

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 10:40 a.m. on Tuesday, October 11, 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 10:40 a.m.

The CAO then presented a painting on behalf of the Minister of Municipal Affairs, in recognition of the M.D.'s participation in Alberta's Centennial. Administration will prepare a thank you letter for the Reeve's signature.

A. APPROVAL OF AGENDA

Moved by Reeve Dunki that the agenda for the October 11, 2005 Regular Council meeting be adopted with the following amendments:

Business Arising Item D.1	Setting meeting dates: - Finance & Economic Development Committee - Municipal Excellence Committee
Business Arising Item D.2	Harvie Heights Lot 18 Update (verbal)
Business Arising Item D.3	Assessment Review Board Minutes (verbal)
Unfinished Business Item F.2	Tabled date should read "October"; handouts added
New Business Item H.8 & H.9	Move J.13 & J.14 to this section
New Business Item H.10	Janitorial Contract (verbal)
New Business Item H.11	Bear Smart (verbal)
New Business Item H.12	Ideas Meeting, Friday Evening, October 14 (verbal)
New Business Item H.13	Calgary Health Region – Cochrane Urgent Care (verbal)
Information Item J.17	RCMP Statistics – Third Quarter

CARRIED

B. MINUTES

1. Moved by Councillor Ryan that the minutes of the September 13, 2005 Council meeting

R: 307/05
Agenda adopted
with amendments

R: 308/05
Sep 13/05
Council minutes

adopted

be adopted as circulated, with the addition of the following wording at the end of the first paragraph in Item 6. on Page 3:

“concern at the Lafarge gravel pit; however, Lafarge has since ...” CARRIED

R: 309/05
Sep 21/05 Pub
Hrg minutes
adopted

2. Moved by Deputy Reeve Adams that the minutes of the September 12, 2005 Public Hearing meeting be adopted as circulated. CARRIED

3. Councillor Pepper declared a Conflict of Interest (as an appellant to the 22-23 Sept 05 Assessment Review Board hearings) and vacated Council Chambers at 1:04 p.m.

R: 310/05
Sep 22-23 ARB
minutes
accepted as info

Moved by Deputy Reeve Adams that the minutes of the September 22-23, 2005 Assessment Review Board meeting be accepted as information. CARRIED
(Coun. PEPPER ABSENT)

C. MEETING NOTES/COMMUNITY MINUTES

R: 311/05
Meeting Notes
received as
information

1. MOVED by Reeve Dunki that Council acknowledge that the following minutes have received approval:

- a) Municipal Planning Commission – September 21, 2005
- b) Heritage Resources Committee – September 19, 2005
- c) Agricultural Services & Environmental Advisory Board – March 18 & May 13, 2005
- d) Community Services Board – April 27, 2005 CARRIED

Councillor Pepper returned to Council Chambers (1:10 p.m.)

D. BUSINESS ARISING FROM THE MINUTES/NOTES

1. Future Meeting Dates

- a) Dates remaining for Ratepayers' Meetings are:
 - Ø Jamieson Road (held at Beaupre Hall) – to occur after Roads Task Force is complete
- b) Councillor Ryan is unavailable for the planned October 31st Finance meeting; it was agreed to reschedule it to Wednesday, November 9 (all day).

A November date is still under discussion for the next Municipal Excellence Committee meeting.

2. Harvie Heights Lot 18 Update

The CAO has called the Harvie Heights Community Association regarding their concern in the switch from MR to ER designation on Lot 18, but has not heard back; he will call again.

3. Assessment Review Board Minutes

- Ø Councillor Ryan expressed concern that the ARB minutes in Item B.3 reflect a difference in the assessor's definition of “agricultural use”, from that of four appellants, and

questioned whether the M.D. needs the MGB (Municipal Government Board) to rule on this definition. His concern is the precedent setting of this year's rulings, which may result in increased appeals next year.

- Ø Reeve Dunki, who sat on the ARB, noted that decisions of that Board were based on evidence presented that day.
- Ø Councillor Ryan wants to ensure that legitimate agricultural uses are being recognized as such and he questions whether the definition of 'agricultural uses' or 'farmland' is clear to both the Board and the Assessor.

Councillor Pepper declared a Conflict of Interest (as an appellant to the 22-23 Sept 05 Assessment Review Board hearings) and vacated Council Chambers at 1:25 p.m.

