

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
March 27, 2018

A regular meeting of the Council of Rocky View County was held in Council Chambers of the Municipal Administration Building, 911 – 32nd Avenue NE, Calgary, Alberta on March 27, 2018 commencing at 9:00 a.m.

Present:

Division 6	Reeve G. Boehlke
Division 5	Deputy Reeve J. Gautreau
Division 1	Councillor M. Kamachi
Division 2	Councillor K. McKylor
Division 3	Councillor K. Hanson
Division 4	Councillor A. Schule
Division 7	Councillor D. Henn
Division 8	Councillor S. Wright
Division 9	Councillor C. Kissel

Also Present:

- K. Robinson, Acting County Manager
- B. Riemann, General Manager
- C. O'Hara, General Manager
- B. Woods, Manager, Financial Services
- S. Jewison, Manager, Utility Services
- S. Baers, Manager, Planning Services
- R. Smith, Fire Chief, Fire Services
- V. Diot, Engineering Supervisor, Engineering Services
- P. Simon, Planner, Planning Services
- J. Kirychuk, Planner, Planning Services
- C. Satink, Deputy Municipal Clerk, Legislative and Legal Services
- T. Andreasen, Legislative Clerk, Legislative and Legal Services

Call to Order

The Chair called the meeting to order at 9:00 a.m. with all members present.

1-18-03-27-01

Updates/Acceptance of Agenda

MOVED by Deputy Reeve Gautreau that the March 27, 2018 Council Meeting agenda be accepted as presented.

Carried

1-18-03-27-02

Confirmation of Minutes

MOVED by Councillor Hanson that the March 13, 2018 Council Meeting minutes be accepted as presented.

Carried

1-18-03-27-03 (B-1)

All Divisions – 2018 Budget Adjustment – Special Initiatives

File: 2025-100

MOVED by Councillor Schule that the Livestock Emergency Response Trailer budget adjustment for \$24,000 be approved as presented in Attachment "A".

Carried

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MOVED by Councillor Schule that the Fire Services Sprinkler Trailer budget adjustment for \$74,000 be approved as presented in Attachment "A";

AND that the Records and Information Management Upgrade budget adjustment for \$89,500 be approved as presented in Attachment "A";

AND that the Service Van budget adjustment for \$76,000 be approved as presented in Attachment "A";

AND that the Two Steamer Units budget adjustment for \$60,000 be approved as presented in Attachment "A";

AND that the Calcium Chloride Storage Tank budget adjustment for \$97,500 be approved as presented in Attachment "A";

AND that the Play Space Repairs budget adjustment for \$18,500 be approved as presented in Attachment "A";

AND that the Full Time Staff Positions adjustment for \$157,600 be approved as presented in Attachment "A".
Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Councillor Schule
Councillor Henn
Councillor Wright

Opposed:

Reeve Boehlke
Deputy Reeve Gautreau
Councillor Kissel

MOVED by Councillor Hanson that the Township Road 260 Bridge Replacement budget adjustment for \$600,000 be approved as presented in Attachment "A".

Carried

MOVED by Councillor Henn that Bylaw C-7771-2018 be given first reading.

Carried

MOVED by Deputy Reeve Gautreau that the Township Road 262 Bridge Replacement budget adjustment for \$600,000 be approved as presented in Attachment "A".

Carried

MOVED by Councillor Hanson that Bylaw C-7772-2018 be given first reading.

Carried

MOVED by Councillor Kamachi that the Range Road 20 Bridge Replacement budget adjustment for \$500,000 be approved as presented in Attachment "A".

Carried

MOVED by Councillor Henn that Bylaw C-7773-2018 be given first reading.

Carried

MOVED by Councillor McKylor that the Langdon Fourth Street Pedestrian Walkway budget adjustment for \$325,000 be approved as presented in Attachment "A".

Carried

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MOVED by Councillor Henn that Bylaw C-7774-2018 be given first reading.

Carried

MOVED by Deputy Reeve Gautreau that the Salt and Sand Storage Building budget adjustment for \$750,000 be approved as presented in Attachment "A".

Carried

MOVED by Councillor Hanson that Bylaw C-7775-2018 be given first reading.

Carried

MOVED by Deputy Reeve Gautreau that the Range Road 284 Conrich Paving budget adjustment for \$925,000 be approved as presented in Attachment "A".

Carried

MOVED by Councillor Kamachi that Bylaw C-7776-2018 be given first reading.

Carried

MOVED by Councillor Henn that the Township Road 270 Paving budget adjustment for \$965,000 be approved as presented in Attachment "A".

