

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, May 13, 2008 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 MUNICIPAL MANAGER
BRENDA CHRISTIE	FORMER ACTING DIRECTOR OF FINANCE (arrived at 6:30 PM)
VALERIE FLINK	EXECUTIVE ASSISTANT
HUGH PETTIGREW	DIRECTOR OF OPERATIONS
KATHERINE VAN KEIMPEMA	DIRECTOR OF FINANCE

CALL TO ORDER

Reeve Cooper called the meeting to order at 9:00 am. On behalf of the 2004 G-8 Summit, the Assistant Municipal Manager presented Council with a commemorative plaque for the MD's participation in the Legacy Environment program.

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

A. APPROVAL OF AGENDA

The following additions and amendments were made to the agenda:

- F.4 Unfinished Business – Councillor Ryan's Report on "Bicycle Safety on 1A Highway.
- K.3 In Camera – Legal Issue
- K.4 In Camera – Personnel Issue
- H.18 New Business – June 2008 Municipal Newsletter – delete from agenda

R:092/08
May 08 Council
Agenda adopted as amended

Moved by Deputy Reeve Dunki that the agenda be adopted with the above-noted amendments.

CARRIED

B. MINUTES

Moved by Councillor Adams that the 08 April 08 Council meeting minutes be adopted as presented.

R: 093/08
Apr 08 Council
Meeting Minutes
Approved

CARRIED

C. MEETING NOTES/COMMUNITY MINUTES

Moved by Councillor Ryan that Council acknowledge that the following minutes have received approval:

1. 21 Jan 08 Finance & Economic Development Meeting Minutes – *Circulated*
2. 19 Mar 08 MPC Meeting Minutes – *Circulated*
3. 16 Apr 08 Spray Lake Sawmills Public Advisory Group Minutes – *Circulated*

R: 094/08
Acknowledge
Committee/Board
Minutes that received
Approval

CARRIED

D. BUSINESS ARISING FROM MINUTES/NOTES

E. DELEGATIONS

1. Robin Slater, a resident from the Hamlet of Lac des Arcs, came before Council to discuss the Municipal District of Bighorn's current Complaint/Bylaw Enforcement policy and its procedure. Ms. Slater believes the current procedure is inadequate and that the MD needs to change its current policy from "Reactive" to "Proactive", and believes that it is Council's responsibility to enforce these bylaws. Ms. Slater is concerned and believes that the distinctiveness of Lac des Arcs is changing, and if the MD does not take proper steps the traditional values will be lost. One of the main concerns Ms. Slater has is that she believes there are many illegal home businesses taking place within the Hamlet of Lac des Arcs: she provided examples of said businesses. Reeve Cooper thanked Ms. Slater for her presentation and her submission of her complaint. As per the current policy, once a "signed" written complaint has been received at the MD office, the Bylaw Officer will then investigate the complaint.
2. Edward Van Vliet and Cathy Jones from the Canmore Museum & Geoscience came before Council to advise them of two specific projects the Museum is undertaking. They are writing a book on the history of coal-mining in the Valley, and also looking at putting on an exhibition regarding David Thompson, the explorer, who was the first, recorded European through the Valley. The book, "A Century of Coal Mining in the Bow Valley" is a full color, 138 page book. Mr. van Vliet mentioned a number of local businesses that have contributed to this project and wondered if the MD of Bighorn would like to contribute to this worthwhile cause. Reeve Cooper mentioned that he believes the Industries (Lafarge and Graymont) of the Municipality have contributed to this cause and wished them well in their efforts to retell the history.

F. UNFINISHED BUSINESS

1. Moved by Councillor Ryan, that Council accept Administration's recommendation for a twelve foot high chain link fence, as a solution to reduce the amount of fugitive Municipal Solid Waste that occurs at the Exshaw recycling transfer site, due to high winds in this area; and award a fencing contract to Rite-Way Fencing Inc. for a sum of \$6,352.50 plus all applicable taxes.

CARRIED

2. The CAO discussed the background information of the draft Bow Basin Watershed Management Plan – Phase One (Water Quality) and mentioned that Council had received and commented on this report back in November 2007 and again at Council's February meeting. Council discussed the financial implications of the report agreeing that the Province should be responsible for any costs of implementing the BRBC recommendations.

Moved by Councillor Pepper that Council express support for the Bow Basin Watershed Management Plan – Phase One Water Quality report (version 11.0, dated March 3, 2008) and that the Province provide adequate funding for the implementation of any or all of the recommendations of the report.

