

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, January 19, 2011, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Reeve P. Munro
Councillor K. Good
Councillor A. Kemmere
Councillor P. McKean
Councillor R. Orr

ABSENT: Councillor B. Beattie
Councillor D. Milne

IN ATTENDANCE: T. Martens, Interim Chief Administrative Officer
D. Hawryluk, Director, Planning and Development Services
S. McInnis, Director, Operational Services
G. Wiens, Director, Corporate Services
N. Petherick, Manager Planning and Development
T. Connatty, Planners
C. Banack, Planner
G. Evers, Executive Administrative Assistant

CALL TO ORDER: Reeve Munro called the meeting to order at 9:03 a.m.

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

Reeve Munro introduced Council and Staff.

AGENDA Reeve Munro advised of the following amendments to the agenda:

- 6.2 Bylaw No. LU 02/11 - SW 9-33-1 W5M (revised information)
- 6.7 Bylaw No. 01/09 - Road Closure NW 2-30-5 W5M
- 6.8 Bylaw No. 02/09 - Road Closure SW 2-30-5 W5M
- 7.1 Big Prairie Bridge - Big Prairie Bridge Advisors Group in attendance at 11:00 a.m.
- 8.7 SRDRWC 2011 Operating Budget
- 8.8 ERCB - Well Spacing for Oil and Gas Reservoirs
- 10.1 Councillor Report - Reeve Munro
- 11.1 Legal Matter
- 11.2 Legal Matter

Moved by Councillor Kemmere

RC11-023 That Council adopt the agenda of the Regular Council Meeting of January 19, 2011 as amended.

Carried.

MINUTES

Moved by Councillor McKean

RC11-024 That Council adopt the minutes of the Regular Council Meeting of December 15, 2010.

Carried.

PUBLIC HEARINGS
Bylaw #LU 130/10
SW 24-31-27 W4M

Reeve Munro opened the public hearing regarding Bylaw #LU 130/10.

The application for redesignation of the SW 24-31-27 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 9.6 acres from Agricultural District "A" to Country Residential (1) District "R-CR1"
- Division 3
- Rural Community: Lonepine

The Planning and Development Department recommended that Bylaw #LU 130/10 be defeated at second reading as the land is not suitable for the intended use and is not compatible with surrounding land uses. This would have a negative impact on the surrounding agricultural practices.

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

David Derksen, applicant, indicated on a map, the location of adjacent gravel pits and stated that they would not affect the proposed redesignation. People have been living adjacent to gravel pits for years with no problems.

The Planning and Development Department reviewed an email from the Operational Services Department regarding current and future uses of the Bittner gravel pit.

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

Dwayne Fulton stated that he agrees with Council not to approve clustered subdivisions until a direction is determined regarding clusters.

The Director of Planning and Development advised that e-mails were received from Duncan Milne and Bruce Beattie as follows:

- This piece of property will have to have all existing structures to be removed to go forward.
- Once these are removed we will then have good farm land.
- He does not agree with putting clusters on farmable land and is opposed to this bylaw.

Ryan Morrison provided information regarding proposed future uses for the Bittner Pit and stated that there is 90,000 cu yards of gravel available to be extracted.

Council questions resulted in the following information:

- The applicant does not wish to consider a single country residential lot
- County Access Policy would allow 2 joint approaches
- This was not registered as a confined feeding operation as it pre-dated the requirement for registration

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

The applicant was provided the opportunity for remarks and stated that it would be a benefit to the County if this land were cleaned up.

The Planning and Development Department was provided the opportunity for closing remarks and stated that this application was received before the multi-lot requirements were changed. An environmental site assessment may be required to decommission the buildings. The applicant is aware that demolition permits would be required and was provided a current fee schedule. The existing farm buildings may not be able to be used for a home based business as they may not meet code.

The applicant was provided the opportunity for closing remarks and stated that it would not be an issue if an environmental assessment is required.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Kemmere
RC11-025 That Council give second reading to Bylaw No. LU 130/10 to redesignate lands in the SW 24-31-27 W4M.
Motion Defeated.

Recess and Reconvene

Reeve Munro recessed the meeting at 10:01 a.m. and reconvened at 10:04 a.m.

Bylaw #LU 131/10
SE 23-31-27 W4M

Reeve Munro opened the public hearing regarding Bylaw #LU 131/10.

The Planning and Development Department stated that the applicant has requested that the application be deferred because of the decision on the previous application.

Moved by Councillor Kemmere
RC11-026 That Bylaw No. LU 131/10 to redesignate lands in the SE 23-31-27 W4M be deferred for up to three (3) months.
Carried.

Dave Derksen, applicant, thanked Council for approving his request.

Bylaw #LU 132/10
SE 13-31-4 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 132/10.

The application for redesignation of the SE 13-31-4 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 79.0 acres from Agricultural District "A" to Agricultural (2) District "A2"
- Division 4
- Rural Community: Elkton/Rugby

The Planning and Development Department recommended that Bylaw #LU 132/10 be given second reading.