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7777-2018 be given first reading.

Carried

MOVED by Councillor Schule that the Langdon Fire Station Replacement budget adjustment for \$3,900,000 be approved as presented in Attachment "A".

Carried

MOVED by Councillor Schule that Council direct Administration to apply to the Municipal Sustainability Initiative Program for \$3,900,000 in grant funding.

Carried

1-18-03-27-04 (D-1)

All Divisions – Appointment of Fire Guardians for the 2018 Fire Season

File: N/A

MOVED by Councillor Kamachi that the individuals listed in Attachment 'A' be appointed for a one year term as Rocky View County's Local Fire Guardians for the 2018 fire season as per the *Forest & Prairie Protection Act*.

Carried

1-18-03-27-05 (D-2)

All Divisions – Establishment of the Greater Bragg Creek FireSmart Committee

File: N/A

MOVED by Councillor Kamachi that the Terms of Reference for the Bragg Creek FireSmart Committee be approved as per Attachment 'A';

AND that Councillor Kamachi be appointed to the Bragg Creek FireSmart Committee until the 2018 Organizational Meeting.

Carried

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1-18-03-27-06 (D-3)

All Divisions – Emergency Management Agency Update

File: N/A

MOVED by Deputy Reeve Gautreau that the Regional Emergency Management Plan be approved as per Attachment 'A'.

Carried

1-18-03-27-07 (D-4)

Division 7 – Proposed Highway 566 Speed Limit Reduction

File: 5011-406

The Chair called for a recess at 9:50 a.m. and called the meeting back to order at 10:05 a.m. with all previously mentioned members present.

MOVED by Councillor Henn that Administration be directed to provide a letter of support to Alberta Transportation to reduce the speed limit on Highway 566 from west of Balzac to 400 meters west of the intersection of Highway 566 and Range Road 11 from 100 km/h to 80 km/h.

Carried

1-18-03-27-08 (E-1)

All Divisions – Bylaw C-7751-2018 – 2018 Master Rates Bylaw

File: 0170

MOVED by Councillor Kamachi that Schedule 'A' of Master Rates Bylaw C-7751-2018 be amended as follows:

1. Amend the Bragg Creek residential and non-residential water rate from the proposed 2018 rate of \$25.00 + \$2.064/m³ back to the 2017 rate of \$25.00 + \$1.876/m³.
(Branch 3, Division 2, Section 9 of Schedule 'A')
2. Amend the Bragg Creek residential and non-residential sewer rate from the proposed 2018 rate of \$25.00 + \$5.177/m³ back to the 2017 rate of \$25.00 + \$4.706/m³.
(Branch 3, Division 2, Section 14 of Schedule 'A')

Lost

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Schule
Councillor Henn

Opposed:

Councillor Hanson
Deputy Reeve Gautreau
Reeve Boehlke
Councillor Wright
Councillor Kissel

MOVED by Councillor Schule that Bylaw C-7751-2018 be given first reading.

Carried

In Favour:

Councillor McKylor
Councillor Hanson
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Councillor Kamachi

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MOVED by Deputy Reeve Gautreau that Bylaw C-7751-2018 be given second reading.

Carried

In Favour:

Councillor McKylor
Councillor Hanson
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Councillor Kamachi

MOVED by Councillor Hanson that Bylaw C-7751-2018 be considered for third reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7751-2018 be given third and final reading.

Carried

1-18-03-27-09 (J-1)

Division 9 – Subdivision Item – Agricultural Holdings District and Ranch and Farm District

File: PL20170080 (08917009)

MOVED by Councillor Kissel that the applicant be allowed to address Council on item J-1.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Reeve Boehlke

The Chair called for a recess at 10:55 a.m. and called the meeting back to order at 11:04 a.m. with all previously mentioned members present.

The applicant, Asad Niazi, proceeded to address Council on behalf of the landowners regarding the proposed conditions of approval for the subdivision application.

MOVED by Councillor Henn that condition 9, Transportation Offsite Levy, be deleted from Appendix 'A'.

