

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, July 13, 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	OPERATIONS MANAGER
KATHERINE VAN KEIMPEMA	DIRECTOR OF FINANCE

mtg. called
to order at
9:00 am.

CALL TO ORDER

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

A. APPROVAL OF AGENDA

Moved by Councillor Adams that the July 13, 2010 agenda be adopted with the following amendments:

- **New Business Item H.5** Removed/deleted from agenda (Intermunicipal Agreements negotiations)
- **Pages 45/46** Replaced (Bylaw 05-z/10, Kananaskis Ranch district amendment)
- **New Business Item H12** Moved to Information Item J. 26 (Planning and Development department 2009 Year End Report)
- **Information Item J. 12** Moved to Unfinished Business Item F.5 (Exshaw Municipal Water System Update)
- **New Business Item H.19** Water Conference Attendance Endorsement Request
- **New Business Item H.20** 2010 Municipal Heritage Conference Endorsement Request
- **New Business Item H.21** Southern Alberta Waste To Energy Conference Endorsement Request
- **Information Item J.22** Moved to New Business Item H. 22 (Letter re Graymont EPEA)

CARRIED

B. MINUTES

1. Moved by Councillor Ryan that the June 8, 2010 Council meeting minutes be adopted as circulated.

CARRIED

2. Moved by Councillor Ryan that the June 8, 2010 05/Z-10 Public Hearing minutes be adopted as circulated

CARRIED

3. Moved by Councillor Adams that the previously circulated S/DAB December 21, 2009, Heritage Resources Committee May 2, 2010 and June 7, 2010, BCEC March 3, 2010, S/DAB May 4th, 2010, MPC May 19, 2010, Community Services Board March 25, 2010 meeting minutes be accepted as information.


CARRIED

R:193/10
Council
agenda
adopted as
amended.

R: 194/10
Council mtg.
minutes
approved.

R:195/10
Pub. Hearing
mins.
Approved.

R:196/10
Board and
Committee
mins. -
information.



C. COUNCILLOR'S REPORTS

- Councillor Pepper reported that the State of the Watershed has a revised mandate. The Watershed Index which will be used to assess overall health of the watershed, is almost complete and that Alberta Environment has assigned 2 people to the group.

He also reported the twice-yearly Ghost clean-up was well attended. The Ghost Waiparous Trial Association is still discussing ATVs and their access to the Back 40 recreation area.

- Councillor Ryan reported his attendance of an Exshaw Fire Department fund-raiser with the Reeve, who participated in the dunk tank at the Exshaw ball diamond. Money raised was donated to Muscular Dystrophy Canada.

He also reported that the Bow Valley Waste Management Commission had agreed to participate in and fund the region's involvement with the Southern Alberta Energy from Waste Association, and therefore the M.D. did not need to provide funding, as previously decided by Council.

Councillor Ryan also noted his attendance (with the C.A.O.) at a Central Alberta AAMD&C zone function in Lacombe recently, where he had a good discussion with a member of AAMD&C's Trade Division.

- Deputy Reeve Dunki represented the MD at a Spray Lakes Sawmills Advisory Group meeting. She said the Spray Lakes certification program is currently under review.

She also reported that the South East Slopes Municipalities Task Force's Position Paper was well received in Fort MacLeod, when presented to the Land Use Secretariat and MLA Evan Berger.

- Councillor Adams reported that he attended the Lafarge Open House and the annual Graymont breakfast with the Reeve.

The Bow Valley Regional Housing board of directors have completed a needs assessment on seniors housing. He also attended WildSmart this past month.

- Reeve Cooper reported Justin Ellis of Tourism Parks and Recreation has offered to meet with Council on Aug. 11th regarding the recreational use of the eastern slopes, in conjunction with the South Saskatchewan Regional Land Use Plan. The Reeve said he would also like to meet with Mike Kelly, a former employee with Translata Utilities regarding the plan for area dams. The dams are ending their life cycles and the Reeve said there is an opportunity for the dams to fill needs other than hydro-electrical.

The Reeve also noted that this Council Meeting was his 70th in 6 years. He said he appreciates his fellow Councillors ability to disagree and come back to a working point.

D. BUSINESS ARISING FROM MINUTES/NOTES

There was no Business Arising from the Minutes

E. DELEGATIONS

1. Glenn Naylor and Louis Baxter from Kidsports Canmore, presented to Council regarding support/funding for the program. The program's intent is to ensure that all kids, regardless of family

income levels, can participate in organized sports activities. While they were well-received, there was concern expressed that Kidsports' boundaries may exclude children within the eastern wards.

2. Marilyn Backman of the Central Alberta Rural Electrification Association, came to Council to discuss the CAREA's services and how advanced metering will affect them.

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 9:30 am and was not present during discussions/voting on this item.

1. Moved by Deputy Reeve Dunki that Resolution 154/10, passed 11 May 10, be amended by deleting reference to Lot 3 in the resolution and four conditions attached thereto; and that a new Condition #5 be added, to read "That the owners of Lot 3 also be permitted to purchase the MR adjacent to their property, under the same terms and conditions as the owners of Lots 4 – 7, provided the Lot 3 owners come forward by August 31st, 2010 to confirm their intent to purchase."

CARRIED

Councillor Ryan returned to Council Chambers at 9:35 am.

2. Moved by Ryan that Council accept the draft Request for Expressions of Interest – Sustainable Economic Development/Tourism Strategy as circulated, and direct that this project commence immediately.

Moved by Councillor Pepper that Councillor Ryan's motion be amended to read "pending funding" rather than "immediately".

DEFEATED(4:2)

Council voted on Councillor Ryan's original motion.

CARRIED

3. Moved by Deputy Reeve Dunki that Council accept the Aggregate Levy Information report as information.

CARRIED

4. Moved by Deputy Reeve Dunki that Council accept the 25 May 10 Facility Needs Assessment study from Marshall Tittmore Architects, on future M.D. facility needs, and direct Administration to provide alternatives on a site for future facilities, for Council consideration.

Moved by Councillor Ryan that Council table the Facility Needs Assessment study until Council the opportunity to discuss the facilities proposed in the report.

DEFEATED (4:1)

Council voted on Deputy Reeve Dunki's original motion.

CARRIED

(4:1 Council. Ryan opposed)

5. Moved by Councillor Adams that Council accept the Exshaw Municipal Water System update as information.

CARRIED

R:197/10
Resolution
154/10
amended.

R198/10
Amending
motion
defeated.

R:199/10
Request for
expression of
interest.

R:200/10
Aggregate
Levy Report.

R201/10
Facility needs
tabling
motion
defeated.

R202/10
Facility needs
report
accepted.

R:203/10
Water system
report
accepted.

G. BYLAWS

R:204/10
Bylaw 05/Z-
10 2nd
reading.

1. Moved by Deputy Reeve Dunki that Council give second reading to draft Bylaw 05-Z/10, a proposal to amend the Kananaskis Ranch District (KR) of Land Use Bylaw No. 19/96.

CARRIED

R:205/10
Bylaw 05/Z-
10 3rd
reading.

Moved by Councillor Adams that Council give third reading to draft Bylaw 05-Z/10.

CARRIED

R:206/10
Bylaw 08/Z-
10 1st
reading.

2. Moved by Deputy Reeve Dunki that Council give first reading to, and hold a formal public hearing with regards to proposed Bylaw 08-Z/10, a bylaw to amend and consolidate the Land Use Bylaw 04/10.

CARRIED

Public hearing set for:

September 14, 2010 at 1 p.m. in Council Chambers

R:207/10
Bylaw 11-10
1st reading.

3. Moved by Deputy Reeve Dunki that Council give first reading to Bylaw 11-10, to amend the Fee Schedule Bylaw.

CARRIED

R:208/10
Bylaw 11-10
2nd reading.

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

CARRIED

R:209/10
Permission to
proceed to 3rd
reading.

Moved by Councillor Pepper that consent be given to proceed with third reading of Bylaw 11/10.

CARRIED UNANIMOUSLY

R:210/10
Bylaw 11-10
3rd reading

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

CARRIED

R:211/10
Bylaw 12-10
1st reading.

4. Moved by Deputy Reeve Dunki that Council give first reading to Bylaw 12-10, to close a portion of Road Plan 314 BM ("the old Morley Trail) in West Jumpingpound.

CARRIED

Public hearing set for:

September 14, 2010 at 10 a.m. in Council Chambers

R:212/10
Bylaw 13-10
1st reading.

5. Moved by Councillor Ryan that Council give first reading to Bylaw 13-10, to close a portion of Township Road 252 road allowance in West Jumpingpound.

CARRIED

Public hearing set for:

September 14, 2010 after 1 p.m. in Council Chambers to follow Public Hearing for Bylaw 08/Z-10.

H. NEW BUSINESS

R:213/10
Cheques
issued report
accepted.

1. Moved by Councillor Ryan that Council accepts for information, the payroll cheques issued report for the June payroll EFT payments in the total amount of \$80,330.77 and the register for A/P cheques issued, numbers 16990 to 17195, and 00017-0001 to 00021-0001 in the net amount of \$1,147,221.25 for the month of June 2010

R: 214/10
Jun. Actual
Spending
accepted.

2. Moved by Councillor Adams that Council review and accept the Balance Sheet and Budget vs. Actual Spending Report to June 30, 2010 as information before adjustments and review by the auditor.

CARRIED

R:215/10
 Council
 expense
 claims.

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

Date	Councillor	Purpose	Amount
13 Apr	Coun. P. Adams	Meeting with Canmore Council	\$150.00 + mileage
3 May	Reeve Cooper	MLA session at Boundary Ranch	\$150.00
	Coun. P. Adams		\$150.00 + mileage
	Coun. H. Pepper		\$150.00 + mileage
13 May	Reeve Cooper	BOWDA luncheon	\$150.00 + mileage
17 May	Coun. H. Pepper	Shell community barbeque	\$150.00 + mileage

CARRIED

R: 216/10
 Town of
 Cochrane
 mutual Aid
 Agreement.

4. Moved by Councillor Adams that Council approve the proposed Mutual Aid Fire Agreement with the Town of Cochrane, and authorize Administration to forward to the Town of Cochrane for their consideration.

CARRIED

5. New Business item H.5 had been removed from the agenda

R:217/10
 Advanced
 polls.

6. Moved by Councillor Ryan that Council pass a resolution allowing the Returning Officer to establish an advanced voting station for the 2010 Municipal Elections.

CARRIED

R:218/10
 Community
 Services
 contract.

7. Moved by Councillor Pepper that Council enter into a one-year contract with Mrs. Emily Smith to serve as the M.D.'s Community Services Coordinator based on the recommendation of Administration, and authorize the Reeve and Executive Assistant to sign the agreement.

CARRIED

R: 219/10
 Environment
 al Reserve
 Easement.

8. Moved by Councillor Pepper that Council enter onto an agreement with Mr. and Mrs. W. Fedyk to secure an environmental reserve easement in accordance with the M.D.'s Subdivision Approval No. 3106-01SW(2)R, and authorize the Reeve and Executive Assistant to sign the easement.

CARRIED

R: 220/10
 Encroachment
 Agreement.

9. Moved by Councillor Adams that Council authorizes the M.D. to enter into an encroachment agreement with regards to structures on Lot 4, Block 1, Plan 6402HX (213 Bow River Drive, Hamlet of Harvie Heights) that encroach onto the adjacent municipal roadway.

CARRIED

Councillor Pepper declared that he may have pecuniary interest in Item H.10 as his property is adjacent to the land involved; he vacated the Council Chambers at 2:35 p.m., and was absent during the discussions/voting on this item.

R: 221/01
 DP 39/10
 approval.

10. Moved by Councillor Ryan that Council approve Development Permit Application No. 39/10, an application for special events on Ptn. NE-3-27-7-W5M (Capture the Flag Paintball) for the following dates in 2011: April 2, 9, 16, 30 & May 1, 7, 14, 28, 29 & June 4, 5, 11, 18, 25, 26, subject to the following conditions:

1. The maximum number of paintball participants on special events days shall be limited to 360 persons on the site. Of these 360 persons, a maximum of 120 players shall be playing paintball at any one time.

2. Excepting the maximum number of paintball players and participants specified in condition #6, the conditions of approval of Development Permit No. 76/92 shall remain in effect on special event days.

CARRIED

Councillor Pepper returned to Council Chambers at 2:50 p.m.

11. Council discussed Planning staff's request for direction regarding visitor and resort accommodation uses in the MD of Bighorn. Council suggested the issue be addressed after the LUB is completed.

12. New Business item H.12 was moved to Correspondence/Information Item J. 26

13. Moved by Deputy Reeve Dunki that, pursuant to Section 656 (6) of the Municipal Government Act, Council grant a one-year extension to the period allowed for endorsement of subdivision #3106-03SE(1)R, a previously approved subdivision in the North Ranchlands near the Ricalton Road, so that the endorsement period now ends on October 15, 2011.

CARRIED

14. Moved by Councillor Adams that Council authorize Administration to enter into a service agreement contract, covering the 2010-2013 Winter snow maintenance period for the Burnt Timber road, with Al Saunders Contracting & Consulting Inc.

CARRIED

15. Moved by Councillor Ryan that Council authorize Administration to award the 2010 spray patching requirements to The Patch Master.

CARRIED

16. Moved by Councillor Pepper that Council authorize Administration to award the 2010 paver patching works to Metro Paving & Road Building Ltd.

CARRIED

17. Moved by Councillor Ryan that Council approve the expenditure of \$1,350 from the MR Disposal/Money-in-leiu/MGA 671 account to purchase trail signage, posts and hardware to meet the standards for signage as set out in the Trail Development and Management Guidelines and the Open Spaces Policy.

CARRIED

18. Moved by Councillor Pepper that Council table the draft updated CS-4 Open Spaces Policy as presented until the completed document is received.

CARRIED

19. Moved by Deputy Reeve Dunki that Council support his attendance of the Watershed Forum on September 17, 2010 in Calgary and pay per diem and travel expenses.

CARRIED

20. Moved by Councillor Ryan that Council support Heritage Resource Committee members to attend the September 30 Municipal Heritage Forum in Calgary and pay per diem and travel expenses.

Moved by Deputy Reeve Dunki that Council amend Councillor Ryan's motion to also allow 2 members of the public to attend the Municipal Heritage Form and pay per diem and travel expenses.

DEFEATED(2:3)

R:222/10
Subdivision
#3106
extended.

R:223/10
Snow
Removal
Contract.

R:224/10
Spray Patch
Contract.

R:225/10
Paver Patch
Contract.

R:226/10
Trail Signage
approved.

R:227/10
CS-4 Tabled.

R:228/10
Watershed
Forum
Attendance.

R:229/10
Municipal
Heritage
Forum public
attendees.

R:230/10
Municipal
Heritage
Forum -
limit

Moved by Deputy Reeve Dunki that Council amend Councillor Ryan's motion to limit attendance to only 2 members of the Heritage Resources Committee for the Municipal Heritage Form.

DEFEATED (2:3)

R:231/10
Municipal
Heritage
Forum
attendance.

Council voted on Councillor Ryan's original motion.

CARRIED

R:232/10
NAR
conference
attendance.

21. Moved by Deputy Reeve Dunki that Council support Councillor Ryan's attendance at the September 7-10 Northern Alberta Recycling conference in Grande Prairie, on behalf of the Southern Alberta Energy from Waste Association, and pay per diem and expenses.

CARRIED

22. Reeve Cooper discussed Graymont's expansion application and his meeting with that company's administration.

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

Councillor Dunki asked Administration to thank Volker Stevin for the patch job they did on Jamieson Road.

She also requested Administration look into the MD portion of fence where livestock is getting out and straying onto the road.

J. INFORMATION

R: 233/10
Agenda Info
items
accepted .

Moved by Councillor Adams that items J.1- J.11, J.13-J.21 and J. 23-J.26 be accepted as information.

CARRIED

K. IN CAMERA

R: 234/10
incamera @
4:05

Moved by Deputy Reeve Dunki that Council go incamera at 4:05 am.

CARRIED

R:235/10
out of
incamera
@5:00

Moved by Councillor Adams that Council come out of camera at 5:00 p.m.

CARRIED

R:236/10
Sale of land.

2. Moved by Councillor Adams that Council authorize Administration to offer the sale, by sealed tender bid, of Area "A" Plan 1012546 as created by Road Closure Bylaw 09-09, to the owners of:

- north-east quarter of Section 28-31-6-W5M;
- the remainder of the north-west quarter of Section 28-31-6-W5M;
- Lot 1 Block 1 Plan 0811559

under the conditions that Area "A" be consolidated into the purchaser's directly-adjacent property, and that a right-of-way easement agreement may be needed to accommodate access to the remainder of the north-west quarter of Section 28-31-6-W5M.

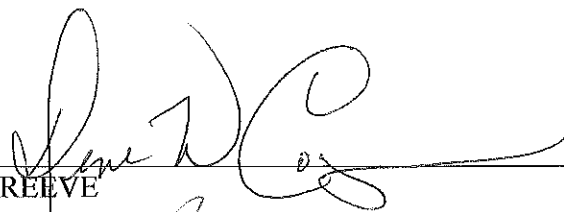
CARRIED

ADJOURNMENT


R: 237/10
Jul. 13, 2010
Regular
Council
Meeting
Adjourned at
5:00.

Moved by Councillor Adams that the July 13, 2010 Regular Council Meeting be adjourned at 5:00 pm.

CARRIED



REEVE



EXECUTIVE ASSISTANT