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

The owners declined the opportunity to comment.

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

The Director of Planning and Development advised that e-mails were received from Duncan Milne and Bruce Beattie as follows:

- This is a naturally fractured quarter section and will have separate titles for the brothers who are involved. Support can be provided on this application.

Council did not have any questions.

Reeve Munro 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 stated that GPS has been undertaken.

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

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean

RC11-027 That Council give second reading to Bylaw No. LU 132/10 to redesignate lands in the SE 13-31-4 W5M.

Carried.

Moved by Councillor Good
RC11-028 That Council give third reading to Bylaw No. LU 132/10 to redesignate lands in the SE 13-31-4 W5M.

Carried.

Bylaw #LU 133/10
NE 20-30-1 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 133/10.

The application for redesignation of the NE 20-30-1 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 acres from Agricultural District "A" to Country Residential (1) District "R-CR1"
- Division 3
- Rural Community: Wessex

The Planning and Development Department recommended that Bylaw #LU 133/10 be given second reading.

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

Ken Taylor, applicant, stated that the redesignation is in this location on the quarter section because of Alberta Transportation setback requirements.

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

Curtis Clarke, landowner, stated that because of a family partnership he may be selling an additional 250 acres adjacent to these lands.

Dwayne Fulton, adjacent landowner, stated that he is opposed to any clustered subdivisions. This is within the Wessex Area Structure Plan. The local roads do not have deep ditches and drift in during the winter.

The Director of Planning and Development advised that e-mails were received from Duncan Milne and Bruce Beattie as follows:

- Taking out good farm land.
- Opposed to the application.
- A stand needs to be taken regarding the loss of farm land

Council questions resulted in the following information:

- This is in Division 1 not Division 3 as indicated

Reeve Munro 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 stated that this is within the growth centre. No written objections were received.

The applicant was provided the opportunity for closing remarks and stated that these lands have been in the family for over sixty (60) years. The Town of Carstairs boundaries are getting closer to this farmland. He requested that this redesignation be approved as it is within close proximity to the Town of Carstairs.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Kemmere
RC11-029 That Council give second reading to Bylaw No. LU 133/10 to redesignate lands in the NE 20-30-1 W5M. Carried.

Moved by Councillor Good
RC11-030 That Council give third reading to Bylaw No. LU 133/10 to redesignate lands in the NE 20-30-1 W5M. Carried.

Bylaw #LU 134/10
SE 29-30-1 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 134/10.

The application for redesignation of the SE 29-30-1 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 acres from Agricultural District "A" to Country Residential (1) District "R-CR1"
- Division 3
- Rural Community: Wessex

The Planning and Development Department recommended that Bylaw #LU 134/10 be given second reading.

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

Ken Taylor, applicant, stated that the proposed redesignation is in the location due to topographical restraints. This is an Alberta Transportation preferred location.

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

Curtis Clark, landowner, stated that this is a financial decision.

Dwayne Fulton stated that he is not in favour of this application. This road has not been in existence for a long time and will cause problems. He is opposed to clustered subdivisions.

The Director of Planning and Development advised that e-mails were received from Duncan Milne and Bruce Beattie as follows:

- Taking out good farm land.
- Opposed to the application.
- A stand needs to be taken regarding the loss of farm land

Council questions resulted in the following information:

- The proposed lot sizes were designed to meet the topography and are not the same as the other side of the road

Reeve Munro 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 stated that the adjacent subdivision would be considered when recommendations are made regarding approaches.

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

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean

RC11-031 That Council give second reading to Bylaw No. LU 134/10 to redesignate lands in the SE 29-30-1 W5M.

Carried.

Moved by Councillor Kemmere

RC11-032 That Council give third reading to Bylaw No. LU 134/10 to redesignate lands in the SE 29-30-1 W5M.

Carried.

Recess and Reconvene

Reeve Munro recessed the meeting at 11:03 a.m. and reconvened at 11:13 a.m.

OLD BUSINESS

Big Prairie Bridge

Dave Street, representing a landowner advisory group, stated that the landowners were originally concerned that a replacement bridge would not be built. He provided an overview of meetings to-date. The adjacent landowners were happy to have the replacement of a one lane bridge. Traffic counts do not justify a two lane bridge, however, a two lane structure would be safer. If replacing the destroyed bridge with a two lane bridge were to create any delay the community would not support it.

