

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, February 16, 2011, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Reeve P. Munro  
Councillor B. Beattie  
Councillor K. Good  
Councillor A. Kemmere  
Councillor P. McKean  
Councillor D. Milne  
Councillor R. Orr

IN ATTENDANCE: T. Martens, 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  
C. Banack, Planner  
S. McCartney, Planning Intern  
G. Eyers, Executive Administrative Assistant

CALL TO ORDER: Reeve Munro called the meeting to order at 9:00 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:  
4.1 Bylaw No. LU 135/10 – additional information  
10.1 Councillor Reports – Reeve Kemmere  
11.2 Legal Matter - Councillor Beattie

Moved by Councillor McKean  
RC11-100 That Council adopt the agenda of the Regular Council Meeting of February 16, 2011 as amended. Carried.

MINUTES Moved by Councillor Good  
RC11-101 That Council adopt the minutes of the Regular Council Meeting of January 19, 2011. Carried.

PUBLIC HEARINGS  
Bylaw #LU 135/10  
NE 18-32-4 W5M  
Reeve Munro opened the public hearing regarding Bylaw #LU 135/10.

The application for redesignation of the NE 18-32-4 W5M, was introduced by the Planning and Development Department and the following information was introduced

ADOPTED

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 58.76 acres from Agricultural District (A) and Agriculture (2) District (A(2)) to Parks & Recreation District (P-PR)
- Division 5
- Rural Community: Bergen

The Planning and Development Department advised that seven letters of opposition and one letter in support of the proposed redesignation were received and have been provided to Council.

The Planning and Development Department recommended that Bylaw #LU 135/10 be defeated because of the proximity to the feed lot and the potential for RV park leaseholders to object to an expansion of the feed lot. An intensive tourist campground use within the MDS of a significantly sized confined feeding operation is not deemed an appropriate use and may lead to future land use conflicts between recreation and agricultural uses. An existing CFO and does not comply with the direction and intent of the Strategic Directions Plan.

Dean Hedley, owner, stated that the proposed RV facility would have minimal impact on adjacent properties as it is intended that the recreational facility would be a seasonal operation from May to October. Most would be seasonal campers which would be less of a traffic impact because they would come and go without towing trailers. Consultation has taken place with the owner of the Grace feed lot and they have provided a letter of support.

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

Ron Elliott, representative for the owners of the Grace Feedyards, stated that they have no objections to the proposed RV development. He stated that he is aware that future expansion of the feed lot could be affected if the MDS Assessment factors are applied. He could not confirm if the owners are aware of this.

Council questions resulted in the following information:

- The existing Restrictive Covenant dated December 31, 2009 would need approval of both parties to be removed
- The NRCB has not indicated that they would relax their MDS requirements
- There would be a packaged treatment plant installed to handle wastewater

- Lease agreements would be undertaken between the campground and RV owners

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 acknowledged the work undertaken to date by Mr. and Mrs. Hedley. The Planning and Development Department's responsibility is to make recommendations for the best interest of the County.

The applicant was provided the opportunity for closing remarks and stated that there is a need for this type of recreation facility in Alberta. This is an excellent economic development opportunity for the County.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Kemmere  
 RC11-102 That Council approve the concept plan (large development) affecting the lands within the NE 18-32-4 W5M. Carried.

Moved by Councillor McKean  
 RC11-103 That Council give second reading to Bylaw No. LU 135/10 to redesignate lands in the NE 18-32-4 W5M. Carried.

Moved by Councillor Beattie  
 RC11-104 That Council give third reading to Bylaw No. LU 135/10 to redesignate lands in the NE 18-32-4 W5M. Carried.

Moved by Councillor Kemmere  
 RC11-105 That if a subdivision application is considered regarding Bylaw No. LU 135/10 that it be brought forward to the Municipal Planning Commission. Carried.

Recess and Reconvene  
 Reeve Munro recessed the meeting at 10:15 a.m. and reconvened at 10:24 a.m.

