

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held Monday, January 11, 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
MARIA DUNKI	COUNCILLOR

STAFF:	MARTIN BUCKLEY	CHIEF ADMINISTRATIVE OFFICER
	GREG BIRCH	ASSISTANT MUNICIPAL MANAGER
	BRENDA GOERES	ACTING MUNICIPAL SECRETARY
	CHERYL MICKELSON	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. and observed a moment of silence in memory of Alberta's Lt.-Gov. Lois Hole, who passed away this week.

A. APPROVAL OF AGENDA

Moved by Deputy Reeve Pepper that the agenda for the January 11, 2005 Regular Council meeting be adopted with the following amendments:

- Meeting Notes item C.3.: Bow River Basin Council Report to Alberta Environment
- Meeting Notes item C.4: Agenda Items J.7., J.8. and J.9. (under Correspondence)
- Business Arising item D.1.a): Follow-up on Council Retreat date and Finance and Economic Development meeting date
- Business Arising item D.2.: Concerns RE: Forest Management Agreement
- Business Arising item D.3.: Meeting with Alberta Sustainable Resource Development
- In-Camera item K.2.: Additional e-mail

CARRIED

B. MINUTES

1. Moved by Councillor Adams that the minutes of the December 14, 2004 Council Organizational meeting be adopted with the following amendments on Page 9:

- Page 9, number 18, change the wording "approve that" with "refer" and delete the

R: 001/05
Approval of
Jan. 14/05.
agenda with
amendments

R: 002/05
App. Dec.
14/04. minutes
as amended

words “be referred”.

- Page 9, number 19, add the word “Trail” before the word “Expansion/Upgrade”.

CARRIED

C. MEETING NOTES/COMMUNITY MINUTES

Moved by Councillor Dunki that Council receive, as information, notification that the following minutes:

1. Municipal Planning Commission – November 24, 2004
2. Subdivision/Development Appeal Board (DP 51/04) – November 30, 2004

have received final approval.

CARRIED

3. Councillor Dunki expressed concern that a report titled “Water Management Recommendations – South Saskatchewan River Basin” was recently published by the Bow River Basin Council without the MD being made aware of it; she inquired whether the report has implications for the MD and how Councillors can be kept better informed. Deputy Reeve Pepper, Council’s Bow River Basin Council representative, explained that the report was commissioned by the Province, and the study area is mainly east of Calgary, so there are no implications for the MD. Reeve Ryan will provide a copy of the report to Administration for distribution to Council, and Administration will request copies of Bow River Basin Council minutes for distribution to all Councillors.
4. Council discussed documents and media articles regarding a local initiative to establish a charitable “Bow Valley Community Foundation”. Councillor Adams was appointed at last Fall’s Annual Organizational Meeting to sit on the steering committee for this group, but had heard nothing further until he initiated inquiries in the past few weeks. The proposed incorporation documents indicate that Directors will serve for a six-year term and are appointed by the Governors. The MD Reeve is one of six Governors.

Moved by Deputy Reeve Pepper motion to appoint Councillor Adams to the Bow Valley Community Foundation Board of Directors.

Deputy Reeve Pepper withdrew his motion.

There was consensus that Administration and Councillor Adams will seek clarification of the Directors’ roles and membership at tomorrow’s Intermunicipal Meeting with the Town of Canmore.

Moved by Councillor Adams to invite principles of the Bow Valley Community Foundation to the February 8th Council meeting to present information on the proposed Bow Valley Community Foundation Act.

CARRIED

R: 003/05
Committee
minutes which
have received
final approval
as information

Appoint Clr
Adams to Bow
Valley Comm.
Found. Board

WITHDRAWN

R: 004/05
Invite B V
Comm. Found
To Feb8/05 mtg

D. BUSINESS ARISING FROM THE MINUTES/NOTES

1. a) For its retreat followup, Council agreed to meet on separate days for the Strategic Plan and Economic Development meetings. Council set the Strategic Plan meeting for 9:00 a.m. on Monday January 24th. The next Finance & Economic Development Committee Meeting is held quarterly, at the end of March.
2. Councillor Pepper raised concerns with the Forest Management Plan Agreements regarding timing of the Ghost/Waiparous Access Management Plan which has a Spring deadline for submissions. There has been little action since last May on this matter and the Ghost Watershed group is concerned with access to information regarding commercial logging, and timely & meaningful input into the Access Management Plan report.

