

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, July 20, 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 D. Milne
Councillor R. Orr

ABSENT: Councillor P. McKean

IN ATTENDANCE: T. Martens, Chief Administrative Officer
J. Holmes, Director, Legislative, Community & Agricultural Services
J. Rusling, Interim Director, Planning & Development Services
T. Connatty, Planner
C. Tinney, Planner
D. Gonzalez, Planner
A. Wild, Communications Coordinator
V. Lodermeier, 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:

- 8.8 Olds College Golf Tournament
- 8.9 Communications Review
- 8.10 Little Red Deer River
- 8.11 Carstairs Arena/Gym Expansions
- 8.12 Concept Plans – Small Development
- 8.13 Pole Shed Discussion
- 8.14 Airport Discussion
- 10.1 Councillor Report - Orenco Open House

Moved by Councillor Good

RC11-530 That Council adopt the agenda of the Regular Council Meeting of July 20, 2011 as amended.

Carried.

MINUTES FOR ADOPTION

Moved by Councillor Milne

RC11-531 That Council adopt the minutes of the Regular Council Meeting of June 1, 2011.

Carried.

PUBLIC HEARINGS
Bylaw #LU 43/11
SW 26-33-3 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 43/11.

The application for redesignation of the SW 26-33-3 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 44.2 acres from Agricultural District "A" to Agricultural (2) District "A2".
- Division 6
- Rural Community: Hainstock

The Planning and Development Department recommended that Bylaw #LU 43/11 be given second reading.

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

Shelley Rae Clark, owner, stated she had nothing to add.

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 Beattie
 RC11-532 That Council give second reading to Bylaw No. LU 43/11 to redesignate lands in the SW 26-33-3 W5M. Carried.

Moved by Councillor Kemmere
 RC11-533 That Council give third reading to Bylaw No. LU 43/11 to redesignate lands in the SW 26-33-3 W5M. Carried.

Bylaw #LU 44/11
SE 23-30-27 W4M

Reeve Munro opened the public hearing regarding Bylaw #LU 44/11.

The application for redesignation of the SE 23-30-27 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 three point zero (3.0) acres from Agriculture District (A) to Country Residential District (R-CR).
- Division 1
- Rural Community: Midway

The Planning and Development Department recommended that Bylaw #LU 44/11 be defeated at second reading because the application does not comply with all the policies within the Municipal Development Plan such as 2.0 Agricultural Land Use Policies 2.1.1., 2.1.2., 2.2.2., 2.3.4. .

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

Ken Taylor, applicant, stated that the chosen corner placement of the proposed parcel was due to Council's preference. The applicant is willing to relocate the proposed parcel to the north if required. The proposal is for one of Kim Ostermann's children. The proposed area has a good building site and there are no sour gas wells in this area. One letter of objection was received with concerns of residential use in an agricultural area.

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

Council questions resulted in the following information:

- ERCB identified pipelines licensed in the area as sweet or level 1 sour gas, with right of way setback of 100 meters.
- Other options may be to move the proposed parcel to the middle of the quarter in order to meet setback requirements and eliminate concerns.

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

The Planning and Development Department closing remarks stated that the proposed location could be moved to the middle of the quarter; and distance to run a power line may be up to one mile to the proposed area.

The applicant was provided the opportunity for closing remarks and stated that they would deal with the power line distance. The chosen area was to preserve agricultural land by keeping the parcel size to three acres and to help their son.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Orr
RC11-534 That Bylaw LU 44/11 be amended to relocate the proposed redesignation to the middle of the quarter on the east boundary.

Motion Defeated.

Moved by Councillor Milne
RC11-535 That Council give second reading to Bylaw No. LU 44/11 to redesignate lands in the SE 23-30-27 W4M.

Reeve Munro requested that the vote be recorded.

In favor: Councillor Good, Orr, and Kemmere

Opposed: Councillor Milne, Beattie and Reeve Munro.

Motion Defeated.

Bylaw #LU 45/11
NE 23-30-27 W4M

Reeve Munro opened the public hearing regarding Bylaw #LU 45/11.

The application for redesignation of the NE 23-30-27 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 3 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 1
- Rural Community: Midway

The Planning and Development Department recommended that Bylaw #LU 45/11 be given second reading.

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

Ken Taylor, applicant, stated that the proposed area was chosen to lessen the impact to agricultural lands.

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.

ADOPTED

Hearing no further comments Reeve Munro closed the Public Hearing.

RC11-536 Moved by Councillor Good
That Council give second reading to Bylaw No. LU 45/11 to redesignate lands in the NE 23-30-27 W4M.

Carried.

RC11-537 Moved by Councillor Milne
That Council give third reading to Bylaw No. LU 45/11 to redesignate lands in the NE 23-30-27 W4M.

Carried.

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

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

The Planning and Development Department advised that it has taken more than three months to return the matter to Council due to proposal being amended twice. The original application was for a larger parcel size. Due to a change in the parcel size re-advertising should be undertaken and The Planning and Development Department is recommending that Bylaw #LU 131/10 be defeated.

Hearing no further comments Reeve Munro closed the Public Hearing.

RC11-538 Moved by Councillor Kemmere
That Council give second reading to Bylaw No. LU 131/10 to redesignate lands in the SE 23-31-27 W4M.

Motion Defeated.

Bylaw #LU 46/11
SE 23-31-27 W4M

Reeve Munro opened the public hearing regarding Bylaw #LU 46/11.

The application for redesignation of the SE 23-31-27 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 2.0 acres from Agriculture District (A) to Country Residential (1) District (R-CR1)
- Division 3
- Rural Community: Lonepine

The Planning and Development Department recommended that Bylaw #LU 46/11 be given second reading.

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

David Derksen, applicant, stated the property holds a license for a Confined Feeding Operation, however, the

Confined Feeding Operation is currently not operating. The buildings have been left on the agriculture parcel and the barns are in the process of being decommissioned.

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

Council questions resulted in the following information:

- Confined Feeding Operation license is currently in place
- Confined Feeding Operation has not been active for several years. The operation does not comply with current regulations due to buildings being non-compliance are, therefore it is not a viable operation
- The CFO designation can be removed prior to the approval of the proposed redesignation application

Moved by Councillor Kemmere

RC11-539 That Council defer the Public Hearing of Bylaw No. LU 46/11 redesignating the lands within SE 23-31-27 W4M until both Confined Feeding Operation licenses on SW 24-31-27-W4M and SE 23-31-27-W4M are cancelled.

Carried.

Moved by Councillor Kemmere

RC11-540 That Council request the Public Hearing of Bylaw No. LU 46/11 redesignating the lands within SE 23-31-27 W4M be brought forward to Regular Council on September 21, 2011 at or after 9:00 a.m.

Carried.

Recess and Reconvene

Reeve Munro recessed the meeting at 10:25 a.m. and reconvened at 10.40 a.m.

Bylaw #LU 47/11
NW 18-29-3 W5M

The Planning and Development Department advised that due to improper notification for Bylaw No. LU 47/11, and under the advisement of Legal Counsel, they are recommending that Bylaw No. LU 47/11 be deferred to August 17, 2011. Council approval is required to have more than 6 Public Hearings for that meeting date.

Moved by Councillor Kemmere

RC11-541 That Council set the Public Hearing of Bylaw No. LU 47/11 redesignating the lands within NW 18-29-3 W5M and to allow 8 public hearings to August 17, 2011 at or after 9:00 a.m.

The question on Motion RC11-541 was not called.

Bylaw #LU 48/11
NE 16-32-5 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 48/11.

The application for redesignation of the NE 16-32-5 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 3 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 5
- Rural Community: Bergen

The Planning and Development Department recommended that Bylaw #LU 48/11 be given second reading.