Bylaw #LU 02/11  
 SW 9-33-1 W5M  
 Reeve Munro opened the public hearing regarding Bylaw #LU 02/11.

The application for redesignation of the SW 9-33-1 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:

- Division 7
- Rural Community: Netook

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The Planning and Development Department recommended that Bylaw #LU 02/11 be given second reading.

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

Marty Robison, Snell & Oslund Surveys Ltd., applicant, stated that he does not have any further information to provide.

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

Council questions resulted in the following information:

- The proposed redesignation would be consolidated with the adjacent lands and the parcel would meet the required size
- The lands were cleared prior to the last ownership change

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 proposed redesignation meets all size requirements under the Land Use Bylaw.

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

RC11-106 That Council give second reading to Bylaw No. LU 02/11 to redesignate lands in the SW 9-33-1 W5M.

Carried.

Moved by Councillor Milne

RC11-107 That Council give third reading to Bylaw No. LU 02/11 to redesignate lands in the SW 9-33-1 W5M.

Carried.

Bylaw #LU 03/11  
SW 4-31-3 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 03/11.

The application for redesignation of the SW 4-31-3 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:

ADOPTED

- To redesignate three point one (3.1) acres within SW 4-31-3 W5M from Agricultural District (A) to Country Residential District (R-CR)
- Division 4
- Rural Community: Westcott

The Planning and Development Department recommended that Bylaw #LU 03/11 be given second reading.

The Planning and Development Department advised that no correspondence was received during the referral process.

Shawna Brassard, owner, stated that her family has been in the area since the early 1960s. This was a family farm and because of family health issues the children now intend to subdivide and sell a portion to the current renter.

Darlene Weidner, adjacent landowner, states that she supports the proposed redesignation and concept plan agreement.

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

Council questions resulted in the following information:

- Operational Services would review the proposed access once an application for subdivision is received

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 application meets all current policies.

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

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Kemmere  
RC11-108 That Council approve the Concept Plan Agreement (small development) affecting the lands within the SW 4-31-3 W5M.

Carried.

Moved by Councillor Beattie  
RC11-109 That Council give second reading to Bylaw No. LU 03/11 to redesignate lands in the SW 4-31-3 W5M.

Carried.

Moved by Councillor Milne  
RC11-110 That Council give third reading to Bylaw No. LU 03/11 to redesignate lands in the SW 4-31-3 W5M.

Carried.

Moved by Councillor Kemmere  
RC11-111 That safety concerns regarding access to lands redesignated by Bylaw No. LU 03/11 be considered by the Approving Authority.

Carried.

Bylaw #LU 04/11  
NW 18-31-3 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 04/11.

The application for redesignation of the NW 18-31-3 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 three point zero (3.0) acres within NW 18-31-3 W5M from Agricultural District (A) to Country Residential District (R-CR)
- Division 4
- Rural Community Elkton/Rugby

The Planning and Development Department recommended that Bylaw #LU 04/11 be given second reading. They cannot support the Concept Plan as Alberta Transportation does not support it.

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

Ken Taylor, applicant, stated that the owner was required to submit a Concept Plan but they only intend to develop one lot at this time.

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

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 declined.

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  
RC11-112 That Council approve the concept plan (small development) affecting the lands within the NW 18-31-3 W5M.  
Motion Defeated.

Moved by Councillor Milne  
RC11-113 That Council give second reading to Bylaw No. LU 04/11 to redesignate lands in the NW 18-31-3 W5M.  
Carried.

Moved by Councillor McKean  
RC11-114 That Council give third reading to Bylaw No. LU 04/11 to redesignate lands in the NW 18-31-3 W5M.  
Carried.

Bylaw #LU 06/11  
NW 14-31-4 W5M

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

The application for redesignation of the NW 14-31-4 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 seventy-five point five (75.5) acres within NW 14-31-4 W5M from Agricultural District (A) to Agricultural (2) District (A(2))
- Division 4
- Rural Community: Elkton/Rugby

The Planning and Development Department recommended that Bylaw #LU 06/11 be given second reading.

