

**MUNICIPAL DISTRICT OF BIGHORN NO. 8**

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, August 9, 2011 in the Council Chambers, MD office, with the following persons present:

**COUNCIL:**

DENE COOPER	REEVE
ERIK BUTTERS	DEPUTY REEVE (left at 12:40 p.m.)
REID THOMAS	COUNCILLOR
CAROLYN MONTGOMERY	COUNCILLOR
PAUL RYAN	COUNCILLOR

**ADMINISTRATION:**

MARTIN BUCKLEY	CHIEF ADMINISTRATIVE OFFICER
GREG BIRCH	ASSISTANT MUN. MANAGER
NATALIE GERMANN	EXECUTIVE ASSISTANT
HUGH PETTIGREW	OPERATIONS MANAGER
KATHERINEVAN KEIMPEMA	DIRECTOR OF FINANCE

**CALL TO ORDER**

Reeve Cooper called the meeting to order at 9:00 a.m.

Reeve Cooper called mtg. to order at 9:00 am.

**A. APPROVAL OF AGENDA**

**Moved** by Deputy Reeve Butters that the August 9, 2011 agenda be adopted with the following amendments:

R:216/11  
 Agenda adopted as amended.

- <b>Business Arising From the Minutes Item D.1</b>	Report from Administration re: Contingency Fund Audit
- <b>New Business Item H.15</b>	Time Extension for Subdivision Encroachment
- <b>Information Item J. 17 Moved to Unfinished Business Item F.1 Legacy Trail</b>	Letter: President Harvie Heights Community Association re: Legacy Trail
- <b>Unfinished Business Item F.2</b>	Legacy Trail resolution 420/10 Motion to Rescind

**CARRIED**

**B. MINUTES**

- Moved** by Councillor Thomas that the July 12, 2011 Council meeting minutes be approved as amended:
  - On Page 5, Item 8 amend the first paragraph to read "Councillor Thomas declared that he may have a conflict of interest..."
  - On page 7, Item 15 remove the second "That Council" from the sentence.

**CARRIED**

R: 217/11  
 Council minutes Approved as amended.

- Moved** by Councillor Ryan that the July 17, 2011 Special Council meeting minutes re: Declaration of State of Local Emergency – Francis Cooke Landfill Fire be approved as circulated.

**CARRIED**

R: 218/11  
 Special meeting minutes approved.

- Moved** by Councillor Montgomery that the July 19, 2011 Special Council meeting minutes re: Termination of State of Local Emergency – Francis Cooke Landfill Fire be approved as circulated.

**CARRIED**

R: 219/11  
 Special meeting minutes approved.

R: 220/11  
Various mins  
accepted as info.

4. **Moved** by Councillor Thomas that the previously circulated July 26, 2011 Finance & Economic Development Committee meeting minutes, the July 7, 2011 Municipal Excellence Committee meeting minutes and the June 15, 2011 MPC meeting minutes be accepted as information.

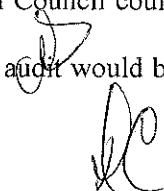
**CARRIED**

**C. COUNCILLOR'S REPORTS**

- Councillor Thomas gave a brief update on the Bow Valley Regional Housing Committee saying there will soon be public monthly updates on the organization's website. He reported that the Bow Valley Regional Housing Committee awarded the architectural contract for renovation work to Cascade House in Banff. He also said the Board is deciding on how to proceed with major renovations/expansions to the Canmore Lodge. Money and politics are slowing the process down, while the board itself is working well together.
- Deputy Reeve Butters asked if the sign at the dump was necessary, or if it could be removed. The Operations Manager answered he would investigate.
- Councillor Montgomery had nothing to report.
- Councillor Ryan reported the Southern Alberta Energy from Waste Association engineers brought three reports to the last meeting: Heat recovery and Cogeneration Options, Air Emissions, Greenhouse gases and Control Options, and Permitting, Siting and Future Project Schedule. Engineer's reports showed that greenhouse gas emissions dropped 190% over landfill using the mass burn technology. The Association's general meeting was postponed to October to accommodate a number of issues. Invitations will be sent out when the date chosen. Councillor Ryan advised he had met with a proponent of a large waste management initiative for the Greater Toronto Area, who had some valuable insight into the processes for waste management project approvals.  
  