MOVED by Councillor Ryan to direct Administration to appeal the September 22-23, 2005 ARB decisions regarding land classification (farmland):

Reeve Dunki noted that she must vote because, even as an ARB member, her decision on the pending motion today is as a Councillor. The vote followed on Councillor Ryan's motion.

CARRIED

Councillor Pepper returned to Council Chambers at 1:35 p.m.

E. DELEGATIONS

1. Ruth Oltmann

- Ø Ms. Oltmann presented a petition containing 72 signatures requesting repair of the footbridge at the end of Mount Lorette Drive. Ms. Oltmann outlined the history of the footbridge, damaged last summer from area flooding, and she suggested the possibility of co-funding from the province and/or Lafarge and the M.D. She also suggested parking remedies in this area, due to high visitor numbers. She advised she would be presenting the same petition to Lafarge representatives today.
- Ø The Director of Operations noted the M.D. did not build the bridge, and at the recent Exshaw Ratepayers' meeting Administration heard that residents wanted the bridge removed due to its replacement cost.
- Ø Councillor Cooper, Chair of the Exshaw Community Environmental Committee, added that local industries have recently met to discuss local trails, bridges, and footpaths, but he is unaware of the outcome of those meetings. Councillor Cooper added that the Department of Fisheries and Oceans must also be involved in any bridge reconstruction.

MOVED by Councillor Ryan that Administration be directed to determine the disposition of the upper Exshaw Creek footbridge, including its ownership, and report back on replacement costs and options (flood funding or other options). CARRIED

2. Rowena Lunn, Director - Marigold Library System

(with Jane Smith – Direct Services Clerk & Amanda Kelly, Chair - Exshaw Library)

Ms. Lunn gave a powerpoint presentation outlining Marigold Library Services. This included information on the Marigold member libraries, and services such as:

R: 312/05
Admin to appeal
ARB decision re
land
classification

R: 313/05
Admin to
determine
Exshaw Cr
disposition

Paperbacks by Mail (and depositories), library cards for system wide use, Visunet (CNIB), TRACpac online catalogue for access to 151 libraries, databases for technical manuals, educational programming and Ask a Question online. She noted that a high percentage of M.D. residents - 67% - have TRACcards.

Councillor Cooper thanked the Marigold representatives for their good services and on behalf of the M.D. and the Exshaw Library, presented a signed copy of the recently published *Exshaw History* book to the Marigold Library System.

Reeve Dunki and other Councillors expressed thanks and good wishes to Marigold.

3. Barb Shellian , Senior Manager for Bow Corridor, Calgary Health Region
 - Ø Ms. Shellian updated Council on CHR happenings and programs:
 - Ø She outlined various programs: expansion to seniors' programs, a new seniors' phone surveillance program, and out of the Canmore Hospital - enhanced rehabilitation program, cancer clinic, CT scanning, increased elective and specialty surgery services.
 - Ø CHR is addressing Cochrane after-hours care alternatives because Cochrane has no health services after clinic hours, so this is an urgent concern for that community.
 - Ø The Living Well program may be moved to Canmore.
 - Ø CHR is accelerating planning for pandemics by assisting community members to first know how to help themselves and their family members by identifying symptoms and understanding expectations (schools closed, not travelling), so public education will increase in this area.

Discussion:

- Ø Ms. Shellian answered questions from Council regarding youth support programs, seniors' awareness of pandemics, seniors' needs for Category 3 services. Regarding the latter, she noted that long term care beds are adequate in the Bow Corridor for the next decade, with no wait lists, but supportive living, or the personal care option, is needed. CHR is currently conducting a pilot project at Abbeyfield House residence in Banff by changing beds into supportive care, versus having to build a facility. A future scenario under consideration over the next few years would be to have three or four beds in a private residence, and how to contract such a program.
- Ø Dr. Nichol, Canmore heart specialist, is retiring but another physician from Calgary is currently considering the service on a visiting basis or through a satellite clinic in Canmore.
- Ø Ms. Shellian replied to questions on the process and handling of public information for immunization.
- Ø Councillor Cooper updated Ms. Shellian on his Clean Air Strategy Alliance activities.
- Ø Regarding pandemics, Ms. Shellian will send Alberta Health information to the M.D. office. She emphasized the need for simple steps such as washing of hands (to prevent pandemics), and educating families about pandemics.
- Ø She also clarified that the travel assistance family program is an adult day program, which provides a handibus to bring patients to the day program at the hospital, not for specific doctors' appointments.
- Ø Regarding immunizations and flu shots, the CHR is currently tracking flu statistics and

rotation of stockpiled antiviral medications.

- Ø Reeve Dunki requested that the CHR consider a pilot seniors service in Exshaw, and thanked Ms. Shellian for her continuing work on the M.D.'s behalf.

F. UNFINISHED BUSINESS

1. The Assistant Municipal Manager reported on the outcome of workshops last year regarding the possible need to regulate control of horses or llamas on properties within the Hamlet of Benchlands and recommended that a public meeting be held with hamlet residents to discuss the issue. Councillors discussed whether to proceed with a Land Use Bylaw amendment, which will then require a public hearing, or to first pursue further meetings with residents.

MOVED by Councillor Ryan that staff proceed writing a Benchlands Land Use Bylaw zoning amendment (18-Z/04) for Council's consideration. **DEFEATED**

MOVED by Deputy Reeve Adams that Council direct staff to host a public meeting for residents and ratepayers of the Hamlet of Benchlands in order to discuss and finalize a draft bylaw that would amend Land Use Bylaw No. 19/96 as it applies to the keeping of horses and llamas in the Hamlet, and in this context the direction of said amendment is to be the establishment in the Land Use Bylaw of a requirement for a development permit and establishment of conditions of approval for the keeping of horses and llamas in Benchlands. **CARRIED**

Administration will consider a December meeting date at the new Benchlands Firehall.

2. The Director of Operations provided background information on the tabled Cassidy road approach issue, recommending that the deposit of \$3,500 be only partially refunded (due to completion of the approved road approach), but holding back \$1,900 for removal of two other illegal approaches.

Moved by Reeve Dunki that the Cassidys be refunded the entire \$3,500 which they paid to facilitate the Jamieson Road approach. **DEFEATED**

Moved by Deputy Reeve Adams that a refund of \$1,595.05 be forwarded to J&G Cassidy, following the completion of the road approach from their property at SE 30-26-6-W5 onto Jamieson Road. **CARRIED**

3. The Corvis Study on infrastructure cost recovery will tentatively be completed next week.

Moved by Councillor Councillor Ryan that Council direct staff to postpone ratepayer notification and related activity regarding draft Bylaw 17/05, a bylaw to establish an off-site levy for Harvie Heights, until the Corvis study on infrastructure cost recovery is completed. **CARRIED**

G. BYLAWS

R: 314/05
Admin to prep
Benchlands
LUB amendm.
DEFEATED

R: 315/05
Admin to host
mtg of Bench
residents re
horses/llamas &
regulatory
processes

R: 316/05
DEFEATED

R: 317/05
Refund Cassidys
when approach
completed

R: 318/05
BL 17/05
postponed till
Corvis study
completed

1. On the proposed Rafter Six Ranch Resort Area Structure Plan Bylaw 13/05, the Assistant Municipal Manager explained that his recommendations indicate approval of Phase I, elimination of Phase II and approval in principal of Phases III and IV, pending continued work with the applicant. Concerns raised by Council include overall impact, effect on adjacent lands and the need for information on agricultural practices via an environmental impact study.

Moved by Councillor Ryan that Council direct staff to work with the applicant to revise the draft Rafter Six Ranch Resort Area Structure Plan, the subject of proposed Bylaw 13/05, based on input received at the public hearing and then return the revised version to Council for consideration of second reading, and that said revisions clarify that:

- proposed Phases III and IV are not necessarily approved as a result of approval of the Area Structure Plan, and will require future consideration;
- a significant factor in that future consideration will be infrastructure provision and location, and possible flora and fauna impacts;
- there is the need for more detailed, longer-term wildlife studies prior to approval of anything more than Phase I;
- development of the 3.72 acre parcel (Phase II) is generally prohibited for wildlife corridor protection reasons unless further study proves otherwise;
- subdivision of the parcels, except as already allowed in the Land Use Bylaw, will not be allowed;
- the MD will not generally request relaxations to Provincial setback requirements for sewer facilities;
- there is a time-line and mechanism for provision of items not substantially dealt with in the draft Area Structure Plan (such as storm water management and architectural guidelines);
- that other minor corrections, such as responsibility for access road construction, be made; and
- equine/livestock management be addressed. CARRIED

2. On the proposed Waste Management Bylaw 08/05, the following corrections were made prior to first reading:

- ∅ The spelling of “disposal” will be corrected in 1(a)(iii) and any other occurrences.
- ∅ The definition of “animal waste” in Section 2(a) will be changed to read “unless” instead of “provided”

Moved by Councillor Ryan that Council give first reading to Bylaw 08/05, the Solid Waste Bylaw, as drafted, and request Administration advertise for public comment/give public notice of the draft bylaw, prior to consideration of second reading. CARRIED

H. NEW BUSINESS

1. **MOVED** by Councillor Ryan that Council receive for information, the report of A/P cheques issued, number 19162 to 19286 in the amount of \$222,402.27 and payroll cheques issued, number 4334-4388, in the amount of \$46,602.88. CARRIED

R: 319/05
Admin to work
with Rafter Six
further on various
revisions, adding
equine/livestock
management

R: 320/05
1st Reading
given to BL
08/05 and
advertise for
public
notification

R: 321/05
Cheques issued
report received
as information

|

R: 322/05
Budget/Actual
Spending reports
received as
information

R: 323/05
Council
Expense
payments
approved

R: 324/05
Approval to enter
Rocky View
Mutual Aid
agreement

2. Moved by Councillor Ryan that Council review and accept the Balance Sheet and Budget vs. Actual Spending Report for September 2005 before adjustments and review by the auditor. CARRIED

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

22 Sep	Coun. Dunki	Calgary Health Region session in Cochrane	\$130 + mileage
--------	-------------	---	-----------------

12 Aug	Reeve Ryan	Mtg. re Hwy 1A parking lots w/Alta.Comm. Dev + AIT	\$130
--------	------------	--	-------

16 Sep	Coun Cooper	ATCO session in Canmore	\$130 + mileage
--------	-------------	-------------------------	-----------------

21 Sep	All Councillors	Info mtg. re Ghost Waiparous Access Management Plan with R. Blackwood, ASRD	\$650 + mileage
--------	-----------------	---	-----------------

CARRIED

4. Moved by Councillor Pepper that Council enter into a Mutual Aid Fire Control Agreement with the M.D. of Rockyview, for fire protection, as per the draft agreement circulated. CARRIED

5. The CAO will request the following meetings at the upcoming AAMD&C Fall convention in Edmonton on November 14-17:

- Ø Sustainable Resources (pine beetle costs)
- Ø Southeastern Slopes via Intermunicipal Group (FMA representation)
- Ø Infrastructure & Transportation (follow-up letter to recent meeting)
- Ø Seniors' Minister Yvonne Fritz (Level 3 in Bow Corridor)
- Ø Community Development Minister Gary Marr (express support and personal thanks for parking lot developments)

6. Councillor Ryan declared a Conflict of Interest as a property owner on the Exshaw laneway encroachment issue and left Council Chambers at 3:05 p.m.

The Assistant Municipal Manager outlined the history of the laneway adjacent to the properties in Block 6 Plan 7921GP in Exshaw; he also displayed the laneway plan, and the government road allowances in this area. Administration recommends giving notice to owners to bring their fences, buildings, etc. into compliance, within a time frame, because the status quo is dangerous over time, making removal of structures more difficult. The M.D. of Bighorn may also wish to expand use of the laneway in the future. The power company will also have an interest in any sales of property along this lane. Future expansion of M.D. buildings is also an issue.

Moved by Councillor Pepper that the MD of Bighorn give notice to all property owners in Block 6, Plan 7921 G.P. (west side of Mount Allen Drive in Exshaw) that they will be required to remove their buildings, fences and other chattels from the laneway at the rear of their properties within 60 days if the MD of Bighorn requires such removal and, in any event, will be required to remove those items by September 1, 2010; and further that this notice be placed on the titles of those properties so that future land owners are aware of this requirement.

Following discussion of the motion, Councillor Pepper withdrew his motion with the Unanimous Consent of other Councilors present.

Moved by Councillor Cooper to table the Exshaw Laneway issue to the November Council Meeting. **CARRIED**

Councillor Ryan returned to Council Chambers at 3:20 p.m.

7. Councillor Ryan explained that the purpose of his upcoming trip to China is to consider a manufacturer (Raydar Trading) as a destination for mixed plastic recyclables which are currently separated locally before recycling. Other delegates are attending and will tour facilities and meet officials. Councillor Ryan noted they will also consider human rights issues, working conditions, etc. The trip expenses are paid by Raydar Trading and he will not claim per diems but will claim mileage to airports and immunization shots. On his return he will meeting with Alberta Environment officials.
8. Deputy Reeve Adams will attend the Calgary Health Region forum on Thursday, October 20th.
9. Councillor Ryan will attend the opening, on Friday, October 21st, of the Mountain View County building. The M.D. will send a congratulatory gift with Councillor Ryan.
10. The CAO advised that the present janitor has resigned their contract, which will require advertising, re-tendering and awarding of a replacement contract.

Moved by Deputy Reeve Adams to give Administration permission to advertise, re-tender and award tender for the janitorial contract for the M.D. offices. **CARRIED**
11. Councillor Cooper informed Council of the "BearSmart Communities" bear awareness program and education initiatives which have occurred through recent meetings. A Steering Committee has started up, with their work/program to be partially funded via Jim Pissot and Defenders of Wildlife. Canmore Councillor Corina Dootjes is co-chair and Councillor Cooper will assist with this meeting. He will relay minutes of meetings to Councillors, who can pass the information on to their rural ratepayers.
12. Councillor Pepper invited other Councillors to an Ideas Group (Cochrane) meeting this Friday evening at his residence.
13. Reeve Dunki recently attended a meeting between the CHR Board and Cochrane & area

R: 325/05
Exshaw
Laneway tabled
to November
Council mtd.

R: 326/05
Admin to tender
& aware
janitorial
contract

interested individuals, to discuss the need for 24-hour emergency health care in Cochrane. The CHR board will discuss this issue at their next meeting; Cochrane will attend that meeting.

By direction and further to Ms. Shellian's presentation today, the Reeve will send a letter of support to the Calgary Health Region (cc'd to the Town of Cochrane), supporting the need for emergency and mental health care for residents of the Town of Cochrane.

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

Administration was directed to:

- Ø Draft a letter to MLA Tarchuk requesting a response to the status of Jura Creek repair.
- Ø Continue contacting other municipalities regarding a meeting on a joint response to the provincial school tax.

- Ø Councillor Pepper expressed concerns with the results of the Alberta Environment report regarding the dike on Ghost River adjacent to the Benchlands; Councillor Pepper was encouraged to put his concerns in writing to other Councillors. The CAO advised Councillor Pepper that the contact for that TransAlta owned property is Roy Montieth.
- Ø Reeve Dunki thanked Administration for the good work being done by the new waste management operator on Jamieson Road.

J. INFORMATION

Moved by Deputy Reeve Adams that items J.1 to J.12 and J.15-J.17 be accepted as information. CARRIED

K. IN CAMERA

Moved by Councillor Pepper that Council go in camera at 3:55 p.m. CARRIED

Moved by Deputy Reeve Adams that Council go out of camera at 5:00 p.m. CARRIED

1. Moved by Deputy Reeve Adams that Council authorize Administration to proceed with the notice/advertisement of the availability of Lots 5, 8, and 10 in Block 1, and Lot 4 Block 2, all in Plan 991-3384 (Exshaw Industrial Park), which are presently leased, with the following conditions noted in the advertisements/notices:

- sales to be by sealed tender, with a reserve price of \$6.50 per square foot;
- potential purchasers must be prepared to accept the assignment of current leases on the properties; and
- potential purchasers are to be aware of pending water/sewer services installation, and the subsequent local improvement charges to be payable on the properties.

and to obtain a market value appraisal in order to determine a reserve bid. CARRIED

Moved by Councillor Ryan to direct Administration to pursue an environmental assessment of Lot 10 in the Exshaw Industrial Compound. CARRIED

R: 327/05
J.1 - J.12 &
J.15-J.17
accepted as info

R: 328/05
Go in camera @
3:55 pm

R: 329/05
Revert to open
mtg @ 5:00 pm

R: 330/05
Admin to
advertise Ind.
Park lots w/
conditions

R: 331/05
Admin to pursue
enviro
assessment on
Lot 10 Ind. Park

R: 332/05
Admin to
execute BHB
purchase agreem

2. Moved by Councillor Pepper that Council authorize the execution of the Purchase Agreement with BHB Canmore Ltd., for the ±32. 5 acre site at Dead Man's Flats, and the 24 Aug 05 Letter of Intent on same. **CARRIED**

R: 333/05
Admin to write
ARB Chair to
request
clarification of
process

3. Moved by Councillor Ryan to direct Administration to write a letter to the Chair of the Assessment Review Board, requesting clarification on the swearing in process at the recent ARB hearings. **CARRIED**

ADJOURNMENT

R: 334/05
Adjournment @
5:05 pm

Moved by Councillor Ryan that the October 11, 2005 Regular Council Meeting adjourn at 5:05 p.m. **CARRIED**

REEVE

ACTING MUNICIPAL SECRETARY