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

Barry McCurdy, applicant, stated that he does not have any additional information to provide.

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

Council questions resulted in the following information:

- Access to the easterly 80 acres would be via the leased road

Reeve Munro 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.

ADOPTED

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean  
RC11-115 That Council give second reading to Bylaw No. LU 06/11 to redesignate lands in the NW 14-31-4 W5M.

Motion Defeated.

Bylaw #LU 10/11  
NE 32-33-3 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 10/11.

The application for redesignation of the NE 32-33-3 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 three point zero (3.0) acres within NE 32-33-3 W5M from Agricultural District (A) to Country Residential District (R-CR)
- Division 6
- Rural Community: Eagle Hill/Westward Ho

The Planning and Development Department recommended that Bylaw #LU 10/11 be given second reading. They cannot support the Concept Plan as Alberta Transportation does not support it.

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

Ken Taylor, applicant, stated that the proposed redesignation will be for a family member to build a house. Mr. Taylor discussed area cattle operations and stated that they would not affect the proposal.

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

Council questions resulted in the following information:

- The residence to the southeast is not a cattle operation

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 they recommend approval.

The applicant was provided the opportunity for closing remarks and stated that adjacent farming operations would not have an affect.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Beattie  
RC11-116 That Council approve the concept plan (small development) affecting the lands within NE 32-33-3-W5M.  
Motion Defeated.

Moved by Councillor Kemmere  
RC11-117 That Council give second reading to Bylaw No. LU 10/11 to redesignate lands in the NE 32-33-3 W5M.  
Carried.

Moved by Councillor McKean  
RC11-118 That Council give third reading to Bylaw No. LU 10/11 to redesignate lands in the NE 32-33-3 W5M.  
Carried.

## BYLAWS

Bylaw #LU 137/10  
SW 25-31-4 W5M RC11-119 Moved by Councillor Beattie  
That Council give first reading to Bylaw No. LU 137/10 redesignating the lands within the SW 25-31-4 W5M.  
Carried.

Moved by Councillor McKean  
RC11-120 That Council set the Public Hearing for Bylaw No. LU 137/10 redesignating the lands within the SW 25-31-4 W5M to March 16, 2011 at or after 9:00 a.m.  
Carried.

Bylaw #LU 14/11  
SE 18-29-4 W5M RC11-121 Moved by Councillor Kemmere  
That Council give first reading to Bylaw No. LU 14/11 redesignating the lands within the SE 18-29-4 W5M.  
Carried.

Moved by Councillor Milne  
RC11-122 That Council set the Public Hearing for Bylaw No. LU 14/11 redesignating the lands within the SE 18-29-4 W5M to March 16, 2011 at or after 9:00 a.m.  
Carried.

Bylaw #LU 15/11  
SE 28-31-3 W5M RC11-123 Moved by Councillor Milne  
That Council give first reading to Bylaw No. LU 15/11 redesignating the lands within the SE 28-31-3 W5M.  
Carried.

Moved by Councillor Orr  
RC11-124 That Council set the Public Hearing for Bylaw No. LU 15/11 redesignating the lands within the SE 28-31-3 W5M to March 16, 2011 at or after 9:00 a.m.  
Carried.

Bylaw #LU 16/11  
SW 36-33-4 W5M RC11-125 Moved by Councillor McKean  
That Council give first reading to Bylaw No. LU 16/11 redesignating the lands within the SW 36-33-4 W5M.  
Carried.

Moved by Councillor Milne  
RC11-126 That Council set the Public Hearing for Bylaw No. LU 16/11 redesignating the lands within the SW 36-33-4 W5M to March 16, 2011 at or after 9:00 a.m.  
Carried.

- Bylaw #LU 17/11  
NW 11-34-3 W5M RC11-127 Moved by Councillor McKean  
That Council give first reading to Bylaw No. LU 17/11 redesignating the lands within the NW 11-34-3 W5M.  
Carried.
- RC11-128 Moved by Councillor McKean  
That Council set the Public Hearing for Bylaw No. LU 17/11 redesignating the lands within the NW 11-34-3 W5M to March 16, 2011 at or after 9:00 a.m.  
Carried.
- Bylaw #LU 18/11  
NW 11-34-3 W5M RC11-129 Moved by Councillor Beattie  
That Council give first reading to Bylaw No. LU 18/11 redesignating the lands within the NW 11-34-3 W5M.  
Carried.
- RC11-130 Moved by Councillor Kemmere  
That Council set the Public Hearing for Bylaw No. LU 18/11 redesignating the lands within the NW 11-34-3 W5M to March 16, 2011 at or after 9:00 a.m.  
Carried.
- OLD BUSINESS  
Project AG-09-11 RC11-131 Moved by Councillor Beattie  
That Council deny the request for the Agricultural Society Youth Funding in the amount of \$70,650.00.  
Carried.
- RC11-132 Moved by Councillor Kemmere  
That correspondence be sent to the Olds Agricultural Society explaining Council's decision regarding the request for Youth funding.  
Carried.
- Olds College  
Anniversary Funding RC11-133 Moved by Councillor Beattie  
That Council approve a contribution of up to \$30,000.00 over a three year period towards the Olds College Centennial Celebration.  
Carried.
- RC11-134 Moved by Councillor Kemmere  
That the funding for the Olds College Centennial Celebration be from the Tax Rate Stabilization Fund; and that the matter be forwarded to the 2011 Budget.  
Carried.
- Recess and Reconvene Reeve Munro recessed the meeting at 12:05 p.m. and reconvened at 1:00 p.m.
- NEW BUSINESS  
OAS 2011  
Chatauqua RC11-135 Moved by Councillor Beattie  
That Council authorize Councillor Kemmere to attend and represent the County at the Olds Ag Society Chatauqua 2011.  
Carried.
- Olds College  
Gala RC11-136 Moved by Councillor Kemmere  
That Council authorize Reeve Munro, Councillors McKean, Orr, and Kemmere to attend the 2011 Olds College Gala at a total cost of \$1,000.00; and further that if a Councillors spouse wishes to attend the 2011 Olds College Gala the Councillor will be billed the full price of the spouse's ticket.  
Carried.

Sleepy Hollow  
Flood Protection

RC11-137 Moved by Councillor Beattie  
That Council approve \$20,000.00 from the Projects Reserve to fund the geotechnical engineering analysis of the berm constructed near the Little Red Deer River in the SE 4-33-4 W5M, conditional to legal review identifying that the County is not assuming any liability as a result of these tests.

Carried.

OLD BUSINESS  
2011 Budget

Greg Wiens, Director of Corporate Services, provided an overview of the 2011 Budget, including all proposed final changes.

RC11-138 Moved by Councillor McKean  
That project OS-10-11 -TRAVIS Roaddata, in the amount of \$35,200, be removed from the 2011 budget.

Carried.

RC11-139 Moved by Councillor Kemmere  
That project OS-52-11 be approved, in the amount of \$2.9 Million Dollars, in the 2011 budget; and that \$1.4 Million Dollars for construction be spent in 2011; and that \$1.5 Million Dollars for the resurfacing of the section of TWP Road 334 be spent in 2012.

Carried.

RC11-140 Moved by Councillor Beattie  
That the rebuilding of RR 24 north of highway 582 and south of the rail road crossing and be included in the 2012 budget for consideration.

Carried.

RC11-141 Moved by Councillor Good  
That Dust Control under Policy 4015 be removed from the 2011 budget.

Carried.

