

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, February 9, 2010 in the Council Chambers, MD office, with the following persons present:

COUNCIL:

DENE COOPER	REEVE
MARIA DUNKI	DEPUTY REEVE
PAUL ADAMS	COUNCILLOR
HUGH PEPPER	COUNCILLOR
PAUL RYAN	COUNCILLOR

ADMINISTRATION:

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

CALL TO ORDER

Reeve Cooper called the meeting to order at 9:04 a.m.

Reeve
Cooper called
mtg. to order
at 9:04 am.

A. APPROVAL OF AGENDA

1. Moved by Councillor Adams that the February 9, 2010 agenda be adopted with the following amendments:

- **Delegation Item E.1** Canceled/Removed from Agenda
- **Unfinished Business Item F.4** Terms of Reference for Lime Amendment Biosolids Project
- **New Business Item H.13** Exshaw School Grant Refusal

CARRIED

B. MINUTES

1. Moved by Councillor Ryan that the January 12, 2010 Council meeting minutes be adopted with the following amendments:

Page 2, Item C, the first sentence to be changed to read:

“Councillor Adams reported the appointment of the Bow Valley Regional Housing’s CAO, Ian Wilson...”

On page 2, paragraph 4, the word “illicit” to be replaced with “solicit”.

On page 2, Item G. 1 be changed to read:

“After receiving personal legal advice, Councillor Pepper declared that he may have pecuniary interest in Bylaw 04/09 as his property is adjacent to the land involved...”

CARRIED

Councillor Ryan declared that he may have a pecuniary interest in Item B.2 as his property is in close proximity to the land involved. He vacated Council Chambers at 9:20 am and was not present during

R: 35/10
Council
agenda
adopted as
amended

R: 36/10
Council
Meeting
minutes
approved as
amended.

R:37/10
Public
Hearing
minutes
approved.

discussions/voting on this item.

1. Moved by Councillor Adams that the January 12, 2010 Public Hearing minutes on the proposed removal of Municipal Reserve Designation and Sale of a Portion of Lot 15MR, Block 1, Plan 8610481 in The Hamlet of Exshaw be adopted as circulated.

CARRIED

Councillor Ryan returned to Council Chambers at 9:21 am.

R:38/10
Board and
Committee
minutes
accepted as
information.

2. Moved by Deputy Reeve Dunki that the May 27, 2009 Community Services Board Minutes, the December 7, 2009 Heritage Resource Committee meeting minutes and the December 16, 2009 MPC meeting minutes be accepted as information.

CARRIED

C. COUNCILLOR'S REPORTS

- Councillor Pepper's report was submitted to Council in writing as Item C.1 in the agenda.
- Councillor Ryan reported his -and other Councillors/public reps'- attendance at an Assessment Review Board (ARB) course and noted there had been some major changes to the procedures and structure of ARB's. He noted that further training is necessary, before he and the other become qualified to sit on an ARB.

He also reported that he and the Director of Operations attended a Southern Alberta Waste to Energy conference in Lethbridge, where the Director gave an excellent presentation on the lime amendment biosolids project.

The 2010 Solid Waste Association of North America conference will be held in Banff, and it is anticipated that the Francis Cooke Landfill will be showcased to the attendees.

- Reeve Cooper expressed his thanks to Community Services Coordinator Emily Smith for all her work bringing the Olympic torch to Exshaw.

The Reeve reported that the Calgary Regional Airshed Zone now has a set of reviewed and updated bylaws which will be going to the annual general meeting (scheduled for May, 2010) for approval.

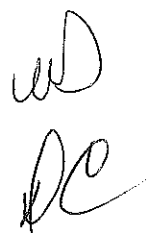
He also reported that the Mountainview County water resolution presented at the 5 Feb CAAMD&C conference passed by a 2/3 margin: there were some issues with the wording of the resolution.

Reeve Cooper said he and Deputy Reeve Dunki would be attending a South Saskatchewan Regional Land Use Plan Regional Advisory Council luncheon in Canmore on February 11th.

The Reeve noted that the next inter municipal meeting with Canmore would be held in two months.

D. BUSINESS ARISING FROM MINUTES/NOTES

E. DELEGATIONS



F. UNFINISHED BUSINESS

Councillor Ryan declared that he may have a pecuniary interest in Item B.2 as his property is in close proximity to the land involved. He vacated Council Chambers at 9:50 am and was not present during discussions/voting on this item.

R:39/10
MR
designation
to be
removed
upon
purchase
offer.

1. Moved by Deputy Reeve Dunki that Council advise the Windridge Road affected owners that it will direct Administration to proceed with the removal of the municipal reserve designation from a portion of Lot 15MR Block 1 Plan 8610481 in Exshaw as requested by those affected owners, upon receipt of a bonafide Offer to Purchase the portion, once the petitioners and the M.D. have agreed upon a price for same.

CARRIED

Councillor Ryan returned to Council Chambers at 10:00 am.

R: 40/10
Policy S-7
adopted

2. Moved by Councillor Adams that Council adopt Policy S-7, Cell-phones in M.D. vehicles, and add same to the Policy Manual.

CARRIED

R: 41/10
Sup't.'s
Residence
and old Seebe
School
preservation.

3. Moved by Councillor Adams that, because of the continuing deterioration of the buildings and the apparent lack of interest of TransAlta Utilities Corporation and the Stoney First Nation in preserving those buildings, Council abandon its long-standing interest in preserving the Superintendent's Residence and old Seebe School in the former Seebe Townsite.

CARRIED

4. Councillor Ryan's report on the Lime Amendment of Biosolids project is attached to these minutes as Schedule "A".

G. BYLAWS

After receiving personal legal advice, Councillor Pepper declared that he may have pecuniary interest in Bylaw 04/09 as his property is adjacent to the land involved; he vacated the Council chambers at 10:15 a.m., and was absent during the discussions/voting on this item.

Council discussed proposed Bylaw 04/09, the Bar C Area Structure Plan, and reviewed the February 2, 2010 revised version of the ASP.

R:42/10
Bylaw 04/09
second
reading.

1. Moved by Councillor Adams that Council give second reading to Bylaw 04/09, a bylaw to adopt the new Bar C Area Structure Plan as amended by the revisions in the February 2, 2010 version of the ASP.

CARRIED 3:1

Deputy Reeve Dunki Opposed

R: 43/10
Bylaw 04/09
to be
available to
ratepayers as
information.

Moved by Councillor Ryan that whereas draft Bylaw 04/09 does not contain any substantive changes that the draft document be made available to the ratepayers of the MD of Bighorn as an information item prior to 3rd reading.

CARRIED 3:1

Deputy Reeve Dunki Opposed

Councillor Pepper returned to Council Chambers at 11:45 a.m



H. NEW BUSINESS

R:44/10
Cheques
issued report
accepted as
information.

1. Moved by Deputy Reeve Dunki that Council accepts for information, the payroll cheques issued report for the January payroll EFT payments in the total amount of \$84,919.11 and the register for A/P cheques issued, numbers 16309 to 16450, and 00009-0001 in the net amount of \$588,776.96 for the month of January 2010.

CARRIED

R: 45/10
Budget vs.
Actual
Spending
memo
accepted as
info.

2. Moved by Councillor Ryan that Council accepts the Budget vs. Actual Spending Report memo as information.

CARRIED

R:46/10
General
receivable
write offs
approved.

3. Moved by Councillor Adams that Council approves the writing off of \$7,277.50 in general accounts receivable owing by John Barlot Architect Ltd. (\$80.00; open house mail out charges), Banff Park Motel (\$2,810.00; garbage pickups), Co-operators Insurance (\$2,437.50; fire call), Transwest Insurance (\$1,325.00; fire call), Western Union Insurance (\$462.50; fire call), and Cunningham Lindsey (\$162.50; fire call).

CARRIED

R: 47/10
Bylaw 02/08
amended.

4. Moved by Councillor Pepper that Council amend Schedule "A" of Fee Schedule Bylaw 02/08 to change the Assessment Appeals fee for Residential/Farm Land from \$25.00 each to \$50.00 each and the Assessment Appeals fee for Commercial/Industrial from \$50.00 each to \$650.00 each.

CARRIED

R: 48/10
Returning
Officer
appointed.

5. Moved by Deputy Reeve Dunki that Council appoint Natalie L. Germann as Returning Officer for the 2010 Municipal General Elections.

CARRIED

R:49/10
General
Election date
set.

6. Moved by Deputy Reeve Dunki that Council set the Year 2010 general election date for Monday, October 18th, 2010.

CARRIED

R:50/10
No bylaw
required for
death of
candidate.

Moved by Councillor Ryan that Council deem it unnecessary to pass a bylaw pursuant to Section 33 of the Municipal Government Act, pertaining to the death of candidates prior to voting day.

CARRIED

R:51/10
No deposit
required with
nomination.

Moved by Councillor Adams that Council waive requirements for posting of a deposit with respect to filing of nomination papers, for the Year 2010 general municipal elections.

CARRIED

R:52/10
Voting hours
on Oct18/10
from 10am to
8pm.

Moved by Councillor Pepper that Council set the hours for voting, at the October 18th, 2010 general election, from 10:00 a.m. until 8:00 p.m.

CARRIED

R:53/10
Hold an

Moved by Councillor Ryan that Council direct the Returning Officer to hold an advance

advance vote.

vote in the Municipal District of Bighorn for the 2010 general election.

CARRIED

R:54/10
Incapacitated elector to vote at residence from 10 am to 3pm on the advance vote day.

Moved by Deputy Reeve Dunki that Council permit an incapacitated elector vote opportunity, for those voters who, by written notification to the Returning Officer, indicate their infirmity and request consideration for election staff to attend their place of residence within the M.D. boundaries; and further that the time for an incapacitated elector to vote be from 10:00 a.m. to 3:00 p.m. on the date of the advance vote.

CARRIED

R:55/10
No elector's list to be prepared.

Moved by Councillor Pepper that Council indicate that an elector's list will not be prepared for the Year 2010 General Municipal Elections.

CARRIED

R:56/10
Council expenses approved.

7. Moved by Councillor Ryan that Council consider approval of payment for the following meeting expense claims, from the Contingency Allowance:

Date	Councillor	Purpose	Amount
26 Oct	Reeve Cooper	Meeting re WJP roads	\$150
26 Oct	Reeve Cooper	Meeting w/M. D. lawyer re legal matter	\$150
3 Dec	ReeveCooper/Coun.Adams/ Ryan	SSRLUF session in Canmore	\$150 each + mileage
3 Dec	Reeve Cooper/Coun. Adams Coun. Ryan	Intermunicipal issues meeting	\$150 each + mileage
7 Jan	Coun. Adams/Coun. Ryan	Intermunicipal issues meeting	\$150 each + mileage
14 Jan	Coun. Adams/Coun. Ryan	BOWDA	\$150. Each + mileage
20 Jan	All Councillors	Olympic Torch Run / Council photo session	\$150 each + mileage

CARRIED

R: 57/10
BHB lands concept plan adopted

8. Moved by Deputy Reeve Dunki that Council adopt by resolution the River's Bend/Limestone Valley Concept Plan for the BHB lands in Dead Man's Flats.

CARRIED

R: 58/10
St. Bernard's Church preservation declined.

9. Moved by Councillor Adams that, because of a lack of substantive community interest in leading an initiative to preserve the 1907 portion of the old St. Bernard's Catholic Church, Council decline the offer of Christ the Redeemer Catholic Schools to take ownership of that portion of the old church.

CARRIED

R: 59/10
H.H. MD of Bighorn community facilities agreement approved.

Councillor Ryan expressed concern about not requiring the Harvie Heights Community Centre to comply with Health regulations, with respect to water testing.

10. Moved by Councillor Adams that Council enter into an agreement effective March 1, 2010 with the Harvie Heights Community Association (HHCA) regarding the maintenance and management of certain community facilities located on Lot P18, Plan 6402HX in the Hamlet of Harvie Heights.

CARRIED

R:60/10
Newsletter articles approved.

Council requested pie charts be added to the 2010 budget information article in the newsletter.

11. Moved by Councillor Pepper that Council approves the March 2010 newsletter articles for publication.

CARRIED

R:61/10
Waste
management
rates
amended.

12. Moved by Councillor Ryan that Council approve and amend the rates for the Commercial and tax-exempt properties in the MD, as per the attached revised solid waste management rates & fees schedule "D" (Bylaw 02-08), effective March 1, 2010.

CARRIED

R:62/10
Admin to
submit grant
refusal
report.

13. Moved by Councillor Ryan that Council direct Administration to prepare a written report regarding the Community Services Board refusal of the 2009 Exshaw School Grant application for \$500 for the Ski/Skate program.

CARRIED

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

- Councillor Pepper asked Administration if there was any change anticipated with Spray Lakes Saw Mill operating logging trucks during school bus hours.
Administration responded that though an email had been sent, there was no reply as yet.
- Councillor Ryan asked when Administration would be hiring the Water Project Liaison, as he had received some complaints for Exshaw residents regarding disturbances resulting from jack hammering.
The Assistant Municipal Manager said the position would be filled in late March when construction on the streets began. He said he would act as the interim liaison until that time.

J. INFORMATION

Moved by Councillor Adams that items J.1- J.15 be accepted as information.

CARRIED

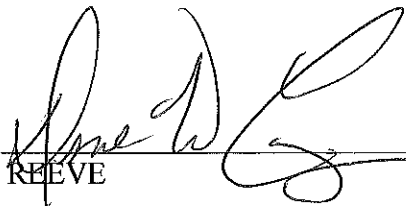
R: 63/10/10
Items J.1-
J.15 accepted
as
information

ADJOURNMENT


Moved by Councillor Adams that the February 9, 2010 Regular Council Meeting be adjourned at 2:15 pm.

CARRIED

R: 64/10
Regular
Council
meeting
adjourned.



REEVE



EXECUTIVE ASSISTANT

Unfinished Business.

On the Lime Amendment Pilot Project

As Chair of BCEC I initiated a draft Terms of Reference for Part 2 of the project that is now in the hands our Administration and Graymont.

A great deal of work has gone into this since it was first proposed to the MD in 2004 and Mr. Pettigrew is to be congratulated for his persistence as should BCEC for it's continued fostering and support.

Timing is critical here and in order to take advantage of the 2010-growing season the Terms of Reference have to be dealt with immediately. A number of meetings have recently taken place with Administration and Graymont.

The second part of the project is a Demonstration Project and will likely span over 3 to 5 years and in the future may include other municipalities in southern Alberta.

A clear understanding of the Terms of Reference is necessary to ensure that the goals and values of the MD are protected as well as the interests of Graymont, our partner in the project.

We are working very hard on a project that if successful will see a measurable benefit to the residents of the MD, local industry and the environment.

The Terms of Reference are on the Agenda for the March 3 meeting of BCEC and if adopted will be presented at the March 9 Council meeting for ratification.

Councillor Adams question;

Q. Does the Terms of Reference allow acceptance of other partners.

A. There is a specific section that addresses the acceptance of other partners and allows for them if agreeable to the MD

Reeve Cooper question:

Q. Who are the current Partners

A. Graymont Canada and the MD of Bighorn

Councillor Dunki Question;

Q. When can Council get a copy of the TOR

A. As soon as the Draft is ready for circulation to BCEC

I would like Mr. Pettigrew to comment on the approval process for the next stage of the Project.

