

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, March 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
G. Wiens, Director, Corporate Services
T. Connatty, Planner
S. McCartney, Planning Intern
G. Evers, Executive Administrative Assistant
A. Wild, Communications Coordinator

CALL TO ORDER: Reeve Munro called the meeting to order at 9:02 a.m.

Reeve Munro acknowledged the passing of Andrea Marshall, a recent Mountain View Employee, and asked that a minute of silence be held in recognition of Andrea.

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

AGENDA Reeve Munro advised of the following amendments to the agenda:
(11.3) Legal Matter

RC11-201 Moved by Councillor Good
That Council adopt the agenda of the Regular Council Meeting of March 16, 2011 as amended. Carried.

MINUTES RC11-202 Moved by Councillor Milne
That Council adopt the minutes of the Regular Council Meeting of February 16, 2011. Carried.

Reeve Munro introduced Council and Staff.

PUBLIC HEARINGS
Bylaw #LU 137/10
SW 25-31-4 W5M
Reeve Munro opened the public hearing regarding Bylaw #LU 137/10.

Ken Taylor, application, joined the meeting via conference call.

ADOPTED

The application for redesignation of the SW 25-31-4 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 20 acres within SW 25-31-4 W5M from Agricultural District (A) to Agricultural (2) District (A2)
- Division 4
- Rural Community: Harmattan

The Planning and Development Department recommended that Bylaw #LU 137/10 be given second reading.

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

Ken Taylor, applicant, stated that the owner intends to relocate his home and business to this area. He currently has 8 horses which would be relocated to this location. The parcel is nicely treed. A portion of the trees would be removed to accommodate a building site.

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

Council questions resulted in the following information:

- A suitable building site has been determined
- The owner intends to continue with an agricultural use

The applicant was provided the opportunity for closing remarks and stated that the owner intends to use the land for an agricultural use.

The Planning and Development Department was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean

RC11-203 That Council give second reading to Bylaw No. LU 137/10 to redesignate lands in the SW 25-31-4 W5M.

Carried.

Moved by Councillor Milne

RC11-204 That Council give third reading to Bylaw No. LU 137/10 to redesignate lands in the SW 25-31-4 W5M.

Carried.

Bylaw #LU 14/11
NE 18-29-4 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 14/11.

ADOPTED

The application for redesignation of the NE 18-29-4 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-nine point nine (79.9) acres within NE 18-29-4 W5M from Agricultural District (A) to Agricultural (2) District (A(2))
- Division 2
- Rural Community: Winchell Lake / Water Valley

The Planning and Development Department recommended that Bylaw #LU 14/11 be given second reading.

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

Ken Taylor, applicant, stated that the intent is to subdivide the quarter section in order to provide separate title for the owner's daughters who wish to continue farming the land.

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

Council did not have any questions.

The applicant was provided the opportunity for closing remarks and stated that the owner wishes to turn the land over to his daughters.

The Planning and Development Department was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Beattie

RC11-205 That Council give second reading to Bylaw No. LU 14/11 to redesignate lands in the NE 18-29-4 W5M.

The question on Motion RC11- 205 was not called.

Moved by Councillor Kemmere

RC11-206 That Bylaw No. LU 14/11 be amended by changing references to "SE" to "NE" for the legal description of the land.

Carried.

The question on Motion RC11-205 was called.

Carried.

Moved by Councillor McKean
RC11-207 That Council give third reading to Bylaw No. LU 14/11 to redesignate lands in the NE 18-29-4 W5M.

Carried.

Bylaw #LU 15/11
SE 28-31-3 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 15/11.

The application for redesignation of the SE 28-31-3 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 seven point six (7.6) acres within SE 28-31-3 W5M from Agricultural District (A) to Country Residential District (CR)
- Division 4
- Rural Community: Harmattan

The Planning and Development Department recommended that Bylaw #LU 15/11 be given second reading.

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

Michael Barr, owner, stated that he and his wife have owned the land for 37 years. Their daughter intends to relocate back to the area and reside on the proposed subdivision. There is a suitable building site on an open and flat area. There would be minimal impact on adjacent lands.

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

Council questions resulted in the following information:

- There is an existing access to the balance of the quarter section

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 Munro closed the Public Hearing.