R: 005/05
Admin to
prepare ltr. to
Min. SRD RE:
MD concerns

Moved by Deputy Reeve Pepper that Administration prepare a letter for the Reeve's signature, to the Minister of Alberta Sustainable Resource Development regarding the MD's concerns with not being informed regarding the projected logging plans for leased land, lack of access to the contents of the draft logging plans; and that the Ghost Access Management Plan should be implemented before the upcoming 2005 May Long Weekend and further that a copy of this letter be sent to MLA Tarchuk and Rick Blackwood from Alberta Sustainable Resource Development.

CARRIED

- 3 Moved by Councillor Pepper to direct Administration to set up a meeting with Alberta Sustainable Resource Development to discuss the MD's concerns regarding the access and control of trails in the MD of Bighorn, designating Forest Land Use Zone and the upcoming changes in Alberta Sustainable Resource Development's Land Use Policy.

R: 006/05
Admin to set
mtg with SRD
RE: MD
Concerns

CARRIED

E. DELEGATIONS

1. Tony Clevenger was in attendance to talk about his work on wildlife underpass/overpasses in the Bow Corridor. Dr. Clevenger's power-point presentation is attached to the Agenda package. Council expressed concern with the Hamlet of Dead Man's Flats noting that some of the residents are concerned with carnivore wildlife making their way into the hamlet and being confronted by humans. Dr. Clevenger noted that in his opinion this would not happen as carnivores would attempt to stay out of populated areas.
2. Bill Taylor of Gateway Appraisals was in attendance for part of the In Camera session.

F. UNFINISHED BUSINESS

2. Moved by Councilor Dunki that Council agree that the draft letter, to the Minister of Sustainable Resource Development to assure that weed control is included in Spray Lakes Forest Management Plan, which was tabled at the May 10, 2004 Council

R:007/05
Withdraw draft
ltr. to Min. of
SRD re Spray
Lakes FM

Meeting, be withdrawn, as per the Agricultural Services & Environmental Advisory Board recommendation from the October 29th, 2004 meeting.

CARRIED

5. Canadian Rockies Regional School Division representatives Brian Callaghan (Superintendent), Kim Bater (Board Chair), and Amanda Kelly (Board Member for Exshaw) were in attendance to speak to Council about enrollment issues at the Exshaw School. The school division has open boundaries which allow parents to locate their children in one of the five area schools of their choice. Also, historically the Exshaw school has had a high enrollment of First Nations students. However, this year enrollment by First Nations students has decreased considerably and those students have been relocated in Canmore. With a target of 17 students per class, the school division is seeking a number of initiatives to increase enrollment, offer after-school programs, and involve the Exshaw community with the school, in order to achieve past enrollment levels.

Mr. Callaghan will be holding more discussions with Exshaw parents in order to assess their needs within this community. School division representatives then discussed issues with Council. The school division requests that the MD encourages an increase in community involvement at the school. There are currently 35 Exshaw students in Grades K-8 here. The capacity of the Exshaw school is 175, which could accommodate all Exshaw students. With decreased enrollment, continuity through the K-9 grades has been disrupted, and it is felt that there is a need for evening (recreational) programs for Exshaw families to encourage re-enrollment and community usage in the Exshaw school.

School division representatives will contact parents who have moved their children to Canmore schools, in order to discuss their needs within the Exshaw school and community.

Council directed Administration to write a follow-up letter to the School Board regarding the joint use between the school and the community. Council also directed that Reeve Ryan and Councillor Cooper sit on the liaison committee which will be set up to discuss this issue along with other issues.

7. Moved by Councillor Dunki that Council refund J. & G. Cassidys' full security deposit of \$3,500 upon completion of their access/approach onto Jamieson Road, from the SE quarter of Section 30-26-6-W5.

Moved by Councillor Cooper that Council table the Cassidy's road approach issue until the asphalt apron is constructed to M.D. standards or by September 30, 2005.

CARRIED

Rfd. Cassidys'
dptt on comp
on Jamieson Rd

R:008/05
Tabled until
Sept. 30/05

G. BYLAWS

R:009/05
1st Reading
Bylaw 01/05
Assessment
sub-classes

1. Moved by Deputy Reeve Pepper that Council give first reading to draft Bylaw 01/05, a bylaw to establish assessment sub-classes within Class 1 - Residential Assessment.

CARRIED

R:010/05
2nd Reading
Bylaw 01/05

Moved by Councillor Cooper that Council give second reading to Bylaw 01/05.

CARRIED

R:011/05
Consent for 3rd
Reading
Bylaw 01/05

Moved by Councillor Adams that Council give consent to proceed with third and final reading to Bylaw 01/05 at this meeting.