- Moved by Councillor Kemmere
RC11-033 That Council request that the Chief Administrative Officer proceed with a one-lane replacement bridge design and that this be brought forward to the 2011 budget.
Carried.
- BYLAWS
- Bylaw #LU 135/10
NE 18-32-4 W5M RC11-034 Moved by Councillor Kemmere
That Council give first reading to Bylaw No. LU 135/10 redesignating the lands within the NE 18-32-4 W5M.
Carried.
- Moved by Councillor Good
RC11-035 That Council set the Public Hearing for Bylaw No. LU 135/10 redesignating the lands within the NE 18-32-4 W5M to February 16, 2011 at or after 9:00 a.m.
Carried.
- Bylaw #LU 02/11
SW 9-33-1 W5M RC11-036 Moved by Councillor McKean
That Council give first reading to Bylaw No. LU 02/11 redesignating the lands within the SW 9-33-1 W5M.
Carried.
- Moved by Councillor Good
RC11-037 That Council set the Public Hearing for Bylaw No. LU 02/11 redesignating the lands within the SW 9-33-1 W5M to February 16, 2011 at or after 9:00 a.m.
Carried.
- Bylaw #LU 03/11
SW 4-31-3 W5M RC11-038 Moved by Councillor Kemmere
That Council give first reading to Bylaw No. LU 03/11 redesignating the lands within the SW 4-31-3 W5M.
Carried.
- Moved by Councillor McKean
RC11-039 That Council set the Public Hearing for Bylaw No. LU 03/11 redesignating the lands within the SW 4-31-3 W5M to February 16, 2011 at or after 9:00 a.m.
Carried.
- Bylaw #LU 04/11
NW 18-31-3 W5M RC11-040 Moved by Councillor Kemmere
That Council give first reading to Bylaw No. LU 04/11 redesignating the lands within the NW 18-31-3 W5M.
Carried.
- Moved by Councillor McKean
RC11-041 That Council set the Public Hearing for Bylaw No. LU 04/11 redesignating the lands within the NW 18-31-3 W5M to February 16, 2011 at or after 9:00 a.m.
Carried.
- Bylaw #LU 05/11
SE 2-29-5 W5M RC11-042 Moved by Councillor Good
That Council give first reading to Bylaw No. LU 05/11 redesignating the lands within the SE 2-29-5 W5M.
Carried.
- Moved by Councillor McKean
RC11-043 That Council set the Public Hearing for Bylaw No. LU 05/11 redesignating the lands within the SE 2-29-5 W5M to February 23, 2011 at or after 9:00 a.m.
Carried.
- Bylaw #LU 06/11
NW 14-31-4 W5M RC11-044 Moved by Councillor Kemmere
That Council give first reading to Bylaw No. LU 06/11 redesignating the lands within the NW 14-31-4 W5M.
Carried.

		Moved by Councillor McKean	
	RC11-045	That Council set the Public Hearing for Bylaw No. LU 06/11 redesignating the lands within the NW 14-31-4 W5M to February 16, 2011 at or after 9:00 a.m.	Carried.
Bylaw No. 01/09 Road Closure		Moved by Councillor Kemmere	
	RC11-046	That Council give second reading to Bylaw 01/09 – Road Closure Bylaw NW 2-30-5 W5M.	Carried.
		Moved by Councillor McKean	
	RC11-047	That Council give third reading to Bylaw 01/09 – Road Closure Bylaw NW 2-30-5 W5M.	Carried.
Bylaw No. 02/09 Road Closure		Moved by Councillor McKean	
	RC11-048	That Council give second reading to Bylaw 02/09 – Road Closure Bylaw SW 2-30-5 W5M.	Carried.
		Moved by Councillor Good	
	RC11-049	That Council give third reading to Bylaw 02/09 – Road Closure Bylaw SW 2-30-5 W5M	Carried.
		Moved by Councillor Kemmere	
	RC11-050	That Council request that the Chief Administrative Officer bring back options for disposal of the lands affected within Bylaw No. 02/09.	Carried.
NEW BUSINESS			
Rail Crossing on T324		Moved by Councillor Kemmere	
	RC11-051	That Council request that the Interim Chief Administrative Officer investigate grant opportunities for Rail Road crossing lights at the crossing on SE 30-32-1 W5M, north of Didsbury.	Carried.
AAMDC Proposed Revised Bylaws		Moved by Councillor McKean	
	RC11-052	That Council endorse the AAMDC Proposed Revised Bylaws, as provided in the AAMDC Member Bulletin dated December 20, 2010, at the 2011 AAMDC Spring Convention.	Carried.
2011 CAAMDC Golf Tournament		Moved by Reeve Munro	
	RC11-053	That Council host the 2011 CAAMDC Zone Golf Tournament; and further, that the Interim Chief Administrative Officer be requested to coordinate arrangements at the Sundre Golf Course, or alternatively at the Olds Highland Golf Course, in the later part of June 2011.	Carried.
Tax Penalty Cancellation Roll 131164001		Moved by Councillor Kemmere	
	RC11-054	That Council deny the request for the cancellation of 2010 penalties for Roll 131164001.	Carried.
Tax Penalty Cancellation Roll 333064002		Moved by Councillor McKean	
	RC11-055	That Council deny the request for the cancellation of 2010 penalties for Roll 333064002.	Carried.

ADJOURNMENT

RC11-062 Moved by Councillor Good
That Regular Council Meeting of January 19, 2011 be
adjourned at 2:03 p.m.

ADOPTED

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer