

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, November 8, 2005
in the Council Chambers, M.D. offices, with the following persons present:

COUNCIL:

MARIA DUNKI	REEVE
PAUL ADAMS	DEPUTY REEVE
DENE COOPER	COUNCILLOR
HUGH PEPPER	COUNCILLOR
PAUL RYAN	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 Dunki called the meeting to order at 9:00 a.m.

A. APPROVAL OF AGENDA

Moved by Deputy Reeve Adams that the agenda for the November 8, 2005 Regular Council meeting be adopted with the following additions (verbal reports):

- Business Arising Item D4	Jura Creek (October Council Minutes, Item "I")
- Business Arising Item D5	AAMD&C - Meetings with Ministers
- Business Arising Item D6	Calgary Health Region – Invite to Luncheon
- Business Arising Item D7	Benchlands Dike (October Council Minutes, Item "I")
- New Business Item H13	Mandatory Septic Tank Pumping
- New Business Item H14	Gas Well Drilling Notification
	CARRIED

B. MINUTES

1. Moved by Councillor Cooper that the minutes of the October 11, 2005 Regular Council meeting be adopted, with the addition of the wording in Item I. on Page 9 as follows:
"on Ghost River adjacent to the hamlet of Benchlands...".

CARRIED

2. Moved by Deputy Reeve Adams that the minutes of the October 11, 2005 Annual Organizational Meeting of Council be adopted, with the deletion of Councillor Pepper as the alternate on the Municipal Planning Commission [due to his appointment as a member on the Subdivision and Development Appeal Board].

CARRIED

R: 335/05
Nov 08/05
agenda. adopted
as amended

R: 336/05
Oct 11/05 Council
minutes adopted

R: 337/05
Oct 11/05 Annual
Organizational
minutes adopted

R: 338/05
Meeting Notes
received as
information

C. MEETING NOTES/COMMUNITY MINUTES

Moved by Councillor Ryan that Council acknowledge that the following minutes have received approval:

1. Exshaw Community Environment Committee Truck Subcommittee – May 24, 2005
 2. Emergency Services Committee – June 27, 2005
 3. Community Services Committee – September 14, 2005
 4. Municipal Planning Commission – September 21, 2005
- CARRIED

D. BUSINESS ARISING FROM THE MINUTES/NOTES

1. Future Meeting Dates
 - a) Jamieson Road (held at Beaupre Hall) – to occur after Roads Task Force is complete
 - b) Investment Committee – will set a meeting date for December
 - c) Municipal Excellence Committee – supper meeting on Tuesday, November 22, 2005, to be followed by Meet ‘n Greet Wine and Cheese with Committee/Board Members at Large (7-9 pm)
2. Moved by Councillor Ryan that Council receive as information the October 17, 2005 report from the CAO, advising that the October 11, 2005 petition received at the October Council meeting, regarding the Exshaw Pedestrian Bridge, be declared as insufficient [under the Municipal Government Act] for a variety of reasons. CARRIED
3. The Director of Operations reported back on disposition of the “Old Lafarge” pedestrian bridge, as requested at the October Council meeting. The east section of the bridge is on MD “ER” zoned lands and the west area is on Lafarge owned land. Administration has been told the province will likely fund replacement of the bridge, but written approval from Lafarge is needed and they have advised Administration they will provide this. Location of the footbridge is also under discussion at the moment.

Moved by Councillor Ryan that Administration 1) Obtain easement for public access on Lafarge property (so as to provide unfettered access to public lands or trails (to be discussed with Lafarge); and 2) Seek clarification on flood rebate funding from the province. CARRIED
4. Jura Creek (verbal report): Councillor Ryan asked if Administration has received a reply to the MLA regarding repair of Jura Creek; Administration has not yet received a response, but ISL will be doing an engineering study at the Creek, and hope to do some work through flood recovery in order to stabilize the banks.
6. Reeve Dunki will advise Administration whether she will be attending a December 2nd Calgary Health Region luncheon meeting.

R: 339/05
Petition report
received as
information as
insufficient

R: 340/05
Administration to
obtain easement
& seek funding
for bridge

7. Benchlands Dike (verbal report): Councillor Ryan is concerned about Item "I" in the October Council minutes in which Councillor Pepper indicated there is a potential liability issue regarding the condition of the dike at Benchlands. The Director of Operations distributed a copy of an October 26th letter to TransAlta Utilities from a resident of the lower bench which outlines similar concerns and to which a response is expected from TransAlta.

E. DELEGATIONS

1. Tom Cooper, Corvus Business Advisors

Mr. Cooper gave a Power Point presentation for a proposed model to determine rates for utility services, initiated by the need to determine water rates for the Harvie Heights commercial sector (currently seven commercial buildings and two condo sites).

- ∅ The model is based on a full cost recovery analysis.
- ∅ The process for developing the model included information gathering, development of a rate model and options, impact analysis, Council and Commercial Owner meetings, and training.
- ∅ The existing revenue base is 108 customers, but growth is assumed for this area.

Mr. Cooper then answered questions from Council:

- ∅ Project costs to the commercial operators have been determined and will be discussed within the MD's 2006 budget.
- ∅ Any surpluses realized would likely go into reserve accounts to fund future equipment replaced costs such as lift pumps, or alternately, to stabilize rates so that increases may be avoided in certain years. The return on investment is the value of the assets and depreciation on those assets.

2. Judy Schlichenmayer, P2P (Prairies to Peaks) Tourism Association

- ∅ Ms. Schlichenmayer gave a Power Point presentation of P2P tourism initiatives which have included a marketing plan, tourism inventory, customer surveys, brochure production and other tourism information, including a calendar with special event dates, a members' phone saving plan, and other activities.
- ∅ In order to promote the region, the P2P volunteer organization wishes to hire a full time tourism coordinator. To fund this initiative, P2P is seeking financial commitment from member municipalities through a population-based funding formula. Eleven (11) municipalities are being approached including three counties, the MD, five towns, one village and one hamlet. The MD annual contribution would be \$2,596, based on \$2/per capita.

Ms. Schlichenmayer then answered questions from Council:

- ∅ Councillors noted that the P2P boundaries exclude most of the MD population but were assured that the P2P boundaries are flexible. P2P will also approach the Town of Canmore to consider involvement in this P2P funding initiative.
- ∅ Agricultural tourism was acknowledged as an area of high tourism growth potential.
- ∅ Annual membership cost for the MD in P2P is \$330 AND \$2600 annual funding is requested as well.

- Ø If the MD becomes a P2P member, its ratepayer businesses can add information to the P2P web such as special events.
- Ø Council thanked Ms. Schlichenmayer and will consider the P2P request.

F. UNFINISHED BUSINESS

2. The Assistant Municipal Manager will return with a report in December, involving notification to Harvie Heights residents and consideration of lift station upgrade costs in the upcoming budget discussions.
3. Councillor Ryan declared a conflict of interest and vacated Council Chambers (11:25) during this issue.

The Assistant Municipal Manager hopes to host a meeting before the end of November to discuss the Exshaw Laneway issue with affected residents; the future of the MD Administration building must also be considered in those discussions.

Councillor Ryan returned to Council Chambers (11:29).

4. Councillor Pepper reported on last week's Ghost Waiparous Access Management Plan Information Session, where Alberta Sustainable Resources (Sustainable Resources Development) representatives relayed information they have gathered from user groups. The plan now calls for separation of designated trails, e.g. Trail A and Trail B would have separate activities and new users would need to demonstrate that their new activity won't negatively affect existing users of that specific trail.
 - Ø SRD staff still must deal with issues such as funding availability, enforcement and fine structures. Council will encourage funding support when they meet with Minister Coutts at the Fall AAMD&C convention next week.
 - Ø Initially, SRD had targeted the May long weekend to implement the plan.
 - Ø Councillors discussed the importance of other issues in this area: emergency services, protection of water, partnerships, creation of additional traffic in other areas, historical grazing & protection of meadows; and a concern that the most consumptive users justify their use of the land (loggers, ATV, private users).
 - Ø A further concern is that the draft plan is not being circulated to the public and may be approved by the Minister before year end.
 - Ø The concept of dispersing numbers of people in this area is supportable.

G. BYLAWS

1. Moved by Councillor Ryan that Council give first reading to Bylaw 05/05, a bylaw to close a portion of a road allowance in the Hamlet of Dead Man's Flats, and direct staff to advertise the proposed bylaw and allow an opportunity for affected persons to be heard at the regular January 2006 Council meeting. CARRIED

H. NEW BUSINESS

1. MOVED by Deputy Reeve Adams that Council receive for information, the report of A/P cheques issued, number 19287 to 19413 in the amount of \$299,539.33 less void cheque amount \$4,192 for a net amount of \$299,346.50 and payroll cheques issued, number 4442

R: 341/05
1st Reading given
to BL 05/05 RE:
road closure;
advertise for
public input

R: 342/05
Cheques issued
report received as

information

to 4494, in the amount of \$46,473.45.

CARRIED

R: 343/05
Council Expense
payments
approved

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

03 Oct Coun. Dunki, Ryan, Min. Oberg tour \$390.00 + Mileage
Pepper

03 Oct Coun. Adams Communities in Action w/
Children & Youth session \$130.00 + mileage

04 Oct Coun. Dunki, Ryan, FCM Land Mgmt. session \$390.00 + Mileage
Pepper in Calgary

7 Oct Coun. Dunki Action for Agriculture \$130.00 + mileage

12 Oct Coun. Adams, Sustainable Canmore session \$130.00 + mileage
Cooper, Ryan,
Pepper

CARRIED

R: 344/05
Auditors
appointed for
three years

3. Moved by Councillor Ryan that Council appoint the firm of Chengkalath Van Eyck as auditors for the accounting years 2005, 2006 and 2007. CARRIED

R: 345/05
Time extension
granted RE:
Teacherage
subdivision

4. Moved by Deputy Reeve Adams that Council, pursuant to s.657 (6) of the Municipal Government Act, grant an extension to the usual one-year endorsement period that would apply to subdivision No. 68-23-12(10)E, the subdivision of the Exshaw School and Teacherage properties, and allow endorsement until June 1, 2006. CARRIED

R: 346/05
FCSS funding
agreement
approved

5. MOVED by Deputy Reeve Adams that Council agree to enter into the "January 1 - December 31, 2006 Family and Community Support Services Funding Agreement" with Alberta Children's Services CARRIED

R: 347/05
Recessed for
lunch

Moved by Deputy Reeve Adams to break for lunch (12:03 p.m.) until 1:00 p.m.

CARRIED

R: 348/05
Community Svcs
Board funding
approved for 10
societies

6. Moved by Deputy Reeve Adams that Council adopt the recommendation of the Community Services Board regarding the allocation of municipal grants in 2006 thereby awarding \$16,128 to ten registered societies that support the provision of community services to Bighorn residents. CARRIED

Councillor Ryan declared a conflict of interest (pecuniary) and vacated Council Chambers (1:02 p.m.) during this issue.

R: 349/05
Community Svcs
Board funding
approved for
Library

Moved by Deputy Reeve Adams that Council adopt the recommendation of the Community Services Board regarding the allocation of municipal grants in 2006, with an additional \$12,000 to Bighorn Library Services. CARRIED

Councillor Ryan returned to Council Chambers at 1:04 p.m.

R: 350/05 Carry
over of Harvie
Heights funding
denied

7. Moved by Councillor Ryan that Council deny the request by the Harvie Heights Community Association to carry forward \$2,128 in unexpended grant funding.

CARRIED

R: 351/05
December 2005
Newsletter
content approved

8. Moved by Deputy Reeve Adams that Council review the articles for the December 2005 newsletter and approves them for publication with the following changes:

- Ø Ensure contact phone numbers are correct
- Ø In personnel changes – include Emily Smith, Community Services Committee Coordinator 's new position
- Ø Page 141 – delete Exshaw speed bumps as they are only in Lac Des Arcs and Harvie Heights
- Ø Page 143 – line returns needed
- Ø Page 148 – delete “too” in the 5th paragraph and add Paul Ryan’s email beside his name at the bottom of that section

CARRIED

R: 352/05
Terms of
Reference for
devt. regs adopted

9. Moved by Deputy Reeve Adams that Council adopt the Terms of Reference dated November 3, 2005 for a focused review of four hamlet development regulations, and authorize Administration to seek consultant proposals for the review.

CARRIED

R: 353/05
Entering subdiv.
Agreement
approved

10. Moved by Deputy Reeve Adams that Council agree to enter into a subdivision agreement with 1063181 Alberta Ltd., pursuant to s.655 of the Municipal Government Act, to ensure that the conditions of subdivision approval #76-23-05(1) LDA are met.

CARRIED

11. The CAO informed Council that the Janitorial Contract for the M.D. of Bighorn Administration offices was re-tendered, and awarded to the single bidder, 2000 RPM Enterprises, with no increase to the contract price.

R: 354/05
Harvie Heights
utility models
approved; Admin
to draft bylaws

12. Moved by Deputy Reeve Adams that Council adopt the rate models as prepared by Corvus Business Advisors for the Hamlet of Harvie Heights utility systems and request Administration to draft the required Bylaws for the purpose of regulating the water and wastewater systems and establish tariff of rates based on the models.

CARRIED

Council and Administration commended the consultant for the earlier powerpoint presentation.

13. Mandatory Septic Tank Pumping (verbal report):
- Ø Councillor Ryan learned at a recent conference that Eastern Canada requires mandatory septic tank pumping due to concerns over wells not operating efficiently, regarding possible application within the MD. Councillors discussed whether this is a municipal or provincial jurisdiction; in Alberta, the permitting process and inspections are provincial.

Moved by Councillor Ryan to direct Administration to investigate regulations within the

R: 355/05
Admin to
investigate septic

Tank pumping

M.D. of Bighorn regarding mandatory septic tank pumping and report back to Council.
CARRIED

R: 356/05
Admin to
investigate notice
for drilling
operations

14. Gas Well Drilling (verbal report):
Moved by Councillor Pepper to direct staff to investigate methods by which the M.D. of Bighorn can access information on notification and appeal of seismic and drilling programs, and report back to Council.

Council also directed the Director of Operations to invite Shell as a delegation to the December Council meeting, and to include a discussion on notification to ratepayers.

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

- ∅ The Director of Operations replied to Councillor Pepper regarding water flows and water tables at the top of Benchlands; this will be discussed further in the upcoming budget discussions.
- ∅ The CAO will relay the response from the Assessment Review Board Chair to Councillors.
- ∅ Regarding Harvie Heights Lot 18, the CAO advised that the province feels an additional agreement on title with three parties is unnecessary but he is expecting a letter outlining this. This MR designation will be placed on the December Council agenda as Business Arising.
- ∅ In reply to a request from the Harvie Heights Community Association Board for notification of developments in their hamlet, Administration was directed to post future MPC agendas on the MD website. The Assistant Municipal Manager noted that the association and adjacent neighbours are notified of all subdivisions, and newspaper ads are placed by the MD, but permitted uses cannot be appealed. Administration encourages residents to keep their neighbours informed about developments, and to attend public MPC meetings.
- ∅ Reference Item J.6 of the agenda, the Director of Operations was directed to relay the Agricultural Fieldman's report to the President of the Ghost Watershed Alliance.
- ∅ Administration provided replies to inquiries regarding asphalt at the entrance to Harvie Heights, and a recent meeting attended by the Assistant Municipal Manager regarding siting locations for a provincial leasing group.
- ∅ The CAO noted Agenda Item J15, and added that the new MD website will provide a checklist for web visitors to choose which agendas they wish to receive by email notification.

J. INFORMATION

Moved by Councillor Ryan that items J.1 to J.17 be accepted as information. CARRIED

R: 357/05
J.1 - J.17
accepted as info

K. IN CAMERA

Moved by Councillor Cooper that Council go in camera at 2:35 p.m. CARRIED

R: 358/05
Go in camera @
2:35 pm

Moved by Deputy Reeve Adams that Council go out of camera at 3:30 p.m. CARRIED

R: 359/05

Revert to open
mtg @ 3:30 pm

R: 360/05
Waive penalty
charges

1. Moved by Councillor Ryan that Council grant the request to waive penalties on the lands jointly owned by 991021 Alberta Ltd. and Moondance Land Company if payment is received at the MD office within fifteen days of notice of decision within 15 days of notice.
CARRIED

R: 361/05
Adjournment @
3:31 pm

ADJOURNMENT

Moved by Councillor Ryan that the November 8, 2005 Regular Council Meeting adjourn at 3:31 p.m.
CARRIED

REEVE

ACTING MUNICIPAL SECRETARY