

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, April 21, 2010, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Deputy Reeve L. Negropontes (Chair)
Councillor K. Blain
Councillor G. Day
Councillor G. Ingeveld
Councillor E. Page
Councillor L. Yakimchuk

ABSENT: Reeve A. Kemmere

IN ATTENDANCE: D. Hawryluk, Acting Chief Administrative Officer T. Martens,
S. McInnis, Director, Operational Services
G. Wiens, Director, Corporate Services
J. Koch, Communications Coordinator
M. Honeyman, Manager, Community Services
D. McDonald, Planner
T. Connatty, Planner
G. Evers, Executive Assistant

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

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

Deputy Reeve Negropontes introduced Council and Staff.

AGENDA Deputy Reeve Negropontes advised that the agenda would be amended as follows:
(8.4) Financial Statement Mailout
(11.4) Legal Matter (verbal Councillor Day)

Moved by Councillor Yakimchuk
RC10-358 That Council adopt the agenda of the Regular Council Meeting of April 21, 2010 as amended.
Carried.

ADOPTION OF MINUTES Moved by Councillor Page
RC10-359 That Council adopt the minutes of the Regular Council Meeting of March 3, 2010.
Carried.

PUBLIC HEARINGS
Bylaw #LU 07/10 - SW 4-33-2-5
Plan 0110972
Block 1 Lot 1 Deputy Reeve Negropontes opened the public hearing regarding Bylaw #LU 07/10.

ADOPTED

The application for redesignation of the SW 4-33-2-5 Plan 0110972 Block 1 Lot 1, 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 2.0 acres from Agriculture 2 District "A2" to Country Residential 1 District "CR(1)
- Division 6
- Rural Community: Hainstock

The Planning and Development Department recommended that Bylaw #LU 07/10 be given second reading.

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

David Derksen, applicant, stated that the presentation provided all the necessary information.

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

Council questions resulted in the following information:

- Alberta Transportation has considered the approaches if adjacent lands were to be redesignated

Deputy Reeve Negroptes 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 Deputy Reeve Negroptes closed the Public Hearing.

Moved by Councillor Ingeveld

RC10-360 That Council give second reading to Bylaw No. LU 07/10 to redesignate lands in the SW 4-33-2-5 Plan 0110972 Block 1 Lot 1.

Carried.

Moved by Councillor Blain

RC10-361 That Council give third reading to Bylaw No. LU 07/10 to redesignate lands in the SW 4-33-2-5 Plan 0110972 Block 1 Lot 1.

Carried.

Recess and Reconvene

Deputy Reeve Negroptes recessed the meeting at 9:21 a.m. and reconvened at 9:29 a.m.

Bylaw #LU 26/10
NW 33-31-4 W5M

Deputy Reeve Negropontes opened the public hearing regarding Bylaw #LU 26/10.

The application for redesignation of the NW 33-31-4 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 ten point zero (10.0) acres (4.0 hectares) within NW 33-31-4-5 from Agricultural District (A) to Country Residential 1 District (CR1)
- Division 4
- Rural Community: Bergen

The Planning and Development Department recommended that Bylaw #LU 26/10 be given second reading.

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

Ian McLeod, owner, provided background information which included a history of when the family purchased the lands. He further stated that they will only be developing one lot at this time.

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

B. J. MacLean, adjacent landowner, stated dust control and traffic are issues of concern. Neighbours should not be responsible for dust suppression.

Council questions resulted in the following information:

- The applicant was advised by the Planning Department that they are not required to develop the additional lots.
- A Concept Plan is a plan that is intended for the planning of future lots
- There are two proposed accesses for the four proposed lots
- The owner intends to follow County policy to address future dust control issues

Deputy Reeve Negropontes 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 Deputy Reeve Negropontes closed the Public Hearing.

Moved by Councillor Day
RC10-362 That Council approve the concept plan (small development) affecting the lands within the NW 33-31-4 W5M.
Motion Defeated.

Moved by Councillor Yakimchuk
RC10-363 That Council give second reading to Bylaw No. LU 26/10 to redesignate lands in the NW 33-31-4 W5M.

The question on Motion RC10-363 was not called.

Moved by Councillor Blain
RC10-364 That Bylaw No. LU 26/10 to redesignate lands in the NW 33-31-4 W5M be amended to Country Residential District (CR).
Motion Defeated.