He, Councillor Montgomery and the Reeve attended an Alberta Association of Municipal Districts and Counties' (AAMDC) event introducing the PC party leadership hopefuls. He found the event very informative.  
  
Finally, the Councillor reported receiving a complimentary email from a grateful ratepayer for a sidewalk replacement.
- Reeve Cooper also reported on his attendance of the AAMDC candidates' meeting. He said he found the five candidates had a varied take on the province.  
  
The Reeve met with the new Lafarge general manager, Heinz Knopfel.  
  
He also reported a meeting with the cement industry regarding coal trials. The cement industry uses a combination of fuels right now and is seeking new sources of coal. The coal must be matched to the kiln it is burned in and emissions are closely evaluated.

**D. BUSINESS ARISING FROM MINUTES/NOTES**

1. Councillor Ryan requested an update on the Contingency Fund Audit, specifically when Council could expect the Auditors to be finished. Administration indicated the auditors would be contacted to get an estimate of when the audit would be completed.



**E. DELEGATIONS**

Mr. Richard Pauls of EcDev Solutions was invited to appear as a delegation to answer questions regarding his company's proposal on completing the Business directory and import substitution projects. Of particular interest to Council was the proposal of a business registry. Mr. Pauls explained that registry is a promotional tool businesses can use to source supplies. It can also help stimulate growth if a gap is recognized. Businesses will generally not pay to be on the registry, but are very forthcoming with information if they receive a reduction in their licensing fees.

There were questions as to why EcDev had not included the list compilation of outside businesses currently working within the MD, as part of their proposal. Council indicated the list would be instrumental in starting a regional business licensing program. Mr. Pauls explained a list of outside businesses would be very difficult to compile, as there is no benefit to the outside businesses for sharing that information and almost no way to track down who is operating in the MD or the frequency.

However, Mr. Pauls said he could get a list of businesses local industries are currently contracting to begin the process.

**F. UNFINISHED BUSINESS**

1. **Moved** by Deputy Reeve Butters that Council accept the letter from the Harvie Height's Community Association president regarding the Legacy Trail as information.

**CARRIED**

2. **Moved** by Councillor Ryan that:

**Whereas:**

MD of Bighorn Council has provided direction to MD Administration with respect to the "Legacy Trail" via Resolution 420/10:

**"Moved** by Councillor Ryan that Council agree in principle to the Municipal District of Bighorn taking ownership and maintenance responsibility for that portion of the Rocky Mountain Legacy Trail that is proposed to be built within the Municipal District between the Banff National Park East Gate and the existing trail in Harvie Heights on the condition that the MD of Bighorn not be responsible for the associated proposed pedestrian bridge over the Trans-Canada Highway.

**CARRIED "**

**And Whereas:**

New information has since been presented to the MD of Bighorn Council with respect to the "Legacy Trail",

**And Whereas:**

A Motion to Reconsider is not appropriate.

**Now Therefore:**

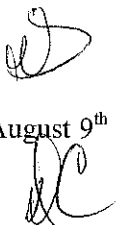
Be it resolved that MD of Bighorn Council rescind Resolution 420/10 in its entirety.

**CARRIED**

**Moved** by Councillor Montgomery that:

**Whereas:**

MD of Bighorn Council has considered the Information in the August 2<sup>nd</sup> 2011 staff report in the August 9<sup>th</sup> agenda package provided by Administration with respect to the "Legacy Trail";



R: 221/11  
Letter accepted as  
info.

R: 222/11  
Motion to rescind  
R:420/10.

R:223 /11  
Motion to support  
South Side  
Solution.

