

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, August 11, 2009 in the Council Chambers, MD office, with the following persons present:

COUNCIL:

DENE COOPER	REEVE
HUGH PEPPER	DEPUTY REEVE (arrived at 9:40 a.m.)
MARIA DUNKI	COUNCILLOR
PAUL ADAMS	COUNCILLOR
PAUL RYAN	COUNCILLOR

ADMINISTRATION:

MARTIN BUCKLEY	CHIEF ADMINISTRATIVE OFFICER
NATALIE GERMANN	EXECUTIVE ASSISTANT
HUGH PETTIGREW	DIRECTOR OF OPERATIONS
KATHERINEVAN KEIMPEMA	DIRECTOR OF FINANCE

CALL TO ORDER

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

A. APPROVAL OF AGENDA

The following additions/subtractions were made to the agenda:

- Business Arising from the Minutes Item D.1 Business Licenses
- Correspondence/Information Manager Department Reports Item J. 2 Project Tracking Form
- Correspondence/Information Manager Department Reports Item J.17 deleted from Agenda
- Incamera item K. 3: Personnel

Moved by Councillor Adams that the August 11th, 2009 agenda be adopted as amended.

CARRIED

B. MINUTES

1. Moved by Councillor Dunki that the July 14, 2009 Council meeting minutes be adopted as circulated.

CARRIED

2. Moved by Councillor Adams that the June, 23 2009 MPC meeting minutes and the June 1st 2009 Heritage Resource Committee minutes be accepted as information

CARRIED

C. COUNCILLOR'S REPORTS

R:203/09
Aug. 11/09
Council Agenda
adopted as
amended.

R: 204/09
Council mtg
minutes adopted.

R: 205/09
Jun. 3/09 MPC
mtg minutes
adopted and Jun.
1/09 Heritage
Resource mtg
minutes adopted.

- Councillors Adams, Dunki and Ryan had nothing to report; Deputy Reeve Pepper had not yet arrived at the meeting.
- Reeve Cooper updated Council on the Canmore/MD of Bighorn Fire Agreement: it was noted that a three-month Memorandum of Understanding had been reached, regarding fire response/medical assists on Trans-Canada Highway calls, and that, while a written agreement could not be provided, Canmore Administration had provided assurances that mutual aid calls, for fires in Harvie Heights and Dead Man's Flats, would be responded to.

A labor dispute and possible strike in Calgary involving 9-1-1 operators could potentially affect emergency service response in the MD. Over the last several weeks 100 Calgary Police Officers have been training to take over the 9-1-1 calls in order avoid any disruption. Reeve Cooper stated the MD must monitor the situation.

Reeve Cooper also reported his growing concern over the amount of traffic-generated dust that is settling along the shoulders of Highway 1A in the Hamlet of Exshaw. PM₁₀ particulate levels in the dust, are a health concern. The Reeve wants a communication started with Alberta Transportation to have that section of highway swept more than once a year.

D. BUSINESS ARISING FROM MINUTES/NOTES

1. Councillor Ryan spoke in regards to Resolution 178/09, on Administration considering the feasibility of a business registry for the M.D.; his notes are attached to these minutes as Schedule "A"

E. DELEGATIONS

Deputy Reeve Pepper declared that he may have a pecuniary interest in this presentation as his property is in close proximity to the land mentioned in these items; he vacated the Council chambers at 10:15 a.m., prior to the presentation/discussion.

Mr. Larry Van Weiren presented a brief explanation of the new Bar C Area Structure Plan including issues such as land use and infrastructure.

Council expressed numerous concerns including the definitions of ownership and the environmental impact the development would have. Council asked for better definitions of both those items.

F. UNFINISHED BUSINESS

G. BYLAWS

1. Moved by Councillor Dunki that Council give first reading to draft Bylaw 09/09, a bylaw to close a portion of a road allowance in the North Ranchlands area of the M.D., and direct staff to advertise the proposed bylaw and allow an opportunity for affected persons to be heard at the regular October 2009 Council meeting.

CARRIED



R:207/09
Draft Bylaw
07/09 second
reading.

2. Moved by Councillor Ryan that Council give second reading to the Noise Control Bylaw No. 07/09, as amended in Sections 5.1 and 7.1(d), a Bylaw designed to regulate and control noise within the MD and to replace existing Bylaw No. 7/89.

CARRIED

R:208/09
Draft Bylaw
07/09 third
reading.

Moved by Councillor Ryan that Council gives third and final reading to the Noise Control Bylaw No. 07/09.

CARRIED

R:209/09
draft Land Use
Bylaw accepted
as information.

3. Moved by Councillor Ryan that the 4 Aug 09 Information Report/update on the Land Use Bylaw review process be accepted as information.

CARRIED

Deputy Reeve Pepper declared that he may have a pecuniary interest in Bylaw 04/09 and Bylaw 05-Z/09 as his property is in close proximity to the land mentioned in these items; he vacated the Council chambers at 10:15 a.m., prior to, and was absent during, discussions/voting on these items.

R:210/09
draft Bylaw
04/09 first
reading.

4. Moved by Councillor Ryan that Council give first reading to draft Bylaw 04/09, a bylaw to adopt a new Bar C Area Structure Plan.

Public Hearing set for October 15, 2009 in Beaupre Hall at 7:00 pm.

CARRIED (3:1 Councillor Dunki Opposed)

R:211/09
Draft Bylaw 05-
Z/09 first reading

5. Moved by Councillor Adams that Council give first reading to draft Bylaw 05-Z/09, a bylaw to amend Bighorn's Land Use Bylaw 19/96 as it pertains to Lot 2, Plan 9211977 (Bar C Ranch).

CARRIED

Deputy Reeve Pepper returned to chambers at 11:25 a.m.

H. NEW BUSINESS

R:212/09
Cheques Issued
Report for July
09.

1. Moved by Councillor Ryan that Council accepts for information, the payroll cheques issued report for the July payroll EFT payments in the total amount of \$87,215.62 and the register for A/P cheques issued, numbers 242610 to 242795 in the net amount of \$499,582.03 for the month of July 2009.

CARRIED

R: 213/09
Budget vs Actual
July report
accepted as
information.

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

CARRIED

Councillor Ryan declared that he may have a pecuniary interest in Item H.3 as his property is in close proximity to the land mentioned in these items; he vacated the Council chambers at 9:45 a.m., prior to, and was absent during, discussions/voting on the item.

R:214/09
Encroachment
removal deadline

3. Moved by Councillor Adams that Council extend the 31 August 09 deadline for affected property owners in Block 1 Plan 8610481(Windridge Road) to remove any encroachments on Municipal

Extended.

Reserve Lot MR-15 that abuts these properties, in order for the residents to further research possible purchase options; the deadline to be extended to no later than October 31st, 2009.

CARRIED

Councillor Ryan returned to chambers at 10:00 a.m.

R: 215/09
newsletter and
approves them for
publication

4. Moved by Councillor Dunki that Council reviews the articles for the September 2009 newsletter and approves them for publication.

CARRIED

R: 216/09
Item H.5
Playground
Upgrade accepted
as information

5. Moved by Deputy Reeve Pepper that Council accept, the 30 July 09 Information Report on the Windridge Playground Upgrade – Update as information.

CARRIED

R:217/09
2009-2011 winter
snow removal
contract
approved.

6. Moved by Councillor Ryan that Council authorize Administration to enter into a Service agreement contract, covering the 2009-2011 Winter Snow Removal period for the Bow Valley Hamlets, with Volker Stevin Contracting Ltd using their alternate proposal.

CARRIED

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

- Councillor Ryan noted that there was increased commercial tourist activity along Highway 1A near Jura Creek (hiking tours) and also accessing Exshaw Beach; he advised that the Highway 1A activity was creating traffic problems and unsafe situations He requested that action be taken to stop the Jura Creek activity, until a safer, permanent solution is found.
- Reeve Cooper asked if the MD pays fees when stray dogs caught in the MD are brought to the Canmore SPCA. He said he did not want MD animals to be additional burden on that system. Administration indicated a fee-per-animal is payable by the M.D., but that the municipality was not providing any annual grant to the facility.
- Maria Dunki asked that the need for paving to fix potholes and patching on the provincial portion of Jamieson road be passed on to Alberta Transportation.
- Councillor Adams requested that brush in areas along the sides of the streets be cut back, in Lac Des Arcs. Residents are complaining that their vehicles are getting scratched. The Director of Operations said he would look into getting the work done.

J. INFORMATION

R:218/09
Items J.1- J.16
and J.18-J.21.
accepted as
information

Moved by Councillor Adams that items J.1- J.16 and J.18-J.21. be accepted as information.

CARRIED

K. IN CAMERA

R:219/09 Council
incamera at 12:28
pm.

Moved by Councillor Adams That Council go incamera at 12:28 p.m.

CARRIED



R:220/09 Council
out of camera at
1:15 pm

Moved by Councillor Adams that Council come out of camera at 1:15 p.m.

CARRIED

Councillor Ryan Councillor Ryan declared a conflict of interest in Item K.1. He vacated the Council chambers at 1:15 p.m., prior to, and was absent during, discussions/voting on these items.

R: 221/09
Municipal
Committee
nominees
approved.

1. Moved by Councillor Adams that Council accept the recommendations from the Municipal Excellence Committee for the recipients of the 2009 Community Volunteer Excellence awards.

CARRIED

Councillor Ryan returned to chambers at 1:16 p.m.

R: 222/09
MD To acquire
land for water
system.

2. Moved by Councillor Ryan that Council authorize Administration to acquire approximately .56 acres of land in Exshaw in order to create a continuous laneway system and a route for the proposed municipal water distribution system, for the price of \$130,636.80 (plus GST) or such value as determined by adjusted appraisal.

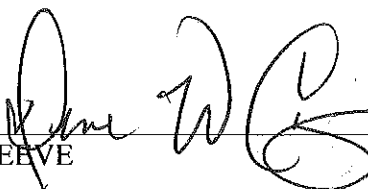
CARRIED

ADJOURNMENT


R:223/09
Meeting
adjourned at 1:30
pm.

Moved by Deputy Reeve Pepper that the August 11, 2009 Regular Council Meeting be adjourned at 2:27 pm.

CARRIED



REEVE



EXECUTIVE ASSISTANT

Council 0809 Notes

Paul Ryan

~~Questions of Administration~~

Business arising from the minutes

Business Licence Bylaw

I realise Mr. Chair that Administration is bringing back a report to Council in September but there are some additional things that I believe should be considered.

As you would expect Mr Chair, I have, and I am sure you have, heard a lot of comments about the proposed increase in the Business Licence Fee charged to MD businesses by the Town of Canmore. I would like administration to also hear some of them for their consideration of an MD business registry and comment in their September report to Council. As usual, I will provide a copy of my notes to the Recording Secretary.

I was reminded last Friday at the Memorial Service for the late Mayor of Canmore Glen Craig, just how much time and effort he spent, bringing the businesses communities together and promoting the use of *We*, rather than *Them and Us*.

I was also reminded that we sometimes forget where we came from, or how we got there, our *family names appear in the phone books of all the valley communities*.

As I speak here today, an MD business is contributing [REDACTED] to a new skateboard park at Canmore's recreation center. Business leaders in both Canmore and the MD have every right to ask for some explanation about what is going on. One can only wonder how much community damage is being done by the change to the Canmore Business Licence Bylaw and *what or who will it take to repair it*.

There is a great deal of confusion about how a Business Licence Bylaw got tied to a Service Agreement between the TOC and the MD. Individual Businesses paid a Licence Fee directly to the TOC and the MD made a direct contribution to the Canmore Economic Development Authority. This decision appears to have had no consultation at the CEDA level nor was it a part of the Multi-services Agreement negotiations.

The question that I would like Administration to consider is:

How was the proposed change to the Business Licence Fee communicated and was it considered a part of the Multi-services Agreement negotiations?

CEDA

Under the Agreement the MD paid a fee of \$6000.00 per year and held a Directors seat on Canmore Economic Development Authority.



When the Business Licence Fee structure was revised a couple of years ago there was a great deal of discussion at the CEDA with membership consultation, including the MD of Bighorn.

This recent Business Licence Bylaw change could see a cost to CEDA's Canmore membership far in excess of that to MD businesses and of anything that was considered in the last planned revision.

It is difficult to believe that an organisation charged with economic development could support a move that could have such a negative effect on its membership.

The taxpayers of the MD of Bighorn are entitled to know, just exactly what they got for that \$6000.00.

The questions that I would like Administration to consider are:

What was CEDA's involvement in the decision?

How did the MD represent its businesses interest in the decision?

How was CEDA's membership and the MD consulted?

What consideration did CEDA give to the impact on valley local businesses if the MD were to establish it's own Business Registry?

BOWDA

Tens of millions of dollars worth of much needed work is about to take place within the MD with taxpayers money, some contracts to be awarded immediately. A short time ago I brought to Council my concern that we had no way to ensure that valley local (Cochrane, Canmore, Banff and MD) business would be able to compete with the much larger non-local heavy construction businesses. Council shared my concern and administration looked into the issue for us. It appears that in politics "no good deed goes unpunished" and we now have an attempt to roll the clock back and polarise what we have grown to consider as local businesses.

A valley wide construction industry already on its knees cannot afford another political kick in the teeth to do the same work in the same place by increasing the Canmore Business Licence Fee. The MD of Bighorn is a member of the Bow Valley Development Association, and it is their members that will be financially affected by the recent decision.

The question that I would like Administration to consider is:

What was BOWDA's involvement in the decision and how was it's membership and the MD consulted?

Tourism

The tourism industry won't even understand what happened and why they will have to pay up as well. Small tour operators and guiding businesses will be heavily affected.

Those businesses in the valley that will be affected originate mostly in Banff with a large number in Canmore, their operations take place within the MD of Bighorn.



The question that I would like Administration to consider is:

Do we have a connection to those businesses through any associations that we belong to and should we attempt to reach out to them?

Regional Implications

There is now coming an understanding that Canmore's decision could negatively affect a great number of businesses, not only in Canmore and Banff but in Cochrane as well. The cost of getting services and providing services will increase for everybody. A number of years ago I asked the Mayor of Banff if a Regional Business Licence had ever been considered and I was told it had not. Now may be the time. A simple agreement to allow licensed businesses in participating municipalities to purchase a similar one in the MD of Bighorn would likely solve the problem.

The question that I would like Administration to consider is:

Should the MD begin discussions with Banff and Cochrane on the creation of some sort of Regional Business Licence?



MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Special meeting of Council held at 10:30 a.m. on Thursday August 20, 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

The items on the Agenda for the Special meeting were as follows:

New Business item H.1: Exshaw Water System approvals

New Business item H.2: Exshaw Lagoon Effluent Pipe project.

Reeve Cooper
called mtg. to
order at 10:35
am.

CALL TO ORDER

Reeve Cooper called the meeting to order at 10:35 am.

H. NEW BUSINESS

1. Council discussed the proposed Exshaw Water System, a proposed local improvement project.

Councillor Ryan spoke in regards to the need for a community liaison. His comments are attached to these minutes as Schedule "A"

R:224/09
Community
Liaison position
considered.

Moved by Councillor Ryan that Administration consider establishing the position of community liaison or similar, as necessary for the duration of the Exshaw Water Project with funding to come from the "Contingency Fund."

CARRIED

R: 225/09
Contract "A" and
"B" awarded.

Moved by Councillor Ryan that Council award, subject to the completion of the local improvement counter-petitioning process and approval of the affected property owners, the contracts for construction of the Exshaw Water System project to Slimdor Contracting Ltd for Contract A, at a total cost of \$5,634,785.53 and to Tri-Tech Group Ltd. for Contract B, at a total cost of \$5,058,421.23.



CARRIED

R: 226/09
Engineering fees
set.

Moved by Councillor Adams that the engineering fees for the Exshaw Water System project be set at \$1,290,996.00; utility connection charges be set at \$90,000.00; and an upper limit of \$1,000,000.00 be set for contingencies.

CARRIED

R: 227/09
Bylaw 03/09
Local
Improvement
Authorization
first reading.

Moved by Councillor Dunki that Council give first reading to Bylaw 03-09, the Local Improvement Authorization Bylaw for the Exshaw Water System project.

CARRIED

R: 228/09
Local
Improvement
Plan approved.

Moved by Deputy Reeve Pepper that Council approve the Local Improvement Plan for the Exshaw Water System project as circulated, and authorize Administration to distribute same in accordance with the Municipal Government Act requirements.

CARRIED

R: 229/09
Bylaw 10/08
amended.

Moved by Councillor Ryan that Council amend proposed Bylaw 10-08, the Exshaw Water System Borrowing Bylaw as recommended by Administration.

CARRIED

R: 230/09
Pipeline crossing
underneath
Highway 1A
approved.

2. Moved by Councillor Ryan that Council authorize, as part of the work to be done for the Exshaw Water System project, the installation of a pipeline crossing underneath Highway 1A, for future use for the Exshaw/Lafarge treated waste-water recycling project, on the condition that the costs for same (\$90,261.62 excluding GST) be taken from the Exshaw off-site levy (sewer) account.

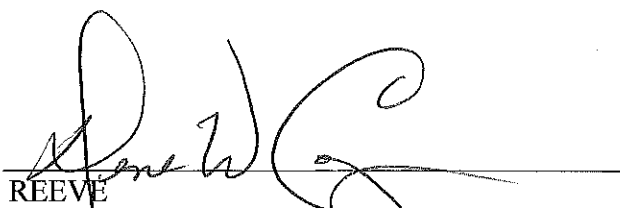
CARRIED

R: 231/09
Meeting
adjourned at
11:35 am.

ADJOURNMENT

Moved by Councillor Ryan that the August 20, 2009 Special Council Meeting be adjourned at 11:35 am.

CARRIED


REEVE


EXECUTIVE ASSISTANT

QUESTIONS TO EXSHAW WATER SYSTEM

PRy —

1. Community Relations:

Residents of Exshaw will remember the problems associated with the installation of the sewer system a number of years ago and do not deserve to be put through the same emotional wringer on this project. The financial break down shows a \$1M contingency fund and I would like to know if the MD can tap into that fund to create the position of community liaison for the duration of the project.

I would ask that Council support the concept of establishing that position and direct administration to consider the possibilities of doing so with the following motion:

MOTION: That Administration consider establishing the position of community liaison or similar for the duration of the Exshaw Water Project with funding to come from the "contingency fund". *as necessary.*

2. Do we have an agreement with our municipal engineers that address on-site engineering supervision for the duration of the Exshaw water project?
3. What are the next steps when it comes to informing the community with respect to the Exshaw Water project?

[Handwritten signature]