Carried

In Favour:

Councillor Kamachi
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn

Opposed:

Councillor McKylor
Councillor Hanson
Councillor Wright
Councillor Kissel

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MOVED by Councillor Kissel that Subdivision Application PL20170080 be approved with the conditions as noted in Appendix 'A' as amended:

- A. The application to create a ± 8.01 hectare (± 19.79 acre) parcel with a ± 8.01 hectare (± 19.79 acre) remainder within NW-17-28-05-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
- 1) The application is consistent with the Statutory Policy;
 - 2) The subject lands hold the appropriate land use designation;
 - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the Province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Transportation and Access

- 2) The Owner shall construct a new gravel approach on Township Road 282A in order to provide access to Lot 2.
- 3) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of Lot 1, to serve as notice that those lands are intended for future development as a County road, as per the approved Tentative Plan. The Agreement shall include:
 - a) The provision of 12.5 m road acquisition along the panhandle portion of Lot 1;
 - b) The purchase of land by the County for \$1.00.
- 4) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lot 2 that restricts the erection of any structure within 15.0 metres of a future road right-of-way, as shown on the approved Tentative Plan.

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Site Servicing

- 5) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
 - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the wells on each lot; and
 - b) The results of the aquifer testing meet the requirements of the Water Act; if they do not, the subdivision shall not be endorsed or registered.
- 6) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County, which shall:
 - a) Be in accordance with the recommendations of the Level 2 PSTS Assessment, completed by Watertech Engineering Research & Health, dated November 7, 2017;
 - b) Include the construction of the private sewage treatment system.

Developability

- 7) The Owner is to provide a Slope Stability Assessment, addressing the suitability of the land for the development proposal:
 - a) A Slope Stability Analysis may be required pending the recommendations of the Slope Stability Assessment;
 - b) The Owner is to provide for the recommendations of the Assessment;
 - c) Any required easements and/or Restrictive Covenants shall be registered.

Payments and Levies

- 8) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new Lot.

Taxes

- 9) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Carried

In Favour:

Councillor Kamachi
Councillor Hanson
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn
Councillor Kissel

Opposed:

Councillor McKylor
Councillor Wright

1-18-03-27-10 (J-2)

Division 5 – Subdivision Item – New or Distinct Agricultural Use

File: PL20170142 (05331007)

Councillor Schule declared a conflict of interest on item J-2 and abstained from the discussion and voting due to being the applicant of the subdivision application. Councillor Schule proceeded to leave the meeting at 11:13 a.m.

MOVED by Deputy Reeve Gautreau that Subdivision Application PL20170142 be approved with the conditions noted in Appendix 'A':

- A. That the application to create an \pm 8.09 hectare (\pm 20.00 acre) parcel (Lot 1) with a \pm 54.63 hectare (\pm 135.00 acre) remainder (Lot 2) from a portion of SE-31-25-28-W04M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the *Subdivision and Development Regulations* and, having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
 - 1) The application is consistent with statutory policy;
 - 2) The subject lands hold the appropriate land use designation:
 - a) The variance to the minimum parcel size will not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;
 - 3) The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Payments and Levies

- 2) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing:
 - a) For 3.0 acres of Lot 1 as shown on the Plan of Survey;
- 3) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.

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Municipal Reserves

- 4) The provision of Reserve in the amount of 10% of the area of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by Wernick Omura Real Estate Appraisal Services File 10117190 on August 29, 2017 pursuant to Section 666(3) of the *Municipal Government Act*;
 - a) Reserves for Lot 2 are to be deferred by caveat, pursuant to Section 669(2) of the *Municipal Government Act*;

Taxes

- 5) All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION

Prior to final endorsement of the Subdivision, Administration is directed to present the Owner with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Carried
Abstained: Councillor Schule

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Deputy Reeve Gautreau
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Reeve Boehlke

1-18-03-27-11 (K-1)

All Divisions – In Camera Item – Personnel Matter

File: RVC2018-10

MOVED by Councillor Hanson that Council move in camera at 11:19 a.m. to consider a personnel matter pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 17 – Disclosure harmful to personal privacy
- Section 19 – Confidential evaluations

Carried
Absent: Councillor Schule

Councillor Schule returned to the meeting during the in camera session for item K-1.

Council held in the in camera session for item K-1 with no members of Administration or the public in attendance.

MOVED by Councillor McKylor that Council move out of in camera at 12:05 p.m.

Carried

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MOVED by Councillor Wright that the report and in camera discussion on RVC2018-10 be held in confidence pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 17 – Disclosure harmful to personal privacy
- Section 19 – Confidential evaluations

AND that the appointment and employment of the Chief Administrative Officer, Kevin Greig, with Rocky View County be terminated effective May 6, 2018, without cause, for a change in leadership;

AND that the Chief Administrative Officer, Kevin Greig, be paid severance pay according to his Employment Agreement with Rocky View County and in accordance with legal advice.

Carried

Adjournment

MOVED by Councillor Hanson that the March 27, 2018 Council Meeting be adjourned at 12:06 p.m.

Carried



REEVE



CAO or Designate