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

Steve and Alain Bouchet-Bert, owners, stated that they met with Alberta Transportation and Alberta Transportation had no concerns with an easement on the laneway. Alberta Transportation does not want additional approaches coming off the highway at this particular point. The access width would be double in size.

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

Council questions resulted in the following information:

- Laneway is outside proposed parcel which may develop a future conflict between parties regarding use of this road
- Alberta Transportation has concerns regarding the number of approaches coming off of the highway. Alberta Transportation will the allow approach to be widened for shared access
- The laneway is used for the Bouchet-Bert's to navigate equipment to the lower portion of the fields

Council agreed that the application be tabled until further discussions regarding the access can take place between the Applicant and Planning and Development Department.

Bylaw #LU 47/11
NW 18-29-3 W5M

RC11-542

Moved by Councillor Kemmere

That Council reschedule the Public Hearing of Bylaw No. LU 47/11 redesignating the lands within NW 18-29-3 W5M to August 24, 2011 at or after 9:00 a.m.

Carried.

BYLAWS
Bylaw #LU 52/11
SW 12-33-4 W5M

RC11-543

Moved by Councillor Good

That Council give first reading to Bylaw No. LU 52/11 redesignating the lands within the SW 12-33-4 W5M.

Carried.

- Moved by Councillor Milne
RC11-544 That Council set the Public Hearing for Bylaw No. LU 52/11 redesignating the lands within the SW 12-33-4 W5M to August 17, 2011 at or after 9:00 a.m.
Carried.
- Bylaw #LU 53/11
SW 28-32-4 W5M RC11-545 Moved by Councillor Kemmere
That Council give first reading to Bylaw No. LU 53/11 redesignating the lands within the SW 28-32-4 W5M.
Carried.
- RC11-546 Moved by Councillor Beattie
That Council set the Public Hearing for Bylaw No. LU 53/11 redesignating the lands within the SW 28-32-4 W5M to August 17, 2011 at or after 9:00 a.m.
Carried.
- Bylaw #LU 54/11
SW 3-33-4 W5M RC11-547 Moved by Councillor Milne
That Council give first reading to Bylaw No. LU 54/11 redesignating the lands within the SW 3-33-4 W5M.
Carried.
- RC11-548 Moved by Councillor Milne
That Council set the Public Hearing for Bylaw No. LU 54/11 redesignating the lands within the SW 3-33-4 W5M to August 17, 2011 at or after 9:00 a.m.
Carried.

Bylaw #LU 48/11
NE 16-32-5 W5M

Reeve Munro advised that Bylaw #LU 48/11 NE 16-32-5-W5M is being brought back to the table as discussion between the Applicant and the Planning and Development Department has taken place.

C. Tinney, Planner, stated that regardless of the outcome on placement of laneway there will have to be an easement agreement put in place. Alberta Transportation only wants one access coming off highway to gain entry to the proposed area and the remainder of the quarter section. Access will need to be shared.

Steve Bouchet-Bert, landowner, confirmed that whatever is recommended regarding access they would undertake in order to ensure no future issues. The preference is to hold control on the laneway.

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

The Planning and Development Department provided closing remarks and stated that if the proposed boundary was moved to the center of the driveway the approach access point would require being double in width. An easement on the laneway would be required. Discussions between Planning and Development Services and applicant illustrate that the landowner prefers to have the laneway remain on the remainder of the quarter.

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

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Beattie
 RC11-549 That Council give second reading to Bylaw No. LU 48/11 to redesignate lands in the NE 16-32-5 W5M.
 Carried.

Moved by Councillor Good
 RC11-550 That Council give third reading to Bylaw No. LU 48/11 to redesignate lands in the NE 16-32-5 W5M.
 Carried.

NEW BUSINESS

Municipal Emergency Management RC11-551 Moved by Councillor Milne
 That Council appoint Ryan Morrison as Director of Municipal Emergency Management for Mountain View County effective August 1, 2011.
 Carried.