CARRIED UNANIMOUSLY

R:012/05
3rd Reading
Bylaw 01/05

Moved by Councillor Dunki that Council give third and final reading to Bylaw 01/05.

CARRIED

H. NEW BUSINESS

R:013/05
Cheques issued
rpt accepted as
info

1. Moved by Councillor Cooper that Council accept for information, the report of A/P cheques issued, number 18025 to 18201 in the amount of \$300,113.97 and payroll cheques issued, number 3920 to 3966, in the amount of \$43,813.

CARRIED

R:014/05
App. Council
Expense
payment

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

29 Nov	Dep. Reeve Ryan Dep. Reeve Pepper Coun. Cooper	Dinner w/Canmore Town Council	\$125.00 + mileage
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7 Dec	Reeve Ryan	Bow Valley Community Fnd.	\$125.00 + Mileage
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16 Dec	Reeve Ryan	UDI Luncheon	\$125.00 + Mileage
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and that Councillors Dunki and Adams submit expense claims for the November 29 meeting.

CARRIED

R:015/05
Extend Ghost
Waiparous
agreement; staff
to discuss
similar
agreement with
Summer
Village and
Trails Assoc.

3. Moved by Deputy Reeve Pepper that Council resolve to extend until March 31, 2005 the existing five year agreement with the Ghost/Waiparous Trails Association and the Summer Village of Waiparous that allows the Trails Association to manage, on a day-to-day basis, the recreational lease that Bighorn and Waiparous hold in 12-27-7-W5M (REC #950011); further that Council direct staff to discuss the agreement with the Summer Village and the Trails Association to determine whether

or not a similar five year agreement should be established between the parties after March 31st.

CARRIED

R:016/05
Deletion of
petroleum
storage tank
responsibility
from QMP

4. Moved by Councillor Cooper that Council authorize the deletion of petroleum storage tank responsibility from the M.D.'s Quality Management Plan, noting that the regulatory authority will revert to the Petroleum Tank Management Association of Alberta

CARRIED

R:017/05
Amend
Remuneration
Policy per diem
rate

5. Moved by Councillor Adams that Council amend Policy F.11, Council & Committee Remuneration Policy, by changing the per-diem rate from \$125.00 per meeting to \$130.00 per meeting, effective 1 Jan 2005.

CARRIED

R:018/05
Admin to
proceed with
costing detailed
design work for
Ind. Park

6. Moved by Councillor Cooper that Council authorize Administration to move forward with discussion on engineering costs for detailed design work for the Exshaw Industrial Park servicing (water and sewer) project.

CARRIED

R:019/05
App. donations
to Action for
Agriculture
conference and
final report of
S. E. Slopes
Municipalities
Task Force

7. Moved by Councillor Dunki:
1. That Council authorize a \$500 donation to the 2005 Action for Agriculture conference, to be held February 25th, and that the donation be provided upon receipt of an audited financial statement from the Action for Agriculture group; and
 2. That Council authorize a \$500 donation towards the cost of producing the final report of the Southern East Slopes Municipalities Task Force; and that the donation be forwarded to Clearwater County, which coordinated the final report production.

CARRIED

R:020/05
B. Goeres
appointed as
Acting
Municipal
Secretary to
Dec 31/05

8. Moved by Councillor Adams that Council appoint Brenda Goeres as Acting Municipal Secretary during the term of approximately January 11, 2005 to December 31, 2005 (or to coincide with the regular Municipal Secretary's term of parental leave of absence).

CARRIED

R:021/05
Auth. HH
Waterline
Agreement

9. Moved by Councillor Adams that Council authorize the signing of the Harvie Heights Waterline Agreement, as drafted and circulated.

CARRIED

R:022/05
Invite.
Proposals for
MD solid waste

10. Moved by Deputy Reeve Pepper to authorize Administration to invite contractors to submit proposals for a solid waste program for the entire MD of Bighorn but urge as soon as possible, to move to a complete in-house program.

DEFEATED 4 - 1

OPPOSED:

IN FAVOUR:

Defeated 4- 1

Reeve Ryan
 Deputy Reeve Pepper
 Councillor Cooper
 Councillor Dunki
 Councillor Adams

R:023/05
 In-house waste
 management
 program by
 April/05

Moved by Councillor Adams to authorize Administration to establish an in-house waste management program and to take all necessary steps to have it in operation by April 2005.

CARRIED

R:024/05
 2005 Hamlet
 Spring & Fall
 clean-up dates
 established

11. Moved by Deputy Reeve Pepper that the following dates be used for the 2005 Spring and Fall Cleanups in the Bow Valley Hamlets.

