

## MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, September 13, 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

<b>STAFF:</b> MARTIN BUCKLEY	CHIEF ADMINISTRATIVE OFFICER
GREG BIRCH	ASSISTANT MUNICIPAL MANAGER
BRENDA GOERES	ACTING MUNICIPAL SECRETARY
HUGH PETTIGREW	DIRECTOR OF OPERATIONS

### 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 September 13, 2005 Regular Council meeting be adopted with the following amendments:

- |                                 |   |
|---------------------------------|---|
| - Business Arising Item D.4     | Additional handout  |
| - Business Arising Item D.9     | Letter from Janis Tarchuk, MLA (August 4, 2005)<br>RE: West Jumping Pound Road (Moved from Item J.10) |
| - Business Arising Item D.10    | Highway 40 (verbal report)  |
| - Unfinished Business Item F. 9 | Email RE: Minister Oberg meeting with Council   |
| - Unfinished Business Item F. 6 | GWAMP Update (verbal report)  |
| - Unfinished Business Item F. 7 | Biosolids Processing in MD Boundaries (verbal report)   |
| - Unfinished Business Item F. 8 | School Foundation Funds   |
| - New Business Item H.15        | Exshaw Community Environment Committee Terms<br>of Reference (verbal report)                          |
| - In Camera Item K.2            | Meeting with Airdrie & Cochrane Mayors  |
| - In Camera Item K.3            | Meeting Request   |
| - In Camera Item K.4            | South Ranchlands Land Matter  |

CARRIED

### B. MINUTES

1. Moved by Deputy Reeve Pepper that the minutes of the August 9, 2005 Council meeting be adopted as circulated. CARRIED

R: 261/05  
Sep 13/05  
agenda adopted  
as amended

R: 262/05  
Aug 9/05  
Council min.  
adopted

R: 263/05  
Meeting Notes  
received as  
information

**C. MEETING NOTES/COMMUNITY MINUTES**

1. Moved by Councillor Adams that Council acknowledge that the following minutes have received approval:
  - a) Municipal Excellence Committee – February 28, 2005
  - b) Exshaw Community Environment Committee - June 1, 2005
  - c) Municipal Planning Commission – August 17, 2005

CARRIED

**D. BUSINESS ARISING FROM THE MINUTES/NOTES**

1. Future Meeting Dates  
Dates remaining for Ratepayers' Meetings are:
  - Ø Jamieson Road (held at Beaupre Hall) – to occur after Roads Task Force is complete and the M.D.'s solicitor comments are received and considered.
  - Ø North Ranchlands (held at Water Valley Community Hall) – Thursday, September 15, 7:00 p.m.
  - Ø West Jumping Pound (held at West Jumping Pound Community Hall) – Wednesday, September 21, 7:00 p.m.
2. The Director of Operations reported that dust control at the approaches to portions of Highway 68 intersections would cost \$3,500 in calcium chloride brine costs, for north and south approaches. Although maintenance of this road is a provincial responsibility, Councillor Dunki noted that Alberta Infrastructure & Transportation has indicated that the Highway does not meet its requirements for dust suppression measures (in terms of traffic volumes).

Councillors discussed concerns with precedent setting and whether this issue should again be presented to Alberta Infrastructure and Transportation. Councillor Dunki noted this is the M.D.'s only dust control request she is personally aware of, and that Alberta Infrastructure and Transportation recently implemented dust control at a Provincial campground on Highway 68, which is only used seasonally.

By direction, Administration will consider 50% or approximately \$1800 in the 2006 budget deliberations, for implementing dust control/road maintenance near the north West Jumping Pound area access point

3. Administration reported back on the grant accounting and tracking process they use to ensure funding for the prior year has been properly accounted for. This review has indicated three outstanding grant files from 2004, which they will follow-up on.
4. Moved by Councillor Cooper that Administration include the sum of \$3,000 in the draft 2006 budget for Exshaw Beach improvements (movement of berm, installation of signage and an animal proof waste container), as outlined in the information report.