CARRIED

R: 095/08
Accept
Recommendation to
install Chain Link
Fence around
Recycling Bins in
Exshaw

R: 096/08
Support for the
BBWMP & the
Province provide
Funding



3. Council discussed the proposed development of a municipal road allowance, to provide a road to service the Milestone Creek Estates subdivision in the NW quarter of Section 23-26-6-W5M. Deputy Reeve Dunki wanted to acknowledge the Operations Department with respect to this report. Deputy Reeve Dunki also mentioned that she thought the MD should increase the financial security deposit from \$690,000.00 to \$750,000.00 to cover any implications that may occur with construction.

Moved by Councillor Adams that Council authorize Administration to enter into a road construction agreement, with the proponents of Subdivision Application No. 2607-23 NW (1) R, for a municipal standard road on the allowance between the north half of Section 23-26-7-W5 and the south half of Section 26-26-7-W5 (in the Jamieson Road area), subject to the following conditions being met and submitted to the MD Administration for final acceptance before any site works are commenced:

- Subject to obtaining a Code of Practice permit under the Water Act, or written confirmation from Alberta Environment that permitting is not required;
- Subject to obtaining registered back-sloping agreements with affected landowners, prepared by an Alberta Legal Surveyor, and showing the MD as a party/signatory to said agreements prior to registration on titles;
- Subject to confirmation and approval of culvert sizing / hydraulic analysis (The culvert at the creek crossing has now been designed to a 600mm diameter size but flow calculation/prooing has yet to be reviewed by MD's engineering representatives);
- Provide financial security in accordance with Council policy in an amount equal to 100% of the MD's engineers' project cost estimate of \$690,000.00.
- That the road construction agreement include (but not be limited to) the following provisions, all to the sole and satisfaction of the MD: environmental monitoring by a qualified professional during critical phases of construction; quality control testing reporting; a scheduling plan; a construction safety plan; traffic/haulage plan, including identification of any marshalling/storage sites; public liability insurance requirements; a warranty period for MD acceptance of 2 years; and provide for full time construction supervision/inspection services at the proponents expense, during the critical clearing/grubbing, stripping, common excavation, and creek diversion/culvert installation stages of the contract;
- Any and all third party professional costs incurred by the MD in the design review process to date and in future (including engineering and legal fees, if incurred) be reimbursed to the MD by the proponent;
- That no physical on-site road construction (i.e. clearing, ground disturbance, etc.) commence until the Construction agreement is executed.

Moved by Deputy Reeve Dunki to amend the present motion on the floor to change the amount of the financial security from "\$690,000.00" to "\$750,000.00."



Council voted on Deputy Reeve Dunki's amending motion.

R: 097/08
Amendment
proposed to
Councillor Adams'
Motion
Defeated

DEFEATED 1 – 4

IN FAVOUR:
Deputy Reeve Dunki

OPPOSED:
Reeve Cooper
Councillor Adams
Councillor Ryan
Councillor Pepper

R: 098/08
The MD and
Milestone Creek
Estates enter into a
road construction
agreement.

Council voted on Councillor Adams' original motion.

CARRIED

4. Councillor Ryan discussed his concerns with safety on Hwy 1A and the recent bike race that took place on Hwy 1A. Councillor Ryan asked his fellow Councillors and Administration what the MD could do in order to make Hwy 1A and the service road in the Hamlet of Harvie Heights a safer place. Reeve Cooper stated that everyone needs to make it safe, suggesting that Administration contact a representative from the Rundle Mountain Cycling Club and invite them to attend a BCEC Trucking Sub-Committee meeting to discuss these safety issues. The CAO responded that the Alberta Infrastructure and Transportation could ban certain vehicles (in this case, bicycles) from the Highway, but whether or not the Minister would do so is questionable. The CAO also mentioned that he could contact someone from the Rundle Mountain Cycling Club and invite them to a BCEC Trucking Sub-Committee meeting.

CAO to invite a Rep
from the Cycling
Club to discuss the
safety issues on
Hwy 1A and part of
HH Service Road.

G. BYLAWS

1. Bylaw 06/08, the 2008 Taxation Rates bylaw, was discussed at 6:30 p.m., in order to allow the attendance of the former Acting Director of Finance, who was unable to attend the daytime part of the Council meeting, due to other commitments (see below for the discussions and Council action).
2. Moved by Deputy Reeve Dunki that Council give first reading to Bylaw 07/08, to amend Council Procedural Bylaw 09/02.

CARRIED

Moved by Councillor Adams that Council give second reading to Bylaw 07/08.

CARRIED

Moved by Councillor Ryan that Council give consent to proceed with third reading to Bylaw 07/08.

CARRIED UNANIMOUSLY

Moved by Councillor Pepper that Council give third reading to Bylaw 07/08.

CARRIED

3. Moved by Councillor Ryan that Council give first reading to Bylaw 08/08, to authorize short term borrowing for financing for the Exshaw Industrial Park water and sewer main-

R: 099/02
1st Reading to
Bylaw 07/08

R: 100/08
2nd Reading to
Bylaw 07/08

R: 101/08
Consent to Proceed
for 3rd & Final
Reading to Bylaw
07/08

R: 102/08
3rd and Final
Reading to Bylaw
07/08

R: 103/02
1st Reading to
Bylaw 08/08



line installation project, to be repaid by local investment charges.

CARRIED

R: 104/08
2nd Reading to
Bylaw 08/08

Moved by Councillor Adams that Council give second reading to Bylaw 08/08.

CARRIED

R: 105/08
Consent to Proceed
for 3rd & Final
Reading to Bylaw
08/08

Moved by Deputy Reeve Dunki that Council give consent to proceed with third reading to Bylaw 08/08.

CARRIED UNANIMOUSLY

R:106/08
3rd and Final
Reading to Bylaw
08/08

Moved by Councillor Pepper that Council give third reading to Bylaw 08/08.

CARRIED

4. The Assistant Municipal Manager noted the applicants, Kananaskis Guest Ranch, would like to amend the Land Use Bylaw as it applies to Lot A, Plan 0110091 and as it relates to the private land that is part of the ranch. Councillor Ryan questioned the idea of the MD spot zoning, noting that presently the Kananaskis Guest Ranch already has commercial, residential, golf course and equestrian areas within the Ranch lands. Deputy Reeve Dunki asked if this would require a need for an Area Structure Plan. The Assistant Municipal Manager noted that because it is only 9.5 acres (20 houses), an ASP would not be required.

Moved by Councillor Pepper that Council give first reading to draft Bylaw 09-Z/08, a bylaw amending the Land Use Bylaw as it applies to Lot A, Plan 0110091 (Kananaskis Guest Ranch).

CARRIED 4 – 1

IN FAVOUR:	OPPOSED:
Reeve Cooper	Deputy Reeve Dunki
Councillor Adams	
Councillor Ryan	
Councillor Pepper	

R: 107/08
1st Reading to
Bylaw 09Z/08, LUB
Amendment (KGR)

R: 108/08
Open House for the
Draft Bylaw 09-
Z/08, a bylaw
amending the LUB
as it applies to KGR

Moved by Deputy Reeve Dunki that Council set the Open House date for the review of draft Bylaw 09-Z/08, a bylaw amending the Land Use Bylaw as it applies to Lot A, Plan 0110091 (Kananaskis Guest Ranch) to be held at the MD Office on Thursday, June 26th from 4:00 pm to 7:00 pm, and Administration will advise Council of a Public Hearing date after the Open House.

CARRIED

H. NEW BUSINESS

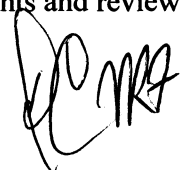
R:109/08
Cheques Issued
Report for April
2008.

1. Moved by Deputy Reeve Dunki that Council accept for information, the payroll cheques issued report for EFT numbers 434 - 492 in the amount of \$84,293.84 and the register for A/P cheques issued, numbers 23347 to 23476 in the amount of \$495,107.23 for the month of April 2008.

CARRIED

R: 110/08
Budget vs Actual
April 2008 accepted
and approved.

2. Moved by Councillor Ryan that Council review and accept the Balance Sheet and Budget vs. Actual Spending Report to April 30, 2008 as information before adjustments and review by the auditor.



CARRIED

3. It was noted that the amount of \$4,000 under Exshaw garbage site wind screening be amended to read \$6,400.

R: 111/08
Council Approve
2008 Budget
Amendments.

Moved by Councillor Pepper that Council approve the 2008 Budget Amendments as presented to the Finance and Economic Development Committee.

CARRIED

4. Moved by Councillor Pepper that Council authorize Reeve Cooper, Councillor Ryan and Councillor Pepper to attend the "Rural Matters! Forging Healthy Canadian Communities" Conference in Edmonton on July 5th to July 8th, 2008.

R: 112/08
Council authorize 3
members to attend the
Rural Matter
Conference in
Edmonton.

CARRIED

5. Moved by Councillor Adams that Council re-schedule the July 2008 regular Council meeting from Tuesday, July 8th to Monday, July 14th, due to the absence of three Councillors on July 5th, while attending the "Rural Matters!" conference in Edmonton, and that notice of the change be posted on the MD's website and in the June 2008 newsletter.

R: 113/08
Council
Re-schedule the
July 2008 regular
meeting to
Monday, July 14th.

CARRIED

6. Moved by Deputy Reeve Dunki that Council give Administration authorization to award a revised contract to West -Can Seal Coating Inc. which will chip seal the 2.2Km Courville road for a sum not to exceed \$255,000 which includes a 10% contingency and plus applicable taxes and, that Council recognize the required expenditure for engineering of this project not to exceed \$15,000 plus applicable taxes.

R: 114/08
Authorization to
award chip-seal for
2.2 Km of Courville
Rd to West-Can Seal
Coating Ltd.

CARRIED

7. Moved by Deputy Reeve Dunki that Council enter into a Mutual Aid Fire Control Agreement with Alberta Sustainable Resource Development, for fire protection in the Forest Protection Area, as per the draft agreement circulated.

R: 115/08
Council enter into a
Mutual Aid Fire
Control Agreement

CARRIED

8. Deputy Reeve Dunki mentioned that she was not in favour of the AAMD&C using a petitioning process to bolster approved resolutions, and recommended the MD advise the AAMD&C board of directors on this.

R: 116/08
Reeve to sign the
AAMD&C petition to
AB Environment

Moved by Councillor Pepper that Council authorize the Reeve to sign the AAMD&C petition to Alberta Environment, seeking a moratorium for new licences and cancellation of existing licences (within one year) for the use of surface/ground water for injection flooding in oil fields.

CARRIED

9. The Agricultural Fieldman joined Council and discussed the Agricultural Services and Environmental Advisory Board's "Strategic Business Plan".

R: 117/08
Council endorse the
AS&EAB Strategic
Business Plan for
2008

Moved by Deputy Reeve Dunki that Council endorse the Agricultural Services and Environmental Advisory Board's "Strategic Business Plan" for the year 2008.



CARRIED

R: 118/08
Accept
Jumpingpound
Creek Watershed
Mgt. Plan as Info

10. Moved by Deputy Reeve Dunki that Council accept the "Jumpingpound" Creek Watershed Management Plan" as information.

CARRIED

11. Council acknowledged the outstanding job our Community Services Co-ordinator has done with providing guidance for the Ghost Waiparous Trails Association 2007 Chairman's Annual Report and Financials. It was noted however that the information in the Financial Statement was incorrect, as the Revenues and Expenditures were not correctly recorded.

Moved by Councillor Ryan that Council table the Ghost Waiparous Trails Association 2007 Chairman's Annual Report and Financials until the June Council Meeting when the report will include the correct numbers for the Financial Statement.

R: 119/08
TABLED until
June Mtg.

CARRIED 4 – 1

IN FAVOUR:	OPPOSED:
Reeve Cooper	Councillor Adams
Deputy Reeve Dunki	
Councillor Ryan	
Councillor Pepper	

R: 120/08
Staff review the
LUB re: Ownership
& Operations of
Hotels, Motels and
Similar Tourist
Resorts

12. Moved by Councillor Adams that Council direct staff to undertake a review of Bighorn's Land Use Bylaw in terms of its regulation of changing ownership and operational styles for hotels, motels and similar tourism resorts, and make recommendations to Council as to whether or not the Bylaw needs amendment and, if necessary, a process for proceeding in that regard.

CARRIED

R: 121/08
Council Support
CRP Grant Funding
for the Regional
Transportation
Exploration

13. Moved by Deputy Reeve Dunki that Council support the Calgary Regional Partnership application for Municipal Affairs' grant funding of \$500,000 for a Regional Transportation Exploration project, and authorize the Reeve to sign the sample resolution on behalf of the M.D. of Bighorn.

CARRIED

R: 122/08
Approve Policy F-9
to be amended

14. Moved by Councillor Ryan that Council Approve Policy F-9, the Purchasing Policy, to be amended by increasing the "individual purchases without tendering" limit from \$7,500 to \$15,000, and change the "verbal quotations requirements" from \$3,000-\$7,499 to \$7,500-\$14,999.

CARRIED

R: 123/08
Approval of New 2-
year Contract for
CSB Co-Ordinator

15. Moved by Councillor Adams that Council agree to enter into a new two-year contract with Emily Smith to serve as Bighorn's Community Services Coordinator, and authorize the Reeve and Executive Assistant to sign the agreement.

CARRIED

R: 124/08
Renew Agreement

16. Moved by Councillor Adams that Council agree to renew the agreement with the Town of



between Canmore &
the MD for the
Parent Link Satellite
Program

Canmore to provide a Parent Link Satellite Program in Exshaw between July 1, 2008 to June 30, 2009 and authorize the CAO to sign the agreement on Council's behalf.