**And Whereas:**

There currently exists a world class Travel Information Centre facility provided and administered by the Province of Alberta at the west end of Canmore and on the south side of the Trans Canada Highway;

**And Whereas:**

The Province of Alberta has sole jurisdiction over the lands that could be used to connect the Banff National Park portion of the "Legacy Trail" to the Travel Alberta Information Centre absent of the need to construct or alter either an overpass or an underpass;

**And Whereas:**

The existing overpass at the Harvie Heights/Banff Park Gates is a single one-way traffic lane and was never designed or intended to be used by cyclists as an extension to the "Legacy Trail";

**And Whereas:**

The Harvie Heights paved cyclist trail was never designed for or intended to handle the volumes of traffic identified in the MD Administration August 2, 2011 Decision report;

**Now Therefore Be it Resolved:**

That MD of Bighorn Council only support the "South Side Solution" for the Legacy Trail connection/continuance, being a paved trail constructed on the south-side of the Trans Canada Highway from the trail's current terminus at the Banff National Park gates to the Travel Alberta Information Centre site in Canmore.

**CARRIED**

**G. BYLAWS**

R: 224/11  
07/11 1<sup>st</sup> reading.

1. **Moved** by Deputy Reeve Butters that Council give first reading to Bylaw 07-11, to provide tax exemption status to Kings Fold Retreat and Renewal Centre.

**CARRIED**

R:225/11  
07/11 2<sup>nd</sup> reading.

**Moved** by Councillor Montgomery that Council give second reading to Bylaw 07-11.

**CARRIED**

R: 226/11  
Consent for  
07/11 3<sup>rd</sup> reading.

**Moved** by Councillor Ryan that consent be given to proceed with third reading of Bylaw 07-11.

**CARRIED UNANIMOUSLY**

R:227 /11  
07/11 3<sup>rd</sup> reading.

**Moved** by Councillor Thomas that Council give third reading to Bylaw 07-11.

**CARRIED**

Deputy Reeve Butters vacated chambers at 12:40 pm and was absent from Council for the remainder of the meeting.

R:228 /11  
10/11 1<sup>st</sup> reading.

2. **Moved** by Councillor Thomas that Council give first reading to Bylaw 10-11, the Community Services Board terms of reference bylaw.

**CARRIED**

R:229/11  
10/11 2<sup>nd</sup> reading.

**Moved** by Councillor Montgomery that Council give second reading to Bylaw 10-11.

**CARRIED**

R:230 /11  
Consent for  
10/11 3<sup>rd</sup> reading.

**Moved** by Councillor Ryan that consent be given to proceed with third reading of Bylaw 10-11.

**CARRIED UNANIMOUSLY**

R: 231/11  
10/11 3<sup>rd</sup> reading.

**Moved** by Councillor Ryan that Council give third reading to Bylaw 10-11.

**CARRIED**

R: 232/11  
11/11 1<sup>st</sup> reading.

3. **Moved** by Councillor Montgomery that Council give first reading to Bylaw 11-11, the Heritage Resources Committee terms of reference bylaw.

**CARRIED**

R: 233/11  
11/11 2<sup>nd</sup> reading.

**Moved** by Councillor Ryan that Council give second reading to Bylaw 11-11.

**CARRIED**

R: 234/11  
Consent for  
11/11 3<sup>rd</sup> reading.

**Moved** by Councillor Thomas that consent be given to proceed with third reading of Bylaw 11-11.

**CARRIED UNANIMOUSLY**

R: 235/11  
11/11 3<sup>rd</sup> reading.

**Moved** by Councillor Thomas that Council give third reading to Bylaw 11-11.

**CARRIED**

R: 236 /11  
12/11 1<sup>st</sup> reading.

4. **Moved** by Councillor Ryan that Council give first reading to Bylaw 12-11, the Weed Notice Appeal Committee bylaw.

**CARRIED**

R: 237/11  
12/11 2<sup>nd</sup> reading.

**Moved** by Councillor Thomas that Council give second reading to Bylaw 12-11.

**CARRIED**

R: 238/11  
Consent for  
12/11 3<sup>rd</sup> reading.

**Moved** by Councillor Montgomery that consent be given to proceed with third reading of Bylaw 12-11.

**CARRIED UNANIMOUSLY**

R: 239/11  
12/11 3<sup>rd</sup> reading.

**Moved** by Councillor Montgomery that Council give third reading to Bylaw 12-11.

**CARRIED**

R: 240/11  
13/11 1<sup>st</sup> reading.

5. **Moved** by Councillor Ryan that Council give first reading to Bylaw 13-11, the Agricultural Services and Environmental Advisory Board bylaw as amended.

**CARRIED**

R: 241/11  
13/11 2<sup>nd</sup> reading.

**Moved** by Councillor Thomas that Council give second reading to Bylaw 13-11.

**CARRIED**

R: 242/11  
Consent for  
13/11 3<sup>rd</sup> reading.

**Moved** by Councillor Montgomery that consent be given to proceed with third reading of Bylaw 13-11.

**CARRIED**

R: 243/11  
13/11 3<sup>rd</sup> reading.

**Moved** by Councillor Montgomery that Council give third reading to Bylaw 13-11.

**CARRIED UNANIMOUSLY**

6. **Moved** by Councillor Ryan that Council give first reading to Bylaw 14-11, the Subdivision/Development Appeal Board bylaw.

**Moved** by Councillor Thomas that Council table Bylaw 14-11, the Subdivision/Development Appeal Board bylaw until the September meeting to give staff time to ensure the bylaw aligns with the Municipal Government Act.

R: 244 /11  
Bylaw 14/11  
Tabled.

**CARRIED**

**CARRIED UNANIMOUSLY**

6. **Moved** by Councillor Ryan that Council give first reading to Bylaw 14-11, the Subdivision/Development Appeal Board bylaw.

**Moved** by Councillor Thomas that Council table Bylaw 14-11, the Subdivision/Development Appeal Board bylaw until the September meeting to give staff time to ensure the bylaw aligns with the Municipal Government Act.

**CARRIED**

7. **Moved** by Councillor Thomas that Council table Bylaw 15-11, the Bylaw 15-11, the Municipal Planning Commission bylaw until the September meeting pending clarification on some sections of the draft bylaw.

**CARRIED**

8. **Moved** by Councillor Thomas that Council give first reading to Bylaw 17/11, to amend Exshaw Industrial Park local improvement Bylaws 11/07 (waterline project) and 12/07 (sewerline project), with respect to consolidation or subdivision/change of legal descriptions.

**CARRIED**

**Moved** by Councillor Montgomery that Council give second reading to Bylaw 17-11.

**CARRIED**

**Moved** by Councillor Ryan that consent be given to proceed with third reading of Bylaw 17-11.

**CARRIED UNANIMOUSLY**

**Moved** by Councillor Ryan that Council give third reading to Bylaw 17-11.

**CARRIED**

**H. NEW BUSINESS**

1. **Moved** by Councillor Ryan that Council accepts for information, the payroll cheques issued report for the July payroll EFT payments in the total amount of \$77,187.77 and the register for A/P cheques issued, numbers 18758 to 18880 and 00061-0001 to 00067-0001 in the net amount of \$338,222.47 for the month of July 2011.

**CARRIED**

2. **Moved** by Councillor Montgomery that Council hold a public hearing at 1:00 p.m., Tuesday, September 13<sup>th</sup>, 2011 (following the regular Council meeting lunch break) on the proposed boundary adjustment/annexation of Rocky View County lands (portions of Sections 7 and 18 in Township 25 Range 5 West of the Fifth Meridian) within the West Jumpingpound region.

**CARRIED**

3. **Moved** by Councillor Ryan that Council table Policy E-8, Limitations to the Provision of Emergency Services until the regular Council meeting in September, pending further information.

Motion withdrawn.

**Moved** by Councillor Ryan that Council table Policy E-8, until the regular Council meeting in

R:244/11  
Bylaw 14/11  
Tabled.

R:245/11  
Bylaw 15/11  
Tabled.

R:246/11  
17/11 1<sup>st</sup> reading.

R:247/11  
17/11 2<sup>nd</sup> reading.

R:248/11  
Consent for  
17/11 3<sup>rd</sup> reading.

R:249/11  
17/11 3<sup>rd</sup> reading.

R:250/11  
Cheques Issued  
report accepted.

R:251/11  
Public hearing  
approved.

R:252/11



R:255/11  
Policies rescinded.

6. **Moved** by Councillor Montgomery that Council rescind Policies A-1, A-2, A-6, A-7, A-8, E-5, F-2, F-6, H-2, H-3, H-6 due to outdated information, unnecessary duplication and/or changes in regulations.

**CARRIED**

R:256/11  
April Council  
minutes amended.

7. **Moved** by Councillor Thomas that Council amend the April 12, 2011 Council Meeting minutes to add the following resolution:

**K.3 R: 110A/11**

“That Council authorize the forwarding of the draft 13 April 11 letter to N. Viglietti, offering to purchase ± 3.37 acres of a Portion of NW Section 7 Township 25 Range 5 W5M for the completion of Township Road 252, subject to the conditions as follows (which are outlined in the draft letter):

-completion of the proposed boundary adjustment, whereby the Portion of NW Section 7-25-5-W5M would be brought under the jurisdiction of the M.D. of Bighorn; or

-should the proposed boundary adjustment not be completed, the approval of Rocky View County Council, pursuant to Section 72 of the Municipal Government Act. (This condition carries with it the implied knowledge that the ± 3.37 acres can be subdivided from N.W. Section 7-25-5-W5M, which would require Rocky View approval.)”

**CARRIED**

R:257/11  
DP approved.

8. **Moved** by Councillor Ryan that Council approve the Development Agreement between Snowy Owl Sled Dog Tours Inc. and the MD of Bighorn, and authorize the Reeve and the Executive Assistant to sign the agreement on Council's behalf.

**CARRIED**

R: 258/11  
Rocky View  
Referral  
Response.

9. **Moved** by Councillor Montgomery that Council respond with a reply of “no objection” to Rocky View County's referral regarding Application No. 2011-RV-107, an application to amend Rocky View's Land Use Bylaw.

**CARRIED**

Councillor Thomas declared that he may have conflict of interest in Item H.10 as his property is adjacent to the land involved; he vacated the Council Chambers at 2:40 p.m., and was absent during the discussions/voting on Item H.10.

R:259/11  
Public hearing  
date approved.

10. **Moved** by Councillor Ryan that Council set the public hearing date, place and time for Development Permit Application No. 14/11 (Tree Tops Pet Resort renewal) as Monday, October 3, 2011, at the Beaupre Community Hall commencing at 7:00 p.m.; and further, that Council direct that the M.D.'s notification to adjacent landowners and affected parties about the public hearing advise that administration is recommending the following conditions of approval should the application be approved by Council:

1. The animals boarded shall only be dogs, cats or similar common household pets.
2. The number of pets boarded at any one time shall not exceed sixty (60) within the existing kennel and small animal enclosure buildings.
3. In order to limit the effect of noise from dogs barking on the property, all dogs shall be kept indoors (e.g., in the kennel or small animal enclosure building) between the hours of 8:00 p.m. and 8:00 a.m. daily.
4. There shall be no addition to either the kennel building or the small animal enclosure/office/reception building without the written approval of the M.D. of Bighorn, except as set out in Condition No. 5 below.
5. A two stage modification to the existing kennel building (as outlined in the renewal application) shall be constructed by September 30, 2012 to further improve noise attenuation features/sound proofing of the

kennel building, the end result being complete enclosure of the kennel building with the use of hinged doors.

6. The M.D. of Bighorn reserves the right to require the applicants to mitigate any complaints that might be received with respect to the kennel operation, and this development approval is subject to cancellation if complaints cannot be mitigated to the M.D.'s satisfaction.
7. All animal excrement shall be disposed of in a manner deemed acceptable to Alberta Health Services and the Municipal District.
8. This development permit is subject to consideration for renewal but shall otherwise expire on **July 30, 2016**.

**CARRIED**

Councillor Thomas returned to chambers at 2:43 pm.

11. **Moved** by Councillor Ryan that Council postpone discussion on the Exshaw Municipal Water System Grand Opening until the September meeting.

**CARRIED**

12. **Moved** by Councillor Ryan that Council approves the installation of speed bumps at the north and south end of the alley where it intersects Exshaw Centre Park in order to reduce the speed of vehicular traffic through the park.

**CARRIED**

13. **Moved** by Councillor Ryan that Council reviews the attached articles for the September 2011 newsletter and approves them for publication.

**CARRIED**

14. **Moved** by Councillor Thomas that Council accept the Community Services Program Review report as information.

**CARRIED**

15. **Moved** by Councillor Thomas that, pursuant to s. 657 (6) of the Municipal Government Act, Council grant a one year extension to the period allowed for endorsement of subdivision #3106-01SW(2)R, a previously approved subdivision in the North Ranchlands portion of the MD of Bighorn, so that the endorsement period now ends on January 27, 2012.

**CARRIED**

16. **Moved** by Councillor Ryan that Council amend the agenda to include the proposal from EcDev Solutions.

**CARRIED UNANIMOUSLY**

**Moved** by Councillor Ryan that Council accept the proposal from EcDev Solutions as amended, for completion of the business directory and import substitution parts of the Sustainable Economic Development / Tourism Strategy report.

**CARRIED**

#### **I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL**

- Councillor Thomas asked how large the Quality Management Plan document was and if it would be coming in a Council package in the future. Administration answered that the document is not very large and would fit into an agenda package.

Councillor Thomas also asked if work to relocate the gas line on the northern part of West Jumping Pound Road had been completed. The Operations Manager said work is underway, but Atco Gas had some problems with the project. He also answered that Exshaw drainage projects were now complete and a quick tour could be arranged for Councillors.

R:260/11  
Grand opening  
discussion  
postponed.

R:261/11  
Alleyway speed  
bumps approved.

R:262/11  
Newsletter  
articles approved.

R:263/11  
Report accepted  
as information.

R:264/11  
Subdivision  
extension  
approved.

R: 265/11  
Amended agenda  
approved.

R:266/11  
Proposal accept.

Councillor Thomas asked the Operations Manager what the Dead Man's Flats water waiver pertained to and the cost of process. The Operations Manager said it pertained to set back regulations, but that the MD was successful and could now proceed. He did not know what the total cost was, but would be able to tabulate that for Council.

Councillor Thomas asked if there was any more news or an incident report on the Francis Cooke Landfill fire. The Operations Manager said he would be holding a debriefing in the next week or so and that the investigation was ongoing.

Finally, Councillor Thomas asked if the Coyote Creek Trail was being maintained and monitored. The Assistant Manager said a more thorough review would be done soon.

- Councillor Ryan noticed work on a trail behind the condos on Windridge Road in Exshaw had begun and asked for an update. Administration explained the delay in getting the path was due to Altalink's slowness to respond to the proposal, but that the path construction was finally underway.
- Reeve Cooper noted the MD's Emergency Services were very busy over the last month. He commented that MD Firefighters did an excellent job during the Francis Cooke fire and wanted to ensure volunteers do not burn out. He also said that he had received compliments on the Disaster Manager's performance during the fire.

The Reeve pointed out the increase in RCMP patrols.

#### **J. INFORMATION**

**Moved** by Councillor Ryan that items J.1- J.16 and J. 18 – J.21 be accepted as information.

**CARRIED**

#### **K. IN CAMERA**

**Moved** by Councillor Montgomery that Council go in camera at 3:42 pm.

**CARRIED**

**Moved** by Councillor Ryan that Council come out of camera at 4:25 pm.

**CARRIED**

#### **ADJOURNMENT**

**Moved** by Councillor Ryan that the August 9, 2011 Regular Council Meeting be adjourned at 4:25 pm.

**CARRIED**

  
\_\_\_\_\_  
REEVE

  
\_\_\_\_\_  
EXECUTIVE ASSISTANT

R:267/11  
Items J.1- J.16 &  
18-21 accepted as  
information.

R: 268/11  
Council in camera  
@ 3:42.

R:269 /11  
Council out of  
camera @4:25.

R:270/11  
Council adjourned  
@4:25.