<u>LOCATION</u>	<u>CLEANUP WEEKEND</u>	<u>PICK-UP DATES</u>
Harvie Heights	May 28 & 29, 2005 October 1 & 2, 2005	May 30, 2005 October 3, 2005
Exshaw	June 4 & 5, 2005 September 24 & 25, 2005	June 6, 2005 September 26, 2005
Dead Mans Flats/ Kananaskis Settlement/ Seebe	June 11 & 12, 2005 September 17 & 18, 2005	June 13, 2005 September 19, 2005
Lac des Arcs	June 20 & 21, 2005 September 10 & 11, 2005	June 22, 2005 September 12, 2005
Benchlands	May 21 & 22, 2005 October 8 & 9, 2005	May 24, 2005 October 11, 2005

CARRIED

Approve
 Caretaker
 Agreements
 Policy, include
 MR

12. Moved by Councillor Dunki that Council approve Policy T-17, Caretaker Agreements, based on the Agricultural Services and Environmental Advisory Board recommendation, but to include Municipal Reserve and undeveloped road allowance.

Table Caretaker
 Agreements
 Policy pending
 MR proposals

Moved by Deputy Reeve Pepper that Council table Policy T-17 until Administration can investigate the matter further.

WITHDRAWN

Deputy Reeve Pepper withdrew his motion.

WITHDRAWN

Councillor Dunki withdrew her motion.

R:025/05
Approve
Caretaker Agr.
Policy; include
MR

Moved by Councillor Dunki that Council approve Policy T-17, Caretaker Agreements, based on the Agricultural Services and Environmental Advisory Board recommendation, on undeveloped road allowance; and direct Administration to return with a report on specific MR proposals.

CARRIED

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

J. INFORMATION

R: 026/05
J.1 to J.6. &
J.10. to J.19. be
accepted as info

Moved by Deputy Reeve Pepper that that items J.1 to J.6 and J.10. to J.19. be accepted as information.

CARRIED

(Dep. Reeve Pepper absent)

Deputy Reeve Pepper left the Council Chambers at 4:18 p.m. and did not return.

J.6 Councillor Dunki noted that the Greencover Technical Assistance grant has been secured and that the Agricultural Fieldman be acknowledged for his work on this grant. Council Dunki also noted that the Living in a Natural Environment evening is set for February 4th, 2005 and tickets are available for sale.

J.12 Councillor Dunki noted that Rodger DeBeyer was appointed as a member of the Nominating Committee for the Marigold Board. He should be acknowledged for taking on this responsibility in addition to his regular Board duties.

K. IN CAMERA

R: 027/05
in camera@
2:15 pm

Moved by Councillor Cooper that Council go in camera at 2:15 p.m. to discuss Confidential Matters.

CARRIED

Bill Taylor of Gateway Appraisals remained in the Chambers.

Bill Taylor left the Council Chambers at 2:51 p.m.

R: 028/05
Revert to open
mtg @3:26 pm

Moved by Councillor Cooper that Council go out of Camera at 3:26 p.m.

CARRIED

R: 029/05
Admin to
proceed w/ sale
of leased lands

1. Moved by Councillor Dunki to direct Administration to proceed with notice to the remaining Lessees of lots in the Exshaw Industrial Park that, in accordance with the provisions of the lease agreements, the Lessees shall have twenty-one (21) days from the delivery of the notice to execute the right of first refusal to acquire the Lands from the Lessor (the M.D. of Bighorn) and in the event the Lessees do not exercise the right of first refusal, the Lessor shall be at liberty to proceed to sell the Lands (assigning the respective leases to the purchasers) and further that this only apply to the following four properties; 1. Lot 5, Block 1, Plan 9913384, 2. Lot 8, Block 1, Plan 9913384, 3. Lot 10, Lot 1, Plan 9913384 and 4. Lot 4, Block 2, Plan 9913384.

CARRIED

R: 030/05
Prepare counter
proposal re BHB
purchase of DMF,
for Feb 8 Council

2. Moved by Councillor Cooper to direct Administration to prepare items for consideration in a staff report for the February 8th Council meeting, regarding a counter proposal for BHB's purchase of lands at Dead Man's Flats.

CARRIED

ADJOURNMENT

R: 031/05
Adjournment
@4:20 pm

Moved by Councillor Dunki that the January 11, 2005 Regular Council Meeting be adjourned at 4:20 p.m.

CARRIED
(Dep. Reeve Pepper absent)

REEVE

ACTING MUNICIPAL SECRETARY