

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, August 9, 2005
in the Council Chambers, M.D. offices, with the following persons present:

COUNCIL:

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

STAFF: MARTIN BUCKLEY	CHIEF ADMINISTRATIVE OFFICER
GREG BIRCH	ASSISTANT MUNICIPAL MANAGER
BRENDA GOERES	ACTING MUNICIPAL SECRETARY
HUGH PETTIGREW	DIRECTOR OF OPERATIONS
HELENE HESSE	MUNICIPAL FINANCE OFFICER

CALL TO ORDER

Reeve Ryan called the meeting to order at 9:00 a.m.

A. APPROVAL OF AGENDA

Moved by Deputy Reeve Pepper that the agenda for the August 9, 2005 Regular Council meeting be adopted with the following amendments:

- Delegations Item E. Change ~~Murray~~ to Richard Bremner
- Unfinished Business Item F.3 Will delay to September Council meeting
- Unfinished Business Item J.4 a) Moved from K.1: Letter from Rae and Company
RE: Seebe Historical Impact Assessment - New Business:
Item H.5 Moved from Item J.14: Letter from Alberta Infrastructure and Transportation RE: Dust Abatement on Highway 68
- Item H.6 Hamlet Signage (verbal report)
- Item H.7 Computer Purchase (verbal report)
- Item H.8 Access to Sandy/Exshaw Beach (verbal report)
- Correspondence./Info Item J.14 Move to New Business H. 5: Letter from Alberta Infrastructure and Transportation RE: Dust Abatement on Highway 68 CARRIED

B. MINUTES

1. Moved by Councillor Adams that the minutes of the July 12, 2005 Council meeting be adopted with two corrections:

- Change "Pettigrew" to "Ryan" on the first line of H12; and
- Add wording to H.10 which directs Administration to request that the Province inspect Highway 40, to confirm the need for considerable repairs/re-building.

CARRIED

R: 236/05
Aug 9/05
agenda.adopted
as amended

R: 237/05
Jul 12/05 Council
minutes adopted

R: 238/05
Meeting Notes
received as
information

C. MEETING NOTES/COMMUNITY MINUTES

Moved by Councillor Adams that Council receive as information Items C.1 to C.4 and to acknowledge that Items C.5 a) and b) have received approval:

1. Calgary & Region Waste Reduction Partnership – June 15, 2005
 2. Calgary Regional Partnership Executive Committee – June 17, 2005
 3. Specialized Transportation Project Steering Group Meeting – June 27, 2005
 4. Special Transportation Project Forum – June 27, 2005
 5. Notice of Approved Minutes
 - a) Municipal Planning Commission – June 15, 2005
 - b) Subdivision/Development Appeal Board – April 25, 2005
- CARRIED

D. BUSINESS ARISING FROM THE MINUTES/NOTES

- The Acting Municipal Secretary confirmed the September 21st hall availability for the West Jumpingpound ratepayers' meeting.
- A recent meeting was held with provincial representatives to discuss 1A safety issues and a meeting will be held later this week with M.D. legal counsel regarding Road Task Force issues.

1. Future Meeting Dates

Dates remaining for Ratepayers' Meetings are:

- Jamieson Road (held at Beaupre Hall) – to occur after Roads Task Force is complete
- North Ranchlands area (held at Water Valley Community Hall) – Thursday, September 15, 7:00 p.m.
- West Jumping Pound (West Jumping Pound Hall) – Ratepayers' Meeting & Roads Task Force (Wednesday, September 21, 2005, 7:00 p.m.)

E. DELEGATIONS

1. Richard Bremner, BECL (Bremner Engineering):

Mr. Bremner explained factors relating to the delay in his company's construction of the Harvie Heights water line, and requested a time extension to January 2006, from the current completion deadline of October 31st. Factors contributing to the delays have included June floods, lack of staffing and other contract commitments. Reeve Ryan noted that this will likely bring construction of the reservoir into the winter months and questioned as to who will be responsible for additional costs related to winter construction Mr. Bremner then replied to questions from Council, stating that he will back on-site as of Monday, August 15th and that there will be no cost implications to the M.D. due to any delays in this contract. Council further discussed the request for the extension in-camera (Item K.1).

F. UNFINISHED BUSINESS

2. The Assistant Municipal Manager will separately provide summary notes to Council on the Benchlands workshop (regarding Land Use Bylaw amendment Bylaw 18-Z/04).
3. The Jamieson Road (Cassidy) Road Approach Issue will return in September when Councillor Dunki can be present.
4. Regarding the Seebe Superintendent's residence, Administration is currently investigating a process for a historical resources inventory and will return a report in the near future.

Council discussed the discrepancy between a historical study of Seebe, which supports preservation of the Superintendent's house, and a letter from Alberta Community Development, which indicates the Province is not interested in preserving the structure. Reeve Ryan noted reference documents and a process involving a "Letter of Intent", which would create 120-day hold period during which any slated demolition by a developer, must be delayed pending a decision being made on designating the structure. Administration questioned whether the M.D. of Bighorn should have an interest in the Superintendent's residence if the Province does not, noting that it may be of more value provincially than locally, whereas the school house may be more significant to the M.D. due to its function with respect to past local activities. Council suggested that this is a public relations opportunity for TransAlta to preserve heritage buildings.

Council also discussed past use of the Superintendent's house by high profile business interests such as R.B. Bennett and Max Aitken (Lord Beaverbrook) , and its use for various other community activities over time.

Council also discussed the letter from the solicitor for the Stoney Nakoda First Nation, in which it was stated that the Stoneys will oppose any attempts to designate the Seebe townsite lands (the Stoneys indicate they are in the process of purchasing same), as an historical site.

R: 239/05
Admin to send
Notice of Intent
to Seebe

Moved by Councillor Cooper that Administration write a formal Notice of Intent (per Section 8 of the Historical Resources Act) to the Seebe landowners, stating that it is the M.D. of Bighorn's preference to exercise its 120-day period for exploration and investigation of lands and buildings for preservation (one-room school house and Superintendent's residence). CARRIED

R: 240/05
Admin to establ
historical
steering com

Moved by Councillor Cooper to direct Administration to establish a Council Steering Committee to proceed with a municipal historical society. CARRIED

R: 241/05
Historical
Steering Com
to discuss other

Moved by Deputy Reeve Pepper to appoint Councillors Cooper and Adams to the Historical Society Steering Committee, with Reeve Ryan as Chair and that this committee discusses appointment of other members. CARRIED

members

Administration will include information on the steering committee in the next newsletter, and solicit interest in becoming involved in the committee and/or possibly a formal society later on.

G. BYLAWS

1. Section 2. of Water Conservation Fixtures Bylaw 15/05 will be changed to read:
“Effective November 1, 2005, where new residential, commercial or industrial buildings are being constructed, renovated, or which involves changes to existing plumbing, in the Municipal District of Bighorn, those buildings shall have low water use plumbing fixtures as follows:”

Moved by Councillor Adams to postpone 2nd Reading of Bylaw 15/05 to the September Council meeting, pending the above wording change. CARRIED

Pending passage of this bylaw, Administration is recommending installation of low flow fixtures to developers and clarified that they will be required to follow this bylaw during construction phase, even if their development was approved before passage of the bylaw.

Administration was directed to, in future, indicate return bylaw edits with ~~strikeout~~ & underlining and/or italics, to assist in the review of past edits when considering subsequent readings.

2. Item J. 16 was also discussed at this time, with Councillor Adams noting that the Administration report for Domestic Animal Control Bylaw 06/05 indicates that no comments have been received on the bylaw, however, he had received 16 letters in confidence, on the agenda as Item J.16. The CAO explained that the Council agenda is a public process so he suggested that the letters, which requested names being withheld, be sent to Councillor Adams. That is the reason the CAO’s report indicates that no comments were [formally] received at the M.D. offices, because they came to Councillor Adams’ attention.

The CAO also explained that unless envelopes are stamped “confidential”, Administration opens all mail to the M.D. Councillors acknowledged the explanation on processing of M.D. mail items.

Council then made the following changes to the bylaw:

- Delete capital “T” in Section 4.(t) [1] to read “interfere”;
- In Section 4 (a), second paragraph, indicate that owners in the hamlets of Harvie Heights, Dead Man's Flats and Lac des Arcs, must have animals under their physical control (and reflect this in Schedule “C”);
- Change the leash length in in Section 2. (gg) from “two (2) metres” to “three (3) metres”;

R: 242/05
2nd Rdg BL
15/05 to Sep.
Council

- Delete heading "~~Fees in Dollars~~" in Schedule "B"

R: 243/05
2nd Rdg BL
06/05 to Sep.
Council

Moved by Councillor Adams to postpone 2nd Reading of Bylaw 06/05 to the September Council meeting, pending wording changes. CARRIED

R: 244/05
2nd Rdg given
to BL 09/05

3. Moved by Councillor Adams to give 2nd Reading to Bylaw 09/05, a bylaw for the purpose of controlling activities on and the use of municipally-owned reserve lands within hamlets in the M.D. CARRIED

R: 245/05
3rd Rdge given
to BL 09/05

Moved by Councillor Adams to give 3rd Reading to 09/05. CARRIED

4. The Assistant Municipal Manager distributed suggested changes to Harvie Heights Off-Site Levy Bylaw 17/05.

R: 246/05
1st Rdg given
to BL 17/05

Moved by Councillor Cooper to give 1st Reading, with suggested changes, to Bylaw 17/05, a bylaw establishing an off-site levy for the commercial area in Harvie Heights. CARRIED

R: 247/05
Admin to notify
H Hts residents
of BL 17/05
process

Moved by Councillor Adams that for the September 13, 2005 Council meeting, Administration advertise/notify Harvie Heights residents that should they wish to respond to the bylaw, that by writing to Council, or appearing at that Council meeting, that they must notify Administration ten days before the Council meeting, [or by Tuesday, September 6th following the long weekend]. CARRIED

H. NEW BUSINESS

1. The Assistant Municipal Manager described the process to ensure that grant monies for such items as the Harvie Heights tennis court repair (cheque 18965) are tracked and recorded as having been spent appropriately. The Assistant Municipal Manager will ensure this process is being followed throughout the M.D. of Bighorn

Reeve Ryan noted the pine beetle infestation costs through the eastern slopes area and other issues such as flooding should be addressed for cost recovery; he will raise these issues via AAMDC (Alberta Association of Municipal Districts & Counties).

R: 248/05
Cheques issued
report received
as information

MOVED by Deputy Reeve Pepper that Council receive for information, the report of A/P cheques issued, number 18939 to 19067 in the amount of \$341,338.11 and payroll cheques issued, number 4278 to 4329, in the amount of \$46,311.46. CARRIED

2. The newsletter content was reviewed and the following comments were made:
 - The grammar/punctuation in the second sentence of the fourth paragraph on Page 112 will be edited. Administration will add other information on the Seebe heritage building initiatives.
 - The third last paragraph on Page 113 will reflect the report content regarding the Seebe building, as well as the new historical committee information (from Item F.4 above).
 - Information on the number of committee positions available will be added to the

section on the Annual Organizational Meeting on Page 117. (The committee application form will be included with to the newsletter.)

- Information on the fall clean-up dates and water conservation fixtures will also be added to the newsletter.
- Administration will consider including educational information on riparian issues, though these are usually included in the Agricultural Fieldman's *Up the Creek* newsletter.

R: 249/05
Newsletter
approved w/
changes

Moved by Councillor Adams to approve the draft September 2005 M.D. of Bighorn newsletter, as amended. CARRIED

R: 250/05
Ghost/Waipar.
Caretakers
Agreem
approved

3. Moved by Deputy Reeve Pepper that Council approve the "Municipal District of Bighorn No. 8, Summer Village of Waiparous, Ghost/Waiparous Trails Association Recreation Land Caretakers Agreement", said agreement applying to Crown Recreational Lease REC #950011, and appoint two persons to sit on a review committee pursuant to the agreement. CARRIED

R: 251/05
Ghost/Waipar.
Review
committee
appointed

Moved by Councillor Adams to appoint Deputy Reeve Pepper and the CAO, or his designate, to sit on the Ghost/Waiparous Trails – Caretaker Agreement review committee. CARRIED

R: 252/05
Strategic Plan
2005-2009
adopted

4. MOVED by Deputy Reeve Pepper to adopt the Strategic Plan 2005-2009 document as circulated. CARRIED

It was noted that separate "wish list" items discussed by Council earlier this week, can be debated through the budget process in concert with the strategic plan.

R: 253/05
Admin to
investigate Hwy
40 dust control

5. Item J 14 moved here:
MOVED by Councillor Cooper that Administration investigate the cost of dust control on Highway 68 and report back to Council. CARRIED

6. Community Messages on Entrance signs(verbal report):
Councillor Cooper suggested the addition of community messages or mottos to the new hamlet entrance signs, suggesting that Exshaw's might say "Heart of the Valley".

R: 254/05
MunEx to
establish budget
for hamlet signs

Moved by Councillor Cooper that Council authorize the Municipal Excellence Committee to establish a budget (out of Council Contingency funds) for community spirit messages on hamlet signs. CARRIED

7. Computer Purchase (verbal report):
The Municipal Finance Officer reported on recent computer server problems due to power surges and a software crash. She recommends purchase of a new server at approximately \$13,000 including installation and labour. Leasing a new server is not possible under the M.D.'s current agreement.

R: 255/05
Admin
authorized to

Moved by Councillor Cooper to authorize Administration to replace damaged computer equipment due to the unfortunate power surges, as an unbudgeted

purchase new
PC equipment

expenditure and that Administration report back on the cost and cause of the power surge.
CARRIED

8. Access to Sandy/Exshaw Beach (verbal report):

Councillors discussed safety and access issues at Sandy/Exshaw Beach, where rafting and other commercial operators are increasing usage of the area and adding to parking congestion at the beach. Residents also access the beach to launch private recreational boats. Councillor Cooper's concern is that of emergency access being blocked by vehicles, should a situation arise. Limiting access and/or vehicles such as buses, and signing the area were discussed as possible solutions. The variety of users and emergency access can possibly be addressed in stages, to determine what works best. Councillors support eco-tourism activities and therefore want to resolve parking issues. Time limits and towing signage could be initial steps taken.

Administration will return with a report on access issues at Sandy/Exshaw Beach, and will include consultation with the Fire Chief.

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

- Administration discussed the extremely poor condition of Highway 40 and will contact the regional Operations Manager to express Council's concerns with human safety issues on this road; Administration will include pictures of damaged roadway and will track the history of correspondence, MLA contact, etc. on this issue.
- Administration updated Council on the construction progress of the Benchlands Firehall which is about three weeks behind schedule at this time. Administration is not concerned with its completion over winter, as long as the building is enclosed by the Fall and no further construction time is lost.
- Mid-month cheques will be ready this week, in spite of recent computer problems.
- The Assistant Municipal Manager explained how Cash in Lieu can be accepted instead of municipal reserve lands being dedicated, during subdivision, as outlined in the Municipal Government Act. The Community Services Master Plan was also discussed.
- Administration clarified for Councillor Adams that Section J. information and correspondence items do not receive responses or follow-up unless Council specifically directs Administration to do so.

J. INFORMATION

Moved by Deputy Reeve Pepper that items J.1 to 13, 15, 17 & 18 be accepted as information.
CARRIED

R: 256/05
J.1 - 13 & 15,
17 & 18
accepted as info

R: 257/05
In camera @
1:48 pm

K. IN CAMERA
Moved by Councillor Adams that Council go in camera at 1:48 p.m. CARRIED

R: 258/05
Revert to open
mtg @ 2:19 pm

Moved by Councillor Cooper that Council go out of camera at 2:19 p.m. CARRIED

R: 259/05
BECL deadline
extended

Moved by Councillor Adams to authorize an extended time limit for construction of the Harvie Heights water line, per the August 4, 2005 BECL letter and schedule. CARRIED

ADJOURNMENT

R: 260/05
Adjournment @
2:20 pm

Moved by Councillor Adams that the August 9, 2005 Regular Council Meeting adjourn at 2:20 p.m. CARRIED

REEVE

ACTING MUNICIPAL SECRETARY