RC11-142 Moved by Councillor Kemmere  
That Council go back to the dust control cost sharing program where the County pays the cost to apply the product; the applicant pays the cost of the product; and include the 200 meter segment of road in the program.

Carried.

RC11-143 Moved by Councillor Beattie  
That dust control for Council Project Roads be reduced from \$325,000 to \$0 in the 2011 budget.

Carried.

RC11-144 Moved by Councillor Kemmere  
That the title of Haul Roads be amended to read Haul Roads and Safety Concerns; and further, that dust control for Haul Roads and Safety Concerns be increased from \$100,000 to \$130,000, in the 2011 budget.

Councillor Kemmere withdrew motion RC11-144

Moved by Councillor Kemmere  
RC11-145 That Council approve an account for Dust Control Safety and Emergent Needs and include \$30,000 in the 2011 budget.

Carried.

Moved by Councillor McKean  
RC11-146 That dust control for Haul Roads be reduced from \$100,000 to \$81,000 in the 2011 budget.

Carried.

Council confirmed that the County dust control cost sharing program would be \$170,000 in the 2011 budget and the program would be limited to cost sharing initiatives.

Recess and Reconvene

Reeve Munro recessed the meeting at 3:07 p.m. and reconvened at 3:19 p.m.

Jack Macklin noted concerns as follows:

- Costs for a dust control program could be reduced if they were not graded after the application
- The definition of heavy traffic should be determined when applying dust control
- Side roads and ditches should be considered
- The subdivision and development of the Olds/Didsbury Airport should be reconsidered so that it does not cause a deficit
- Fuel costs are also a concern
- Grading in front of mailboxes

Council thanked Mr. Macklin for his comments.

Reg Watson stated that he is concerned about the number of subdivisions within the County.

Council thanked Mr. Watson for his comments.

Moved by Councillor Kemmere  
RC11-147 That Council reduce non Residential Municipal tax rates by .12; and further, that approximately \$120,000 be added to the Tax Rate Stabilization Reserve to obtain a balanced 2011 budget.

Carried.

Moved by Councillor McKean  
RC11-148 That Council approve the 2011 Operating and Capital Budget.

Carried.

INFORMATION ITEMS

Moved by Councillor Kemmere  
RC11-149 That Council receive the following information:  
(a) CAO Action List for February 16, 2011  
(b) SRDRWC Sept 17, 2010 Regular Minutes  
(c) SRDRWC Nov 19, 2010 Organizational Minutes  
(d) SRDRWC Nov 19, 2010 Regular Minutes  
(e) MVSH Minutes December 23, 2010  
(f) ASB Minutes - Jan 17, 2011

ADOPTED

- (g) Municipal Affairs Letter dated January 10, 2011
- (h) SRDRWC Letter dated Jan 24, 2011
- (i) Alberta Order of Excellence Letter Jan 6, 2011
- (j) MVRWMC January 27-11 Minutes

Carried.

COUNCILLOR REPORT

CAEP Structure

Councillor Kemmere provided information regarding the organization structure and potential changes within the Central Alberta Economic Partnership (CAEP).

CONFIDENTIAL ITEMS

IN CAMERA

RC11-150 Moved by Councillor McKean  
That the Regular Council Meeting of February 16, 2011 go into closed meeting at 4:22 p.m.

Carried.

RC11-151 Moved by Councillor Kemmere  
That the Regular Council Meeting of February 16, 2011 return to the open meeting at 4:30 p.m.

Carried.

Economic-Tourism  
Committee

RC11-152 Moved by Councillor Kemmere  
That Council appoint Ruby Elliott, Keren Farquharson, and Mel Crothers as Members at Large to the Economic Development and Tourism Advisory Committee until the October 2011 Organizational meeting.

Carried.

ADJOURNMENT

RC11-153 Moved by Councillor Beattie  
That Regular Council Meeting of February 16, 2011 be adjourned at 4:33 p.m.

Carried.

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Chair

I hereby certify these minutes are correct.

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Chief Administrative Officer