CARRIED

R: 264/05  
Proceed with  
Exshaw Beach  
modifications

5. The CAO reported that he has received verbal notice that the M.D. has lost the bid to purchase the Town of Canmore's bylaw enforcement vehicle; Administration has not yet pursued other vehicle purchases but will be meeting with future bylaw enforcement staff regarding contracted services and any vehicle needs they may have.

Reeve Ryan distributed a report on progress on the parking area at Rat's Nest Cave. Funds have been approved by the Province to develop the parking lot which will then be maintained by Alberta Community Development.

6. Councillors discussed concerns with potential of Jura Creek re-flooding and possible contamination of downstream private properties if the Exshaw lift station floods. The Creek banks are the Province's responsibility, so consideration should be given to building a berm around the lift station. Timing of this was also discussed, since flooding season is presumably over for this year. Grotto Creek is also a flooding concern at the Lafarge gravel pit; however, Lafarge has since created a quarry "hole" to solve any runoff concerns.

Administration was directed to write the Province again, expressing in writing, M.D. Council's concerns with the safety of the Jura Creek lift station and to determine the status of this matter.

Moved by Councillor Cooper that Council direct Administration to investigate means and costs to protect the integrity of the East Exshaw sewage lift station, in the event of future flooding. CARRIED

Councillors then considered a motion to repair Jura Creek immediately but it was withdrawn on Unanimous Consent, pending the outcomes of the above actions.

8. Councillors set a time of Monday, September 19, from 1:00 to 3:00 p.m. for their first Historical Sites Steering Committee meeting.
9. Councillor Dunki expressed appreciation for the recent letter received from our MLA regarding funding for road maintenance in the West Jumping Pound area, but noted that the funds are "vastly insufficient" to address that area's needs. Administration was directed to re-state the M.D.'s original request for West Jumping Pound.
10. Deputy Reeve Pepper thanked Administration for their correspondence to Alberta Infrastructure & Transportation, requesting road work on Highway 40: the road has recently been fixed considerably. Administration was directed to send a thank you letter to the province and encourage continued maintenance of this road.

R: 265/05  
Admin to  
investigate  
protection of  
Exshaw lift  
station

**E. DELEGATIONS**

**F. UNFINISHED BUSINESS**

The Assistant Municipal Manager discussed proposed Bylaw 17/03 a 2003 bylaw which would provide cost recovery for a future water system in Exshaw; the Bylaw was given first reading on December 8, 2003. With the recent completion of the Exshaw Water System Master Plan, Administration reported on other funding alternatives and cost changes, which Council may wish to consider. Rescinding the bylaw would allow a new bylaw to be created in future, if desired.

1. Moved by Councillor Adams that Council agree to let draft Bylaw 17/03 be rescinded pursuant to s.188(a) of the Municipal Government Act, and direct staff to investigate other means by which the municipal costs associated with an Exshaw water system could be fairly recovered from those benefiting from the water system. **CARRIED**

3. Moved by Councillor Dunki that Council table the Jamieson Road Approach Issue to the October Council meeting, pending clarification on a letter sent to the property owners. **CARRIED**

4. This was discussed above in Item D.10.

5. The Assistant Municipal Manager will be considering new information from the consultant's report in the next few weeks which may allow for blending of water/sewer costs. He will communicate this information to Harvie Heights residents and report back to Council.

6. Ghost Waiparous Access Management Plan Update – Councillor Dunki: (verbal report)

**MOVED** by Councillor Dunki that Council table the Ghost Waiparous Access Management Plan update to the Incamera session, under Item K.3. **CARRIED**

7. Biosolids Processing in MD Boundaries: (verbal report)

The Reeve stated that at the recent ECEC meeting Lafarge confirmed that they were discussing the processing of Canmore's untreated bio-solids in Exshaw, with Epcor, the contractor for the Town of Canmore's waster water treatment plant. Reeve Ryan questioned the Planning Officer (Assistant Municipal Manager) on what the process would be if Lafarge were to pursue this? The Planning Officer stated that he believed that this use is neither a permitted nor a discretionary use in the M.D., and would therefore require a Land Use Bylaw change even if it were supported. Council also expressed transportation and environmental concerns.

