alberta Onsite  
Wastewater

Moved by Councillor Day  
 RC10-019 That Council authorize Councillors Ingeveld and Negropontes to attend the Alberta Onsite Wastewater Convention February 4, 5, and 6, 2010 in Edmonton, AB and any Councillor who wishes to attend a single day.

Carried.

MPC

Chair Appointment

Moved by Councillor Blain  
 RC10-020 That Council appoint Linda Burrell, Chair of the Municipal Planning Commission until the 2010 Organizational Meeting.

Carried.

Moved by Councillor Ingeveld  
 RC10-021 That Council appoint Greg Harris, Vice Chair of the Municipal Planning Commission until the 2010 Organizational Meeting.

Carried.

MPC

Membership

Moved by Councillor Ingeveld  
 RC10-022 That Council approve that the Municipal Planning Commission may consist of up to seven members at large.

Carried.

CAAMDC

Resolutions

Moved by Councillor Ingeveld  
 RC10-023 That Council prioritize the importance of the CAAMDC resolutions as follows:

- Compensation for Loss of Use and the Loss of Income from Riparian Lands
- Research the Safe and Sustainable Yields of Aquifers in Alberta
- Right to Farm Legislation

Carried.

Moved by Councillor Negropontes  
 RC10-024 That the matter of Right to Farm and the Loss of Income from Riparian Lands be included in the background information of both of these CAAMDC Resolutions.

Carried.

- Moved by Councillor Day  
RC10-025 That Council approve the resolution on Research the Safe and Sustainable Yields of Aquifers in Alberta as amended and forward it to the Central Zone of the AAMDC for review at the February 5, 2010 Zone Meeting, and request that the Reeve seek a seconder for the resolution.  
Carried.
- Moved by Councillor Blain  
RC10-026 That Council approve the resolution on Right to Farm Legislation as amended and forward it to the Central Zone of the AAMDC for review at the February 5, 2010 Zone Meeting, and request that the Reeve seek a seconder for the resolution.  
Carried.
- Moved by Councillor Day  
RC10-027 That Council approve the resolution on Compensation for Loss of Use and the Loss of Income from Riparian Lands as amended and forward it to the Central Zone of the AAMDC for review at the February 5, 2010 Zone Meeting, and request that the Reeve seek a seconder for the resolution.  
Carried.
- Meeting  
Absence  
RC10-028 Moved by Councillor Blain  
That Council approve the absence of Councillor Blain and Councillor Day at the following Regular Council Meetings:  
- February 17, 2010  
- February 24, 2010  
- March 3, 2010  
Carried.
- EOEP  
RC10-029 Moved by Councillor Day  
That Council authorize Councillors Day and Yakimchuk to attend the Elected Officials Education Program – Community Development/Citizen Engagement, January 22, 2010 in Nisku, AB.  
Carried.
- Yard Light  
NE 22-29-5 W5M  
RC10-030 Moved by Councillor Ingeveld  
That Council approve the installation of a new 250 HPS yard light on a 35 ft wooden pole by FortisAlberta Inc. on NE 22-29-5 W5.  
Carried.
- RC10-031 Moved by Councillor Ingeveld  
That Council approve that the costs for the yard light in the NE 22-29-5 W5 be funded from the Operational Services Budget.  
Carried.
- Snow Storm  
Response  
RC10-032 Moved by Councillor Day  
That Council receive the December Snow Conditions Information Report as information.  
Carried.

CORRESPONDENCE

Information  
Items

RC10-033 Moved by Councillor Blain  
That Council receive the following items as information:  
• CAO Action List for January 6, 2010  
• Municipal Affairs letter dated December 2, 2009  
• Red Deer River Watershed Alliance letter December 11, 2009  
Carried.

CONFIDENTIAL ITEMS  
IN CAMERA

RC10-034 Moved by Councillor Ingeveld  
That the Regular Council Meeting of January 6, 2010 go  
Into closed meeting at 11:19 a.m.  
Carried.

RC10-035 Moved by Councillor Negropontes  
That the Regular Council Meeting of January 6, 2010  
return to the open meeting at 12:05 p.m.  
Carried.

Farm Show

RC10-036 Moved by Councillor Ingeveld  
That Council receive updated information on the Outdoor  
Farm Show, and support the development of a  
Memorandum of Understanding between hosting partners.  
Carried.

ADJOURNMENT

RC10-037 Moved by Councillor Ingeveld  
That Regular Council Meeting of January 6, 2010 be  
adjourned at 12:06 p.m.  
Carried.

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Chair

I hereby certify these minutes are correct.

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Chief Administrative Officer