Moved by Councillor Kemmere
RC11-208 That Council give second reading to Bylaw No. LU 15/11 to redesignate lands in the SE 28-31-3 W5M.

Carried.

Moved by Councillor Milne
RC11-209 That Council give third reading to Bylaw No. LU 15/11 to redesignate lands in the SE 28-31-3 W5M.

Carried.

Bylaw #LU 16/11
SW 36-33-4 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 16/11.

The application for redesignation of the SW 36-33-4 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 thirty-eight point three (38.3) acres within SW 36-33-4 W5M from Agricultural District (A) to Agricultural (2) District (A(2))
- Division 6
- Rural Community: Eagle Hill/Westward Ho Community

The Planning and Development Department recommended that Bylaw #LU 16/11 be given second reading.

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

William Adams, owner, stated that a building permit for the existing building was applied for last week. It was not applied for until a development permit was received.

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

Council questions resulted in the following information:

- The proposed house will be approx 30 m north of the shop
- There is a septic system from the shop which pumps to a field to the northeast of the shop
- There are currently oil wells being drilled on adjacent properties
- This will increase their pasture land. They intend to hay the rest of the land

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 Munro closed the Public Hearing.

Moved by Councillor McKean
RC11-210 That Council give second reading to Bylaw No. LU 16/11 to redesignate lands in the SW 36-33-4 W5M.

Carried.

Moved by Councillor Good
RC11-211 That Council give third reading to Bylaw No. LU 16/11 to redesignate lands in the SW 36-33-4 W5M.

Carried.

Recess and Reconvene

Reeve Munro recessed the meeting at 10:14 p.m. and reconvened at 10:22 p.m.

Bylaw #LU 17/11
NW 11-34-3 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 17/11.

The application for redesignation of the NW 11-34-3 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 thirty-two point zero (32.0) acres within NW 11-34-3 W5M from Agriculture District (A) to Agriculture 2 District (A(2))
- Division 6
- Rural Community: Eagle Hill/Westward Ho Community

The Planning and Development Department recommended that Bylaw #LU 17/11 be given second reading.

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

Allan Thorpe, representing 1278812 Alberta Ltd., stated that he did not have any comments at this time.

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

Council questions resulted in the following information:

- The proposed boundary of the fragmented parcel does not include any wetlands
- The proposed boundary of the fragmented parcel would be at the top of the bank
- There is another application for redesignation of the balance of the quarter
- The owner of the balance of the quarter would be required to install riparian fencing
- If all applications are approved there would then be 3 titles on this quarter section
- The adjacent privately owned gravel pit has apparently been depleted

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 stated that this land should be subdivided because it is not good farmland.

The Planning and Development Department was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean
RC11-212 That Council give second reading to Bylaw No. LU 17/11 to redesignate lands in the NW 11-34-3 W5M. Carried.

Moved by Councillor Kemmere
RC11-213 That Council give third reading to Bylaw No. LU 17/11 to redesignate lands in the NW 11-34-3 W5M. Carried.

Bylaw #LU 18/11
NW 11-34-3 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 18/11.

The application for redesignation of the NW 11-34-3 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 thirty-eight point two (38.2) acres within NW 11-34-3 W5M from Agriculture District (A) to Agriculture (2) District (A(2))
- Division 6
- Rural Community: Eagle Hill/Westward Ho Community

The Planning and Development Department recommended that Bylaw #LU 18/11 be given second reading.

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

Allan Thorpe, representing 1278812 Alberta Ltd., stated that he had no comment at this time.

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

Council questions resulted in the following information:

ADOPTED

- There could be future consideration to consolidate the proposed redesignation with the quarter section to the east

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 stated that a Country Residential parcel had been discussed but would be more restrictive regarding building sites.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Good
RC11-214 That Council give second reading to Bylaw No. LU 18/11 to redesignate lands in the NW 11-34-3 W5M.
Motion Defeated.

BYLAWS

Bylaw #LU 19/11
SE 19-31-2 W5M RC11-215 Moved by Councillor Beattie
That Council give first reading to Bylaw No. LU 19/11 redesignating the lands within the SE 19-31-2 W5M.
Carried.

Moved by Councillor Kemmere
RC11-216 That Council set the Public Hearing for Bylaw No. LU 19/11 redesignating the lands within the SE 19-31-2 W5M to April 20, 2011 at or after 9:00 a.m.
Carried.