Administration was directed to follow-up on the Lafarge biosolids issue, with the necessary notifications to the appropriate people, in order to expedite the proper M.D. planning processes (development permit application, Land Use Bylaw amendment).

R: 266/05  
Bylaw 17/03  
rescinded

R: 267/05  
Jamieson Rd.  
issued TABLED  
to Oct.; letter to  
be clarified

R: 268/05  
Agenda  
amendment

8. School Foundation Funds: (handout)

A list of 14 municipalities' school requisition amounts was distributed to Council; the M.D. is the second largest contributor in the province, the first being the Town of Canmore.

MOVED by Councillor Dunki that Council allow the Reeve to write a letter to invite the following 10 highest contributing municipalities in order to call a meeting of elected officials and/or Administration, to discuss potential actions which would remediate concerns with school tax requisitions.

Top 10 Contributors:

M.D. of Bighorn, Canmore, M.D. of Rockyview, M.D. Foothills, Redwood Meadows, Calgary, Okotoks, Cochrane, High River, Turner Valley

Others:

Chestermere, Black Diamond, Airdrie, Strathmore

CARRIED

9. Email RE: Minister Oberg meeting with Council

Administration will try to re-arrange a scheduled meeting time with Infrastructure and Transportation Minister Lyle Oberg in order to meet him following his October 3<sup>rd</sup> Waiparous meeting, and to invite him to lunch.

**G. BYLAWS**

1. MOVED by Councillor Adams that Council give second Reading to Bylaw 06/05, the Domestic Animal Control Bylaw. CARRIED

MOVED by Deputy Reeve Pepper that Council give third Reading to Bylaw 06/05. CARRIED

2. MOVED by Councillor Dunki that Council give second reading to draft Bylaw 15/05, a bylaw requiring installation of low water use plumbing fixtures in new and renovated buildings in the M.D. CARRIED

MOVED by Councillor Cooper that Council give third Reading to Bylaw 15/05.

CARRIED

**H. NEW BUSINESS**

1. MOVED by Councillor Cooper that Council accept for information, the report of A/P cheques issued, number 19068 to 19161 in the amount of \$308,660.30 and payroll cheques issued, number 4334-4388, in the amount of \$46,602.88. CARRIED

R: 269/05  
Reeve to invite municipalities for discussion on school tax requisitions

R: 270/05  
2<sup>nd</sup> Rdg given to BL 06/05

R: 271/05  
3<sup>rd</sup> Rdg given to BL 06/05

R: 272/05  
2<sup>nd</sup> Rdg given to BL 15/05

R: 273/05  
3<sup>rd</sup> Rdg given to BL 15/05

R: 274/05  
Cheques issued report received as information

R: 275/05  
Budget/Actual  
Spending report  
rec'd as info

2. MOVED by Councillor Dunki that Council review and accept the Balance Sheets and Budget vs. Actual Spending Reports for July and August 2005 before adjustments and review by the auditor. **CARRIED**

R: 276/05  
Council expense  
payments  
approved

3. MOVED by Councillor Dunki that Council consider approval of payment for the following meeting expense claims, from the Contingency Allowance:

28 July	Reeve Ryan	Meeting with Mayors of Airdrie & Cochrane regional initiatives	\$130.00 + mileage
11 Aug	Reeve Ryan	Council of the Federation Dinner in Banff	\$130.00 + mileage
12 Aug	Reeve Ryan & Coun. Cooper	Meeting w/ Community Dev. & Transportation re Rats Nest Cave	\$260.00
20 Aug	Reeve Ryan	Centennial presentation to Johnny Boychuk	\$130.00
19 Aug	Coun. Adams, Cooper, Pepper, Ryan	Planning 101 session	\$520.00 + mileage

**CARRIED**

R: 277/05  
Council & CAO  
to attend  
AAMD&C,  
receive per  
diems &  
authorize  
overexpenditure

4. MOVED by Councillor Dunki that Council:
- Authorize all Councillors and the CAO to attend the Fall A.A.M.D. & C. Convention to be held on November 14-17, 2005;
  - Those delegates be authorized to attend receive per-diems, in accordance with the Council & Committee Remuneration Policy; and
  - Recognize/authorize the overexpenditure of funds in Line 2-11-00-202, Council Conferences & Conventions account.
- CARRIED**

The Municipal Secretary will provide more information on the "TBA" sessions, banquet speaker, etc. as same becomes known.

R: 278/05  
2 resolutions  
approved for  
CAAMD&C  
(RE: pine beetle  
program &  
school  
foundation)

5. MOVED by Councillor Adams that Council approve the "Mountain Pine Beetle Program" and "Payment of Alberta School Foundation Fund requisition" resolutions as drafted, and authorize the submission of same to the AAMD&C annual Fall convention, through the CAAMD&C Fall Zone meeting. **CARRIED**

The CAO will add a note in the background information for the Mountain Pine Beetle resolution, that municipalities should be reimbursed for costs of infestation removal, if other levels of government are being reimbursed for same.

6. The CAO presented a provincial questionnaire which could, in the future, be considered if the M.D. wishes to charge a levy on sand and gravel operations, which would also

require further Council consideration and the passage of a bylaw.

R: 279/05  
Aggregate  
questionnaire  
authorized

MOVED by Councillor Dunki that Council authorize Administration to forward the Stakeholder Questionnaire regarding the Proposed Regulation on Community Aggregate Payment Levy, as completed and circulated.. CARRIED

7. Councillor Cooper declared a Conflict of Interest in this matter and vacated Council Chambers (1:25 pm).

R: 280/05  
Purchase of 18  
history books  
authorized

MOVED by Councillor Adams that Council authorize the purchase of eighteen Exshaw history books, from the Exshaw Historical Society, for distribution to the following: Canmore/Cochrane/Cremona/Exshaw public libraries, the Marigold Regional Library System, schools in the area (four in Canmore, one in Exshaw), seniors' centres in Canmore and Exshaw (Heart Mountain Go-Getters), Councillors and the M.D. office, with funds to come from the Municipal Excellence Committee account. CARRIED

Councillor Cooper returned to Council Chambers (1:27 pm).

R: 281/05  
Mtn View EMS  
agreement  
authorized

8. MOVED by Deputy Reeve Pepper that Council authorize the execution of the draft agreement with Mountain View Regional Emergency Services, as attached, for ambulance service provision for the North Ranchlands area of the M.D. CARRIED
9. Alberta Community Development has requested the M.D.'s permission to build a vehicle access off Harvie Heights Road for a trailhead parking lot the province will be developing. The Assistant Municipal Manager understands informally that the Harvie Heights Community Association has no objections to the creation of the lot.

R: 282/05  
Harvie Hts road  
access by Alta  
Comm. Devt  
approved

MOVED by Councillor Dunki that Council approve the development of an access onto Harvie Heights Road, east of the dry creekbed, to allow the construction of a trailhead parking area by Alberta Community Development provided that the vehicle access is built in accordance with Bighorn's Road Approach Specifications Policy No. T-2 and is done at no cost to the M.D. CARRIED

Council discussed concerns with increased tour bus parking when this lot is created, however, the CAO noted that the approach must adhere to the M.D.'s Road Policy T-2.

R: 283/05  
Ongoing  
discussions on  
Harvie Hts lot  
encouraged

MOVED by Councillor Cooper to recommend and encourage ongoing discussions between the M.D., Harvie Heights Community Association and Alberta Community Development, regarding the impacts this parking lot has on the Harvie Heights Community. CARRIED

10. The Assistant Municipal Manager notified Council that costs for the engineering pre-design for the Exshaw water system may increase if the consultants pursue location of a water source that is not under the influence of surface water. This may then require a deep well and result in increased expenditures of up to \$30,000.

R: 284/05  
Exshaw water

update rec'd as  
info

MOVED by Councillor Adams to receive as information, the report on the Exshaw Water System Hydrogeology Study, regarding potential cost overruns. CARRIED

11. The Community Services Coordinator submitted a report on installation of Exshaw trails signage and development of a parking area, which recommendation has evolved out of discussions with the community trails committee and residents. It arose from concerns with users crossing private land and parking in an undesignated area. Lafarge has apparently stated in writing that they have no objection to this use which is partially on their property.

R: 285/05  
Trail signage  
approved  
pending written  
Lafarge consent,  
approved  
funding &  
signage

MOVED by Councillor Dunki that, subject to written consent from Lafarge Canada, that Council approve the installation of trail signage on the Forest, Big Berm and Exshaw Creek Trails; the development, subject to funding, of a trailhead parking area on MD of Bighorn land between the Exshaw Firehall and the Public Works Yard on Mt. Allen Drive; and a sign at the northwest corner of Mt. Lorette Drive indicating the location of the new trailhead parking area.. CARRIED

12. Council and the Director of Operations discussed de-icing materials and snowfall guidelines in reference to the South and North (next agenda item) Ranchlands blading contracts. The Director will ensure sensors are installed to ensure the contractor adheres to blading schedules and locations.

R: 286/05  
S. Ranchlands  
blading contract  
awarded

MOVED by Councillor Dunki that Council award the Snow Removal/Summer Blading Contract for the South Ranchlands area to Leo Brown Trucking Ltd. for a three year period and authorize the Reeve and Municipal Secretary to sign the agreement. CARRIED

Other snow removal issues will be discussed during budget deliberations.

13. MOVED by Deputy Reeve Pepper that Council award the Snow Removal/Summer Blading Contract for the North Ranchlands area to Jimcon Contracting Inc., for a three year period and authorize the Reeve and Municipal Secretary to sign the agreement. CARRIED

R: 287/05  
N. Ranchlands  
blading contract  
awarded

14. MOVED by Councillor Dunki that members of Council and Administration attend the FCM "Land Management in Local Communities" Calgary seminar on Tuesday, October 4th. CARRIED

R: 288/05  
Council &  
Admin to attend  
Land seminar  
Oct 4

15. Exshaw Community Environment Committee Terms of Reference (verbal report)

Changes to the structure of the above committee were discussed at last week's meeting.

MOVED by Councillor Dunki to amend the Exshaw Community Environmental Committee Terms of Reference as follows:

- a) Add one industrial (Burnco) representative and one residential (Dead Man's Flats) representative and that Council supports this increase of two in membership; and

R: 289/05  
ECEC Terms of  
Ref to be  
amended and  
returned RE:  
membership

- b) That Exshaw Community Environmental Committee return with a recommendation for a name change and Terms of Reference changes, for Council's consideration. CARRIED

**I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL**

Administration was directed to:

- Ø Follow-up on the agreement regarding Lot 18 in Harvie Heights
- Ø Report back on estimate for work on Pork Chop Hill (new bid requested due to change in scope of work)
- Ø Pursue BCEAG bear awareness via placing it on the agenda for discussion at the next Exshaw Community Environmental Committee meeting

**J. INFORMATION**

Moved by Councillor Cooper that items J.1 to J.13 be accepted as information. CARRIED

R: 290/05  
J.1 - J.13  
accepted as info

**K. IN CAMERA**

Moved by Councillor Cooper that Council go in camera at 3:06 p.m. CARRIED

R: 291/05  
In cam 3:06 pm

Moved by Councillor Adams that Council go out of camera at 4:38 p.m. CARRIED

R: 292/05  
Revert to open  
mtg 4:38 pm

Moved by Deputy Reeve Pepper that Council direct its solicitor to move in an expeditious manner to have the dogs removed from the J. Craig property, taking into account the pending judicial review application of Mr. Craig. CARRIED

R: 293/05  
Solicitor to have  
dogs removed  
from Craig  
property

**ADJOURNMENT**

Moved by Councillor Adams that the September 13, 2005 Regular Council Meeting adjourn at 4:39 p.m. CARRIED

R: 294/05  
Adjournment @  
4:39 pm

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REEVE

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ACTING MUNICIPAL SECRETARY