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MUNICIPAL DISTRICT OF BIGHORN NO. 8

Handwritten: July 14 - MS

Minutes of the Regular meeting of Council held at 9:00 a.m. on Monday, ~~June 10th~~, 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 |
| VALERIE FLINK | EXECUTIVE ASSISTANT |
| NATALIE GERMANN | SECRETARY/RECEPTIONIST |
| HUGH PETTIGREW | DIRECTOR OF OPERATIONS |
| KATHERINE VAN KEIMPEMA | DIRECTOR OF FINANCE |
| TRACY WOITENKO | COMMUNITY PLANNER |

CALL TO ORDER

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

A. APPROVAL OF AGENDA

The following additions and amendments were made to the agenda:

- H.12 New Business – Air Quality/Air Shed Management
- Move from J. 14 Correspondence/Information/Manager–Department Reports to:
H.13 New Business – Transfer of Development Credits (TDC) Seminar Red Deer County
- Move from J. 26 Correspondence/Information/Manager–Department Reports to:
H.14 New Business – Email Request Re: Request for Bylaw Regarding Height of Towers in
- H.15 New Business – Future Meeting Dates
- K.2 In Camera – Legal Matter
- K.2 In Camera – Land Issue

Moved by Councillor Pepper that the agenda be adopted with the above-noted amendments.

CARRIED

B. MINUTES

1. Moved by Deputy Reeve Dunki that the 10 June 08 Regular Council Meeting Minutes be adopted as circulated.

CARRIED

2. Moved by Councillor Pepper that the 10 June 08 Public Hearing Bylaws 04/08 & 05-Z/08 Meeting Minutes to be adopted as circulated.

Handwritten signature/initials.

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

R: 163/08
July 08 Council Agenda adopted as amended

R: 164/08
10 June 08 Council meeting minutes be approved as presented

R: 165/08
10 June 08 Public Hearing Bylaws 04/08 & 05-Z/08

C. COUNCILLOR'S REPORTS

- Councillor Ryan attended the "Rural Matters" conference in Edmonton, sponsored by AAMD&C. Councillor Ryan noted that he had attended the "Capacity Building and Community Sustainability" Roundtable discussion in which they discussed a policy document which will be mailed out in the near future.
- Councillor Adams noted that he had been at the 71st annual Federation of Canadian Municipalities Conference in Quebec City from May 30 to June 2, 2008. Councillor Adams is preparing a brief summary report of this conference and will be circulating to the remaining Councillors in the near future.
- Councillor Pepper attended the "Rural Matters" conference in Edmonton, sponsored by AAMD&C. Councillor Pepper noted that he had attended the "Climate" Roundtable discussion in which they discussed a policy document which will be mailed out in the near future.
- Reeve Cooper attended the "Rural Matters" conference in Edmonton, sponsored by AAMD&C. Reeve Cooper noted that he had attended the "Air, Water and Land" Roundtable discussion in which they discussed a policy document which will be mailed out in the near future. Reeve Cooper noted that the speakers of this conference were astonishing and he learned that although both Rural and Urban municipalities all have important issues the larger populations do tend to get more interest. The Federal Government considers any municipality with a population of under 20,000 to be a "rural" centre.
- Deputy Reeve Dunki stated that she had nothing to report at this time.

D. BUSINESS ARISING FROM MINUTES/NOTES

1. Moved by Deputy Reeve Dunki that Council refer the City of Calgary "Adopt-A-Park" Program document to the MD's Community Services Board for their review and comments.

CARRIED**E. DELEGATIONS**

1. Mr. Derrick Bentley, Project Manager and Mr. Gary Thompson, Sr. Project Manager, both from AMC group (on behalf of Rock Water Heritage Ranch) presented an overview of a proposed development for the 7H Ranch Lands being NE & NW Sec. 24, Twp. 29 Rge. 6, W5M, (Direct Control District) in Mountain View County. It was noted that this subdivision application has not been formally submitted to Mountain View County as of yet, however AMC Group has had preliminary meetings with staff and have presented to Council. The Council of Mountain View County recommended that, out of courtesy, AMC Group should present this draft subdivision to the Council of the MD of Bighorn because the MD of Bighorn's boundaries are next to the subject lands.

Deputy Reeve Dunki asked if any of the MD of Bighorn's roads would be affected with this proposed subdivision. Mr. Bentley responded that the main access would be Hwy. 579 through Water Valley and that no MD of Bighorn roads would be affected with this

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proposed development.

Councillor Pepper mentioned that he had some reservation with respect to the proposed golf course and the plans to have water stored in tanks. Mr. Thompson, Sr. Project Manager responded that they have applied to Alberta Environment for a water licence and that they had already drilled 10 water sites: out of the 10 sites, 3 sites were good enough to produce. As for the Golf Course, they are planning on using grey water irrigation.

Reeve Cooper thanked Mr. Bentley and Mr. Thompson for coming to address Council of this proposed development in the County of Mountain View. Reeve Cooper mentioned that Council looks forward to receiving future information on this project.

F. UNFINISHED BUSINESS

There was nothing to report at this time.

G. BYLAWS

1. Council discussed proposed Bylaw 03/08, Streets & Roads Bylaw at great length. Councillor Ryan is concerned that we are bringing City Bylaws into the Hamlets, with respect to proposed parking restrictions. Deputy Reeve Dunki suggested that, from a fire and safety perspective, we ask the MD's Fire Chief, to tour the Hamlets and submit a report to Council regarding the present parking in front of privately owned properties and his concerns with obstruction when the need for Emergency Services arises. Deputy Reeve Dunki mentioned that due to the uniqueness of each community, each community may benefit with having a separate bylaw.

Reeve Cooper mentioned his main concern was the timing of this bylaw. Within the next 1 to 2 years, the Hamlet of Exshaw is expected to have a new water system; as a result the need to dig up the roads to install the necessary pipes for connection is inevitable. Reeve Cooper suggested that the MD really needs to promote public collaboration. Reeve Cooper suggests that Council hold off until the waterline is installed.

Moved by Deputy Reeve Dunki that Council give first reading to proposed Bylaw 03/08, the new MD Streets and Roads Bylaw.

CARRIED

Council also requested a report from the Bighorn Fire Chief, on the potential hazards of parking of unauthorized vehicles, and a parking mitigation plan from the MD's Director of Operations. Council then directed Administration to circulate and advertise bylaw for public and other comments, before consideration of further readings.

2. Councillor Adams mentioned that the Town of Banff has already approved all three readings of their bylaw with respect to the Bow Valley Regional Housing Loan, and that each municipality is handling this in a different way.

Moved by Deputy Reeve Dunki that Council give second reading to Bylaw 11/08, to authorize a loan to the Bow Valley Regional Housing, for the MD's proportional share of the purchase costs for the Abbeyfield building in Banff.

CARRIED



R: 169/08
1st reading of bylaw
03/08, waiting for
report from Bighorn
Fire Chief on
potential hazards of
unauthorized vehicles
and a parking
mitigation plan from
the Director of
Operations

R: 170/08
2nd reading of Bylaw
11/08

R: 171/08
3rd and final reading
of Bylaw 11/08

Moved by Councillor Ryan that Council give third and final reading to Bylaw 11/08, to authorize a loan to the Bow Valley Regional Housing, for the MD's proportional share of the purchase costs for the Abbeyfield building in Banff.

CARRIED

R: 172/08
1st reading to Bylaw
12/08, to amend
Bylaws 11/07 and
12/07

3. Moved by Councillor Adams that Council give first reading to Bylaw 12/08, to amend Bylaws 11/07 and 12/07, the Exshaw Industrial Park Waterline and Sewer Local Improvement Bylaws respectively.

CARRIED

R: 173/08
2nd reading to Bylaw
12/08, to amend
Bylaws 11/07 and
12/07

Moved by Councillor Pepper that Council give second reading to Bylaw 12/08,

CARRIED

R: 174/08
Consent for 3rd
reading to Bylaw
12/08, to amend
Bylaws 11/07 and
12/07

Moved by Councillor Ryan that Council give consent to proceed with third reading to Bylaw 12/08,

CARRIED UNANIMOUSLY

R: 175/08
3rd reading to Bylaw
12/08, to amend
Bylaws 11/07 and
12/07

Moved by Deputy Reeve Dunki that Council give third reading to Bylaw 12/08.

CARRIED

H. NEW BUSINESS

R: 176/08
Cheques Issued
Report for June 2008.

1. Moved by Councillor Ryan that Council accepts for information, the payroll cheques issued report for EFT numbers 554 - 611 in the amount of \$80,947.63 and the register for A/P cheques issued and voided cheques, numbers 23617 to 23756 in the net amount of \$653,828.24 for the month of June 2008.

CARRIED

R: 177/08
Budget vs Actual
June 2008 accepted
and approved.

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

CARRIED

R: 178/08
Amend FCSS
Funding Agreement
with Bighorn's
additional funding
share of \$628.00

3. Moved by Councillor Ryan that Council agree to amend the "January 1 – December 31, 2008 Family and Community Support Services Funding Agreement" as offered in the June 27, 2008 letter from Alberta Children's Services, thereby increasing total FCSS funding for 2008 to \$35,749 and Bighorn's share to \$7,150.

CARRIED

R: 179/08
Comments re
Farming Operations
for assessment
purposes in Alberta

4. Council discussed at great length the definitions of "Farming Operations" for assessment purposes as prepared by Municipal Affairs. Councillor Pepper submitted his comments regarding the definitions, and is attached as Schedule "A" to these minutes.

Moved by Deputy Reeve Dunki that, in response to the 19 June 08 correspondence, Municipal Affairs' assessment services branch be urged to create a definition of "farm operation" that originates with the agricultural sector, recognizing that the well-being of the agricultural sector is vital to the well-being of Alberta; further that the "farm operation" definition be a



collaboration of efforts between all sectors of Alberta, and therefore follow the definition used in the February 2002 Final Report and Recommendations on Farm Property Assessment Issues (from the MLA Farm Property Assessment Review Committee).

CARRIED

R: 180/08
Authorization for the
Reeve to send draft
ltr to include GSMG
Comments

5. Moved by Councillor Pepper that Council authorize the Reeve to sign and forward the attached draft 16 July 08 letter on the Draft Management Plan for Provincial Recreation Areas – Kananaskis Management Area.

CARRIED

R: 181/08
Investigate structures
on Trans Canada
Trail and report back
to Council

6. Moved by Deputy Reeve Dunki that Council approve in principle the technical trail on the MD of Bighorn's portion of the Trans Canada Trail and located at approximately 4000m, 5800m and 6000m west of the Heart Creek Trailhead and request staff to undertake a process, as set out in the background material provided to Council with this agenda item, to investigate the possibility of developing risk management measures to all for the incorporation and maintenance of these types of features.

CARRIED

R: 182/08
MD to pay \$1320. to
repair HH Tennis
Courts fence

7. Moved by Councillor Ryan that Council agree to pay for the fence repair at a cost of \$1,320.00 to repair the Harvie Heights tennis courts fence, resulting from damages from wind-blown trees in late fall, 2007.

CARRIED

R: 183/08
MD request AB
Transportation to
install Engine
Retarder Brakes
Signage on 1A Hwy

8. Moved by Councillor Ryan that Council formally request Alberta Transportation install Engine Retarder Brakes signage on Highway 1A, at the entrances to the Hamlet of Exshaw, and that the costs (approximately \$1,700) be covered by the Community Aggregate Payment Levy fund.

CARRIED

R: 184/08
MD to enter Contract
with Pro-Con Road
Works

9. Moved by Councillor Adams that Council authorize Administration to enter into a contract agreement Pro-Con Road Works Ltd. for a sum not to exceed \$141,053.00 plus applicable taxes for the work identified in the 2008 Street Improvement Program, as tendered.

CARRIED

R: 185/08
MD to send draft ltr.
re Hwy 579 with one
change.

10. Moved by Councillor Pepper that Council authorize the sending of the draft 16 July 08 letter re Highway 579 to the Minister of Transportation, with one change to the 3rd paragraph, "...the last eight to ten kilometers..." to "... the last eight kilometers...".

CARRIED

R: 186/08
Council approve the
review of the LUB with
one addition to
schedule "A" between
point 8 and 9

11. Moved by Councillor Ryan that Council approve the July 9th, 2008 Terms of Reference for the review of Bighorn's Land Use Bylaw, with one addition on the Appendix "A" between point 8 and 9. The point being "review draft with Council and get Council input" and appoint the Municipal Planning Commission as the Steering Committee.

CARRIED

12. Council discussed the "Alberta Environment and Airshed Monitoring Roles and Responsibilities, 2008." Reeve Cooper mentioned that the Government of Canada recently



defined rural populations as those municipalities with populations less than 200,000. Reeve Cooper asks "does this capture the way the residents of Rural Canada see themselves".

Reeve Cooper notes that in that "major urban populations" are categorized in the Alberta Environment and Airshed Monitoring Roles and Responsibilities, Draft, January 2008, Section 3.2, page 5, as having populations greater than 20,000. The paragraph states that "comprehensive air quality monitoring should be conducted in urban centers." The report goes on to say, "Consideration for more intensive monitoring may also be given to monitoring smaller population centers located near major air emission sources."

Moved by Deputy Reeve Dunki that Reeve Cooper draft a letter to Alberta Environment addressing the MD of Bighorn's concerns regarding their report "Alberta Environment and Airshed Monitoring Roles and Responsibilities, 2008." and cc the letter to CRAZ.

CARRIED

13. Council discussed the invitation from Red Deer County and Miistakis Institute to attend a seminar regarding the Transfer of Development Credits (TDC) being held in Red Deer on August 13 and 14, 2008. Deputy Reeve Dunki suggested that at least 5 people (MPC and staff members to include the CAO) attend the seminar and report back to Council. The CAO mentioned that when he is in attendance of the seminar he would ask the facilitators if they would be interested in coming to the MD and addressing Council at future time.
14. Council discussed an email request regarding height of radio and television antenna towers in Harvie Heights. It was noted that currently the Land Use Bylaw does not require that anyone obtain a Development Permit for a small scale tower such as the one referenced in the email. However, the MD is currently updating the Land Use Bylaw and the Planning and Development Department said that they will be mindful of this issue during the review process.
15. Council discussed Future Meeting Dates. Please note the following meetings and dates:
 - Finance and Economic Development Committee Meeting on Thursday, August 7th, 2008
 - Assessment Review Board on Monday, September 8, 2008

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

There were no enquiries at this time.

J. INFORMATION

Moved by Councillor Pepper that items J.1 to J.13, J.15 to J.25 and J.27 all be accepted as information.

CARRIED

Moved by Councillor Adams that Council go into In Camera at 2:10 pm

CARRIED

R: 187/08

Reeve Cooper to draft a letter to AB Environment re: Airshed Roles & Responsibilities

R: 188/08

Items J.1 – J.13, J.15 – J.25 and J. 27 all be approved as info

R: 189/08

Council go into In Camera at 2:10 pm

14th rd

R:190/08
Council to come out
of Camera at 3:02 pm

K. IN CAMERA

Moved by Councillor Pepper that Council come out of In Camera at 3:02 p.m.

R:191/08
Council to adjourn
mtg at 3:10 pm

ADJOURNMENT

Moved by Councillor Ryan that the 16 July 08 Regular Council Meeting be adjourned at 3:10 pm.

CARRIED



REEVE



EXECUTIVE ASSISTANT



14-11-08

SCHEDULE "A"
July 14, 2008 Council Meeting Minutes
Councillor Peppers Comments
Re: H.4 (Farming Operations)
Page 1 of 5

PRINCIPLE:

Is land being used for farming purposes as defined by the RGA? Income is not relevant, except in ~~case~~ income tax concerns.

Taxing every cm of land at FMV is unfair & unnecessary. Most small parcels already generate a high tax return. Taxing them even higher will lead to a collapse of this vital market, thereby lowering the assessment value of this real estate.

More importantly, however, in the short run, it will drive out residents who are either young or old - people on fixed incomes or with insufficient income to afford the tax burden. Is this the kind of community we want?

Let's look at the process. A large landowner sells his farmland; land that on Day One was taxed at farm rates, would by now be taxed at a much higher rate, because the smaller acreage would not enable a ~~the~~ high enough income to pass an imposed threshold.

14th NG

SCHEDULE "A"
July 14, 2008 Council Meeting Minutes
Councillor Peppers Comments
Re: H.4 (Farming Operations)
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← presently accepted.

In this instance, the standard of deeming land used for farming purposes (the selling of farm products) is being abrogated and a new standard is being introduced. In the case of 40 acre parcels, the size of many (1000's) of small farms in the East) most of the land, once used for grazing, is now taxable at FMV.

The landowner, in this situation, is left in an untenable situation. He doesn't need 40 acres to build a house; he can't generate the necessary income to meet the proposed tax standard. His only recourse is to sell part(s) of his land to generate income. this is not allowed. UNFAIR.

Small acreage owners (10+ acres) + others whose land is unsuitable for farming are at the mercy of tax increases. Very little land is capable of generating the kind of income to make farming viable. Ranchers had very large areas to graze even small herds. They have sold off their 1/4's to stay afloat financially, & now must rent this same land to remain viable. The renters should not be penalized for this

SCHEDULE "A"
July 14, 2008 Council Meeting Minutes
Councillor Peppers Comments
Re: H.4 (Farming Operations)
Page 3 of 5

Some landowners might wish to have their land rezoned so as to make it available for recreational, commercial or residential purposes. This rezoning would enable them to create an income & hence remain viable. Our sub-division bylaws would have to be changed to accommodate this I'm not recommending this, but citing it as an implication of the proposed tax reform.

Acresage land, even when unused, that is left in its original state as farmland, plays a vital function. It preserves watersheds & serves as a grazing area for wildlife. Maintaining the ecological integrity in our region is a vital function. Landowners should NOT be forced to pay to provide this vital service.

Summary: Small landowners are a vital part of this community. They pay their fair share of taxes & receive minimal services comparatively. They typically will not be able to pay taxes 2 or 3 x higher than at present. They will be forced to sell.

SCHEDULE "A"
July 14, 2008 Council Meeting Minutes
Councillor Peppers Comments
Re: H.4 (Farming Operations)
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(1)

Provincial standards now do not use an income standard. So long as the land is being used for farming purposes as defined by MGA, the land is assessed as FARMLAND. This is logical, reasonable & fair.

Should a change in this practice be mandated, it would be reasonable to allow the landowner to sub-divide so as to generate income. — a necessary step since the high taxes would be unaffordable by most people. I think the income derived from grazing will never be high enough to pass the threshold proposed.

Because of the profound implications of this proposed change, it is likely that the community would want to have input into this proposal. To allow this I have that the motion be tabled, and that a hearing be scheduled in the fall.

17th NG

SCHEDULE "A"

July 14, 2008 Council Meeting Minutes

Councillor Peppers Comments

Re: Item H.4 (Farming Operations)

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Viability

Why being of taxes so high?
- many of these are new owners

①

Defn

- commercial std.

run a few cows & be a farmer

tax 33 / yr