CARRIED

R: 125/08
Council support
funding for
transportation cost
for the BV Wellness
Fair.

17. Moved by Councillor Ryan that Council support funding to cover the cost of using the Canadian Rockies School Division Transportation buses to transport seniors to the 9 June 08 Bow Valley Wellness Fair, at the Canmore Seniors Centre, at a cost of approximately \$350, to come from the FCSS initiatives budget.

CARRIED

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

There were no enquiries of Administration from Council.

J. INFORMATION

Moved by Councillor Ryan that items J.1 to J.15 be accepted as information.

CARRIED

R:126/08
Items J.1 - J.15
approved as
information

K. IN CAMERA

Moved by Deputy Reeve Dunki that Council go in camera at 2:10 pm.

CARRIED

Moved by Deputy Reeve Dunki to come out of camera at 3:20 pm.

CARRIED

R: 127/08
Council go into
Camera at 2:10 pm

R: 128/08
Motion to revert to
Open Meeting at
3:20 pm

2. Moved by Councillor Adams that Council authorize the following amendments to the October 2005 purchase agreement, on the sale of Lot 1 Block 1 and Lot 1 Block 6, both in Plan 051 3540:

- Section 1(a), "Closing Date", change "December 15th, 2006" to "July 15th, 2008";
- Schedule "D", Conditions of Purchase, item C, second bullet, change "November 7th, 2006" to "July 15th, 2009".

CARRIED

Moved by Councillor Adams that the 13 May 08 Regular Council Meeting recess at 3:25 pm and that Council reconvene the regular Council meeting at 6:30 pm to go over the proposed 2008 Taxation Rates and proposed Bylaw 06/08, the 2008 Taxation Rate Bylaw.

CARRIED

Reeve Cooper called the 13 May 08 Regular Council Meeting back to order at 6:40 pm to discuss the proposed 2008 Taxation Rates and proposed Bylaw 06/08, the 2008 Taxation Rate Bylaw.

R: 130/08
Recess at 3:25 pm
and reconvene at
6:30 pm.

R: 131/08
Reconvene Meeting
at 6:40 pm

G. BYLAWS

1. Council discussed the 2008 taxation rates, and proposed Bylaw 06/08 at length.

Moved by Councillor Adams that first reading be given to Bylaw 06/08, the 2008 Taxation Rates bylaw, showing the taxation rates as follows:



	<u>Tax levy Required</u>	<u>Assessment</u>	<u>Mill Rate</u>	<u>Tax Rate</u>
General Municipal				
Residential/Farmland	\$ 568,454	\$ 405,988,830	1.4002	0.0014002
Non-Residential	\$1,331,497	\$ 292,650,520	4.5498	0.0045498
Machinery & Equipment	\$ 984,731	\$ 216,434,620	4.5498	0.0045498
School Foundation Fund				
Residential/Farmland	\$ 1,008,541	\$ 405,988,830	2.4842	0.0024842
Non-residential	\$ 1,213,316	\$ 292,650,520	4.1460	0.0041460
Machinery & Equipment	\$ 0	\$ 216,434,620	0.0000	0.0000000
Senior Foundations	\$ 74,220	\$ 915,073,970	0.0811	0.0000811

R: 132/08
 1st Reading to
 Bylaw 06/08

CARRIED

R: 133/08
 2nd Reading to
 Bylaw 06/08

Moved by Councillor Pepper that second reading be given to Bylaw 06/08, Proposed Tax Rate Bylaw.

CARRIED

R: 134/08
 Consent to Proceed
 for 3rd Reading to
 Bylaw 06/08

Moved by Deputy Reeve Dunki that consent be given to proceed with third reading of Bylaw 06/08.

CARRIED UNANIMOUSLY

R: 135/08
 3rd and Final
 Reading

Moved by Councillor Ryan that third reading be given to Bylaw 06/08.

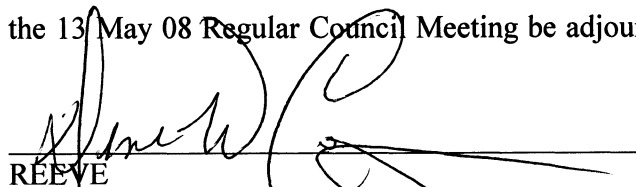
CARRIED

ADJOURNMENT

R: 136/08
 Adjournment at
 8:15 pm

Moved by Councillor Ryan that the 13 May 08 Regular Council Meeting be adjourned at 8:15 pm.

CARRIED


 REEVE


 EXECUTIVE ASSISTANT