Bylaw #LU 21/11
NW 17-30-5 W5M RC11-217 Moved by Councillor Milne
That Council give first reading to Bylaw No. LU 21/11 redesignating the lands within the NW 17-30-5 W5M.
Carried.

Moved by Councillor Kemmere
RC11-218 That Council set the Public Hearing for Bylaw No. LU 21/11 redesignating the lands within the NW 17-30-5 W5M to April 20, 2011 at or after 9:00 a.m.
Carried.

Bylaw #LU 22/11
NW 32-29-1 W5M RC11-219 Moved by Councillor McKean
That Council give first reading to Bylaw No. LU 22/11 redesignating the lands within the NW 32-29-1 W5M.
Carried.

Moved by Councillor Milne
RC11-220 That Council set the Public Hearing for Bylaw No. LU 22/11 redesignating the lands within the NW 32-29-1 W5M to April 20, 2011 at or after 9:00 a.m.
Carried.

Bylaw #02/11
Tax Rate Bylaw RC11-221 Moved by Councillor McKean
That Council give first reading to Bylaw No. 02/11 - Tax Rate Bylaw.
Carried.

Moved by Councillor McKean
RC11-222 That Council give second reading to Bylaw No. 02/11 – Tax Rate Bylaw.

The question on Motion RC11-222 was not called.

Moved by Councillor Beattie
RC11-223 The Council amend Bylaw No. 02/11 – Tax Rate Bylaw Section 5.01 to read \$25.00.

The question on Motion RC11-223 was not called.

Moved by Reeve Munro
RC11-224 The Council amend Motion RC11-223 to read \$50.00.
Carried.

The question on Motion RC11-223 was called as amended to read “The Council amend Bylaw No. 02/11 – Tax Rate Bylaw Section 5.01 to read \$50.00.”
Carried.

The question on Motion RC11-222 was called and read as “That Council give second reading to Bylaw No. 02/11 – Tax Rate Bylaw.”
Carried.

Recess and Reconvene
Reeve Munro recessed the meeting at 12:30 p.m. and reconvened at 1:12 p.m.

Bylaw No. 03/11
Noise Control Bylaw RC11-225 Moved by Councillor Beattie
That Council give first reading to Bylaw No. 03/11 – Noise Control Bylaw.
Carried.

RC11-226 Moved by Councillor Kemmere
That Council set a non-statutory Public Hearing for Bylaw No. 03/11 – Noise Control Bylaw for April 6, 2011 at or after 1:00 p.m.
Carried.

Councillor Kemmere left the meeting at 1:35 p.m.

NEW BUSINESS

Committees of Council
Appointments RC11-227 Moved by Councillor McKean
That Council accept resignation of Reeve Munro from Sundre Library Board, Mountain View Seniors Housing and Mountain View County Airport Management Committee.
Carried.

RC11-228 Moved by Councillor Milne
That Council appoint Councillor Beattie to Sundre Library Board until 2011 Organizational Meeting.
Carried.

RC11-229 Moved by Councillor Beattie
That Council appoint Councillor Orr to Mountain View Seniors Housing until 2011 Organizational Meeting.
Carried.

- RC11-230 Moved by Councillor Good
That Council appoint Councillor Orr to Mountain View County Airport Management Committee until 2011 Organizational Meeting.
Carried.
- Economic Development Committee RC11-231 Moved by Councillor Beattie
That Council approve adding a Village of Cremona representative as a non-voting member to the County's Economic Development Committee.
Carried.
- 2011 Spring AAMDC Resolutions RC11-232 Moved by Councillor McKean
That Council receive the 2011 Spring AAMDC Resolutions as information.
Carried.
- Redesignation/Subdivision Application RC11-233 Moved by Councillor Milne
That Council direct the Chief Administrative Officer to accept a redesignation/subdivision application from Stephen and Rebecca Hagglund affecting Plan 0412141 Lot 1 SE 1-33-29-4 and that such application be evaluated under Bylaw No. 17/07 prior to the passing of Bylaw No. 23/10 on November 24, 2010.
Motion Defeated.
- Landscaping Project RC11-234 Moved by Councillor Milne
That Council approve the 2011 County Office Landscaping Project budget of \$10,000.00 and it be funded from the Tax Rate Stabilization Reserve.
Carried.
- MVC - Sundre Shop Parking Lease RC11-235 Moved by Councillor Beattie
That Council receive the information on the old Sundre Shop Property lease request, for extra parking by Sundre Elks and Sundre Historical Society.
Carried.
- RC11-236 Moved by Councillor Beattie
That letters be sent to Sundre Elks and Sundre Historical Society, in reply to their request to use the site for parking; that this will be revisited once the remediation plans have been finalized.
Carried.
- Recess Reconvene
Reeve Munro recessed the meeting at 2:03 p.m.
Reeve Munro left the meeting at 2:03 p.m.
Deputy Reeve Beattie assumed the position of Chair and reconvened the meeting at 2:08 p.m.
- 2010 Preliminary Financial Report RC11-237 Moved by Councillor Milne
That Council receive the preliminary 2010 year-end financial report as information.
Carried.
- RC11-238 Moved by Councillor McKean
That as part of the finalizing of the 2010 financial statements, that Council approve the transfer of \$64,156 to the Tax Rate Stabilization and the transfer of \$256,625 to the Road Network Reserve.
Carried.

- Moved by Councillor Good
- RC11-239 That as part of the finalizing of the 2010 financial statements, that Council approve the transfer of \$105,359.22 from the Road Network Reserve to fund long patching projects. Further, that long patching costs up to the budgeted amount of \$200,000 be funded from the Road Network Reserve rather than the MSI grant in 2011 as well.
- Carried.
- Moved by Councillor Orr
- RC11-240 That as part of the finalizing of the 2010 financial statements, that Council approve that the \$471,496.18 increased Pit Reclamation liability related to 2010 stripping activities be funded from the 2010 surplus.
- Carried.
- Moved by Councillor Milne
- RC11-241 That as part of the finalizing of the 2010 financial statements, that Council approve the transfer of \$422,304 of additional revenue from Oil & Gas Well Drilling Fees to the Tax Rate Stabilization Reserve.
- Carried.
- Moved by Councillor Good
- RC11-242 That Airport Development Costs be tracked separately as a deficit in Accumulated Surplus with the proceeds of lots sales reducing the deficit rather than funded from the Working Capital Reserve with the proceeds of airport lot sales replenishing the reserve.
- Carried.
- Moved by Councillor McKean
- RC11-243 That up to \$500,000 remain in the Unappropriated Operating Equity and that any remaining surplus be transferred to the Asphalt Road Reserve.
- Carried.
- Moved by Councillor Milne
- RC11-244 That as part of the finalizing of the 2010 financial statements, that Council approve the transfer of the \$129,495.59 balance of the Capital Fund as follows:
- \$196,815.99 to the Heavy Equipment Reserve
 - \$38,107.05 to the Truck Fleet Reserve
 - \$1,803.28 to the Administration Equipment Reserve and
 - The deficit of \$127,230.73 to the Airport Development deficit
- Carried.
- INFORMATION ITEMS
- Moved by Councillor McKean
- RC11-245 That Council receive the following information:
- (a) CAO Action List for March 16, 2011
 - (b) AMC Minutes - March 3, 2011
 - (c) MVRWMC Minutes - February 24, 2011
 - (d) MVSH Minutes - January 27, 2011
- Carried.

CONFIDENTIAL
ITEMS
IN CAMERA

RC11-246 Moved by Councillor McKean
That the Regular Council Meeting of March 16, 2011 go
into closed meeting at 2:33 p.m.

Carried.

RC11-247 Moved by Councillor McKean
That the Regular Council Meeting of March 16, 2011
return to the open meeting at 2:51 p.m.

Carried.

RC11-248 Moved by Councillor Orr
That Council approve offering the applicants of Subdivision
Application SD-09-010 \$1,000.00 in payment of their
entitlement to costs under Schedule C of the Rules of Court
for Party to Party costs; and further, that the fund come
from the existing Legislative and Community Services
Budget.

Carried.

RC11-249 Moved by Councillor Milne
That Agenda Item 11.3 - Legal Matter be tabled to the next
Regular Council Meeting.

Carried.

ADJOURNMENT

RC11-250 Moved by Councillor Orr
That Regular Council Meeting of March 16, 2011 be
adjourned at 2:54 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer