

MUNICIPAL DISTRICT OF BIGHORN NO. 8

WAIVER OF NOTICE

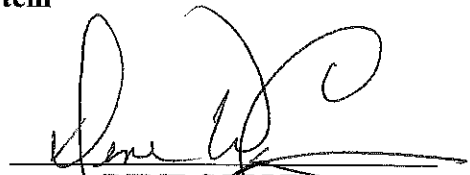
SPECIAL COUNCIL MEETING


Monday, Sept 28th, 2009, 9:30 a.m.
M.D. Council Chambers
2 Heart Mountain Drive
Exshaw, Alberta


THIS WAIVER OF NOTICE IS EXECUTED TO ALLOW A SPECIAL COUNCIL MEETING OF THE MUNICIPAL COUNCIL OF THE MUNICIPAL DISTRICT OF BIGHORN NO. 8 ON 28 SEPTEMBER 2009 FOR THE PURPOSE OF CONSIDERING THE FOLLOWING AGENDA:

Pages


- 1 – 13 1. Bylaw 03/09, Exshaw Water System Local Improvement Plan bylaw
– 2nd & 3rd reading
- 14 – 16 2. Counter-Petition – Exshaw Water System


DENE COOPER, REEVE


HUGH PEPPER, DEPUTY REEVE


PAUL ADAMS, COUNCILLOR


MARIA DUNKI, COUNCILLOR


PAUL RYAN, COUNCILLOR

ms

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Special meeting of Council held Monday, September 28, 2009 at 9:30 a.m. at the MD Administration Office, to discuss the following:

1. Bylaw 03/09, Exshaw Water System Local Improvement Plan bylaw – second and third reading
2. Counter-Petition – Exshaw Water System

The following Members of Council were present and signed a Waiver of Notice prior to the meeting commencement:

DENE COOPER	REEVE
HUGH PEPPER	DEPUTY REEVE
PAUL ADAMS	COUNCILLOR
PAUL RYAN	COUNCILLOR
MARIA DUNKI	COUNCILLOR

STAFF:

MARTIN BUCKLEY	CHIEF ADMINISTRATIVE OFFICER
HUGH PETTIGREW	DIRECTOR OF OPERATIONS

GALLERY:

PRESS/MEDIA

CALL TO ORDER:

Reeve Cooper called the special meeting to order at 9:30 a.m.

Councillor Ryan expressed concern that, on Item #2, Counter-Petition – Exshaw Water System, discussion may involve land negotiations, and as such the item should be discussed incamera. Concensus was not reached on this point; the Reeve indicated, however, that he would entertain a motion to go incamera, at the time Council was preparing to discuss Item #2, should Council feel it necessary to discuss in confidence.

1. **BYLAW 03/09 – EXSHAW WATER SYSTEM LOCAL IMPROVEMENT PLAN BYLAW – SECOND AND THIRD READING**

Moved by Councillor Dunki that second reading be given to Bylaw 03/09, the Local Improvement Authorization bylaw for the Exshaw Water System project, with the following amendments:

Page 1, Bylaw:

-fourth paragraph of Preamble (“AND WHEREAS the actual cost of the...”), delete “\$2,319,823.14”; replace with “\$1,513,214.00”;

-fifth paragraph of Preamble, delete “\$144,132.48”; replace with “\$79,954.70”;

Reeve
Called
Meeting to
Order at
9:30 a.m.

R261/09:
B/L 03/09
second rdg. w/
amendments

Page 2, Bylaw:

-Section 3, delete "\$31,833.73"; replace with "\$18,004.68";

Schedule "A", Page 1:

- under Grants, Contributions, Pre-Payments, add "Lafarge Canada contribution \$806,609.00";
- change TOTAL ASSESSMENT AGAINST REMAINING PROPERTIES from "\$1,856,642.00" to "\$1,050,033.00";
- change TOTAL ANNUAL PAYMENTS AGAINST REMAINING PROPERTIES from "\$144,132.48" to "\$79,954.70";
- change ANNUAL UNIT PER ACRE TO BE PAYABLE FOR A PERIOD OF TWENTY YEARS from "\$2,471.41" to "\$1,370.97";
- change ASSESSMENT PER ACRE OF BENEFITING PROPERTY from "\$31,833.73" to "\$18,004.68"

Schedule "A", Page 3:

-add the wording:

"-FROM LAFARGE CANADA (EXSHAW PLANT)

The Lafarge Canada cement plant (legally described as a portion of the east ½ of Section 22 Township 24 Range 9 West of the Fifth Meridian, containing 180 acres, more or less), located outside the Hamlet of Exshaw boundaries, and therefore outside of the local improvement area, has committed to provide funds towards the Exshaw Water System project, in the amount of \$806,609.00, to be paid in annual payments of \$48,063.00 for twenty years."

-change last bullet to read:

"FROM REVENUES RAISED BY THE LOCAL IMPROVEMENT TAX

A total of \$1,050,033.00 shall be raised by the local improvement tax assessed on the remaining properties (58.32 acres in total) within the hamlet of Exshaw, at the rate of \$18,004.68 per acre."

CARRIED

Moved by Councillor Ryan that Bylaw 03/09 be given third and final reading.

CARRIED



2. COUNTER-PETITION – EXSHAW WATER SYSTEM

R 263/09:
Adm. authorized
to work on
payment plan
N1/4-23-24-9-5

Moved by Councillor Adams that Council authorize Administration to work with the owners of Ptn. North ¼ Section 23 – 24 – 9 – W5M, regarding their local improvement payments on the Exshaw Water System, to determine a mutually satisfactory plan for full payment of the local improvement charges on that property, and return same to Council for approval.

CARRIED

ADJOURNMENT

R 264/09
Adjourn
meeting at
9:45 a.m.

Moved by Councillor Ryan that the 28 September 09 Special Council Meeting be adjourned at 9:45 a.m.

CARRIED



REEVE



EXECUTIVE ASSISTANT