Fire Services Agreements RC11-552 Moved by Councillor Milne
 That Council approve the Fire Services Agreements Template.
 Carried.

Council questions resulted in the following information:

- Add in the Definitions “Selection Committee”
- Need limit to funds and a Policy on how funds are disbursed

FCSS Grant Allocations RC11-553 Moved by Councillor Kemmere
 That Council approve funding the following organizations from the 2011 FCSS budget as recommended by the FCSS Review Committee:

Boys and Girls Club - Olds & Area	After School Care	\$8,825.40
Olds and District Hospice Society	Volunteer Training, New Program Development, Board Training	\$10,000.00
Youth Empowerment Support (YES) Program	Youth and Community Programs	\$4,000.00

Carried.

Olds College Golf Classic RC11-554 Moved by Councillor Beattie
 That Council authorize Councillor McKean, if available, to attend the 2011 Olds College Fall Golf Classic on Wednesday, September 14, 2011 in Olds, AB.
 Motion Defeated.

Moved by Councillor Orr
 RC11-555 That Council authorize Councillor Kemmere to attend the 2011 Olds College Fall Golf Classic on Wednesday, September 14, 2011 in Olds, AB. if unavailable to attend Councillor Orr to attend as an alternate.
 Carried.

Procedure 4009-2 Design Guidelines RC11-556 Moved by Councillor Beattie
 That Council request that the Chief Administrative Officer amend Procedure 4009-02 to replace the Red Deer County Sanitary Design Standards with the City of Calgary Sewer Specifications as the Waste Water standard for the County.
 Carried.

CORRESPONDENCE Council was provided a handout of an email addressed to Reeve Munro from Drawings CWC regarding the Airport Development MPC meeting.

Recess and Reconvene Reeve Munro recessed the meeting at 12:00 noon and reconvened at 1:00 p.m.

Hydrology Study RC11-557 Moved by Councillor Good
That Council request that the Chief Administrative Officer prepare a Request for Proposal to a firm based on the 2001 Komex Study and provide recommendations to Council on how to proceed with the next steps.

Carried.

DELEGATION
New Well Site
Location

Reeve Munro welcomed Kim Thompson to the Regular Council Meeting.

Mrs. Thompson provided information on the effect oil and gas pipelines and placement are having on landowners. Some of the items presented are as follows:

- Disconnection between Oil and Gas and Landowners.
- Requests not being met with dust control.
- Oil and Gas impact can be great on the landowners, both negative, by depreciation on land value and positive by royalties being received.
- Oil and Gas guidelines are unlike subdivision guidelines, not as stringent.
- Landowner's well being can be at risk.

Council discussed the following:

- Public discussion is needed from an all Council committee to negotiate with Oil and Gas companies.
- Oil companies are legislated by the Province. Municipalities have no jurisdiction over Oil and Gas companies.
- Information package be made available to rate payers, including contact information, website link to health and safety standards, and set back regulations.
- Administration to obtain a document on Landowner rights.
- Pad drilling may have issues arise
- Resolution on concerns to go forward to AAMDC.

Reeve Munro thanked Mrs. Thompson for her presentation.

Moved by Councillor Kemmere
RC11-558 That Council request that the Chief Administrative Officer provide a draft AAMDC for Council consideration pertaining to concerns addressed at today's presentation including new well site locations, and that the focus of the resolution address issues of landowners affected by oil and gas

ADOPTED

development, but are not directly involved in the process; and issues that may arise from pad drilling.

Carried.

Moved by Councillor Beattie
RC11-559 That Council request the concerns addressed in the presentation on New Well Site Locations be brought to the CMAG and SPOG meetings by County representatives.
Carried.

Economic Development
Strategic Mgmt System

Moved by Councillor Milne
RC11-560 That Council approve the Strategic Management System titled "A Strategic Perspective – Year One" developed by the Mountain View County Economic Development and Tourism Advisory Committee, and further; that Council request that the Chief Administrative Officer implement the Mountain View County Economic Development and Tourism Advisory Committee's Strategic Management System.
Carried.

