

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, June 9, 2009 in the Council Chambers, MD office, with the following persons present:

COUNCIL:

DENE COOPER	REEVE
HUGH PEPPER	DEPUTY REEVE
MARIA DUNKI	COUNCILLOR
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

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

CALL TO ORDER

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

A. APPROVAL OF AGENDA

The following additions were made to the agenda:

- New Business item H. 20: Aquality Environmental Consulting Workshop
- New Business item H. 21: Time Extension for West Jumpingpound Subdivision
- New Business item H. 22: East Transfer Site
- Incamera item K. 3: Land/Legal

R:138/09
June Council
Agenda Adopted.

Moved by Councillor Ryan that the June 9th, 2009 agenda be adopted as amended.

CARRIED

B. MINUTES

1. Moved by Councillor Ryan that the May 12, 2009 Council meeting minutes be adopted as circulated.

CARRIED

2. Moved by Councillor Dunki that the April 15, 2009 MPC meeting minutes be accepted as information.

CARRIED

R: 139/09 May 12,
2009 Council mtg
minutes adopted.

R: 140/09 April 15,
2009 Feb. 18, 09
MPC mtg minutes
accepted as
information.

C. COUNCILLOR'S REPORTS

- Deputy Reeve Pepper reported that the Cochrane Pathways to Sustainability conference was

helpful in outlining the future challenges our area faces. He also reported he is trying to arrange for Pathways speaker Mark Anielski, author *The Economics of Happiness: Building Genuine Wealth*, to come and give a talk for MD Councillors as well.

- Councillor Ryan reported on his and Reeve Cooper's attendance at the Elected Officials Education Program's Ethics course May 15th in Three Hills. He said the course discussed creating and strengthening an ethical culture and actions that are ethically definable. He encouraged the rest of Council to attend the 2010 session. His report is attached to these minutes as Schedule "A".
- Reeve Cooper reported he has received a request from Exshaw seniors to come and discuss the MD's future with them.

Reeve Cooper will also be attending the McDougall Church historical information plaque installation on June 14th, 2009.

D. BUSINESS ARISING FROM MINUTES/NOTES

E. DELEGATIONS

F. UNFINISHED BUSINESS

G. BYLAWS

At 9:15 am Deputy Reeve Pepper declared that he may have a pecuniary interest in Bylaw 04/09, Bylaw 05-Z/09 and New Business item H.17 as his property is in close proximity to the land in the mentioned in these items; he vacated the Council chambers at 9:15 a.m., prior to, and was absent during, discussions on the three items.

R:141/09
open house re: draft
Bylaw 04/09, a
bylaw to adopt a
new Bar C Area
Structure Plan.

1. Moved by Councillor Dunki that Council direct Administration to hold an open house regarding draft Bylaw 04/09, a bylaw to adopt a new Bar C Area Structure Plan and repeal the existing Bar C Area Structure Plan and it's amendments, and then bring the draft bylaw and associated area structure plan back to council for consideration for first reading, with any amendments or adjustment made subsequent to the open house.

CARRIED
(Deputy Reeve Pepper absent)

R:142/09
Obtain public input
on draft Bylaw 05-
Z/09.

2. Moved by Councillor Adams that Council direct Administration to publicize and obtain input on draft Bylaw 05-Z/09, a bylaw to amend Bighorn's Land Use Bylaw 19/96 as it pertains to Lots 1 and 2 Plan 9211977, in conjunction with the public consultation undertaken for the proposed Bar C Ranch and Resort Area Structure Plan.

CARRIED
(Deputy Reeve Pepper absent)

Deputy Reeve Pepper returned to the Chambers at 9:35 a.m. (following discussion on Item H.17)

R:143/09
Bylaw 08-Z/09 first reading.

3. Moved by Councillor Adams that Council give first reading to draft Bylaw 08-Z/09, a bylaw to amend the Land Use Bylaw as it pertains to subdivision on SW Sec. 1-31-6-W5M, and set a time, date and place for a public hearing.

CARRIED

R: 144/09
Public Hearing time date and place set.

Moved by Deputy Reeve Pepper that Council set the public hearing date at September 15, 2009 in the Water valley hall beginning at 7:00 pm.

CARRIED

R:145/09
Applicant's request for a partial refund of the application fee.