The question on Motion RC10-364 was called.

Carried.

Moved by Councillor Ingeveld
RC10-365 That Council give third reading to Bylaw No. LU 26/10 to redesignate lands in the NW 33-31-4 W5M.

Carried.

Councillor Page left the meeting at 10:18 a.m.

Bylaw #LU 29/10
SE 19-30-1 W5M

Diana Hawryluk advised of the advertising requirements, in accordance with the Municipal Government Act, and stated that they have been followed as the letters that were sent out are correct.

Deputy Reeve Negropontes opened the public hearing regarding Bylaw #LU 29/10.

The application for redesignation of the SE 19-30-1-5 Plan 0012436 Block 1 Lot 1, 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 2.84 acres from Agricultural District (A) to Country Residential 1 District (CR1) and 5.0 acres from Agricultural District (A) to Country Residential (CR)
- Division 1
- Rural Community: Wessex

The Planning and Development Department recommended that Bylaw #LU 29/10 be given second reading.

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

Marty Hamm, owner, had no comment and commended the Planning Department for their presentation.

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

Council questions resulted in the following information:

- The Planning Department does not recognize the adjacent farm as a livestock operation because the livestock is present only at certain times of the year and they are grazed. It is not a confined feeding situation
- The Water Act states that residential users have the first right to water

Deputy Reeve Negropontes 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 Deputy Reeve Negropontes closed the Public Hearing.

Moved by Councillor Day

RC10-366 That Council give second reading to Bylaw No. LU 29/10 to redesignate lands in the SE 19-30-1-5 Plan 0012436 Block 1 Lot 1.

Carried.

Moved by Councillor Ingeveld

RC10-367 That Council give third reading to Bylaw No. LU 29/10 to redesignate lands in the SE 19-30-1-5 Plan 0012436 Block 1 Lot 1.

Carried.

Recess and Reconvene

Deputy Reeve Negropontes recessed the meeting at 10:40 a.m. and reconvened at 10:49 a.m.

Bylaw #LU 30/10
NE 1-30-5-W5M

Deputy Reeve Negropontes opened the public hearing regarding Bylaw #LU 30/10.

The application for redesignation of the NE 1-30-5-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 3.0 acres from Agricultural District "A" to Country Residential "CR"
- Division 2
- Rural Community: Water Valley/Winchell Lake

The Planning and Development Department recommended that Bylaw #LU 30/10 be given second reading.

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

Brian and Terry Wilson, owners, declined the opportunity for comment.

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

Council questions resulted in the following information:

- The proposed redesignation would not affect future subdivision of the quarter section to the west

Deputy Reeve Negropontes 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 Deputy Reeve Negropontes closed the Public Hearing.

Moved by Councillor Yakimchuk

RC10-368 That Council give second reading to Bylaw No. LU 30/10 to redesignate lands in the NE 1-30-5-W5M. Carried.

Moved by Councillor Blain

RC10-369 That Council give third reading to Bylaw No. LU 30/10 to redesignate lands in the NE 1-30-5-W5M. Carried.

Moved by Councillor Yakimchuk

RC10-370 That lands within NW 1-30-5 W5M not be compromised as a result of redesignation or subdivision of lands within NE 1-30-5-W5M. Carried.

Bylaw #LU 31/10
SE 12-30-5-W5M

Deputy Reeve Negropontes opened the public hearing regarding Bylaw #LU 31/10.

The application for redesignation of the SE 12-30-5-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 3.0 acres from Agricultural District "A" to Country Residential "CR"
- Division 2
- Rural Community: Fallentimber

The Planning and Development Department recommended that Bylaw #LU 31/10 be given second reading.

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

Brian and Terry Wilson, owners, declined the opportunity for comment.

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

Council questions resulted in the following information:

- The adjacent landowner's view to the west would not be affected

Deputy Reeve Negropontes 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 Deputy Reeve Negropontes closed the Public Hearing.

Moved by Councillor Yakimchuk

RC10-371 That Council give second reading to Bylaw No. LU 31/10 to redesignate lands in the SE 12-30-5-W5M. Carried.

Moved by Councillor Day

RC10-372 That Council give third reading to Bylaw No. LU 31/10 to redesignate lands in the SE 12-30-5-W5M. Carried.