Recess and Reconvene

Reeve Munro recessed the meeting at 2:39 p.m. and reconvened at 2:44 p.m.

Off Site Levy Bylaw
Hwy 2/27 ASP

Moved by Councillor Milne
RC11-561 That Council approve \$75,000 from the Tax Rate Stabilization Reserve to fund the preparation of an Off-Site Levy Bylaw for the Highway 2 and 27 Area Structure Plan.
Carried.

Reeve Munro asked Councillors for their position regarding High Density Residential Development. Councillors responded by identifying their concerns and stating they were not in favour of High Density Residential Development within the County.

Communications
Review

Moved by Councillor Munro
RC11-562 That Council request that the Chief Administrative Officer conduct a review of current non-statutory advertising and communications practices and submit a report with recommendations to the September 14, 2011 Policies and Priorities Committee meeting.
Carried.

Little Red Deer River
And Range Road 52 RC11-563

Moved by Councillor Good
That Council fund \$25,000 from the Road Network Reserve to complete the engineering of a berm along the Little Red Deer River north of the Water Valley Bridge along Range Road 52.

The question on motion RC11-563 was not called

RC11-564 Moved by Councillor Kemmere
That Council defer motion RC11-563 to the next Regular Council meeting.
Carried.

Carstairs Arena/ Gym Expansions	RC11-565	Moved by Councillor Good That Council support in principle the Carstairs Community Gymnasium Project in applying for provincial grant funding. Carried.
Post Pole Shed		Reeve Munro requested that the Planning and Development Services provide clarification of requirements for permitting pre-designed post pole sheds and the feasibility of supplying the public with a generic stamped engineered blueprint design for a pole shed. Jacqueline Ruhe, Permitting Officer, provided the following: <ul style="list-style-type: none"> • The Building Code is Provincial legislation and the municipality follows those guidelines. The Building Code for a pole shed is determined by the use • Pole sheds used for personal use require certified drawings. • The cost for a drawing ranges from \$3500 to \$5000. • May be difficult to get Engineers to agree to stamp a generic drawing due to unforeseen changes to building code requirements. Reeve Munro requested that the Planning and Development Department investigate further regarding the Provincial code requirements for a post pole shed.
Airport Permitting Update		Reeve Munro, the Chief Administrative Officer and the Interim Director of Planning and Development discussed the Reeve's concerns regarding development of the airport lots. Previously the procedure for development could not proceed until all work was done. After discussions with the Chief Administrative Officer, and Interim Director, it was agreed that a permit for a standard building will go through ASDAA for approval of the permit.
Concept Plans - Small Development	RC11-566	Moved by Councillor Bruce Beattie That Council receive as information the report on the requirement of Concept Plans – Small Development. Carried.
	RC11-567	Moved by Councillor Kemmere That Council request that the Chief Administrative Officer prepare a mechanism on potential affected parties for options to reverse multi lot subdivision to single lot subdivisions upon request of an applicant to be considered at Regular Council Meeting on August 24, 2011 at or after 9:00 a.m. Carried.
CORRESPONDENCE Information Items	RC11-568	Moved by Councillor Milne That Council receive the following items as information: <ul style="list-style-type: none"> - Municipal Area Partnership Committee Meeting Minutes May 17, 2011 - Mountain View Regional Waste Management Commission Minutes June 23, 2011 Carried.

ADOPTED

Council Reports

RC11-569 Moved by Reeve Munro
That Council approve the attendance of Councillor Milne, Kemmere, Reeve Munro and one staff member at the Orenco Open House in Okotoks, July 25, 2011 and to provide a written report to Council.

Carried.

ADJOURNMENT

RC11-570 Moved by Councillor Good
That Regular Council Meeting of July 20, 2011 be adjourned at 5:10 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer