

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, June 8, 2010 in the Council Chambers, MD office, with the following persons present:

COUNCIL:

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

ADMINISTRATION:

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

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 Councillor Adams that the June 8, 2010 agenda be adopted with the following amendments:

- **New Business Item H.16** Alberta Culture and Community Spirit
- **Incamera Item K3** Additional information

CARRIED

R:156/10
Council agenda adopted as amended.

B. MINUTES

1. Moved by Councillor Ryan that the May 11, 2010 Council meeting minutes be adopted as circulated.

CARRIED

R:157/10
Council mtg. mins approved.

2. Moved by Councillor Pepper that the May 13, 2010 Bylaw 02-Z/10 Public Hearing Minutes be adopted as amended.

- p. 5 second paragraph: remove "technical".
- p. 8 fourth paragraph: replace "suggest" with "agree".

CARRIED

R:158/10
Public Hearing mins approved as amended.

3. Moved by Councillor Ryan that the previously circulated October 22nd 2009 Community Services Board, the December 21, 2009 S/DAB, the April 7, 2010 Heritage Resources Committee and the April 21, 2010 MPC meeting minutes be accepted as information.

CARRIED

R:159/10
Board and Committee mins accepted as information.

C. COUNCILLOR'S REPORTS

- Councillor Pepper reported the Cumulative Effects Study was funded to Phase 3, while phase 2 is still being worked on. He reported that he worked with Mike Kelly, Chair of the BRBC, on a revised water-storage proposal.

Councillor Pepper also attended a Rural Electrification Association meeting in Red Deer regarding proposed changes to the way electrical use is metered and charged.

He also reported his attendance at a Benchland's Community Association annual general meeting with the Director of Operations; and had also attended a Ghost Waiparous Trails Association meeting, where OHV use of trails was discussed.

- Councillor Ryan reported his attendance of the Rural Development Conference in Lethbridge where the University of Lethbridge made a presentation on the impact of tourism on waterways. He also reported on Olds College's program promoting biodiesel, which is of interest to the Bow Valley Waste Management Commission, given the amount of used cooking oil in the Bow Valley, that needs to be disposed of (and could possibly be converted to biodiesel fuel).
- Councillor Adams attended the Calgary Region Airshed Zone annual general meeting, where the revised bylaws were approved and the short-term membership fee structure was also approved. The municipal session on CRAZ funding would be on June 23 at Fort Calgary. He also said the Lac Des Arcs annual clean up was well attended, with 46 people coming to help with the effort, and assistance from Sustainable Resource Development personnel.
- Councillor Dunki had nothing to report.
- Reeve Cooper reported he also attended the presentation by Mike Kelly regarding downstream water storage. He reported both the CRAZ meeting and the Biosphere meeting he attended went well. Reeve Cooper said he had the opportunity to attend the Wheatland County Council meeting, on behalf of CRAZ. He will be attending the South East Slopes meeting coming up soon (June 25 in Fort MacLeod).

D. BUSINESS ARISING FROM MINUTES/NOTES

E. DELEGATIONS

1. Bill Marshall and Nancy Bennett of Marshall Tittlemore Architects (MTA), spoke with Council on the recently-completed building needs assessment study. Based on population projections of 4,000 by 2030, MTA indicated the M.D. would need approximately 6.5 acres of land, in total, to base its facilities and house its staff: a new M.D. Admin building of approximately 13,000 square feet, a new shop/Operations building of approximately 9800 square feet, new Bighorn Library of 4700 sq. ft, fire hall of 6700 sq.ft, and an allowance for a rec centre/arena of 36,000 sq.ft. The Needs Assessment did not go into the potential locations for the facilities, nor the estimated costs of same, but it did outline site planning alternatives and some ideologies/criteria with respect to site selection.
2. The official launch of the "Driving Angels" (initiated by the Alberta Motor Association) program within the M.D., The M.D. is the eighth municipality in Alberta to join this program, which recognizes those who volunteer their time to drive seniors and disabled to programs/services/etc. The Reeve awarded certificates of appreciation and Driving Angels pins to a number of M.D. "angels".

F. UNFINISHED BUSINESS

Councillor Pepper declared that, on the basis of advice from the M.D.'s legal counsel, he may have



pecuniary interest in Item F.1 as his property is adjacent to the land involved; he vacated the Council Chambers at 9:20 a.m., and was absent during the discussions/voting on this item.

R:160/10
Permit No.
76/92
amendment
approved.

1. Moved by Deputy Reeve Dunki that Council approve the application to amend condition #6 of Development Permit No. 76/92 subject to issuing a revised development permit with conditions of approval.

R: 161/10
Condition 16
amended.

Moved by Councillor Ryan that Council amend condition #16 of Development Permit 79/92 to extend the expiry date to June 8, 2015.

CARRIED 3:1 (Deputy Reeve Dunki Opposed)
(Coun. Pepper Absent)

Council voted on Deputy Reeve Dunki's original motion as amended.

CARRIED
(Coun. Pepper absent)

Councillor Pepper returned to Council Chambers at 9: 40 a.m.

G. BYLAWS

R:162/10
Bylaw 02-Z/10
2nd reading

1. Moved by Deputy Reeve Dunki that Council give second reading to Bylaw 02-Z/10, a proposal to amend the Land Use Bylaw No. 19/96 to redistrict that portion of Lot 6, Plan 89B which lies north of Highway 1A from Agriculture Conservation District (AC) to Small Holdings District (SH).

CARRIED 4:1
(Coun. Ryan Opposed)

R:163/10
Bylaw 02-Z/10
3rd reading.

Moved by Councillor Adams that Council give third and final reading to Bylaw 02-Z/10.

CARRIED 4:1
(Coun. Ryan Opposed)

R:164/10
Concept plan
requirement.

Moved by Councillor Ryan that a concept plan be required prior to any subdivision application made on that portion of Lot 6, Plan 89B which lies north of Highway 1A.

CARRIED

R:165/10
Bylaw 09/10
1st reading.

2. Moved by Councillor Pepper that Council give first reading to and hold a public hearing for draft Bylaw 09/10, a proposal to amend the Rafter Six Ranch Resort Area Structure Plan.

CARRIED

Public hearing set for July 15 in the Exshaw Community Centre at 7:00 p.m.

R:166/10
Bylaw 10-Z/10
1st reading.

3. Moved by Councillor Adams that Council give first reading to proposed Bylaw 10-Z/10, a proposal to amend the Rafter Six Ranch Tourist and Recreation District (RSTR), and hold a public hearing.

CARRIED 4:1
(Deputy Reeve Dunki Opposed)

R:167/10
Public hearing
time date place
set.

Moved by Councillor Ryan that Council hold a public hearing for draft Bylaw 10-Z/10 on July 15 in the Exshaw Community Centre to follow the public hearing for draft Bylaw 09/10.

CARRIED 3:2
(Reeve Cooper and Deputy Reeve Dunki Opposed)

H. NEW BUSINESS



R:168/10
Cheques issued
report accepted.

1. Moved by Deputy Reeve Dunki that Council accepts for information, the payroll cheques issued report for the May payroll EFT payments in the total amount of \$90,488.36 and the register for A/P cheques issued, numbers 16832 to 16989, and 00017-0001 in the net amount of \$1,289,690.71 for the month of May 2010.

CARRIED

R: 169/10
May. Actual
Spending
accepted.

2. Moved by Councillor Adams that Council review and accept the Balance Sheet and Budget vs. Actual Spending Report to May 31, 2010 as information before adjustments and review by the auditor.

CARRIED

Stuart Chalmers and Matt Peron of BDO Dunwoody, Chartered Accountants were present to discuss the draft 2009 Financial Statements with Council.

R:170/10
Council in
camera.

Moved by Councillor Adams that Council go incamera @ 1:45 p.m.

CARRIED

R:171/10
Council out of
incamera.

Moved by Councillor Adams that Council come out of camera at 1:58 p.m.

CARRIED

R:172/10
2009 financial
statements
accepted.

3. Moved by Councillor Adams that Council accepts the Year 2009 Financial Statements, as prepared by M.D. Administration and audited by the accounting firm of BDO Dunwoody, Chartered Accountants.

CARRIED

Councillor Ryan asked the Auditors if MD management had given them all the information they requested. The auditors indicated they had.

Councillor Ryan asked the Auditors if MD management was cooperative during the audit. The auditors indicated they had been.

Councillor Ryan asked the auditors if they would like to speak to Council without the presence of MD Management. The auditors indicated they saw no reason to speak to Council without M.D. management present.

R: 173/10
Investments
authorized.

4. Moved by Deputy Reeve Dunki that Council authorize the following investments:
 1. Redeem the \$2,650,000 BMO GIC paying 0.6% due Dec 9/10
 2. Buy \$700,000 principal value of the 2.70% Canada Housing Trust bond due Dec 15/13 at approx. 100.92 to yield approx. 2.42%
 3. Buy \$700,000 principal value of the 2.20% Canada Housing Trust bond due Mar 15/14 at approx. 98.96 to yield approx. 2.49%
 4. Sell \$400,000 principal value of the 5.28% GE Capital Canada (GECC) note due Oct 22/14 at approx. 104.76, selling yield of approx. 4.08%
 5. Buy \$500,000 principal value of the 3.93% Bank of Montreal deposit note due Apr 27/15 at approx. 103.16 to yield approx. 3.22%
 6. Buy \$750,000 principal value of the 3.15% Province of Ontario bond due Sep 8/15 at approx. 100.38 to yield approx. 3.06%
 7. Buy \$500,000 principal value of the 4.77% Enbridge Inc debenture due Sep 2/19 at approx. 102.96 to yield approx. 4.37%
 8. Invest the remaining cash in an RBC Investment Savings Account which is currently yielding



0.75%

CARRIED

R:174/10
Lac Des Arcs
engine retarder
breaks sign.

5. Moved by Councillor Adams that the M.D. request Alberta Transportation install Engine Retarder Brakes signage at or near Lac Des Arcs, due to noise impacts on the community, on the condition that funding for these projects is provided through grants, and/or community enhancement funds for Ward 2 to a maximum of \$2000.00.

CARRIED

R:175/10
Waste to
Energy Study.

6. Moved by Deputy Reeve Dunki that Council support the proposed Vulcan Innovative Project Waste to Energy Study, and the suggested workplan as circulated; and agree to support the Study with a per-capita based contribution not to exceed \$800.00, on the condition that the Study move forward with full participation.

CARRIED

R:176/10
MD/TOC
agreement
development.

7. Moved by Councillor Adams that Council agree to have the M.D.'s Administration work with the Town of Canmore's Administration to develop intermunicipal agreements based on specific identified services of common interest, and that the respective C.A.O.'s be required to report back to the Intermunicipal Committee on the discussions.

CARRIED

R:177/10
Water System
Update
accepted.

8. Moved by Deputy Reeve Dunki that council accept the Exshaw Municipal Water System Update as information.

CARRIED

R:178/10
Endorsement of
subdivision
extension
grated.

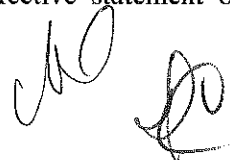
9. Moved by Deputy Reeve Dunki that, pursuant to s. 656 (6) of the Municipal Government Act, Council grant a one-year extension to the period allowed for endorsement of subdivision #85-24-09(18)6 DMF, a previously approved subdivision in the Hamlet of Dead Man's Flats, so that the endorsement period now ends on June 8, 2011.

CARRIED

R:179/10
Clearwater
County referral
request.

10. Moved by Deputy Reeve Dunki that That Council direct Administration to respond to Clearwater County's referral request that the M.D. of Bighorn has no objections to the draft Municipal Development Plan (2010), but offers the following comments:

- The M.D. of Bighorn recognizes that the majority of land on the border between the M.D. of Bighorn and Clearwater County is public lands and that the Provincial Government is primarily responsible for the management of this land in Clearwater County. However, the MD of Bighorn is encouraged with Clearwater County's interests in managing its West Country as expressed in Section 4.2.14.
- The spelling of 'Bighorn' should be corrected on Page 35 (line 5 in the first paragraph).
- The draft MDP as presented is a well written and comprehensive document. An impressive amount of public consultation with Clearwater County residents and stakeholders was undertaken during your review process.
- The incorporation of provincial Regional Planning initiatives and future requirements for compliance is well thought out and ensures that Clearwater County will be ready to respond to those initiatives.
- There is a clear recognition of agriculture (the 'right to farm') and natural capital (protection of the environment) throughout the draft MDP, and there is a clear and effective statement of the municipality's position on Confined Feeding Operations.



- The M.D. of Bighorn is unclear as to why subdivision for intensive agricultural pursuits have been limited to a minimum parcel size of 8.1 ha (20 acres), because a smaller sized acreage could be economically viable, meet all other environmental regulations and have limited impacts on adjacent land uses.

CARRIED

R:180/10
Rocky View
County
LUB
response.

11. Moved by Deputy Reeve Dunki that Council direct Administration to indicate to Rocky View County that the MD of Bighorn has no objections to the proposed amendments to the Rocky View County Land Use Bylaw (C-4841-97).

CARRIED

R:181/10
Mountain
View
County
LUB
response.

12. Moved by Councillor Adams that that Council direct Administration to indicate to Mountain View County in a referral response that the MD of Bighorn has no objections to the proposed Land Use Bylaw No. 10/10.

CARRIED

R:182/10
DIA Policy
to be
prepared.

13. Moved by Deputy Reeve Dunki that Council direct Administration to prepare a policy on Development Impact Assessments (DIAs).

CARRIED

R:183/10
Mowing
contract
awarded.

14. Moved by Councillor Pepper that Council authorize Administration to award the 2010 – 2010 Bow Corridor, North and South Ranchlands Roadside Mowing Contract to Volker Stevin Contracting Ltd.

CARRIED

R:184/10
South
Eastern
Task Force
report
supported.

15. Moved by Councillor Pepper that Council supports in principle the *Report of the South Eastern Task Force – May 2010 (Draft Three)* as presented”, with the understanding there will be feedback and additional changes prior to the report presentation to the Minister of Sustainable Resource Development.

CARRIED

R:185/10
Government
Heritage Sign
location.

16. Moved by Councillor Adams that Council approve the use of Community Reserve Lot 1, Block 1, Plan 8170 HX in Dead Man’s Flats for placement of an Alberta Government heritage sign regarding Mount Lougheed, and direct that Bighorn’s Administration work with Alberta Culture and Community Spirit to determine a mutually acceptable location for the new sign.

CARRIED

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

- Councillor Ryan asked Administration if the illegal dumping on private land near the Francis Cooke Landfill was being addressed by the MD. The CAO said he intends to talk with the landowner about installing a gate, or large rocks to prevent further dumping.
Councillor Ryan also asked Administration to look into the increase in illegal parking near the Graymont Plant. He said a picnic table has been moved onto the site that should be removed.
- Councillor Pepper reported the Benchlands Community Association has requested an upgrade on their announcement board, and has also asked water testing be done on the Benchland lagoon as the Community Association suspect there has been some natural contamination. The Director of Operations said he would have the testing done.
The Benchlands Community Association will also be requesting funding to start a community garden in the future.



J. INFORMATION

R:186/10
Items J.1- J.19.
accepted as
info.

Moved by Councillor Ryan that items J.1- J.19. be accepted as information.

CARRIED

K. IN CAMERA

R: 187/10
incamera @
3:20.

Moved by Deputy Reeve Dunki that Council go incamera at 3:20 p.m.

CARRIED

R: 188/10
out of camera
@4:00.

Moved by Councillor Adams that Council come out of camera at 4:00 p.m.

CARRIED

R189/10
Shane Tennant
settlement.

Moved by Councillor Adams that Council direct Administration to pursue a settlement with Shane Tennant.

CARRIED

R190/10
Enforcement of
Land Use
Bylaw – B4
Plan 9612563

Moved by Deputy Reeve Dunki that Council direct Administration to enforce the Land Use Bylaw as it pertains to Block 4, Plan 9612563, particularly in regards to the sheep that have been moved onto the property without a development permit having been issued.

CARRIED

R191/10
Land Swap
with Province.

Moved by Councillor Adams that Administration continue the process of the proposed land swap with the Province.

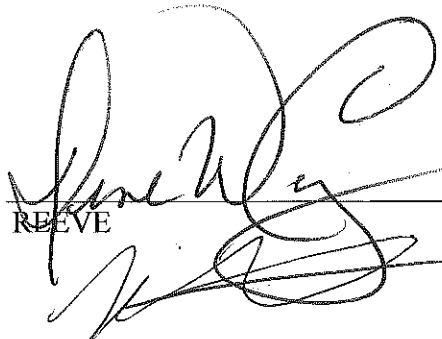
CARRIED

ADJOURNMENT

R: 192/10
Jun. 8, 2010
Regular Council
Meeting
Adjourned at
4:05.

Moved by Councillor Ryan that the June 8, 2010 Regular Council Meeting be adjourned at 4:05 pm.

CARRIED



Handwritten signature of Shane Tennant, appearing to be 'Shane Tennant', written in black ink over a horizontal line.

REEVE

EXECUTIVE ASSISTANT