Moved by Councillor Dunki that Council deny the applicant's request for a partial refund of the application fee.

CARRIED (4:1)
(Deputy Reeve Pepper opposed)

R: 146/09
Noise Control Bylaw No. 07/09 first reading.

4. Moved by Councillor Ryan that Council gives first reading to the Noise Control Bylaw No. 07/09, a bylaw designed to regulate and control noise within the MD and to replace existing Bylaw No. 7/89.

CARRIED

H. NEW BUSINESS

R:147/09
Cheques Issued Report for May/09.

1. Moved by Deputy Reeve Pepper that Council accepts for information, the payroll cheques issued report for the May payroll EFT payments in the total amount of \$81,464.49 and the register for A/P cheques issued, numbers 242334 to 242464 in the net amount of \$325,462.72 for the month of May, 2009.

CARRIED

R: 148/09
Budget vs. Actual Spending Report to May/09.

2. Moved by Councillor Ryan that Council review and accept the Balance Sheet and Budget vs. Actual Spending Report to May 31, 2009 as information before adjustments and review by the auditor.

CARRIED

R:149/09
Ratepayers request to waive tax penalties.

3. Moved by Councillor Dunki that Council deny the request to reduce/waive the \$4,733.32 of property tax penalties assessed on tax roll #185129.

CARRIED

R: 150/09
Council meeting expense claims.

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

Date	Councillor	Purpose	Amount
11 May	Reeve Cooper	Meeting with Min. of Mun. Affairs	\$150.00
14 May	Reeve Cooper	Session on Bill 36, Alta. Land Stewardship Act, in Calgary	\$150.00
15 May	Reeve Cooper Coun. Ryan	EOEC Ethics course in Three Hills	\$150.00 \$150.00 + mileage
21 May	Reeve Cooper	AAMD&C session in Mountainview re Bill 36	\$150.00 + mileage

CARRIED

R: 151/09
Engineering services

5. Moved by Councillor Dunki that Administration be authorized to engage engineering services on the planning for construction of an east-west road north of Section 12-25-6-W5 in the West

Engaged for West
Jumpingpound
Area.

Jumpingpound area.

CARRIED

R:152/09
Non-support of
Rocky Mountain
Riders
Association/Second
Gear Club.

6. Moved by Deputy Reeve Pepper that the M.D. of Bighorn does not support the March 9, 2009 proposal from the Rocky Mountain Dirt Riders Association/Second Gear Club, for a trail to be known as the Transalta Loop Trail, for the following reasons:

1. The proposal does not provide any evidence of environmental research/investigation having been done, by the applicants, nor of any consideration for environmental remediation, particularly in the Impacts and Concerns section of the proposal.

The proposed trail shows potential conflict with watercourses/the Ghost River, particularly in the stretch between points 13 and 9 – 12 as per the map on Page 10 of the proposal.

2. The proposal does not provide any evidence of any examination of safety concerns.
3. The proposed trail may impact on existing development/users within the area, including Enviro Wilderness School, and Trappers' Hill Lodges (not to mention grazing allotments holders, etc.)

CARRIED

R:153/09
Policy CS-1
rescinded.

7. Moved by Councillor Dunki that Council rescind current Policy CS-1, Grant Policy for Community Organizations.

CARRIED

R: 154/09
CS-1 replaced with
Policy CS-8.

Moved by Councillor Adams that Council replace Policy CS-1 with new policy CS-8, M.D. Grant Policy, as circulated.

CARRIED

R: 155/09
Letter of support for
the Calgary ATV
Riders
Association's grant
application.

8. Moved by Councillor Dunki that the M.D. provide a letter of support for the Calgary ATV Riders Association's grant application to the National Trails Coalition, for funding towards backcountry trail upgrades and environmental repair programs in the Ghost Forest Land Use Zone area on the designated trail system, on the condition that the Ghost Stewardship Monitoring Group review and approve the plans for the upgrades and environmental repair programs, before work commencement.

CARRIED (3:2)

(Councillor Dunki and Deputy Reeve Pepper opposed)

R: 156/09
The M.D. of
Bighorn submit its
concerns, to MLA
Hon. Janis Tarchuk.

9. Moved by Councillor Ryan that the M.D. of Bighorn submit its concerns, to MLA Hon. Janis Tarchuk, and the Ministers of Municipal Affairs and Sustainable Resource Development, that further work and consultation with municipalities is needed, on Bill 36, the proposed Alberta Land Stewardship Act, before the regulations are developed.

CARRIED

R: 157/09
Replacement of two
front-line Fire

10. Moved by Deputy Reeve Pepper that Council authorize M.D. Administration, in conjunction with the EMS Committee, to commence the process to replace two front-line Fire Department

Department
vehicles.

vehicles at the Ghost River Fire Hall, with a single new vehicle; said replacement to be at a total cost not to exceed \$300,000.

CARRIED

R:158/09
Respond to the
Town of Canmore
re: agreement.

11. Moved by Councillor Dunki that the M.D. respond to the 4 May 09 Town of Canmore letter, indicating that the M.D. wishes to enter into agreements with the Town for F.C.S.S., cemetery and Fire Response services, on a year-to-year basis.

CARRIED

At 11:35 Councillor Ryan declared a potential pecuniary interest in Item H.12, as his property is one of the affected parcels described in Item H.12, and vacated the Chambers at 11:23 a.m., prior to and during discussions on the item.

It was indicated that Administration would like the opportunity to re-visit this issue, and therefore requested that the item be tabled to the July 2009 Council meeting.

R: 159/09
Discussion of sale
of Municipal
Reserve (MR-15) to
property owners
tabled.

12. Moved by Councillor Dunki that the issue of encroachment onto Municipal Reserve Lot MR 15 Block 1 in Plan 861-0481 be tabled to the July Council meeting.

CARRIED

(Coun. Ryan absent)

Councillor Ryan returned to chambers at 11:38 am.

R:160/09
Regional volunteer
driver one year pilot
program.

13. Moved by Councillor Dunki that Council endorse the MD of Bighorn's participation in a regional volunteer driver one year pilot program with the Towns of Banff & Canmore commencing in September 2009.

CARRIED

Council passed on their congratulations to the Community Services Coordinator Emily Smith on helping bring this much-needed plan to the valley.

R:161/09
Family and
Community
Support Services
Funding Agreement
amended.

14. Moved by Councillor Adams that Council agree to amend the "January 1 – December 31, 2009 Family and Community Support Services Funding Agreement" as offered in the May 6, 2009 letter from Alberta Children's Services, thereby increasing total FCSS funding for 2009 to \$37,765 and Bighorn's share to \$7,553.

CARRIED

R:162/09
Clearwater County
Municipal
Development Plan.

15. Moved by Councillor Ryan that Council direct Administration to indicate to Clearwater County that the MD of Bighorn has no objections to the proposed Municipal Development Plan.

CARRIED

R: 163/09
MD of Rocky View
Municipal
Development Plan.

16. Moved by Councillor Adams that Council direct Administration to indicate to the MD of Rocky View that the MD of Bighorn has no objections to the proposed amendments to Municipal Development Plan and Land Use Bylaw policies for Accessory Dwelling Units.

CARRIED

R:164/09
Waiving of Land
Use Bylaw
Amendment Fee.

As noted earlier, Deputy Reeve Pepper had declared a potential pecuniary interest in New Business item H.16, and he had vacated the Chambers during discussion and voting on the item.

17. Moved by Councillor Dunki that Council waive, in light of the \$200/ha fee that is being charged for the related Bylaw 04/09 the \$100/ha portion (the land area portion) of the Land Use Bylaw amendment application fee that could be charged for proposed Bylaw 05-Z/09, but maintain the base \$4,000 application fee.

Defeated – Tie Vote (2:2)
(Couns. Dunki and Ryan opposed)
(Deputy Reeve Pepper not in chambers)

R:165/09
Tendering of the
Exshaw municipal
water system
construction.

18. Moved by Councillor Ryan that Council approve tendering of the Exshaw municipal water system construction as soon as Administration is satisfied that the tender documents are complete with the understanding that once the tender price is known a local improvement tax bylaw will be prepared to secure the final component of the project funding.

CARRIED

R:166/09
Mount Laurie Drive
Garbage Bins and
bear activity.

19. Moved by Councillor Dunki that Council authorize Administration to:

1. brush back the garbage site at Mount Laurie Drive; and
2. make the necessary arrangements to redirect affected Mount Laurie (South Exshaw residential) residents to access other Hamlet bins, during the periods of bear activity in that area and monitor the effectiveness for one (1) year.

CARRIED

R: 167/09
ASEAB to offer
Aquality course.

20. Moved by Councillor Ryan that Council endorse the Agricultural Services & Environmental Advisory Board's recommendation to provide a "Alberta Wetlands: From Classification to Policy" course, as offered by Aquality Environmental Consulting Ltd., for members of Council, Staff, MPC, S/DAB and ASEAB.

CARRIED

R: 168/09
Council to extend
the normal one-year
endorsement period
for subdivision No.
2506-02SE(5)R.

21. Moved by Councillor Dunki that, pursuant to Section 657 of the Municipal Government Act, Council extend the normal one-year endorsement period for subdivision No. 2506-02SE(5)R to 1 October 2009, on the condition that the property owner pay for the preparation and registration (on the title of both the new and residual lots) of the necessary caveats for the new road allowance referenced in Condition #8 of the 1 October 07 Notice of Decision.

CARRIED

R: 169/09
East transfer station
site in Dead Man's
Flats explored.

22. Moved by Councilor Ryan that Council direct Administration to explore a location for an east waste transfer station site in Dead Man's Flats.

CARRIED

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

Councillor Adams requested an update on the pedestrian bridge replacement in Deadman's Flats. The Operations Manager explained that after some preliminary testing, the soil base was found to unsuitable for the type of bridge the operations department was hoping to erect. The Operations Manager hopes to have more information on the bridge in September.

Councillor Ryan asked the Assistant Municipal Manager about risk management for the volunteer-constructed bike park off the TransCanada Trail near Dead Man's Flats. The Assistant Municipal Manager reported that the insurance company has approved the structures,

provided they conform to standards. A report on this is pending.

Councillor Ryan also requested an update on the possible issuance of stop orders on a number of properties that may be operating unapproved development. The Assistant Municipal Manager indicated that his department is investigating and will be doing formal inspections.

Reeve Cooper expressed his compliments to the roads department on the dust suppression work done on Diamond Drive in Exshaw.

The Assistant Municipal Manager announced the completion of the new MD of Bighorn Land Ownership maps. He thanked all M.D. staff, but in particular the Planning/Administration Assistant Ulrika Gillespie, for their assistance in getting the maps done.

J. INFORMATION

R: 170/09
Items J.1- J.28.
accepted as
information

Moved by Councillor Dunki that items J.1- J.28. be accepted as information.

CARRIED

K. IN CAMERA

R: 171/09
Council in camera
at 1:25 pm.

Moved by Councillor Ryan that Council go incamera at 1:25 am.

CARRIED

R: 172/09
Council out of
camera at 2:15 pm.

Moved by Councillor Adams that Council come out of camera at 2:15 p.m.

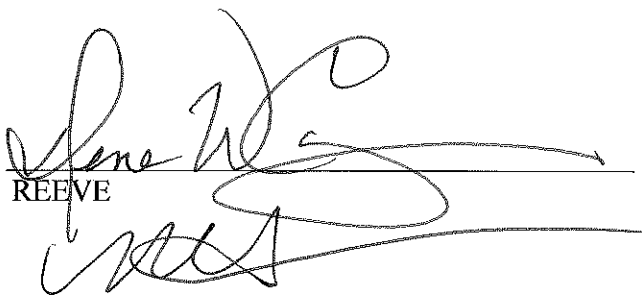
CARRIED


R:173/09
June 9 Council
meeting adjourned
at 2:15 pm

ADJOURNMENT

Moved by Councillor Ryan that the June 9, 2009 Regular Council Meeting be adjourned at 2:15 pm.

CARRIED



REEVE


EXECUTIVE ASSISTANT

EOEP Ethics
Paul Ryan - Copy to Municipal Secretary

The Course dealt with how to understand what constitutes ethical behaviour and ethical decision-making and how to create codes of ethics and values. Special attention was given to creating and strengthening a culture of ethics.

This course was designed to help elected officials understand their fiduciary, ethical and moral obligations as public servants. Participants examined pecuniary interest; the balance between transparency and confidentiality; the use of sound moral judgment; and actions that are ethically defensible. Expectations of municipal leaders, and managing competing demands in a way that keeps the public trust were examined. Participants learned about ethical principles and their application to situations where conflicting values exist.