Bylaw #LU 32/10
SE 6-33-27-W4M

Deputy Reeve Negropontes opened the public hearing regarding Bylaw #LU 32/10.

The application for redesignation of the SE 6-33-27-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 80 acres from Agriculture District to Agriculture 2 District
- Division 7
- Rural Community: Reed Ranch

The Planning and Development Department recommended that Bylaw #LU 32/10 be given second reading.

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

David Derksen, applicant, advised that the old barn has been removed since the site photo was taken.

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

Council questions resulted in the following information:

- The property that is intended to be rezoned will be Agricultural 2 District (A2) and the balance will remain as Agriculture District.
- The original application for the east boundary as been amended to fit the contour of the land
- Alberta Transportation has requested that a service road be considered

Deputy Reeve Negroportes 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 Deputy Reeve Negroportes closed the Public Hearing.

Moved by Councillor Blain

RC10-373 That Council give second reading to Bylaw No. LU 32/10 to redesignate lands in the SE 6-33-27-W4M.

Carried.

Moved by Councillor Day

RC10-374 That Council give third reading to Bylaw No. LU 32/10 to redesignate lands in the SE 6-33-27-W4M.

Carried.

NEW BUSINESS

Time Extension
SD 07-075

RC10-375 Moved by Councillor Ingeveld
That Council approve a time extension for conditionally approved subdivision SD 07-075 to October 21, 2010.

Carried.

Financial Statement
Mail out

RC10-376 Moved by Councillor Blain
That Council approve the mail out of the 2009 Financial Statements, along with an explanation of required changes, to all rate payers; and further, that the cost of the mail out of the 2009 Financial Statements in the amount of \$18,000 be funded from the Tax Rate Stabilization Reserve.

Carried.

INFORMATION ITEMS

RC10-377 Moved by Councillor Day
That the original letter of Motion RC09-070 be brought back to a Policies and Priorities Committee meeting for review and that a new letter be compiled and sent to the SPOG Community Affairs Committee.

Carried.

- Moved by Councillor Ingeveld
 RC10- 378 That Council receive the following items as information:
 (a) CAO Action List for April 21, 2010
 (b) MVSH Minutes-2010_02
 (c) SRDRWC January 15, 2010 Minutes
 (d) Wessex Carstairs ASP Appointment
 (e) Municipal Affairs Letter to MAP
 Carried.
- CONFIDENTIAL ITEMS
 IN CAMERA
- Moved by Councillor Ingeveld
 RC10-379 That the Regular Council Meeting of April 21, 2010 go Into
 closed meeting at 12:05 p.m.
 Carried.
- Moved by Councillor Yakimchuk
 RC10-380 That the Regular Council Meeting of April 21, 2010 return to the
 open meeting at 12:45 p.m.
 Carried.
- Airport Improvement
 Project RC10-381 Moved by Councillor Yakimchuk
 That information regarding proposed Phase 1 improvements at
 the Olds Didsbury Airport be brought back to the June 2, 2010
 Regular Council Meeting.
 Carried.
- Southeast Sundre
 Area Structure
 Plan Committee RC10-382 Moved by Councillor Blain
 That Council appoint L. Barrett, B. Blair, L. Martin, and R. Neerie
 as Public Members to the Southeast Sundre Area Structure Plan
 Committee for the duration of the project.
 Carried.
- RC10-383 Moved by Councillor Blain
 That Council appoint the Division Four, Five and Six Councillors
 to the Southeast Sundre Area Structure Plan Committee for the
 duration of the project.
 Carried.
- Wessex Growth Center
 Area Structure
 Plan Committee RC10-384 Moved by Councillor Ingeveld
 That Council appoint Lynn Clark, Robin Fair, N. Glenn Morasch
 and Wayne Poffenroth as Public Members to the Wessex Growth
 Center Area Structure Plan Committee for the duration of the
 project.
 Carried.
- RC10-385 Moved by Councillor Ingeveld
 That Council appoint the Division One, Two and Three
 Councillors to the Wessex Growth Center Area Structure Plan
 Committee for the duration of the project.
 Carried.

ADOPTED

ADJOURNMENT

RC10-386 Moved by Councillor Yakimchuk
That Regular Council Meeting of April 21, 2010 be adjourned at
12:48 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer