

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, November 7, 2006
in the Council Chambers, M.D. offices, with the following persons present:

COUNCIL:

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

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

CALL TO ORDER

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

A. APPROVAL OF AGENDA

Moved by Councillor Adams that the agenda for the November 7, 2006 Regular Council meeting be adopted with the following amendments:

- | | |
|-----------------------------|--|
| - Business Arising D.1.a): | Finance Meeting |
| - Unfinished Business F.3.: | Additional information |
| - Unfinished Business F.5.: | Waste Management Bylaw Matter |
| - New Business Item H.19.: | Move Agenda Item J.14 to New Business |
| - New Business Item H.20.: | Move Agenda Item J.12 to New Business |
| - New Business Item H.21.: | Move Agenda Item J.16 to New Business |
| - New Business Item H.6.: | Additional information |
| - New Business Item H.10.: | Additional information |
| - New Business Item H.15.: | Additional information |
| - New Business Item H.18.: | Additional information |
| - Information Item J.19.: | Report on Synergy held on Oct 29 to Oct 31 |
| - Information Item J.20.: | Statistics for July-September 2006 from the Canmore Detachment Rural |
| - Information Item J.21.: | Thank your from D. Edge RE: 2006 Appreciation Certificate |

CARRIED

B. MINUTES

1. Moved by Deputy Reeve Pepper that the minutes of the October 10, 2006 Council

Council min.
adopted with
amendment

meeting be adopted with the following amendment:

- Page 6, item 17., third paragraph, change the word 'residence' to 'residents'.

CARRIED

R: 345/06
Oct.10/06 Org.
minutes adopted

2. Moved by Councillor Cooper that the minutes of the October 10, 2006 Organizational meeting be adopted as circulated. CARRIED

R: 346/06
Acknowledge
Committee/
Board minutes
that received
approval

C. MEETING NOTES/COMMUNITY MINUTES

1. Moved by Councillor Dunki that Council acknowledge that the following minutes have received approval:
 - a) Municipal Planning Commission - September 20, 2006
 - b) Community Services Board - September 13, 2006
 - c) Emergency Services Committee - June 14, 2006
 - d) Agricultural Services & Environmental Advisory Board - September 22, 3006
 - e) Subdivision/Development Appeal Board - September 14, 2006

CARRIED

F&EcDC Nov.
21/06 @9am

D. BUSINESS ARISING FROM THE MINUTES/NOTES

- 1.a) Council agreed that a Finance and Economic Development Committee meeting would be held on November 21, 2006 commencing at 9:00 a.m. at the MD office, to discuss the 2007 budget.

E. DELEGATIONS

1. Staff/Sgt. Shannon Johnson from the Canmore RCMP Detachment was in attendance. She briefed Council on the Community on Patrol group in the Town of Canmore and noted that this could expand to the Hamlets of Lac des Arcs, Exshaw and Harvie Heights. She noted that 15 residents of Canmore belong to this group and that it requires 5 hours per month from each member. She stated that the members receive training and are given a scanner and radios but have to provide their own transportation and gas. She noted that they ride in pairs and a log of where they have been and what they see is maintained. She questioned if Council would know of any residents who would be interested in doing this program within the MD. Councillor Ryan noted that this should be taken to the Community Association levels for their comments. Councillor Adams noted that this is like the Neighbourhood Watch and Rural Crime Watch programs and stated that there is a Lac des Arcs Community Association Meeting on November 19, 2006. Deputy Reeve Pepper questioned if Cochrane has a similar program: Staff/Sgt. Johnson stated that the Cochrane detachment does, and Staff/Sgt. Scott Beck would be the contact person. Councillor Dunki noted that setting specifically-scheduled times for Community on Patrol duties would be hard for people in the rural areas, but residents already carry out similar surveillance, on an informal basis. Council reviewed the 2006 Traffic Plan for Canmore Detachment and the Police Statistics for July-September 2006 and had no questions for Staff/Sgt. Johnson.

2. Frank Burstrom President of the Exshaw Riding Association was in attendance to speak to Council regarding the Riding Association's lease of the M.D. lands in the Exshaw Industrial Park (being Lot 1 Block 1 Plan 9913384). Mr. Burstrom wondered if this lease would be renewed in 2010, when it expires; if not, he requested written notification, so that the Riding Association could go to the Province, to seek another site. He stated that the Riding Association would need funds to move from the current location: the Association has submitted its name to the Gaming Commission, to host a casino, in order to raise funds, but would not have to take this step, if the Association's lease is extended. Councillor Dunki stated that this Riding Association area needs to be in the Community Services Board Master Plan so that it is considered in the long term plan. Reeve Cooper noted that there is pressure for more industrial land in Exshaw and that with the upcoming water/sewer lines for the Industrial Park the land will be more valuable. Reeve Cooper suggested that the Riding Association come with a list of needs so that the MD can work with it. Mr. Burstrom noted that there in the South East corner of the sewage lagoons are the Province owns a small parcel of land which would work but the land needs to be raised and there is no room for expansion. Reeve Cooper stated that a meeting with the Ward 1 Councillors and all of the members of the Exshaw Riding Association is needed. Council also reminded Mr. Burstrom to meet with the Community Services Board and Coordinator to discuss the Riding Associations recreational needs and long term goals within the community.

3. Debbie Oyarzun, Supervisor of the Agricultural Service Board (ASB) Program, with Alberta Agricultural, Food and Rural Development was in attendance to discuss the funding of the ASB Program. She stated that the money for the Program has increased from 5 million to 10.5 million but there is some extra accountability with this increase. She stated that the ASB Program is based on an agreement between the MD and the Minister. Ms. Oyarzun noted that the ASB basic requirements included administration of the following acts: Weed Control Act, Soil Conservation Act, Pest Control Act and Livestock Disease Act. She noted that each Agricultural Service Board is entitled to up to \$150,000 per year: the MD of Bighorn, at the present time, is receiving only \$62,000, and she would like to increase that allotment. Ms. Oyarzun felt the MD needs promote communication and education on the ASB programs. The Municipal Finance Officer noted that the MD pays 40% of the agricultural services' annual budget, with the remainder covered by the Agricultural Service Board Program: only certain things can be covered (the program will not cover the cost of asset acquisition, but will pay for the maintenance, insurance etc. of the assets). Councillor Dunki stated that with more people moving into the MD rural area, support for diverse livestock operations would be a benefit.

F. UNFINISHED BUSINESS

1. There was no new information on the Community Aggregate Payment Levy Bylaw.

2. The Assistant Municipal Manager noted that there needs to be a correction on the mapping diagram for Road Closure bylaw 05/05, and that this issue is being worked on.

R: 347/06
Amend Sept 06
Economic
Development
Strategic Plan

3. Moved by Deputy Reeve Pepper that the following amendments be made to the September 2006 Economic Development Strategic Plan:
- Chart - Issues for the Future - 2016, under Jamieson Road add “Developing a balance between agricultural and country residential development”
 - Chart - Issues for the Future - 2016, under West Jumping Pound add “continuing resource development and agricultural activity”
 - Chart - Issues for the Future - 2016, under North Ranchlands add another bullet with “enhanced recreational activities”
 - Chart - Issues for the Future - 2016, under North Ranchlands, change the wording from “aging owners” to “succession planning”

CARRIED

R: 348/06
Adopt Sept 06
Economic
Development
Strategic Plan

Moved by Councillor Ryan that Council adopt the amended September 2006 Economic Development Strategic Plan as amended, following recommendations at the 10 October 06 regular Council meeting.

CARRIED

4. Council discussed the October 24, 2006 memo regarding animal carcasses and the CAO noted that Fish and Wildlife have said that this will not happen again. Council directed that the Municipal Enforcement Officer review the situation periodically to ensure continued dumping of animal carcasses does not occur.
5. Council discussed the issue of the MD of Bighorn having construction waste disposal guidelines as part of the Land Use Bylaw, or development permits. Councillor Ryan felt that developers/builders should be source-separating their construction waste, before transporting it to the Francis Cooke Landfill. The Assistant Municipal Manager stated there is no problem creating those guidelines: the issue of enforcement could create a need for more staff. Councillor Dunki notes that she knows of two programs on this issue: the first being the LEED Program which is somewhat complex, and the Build Green Initiatives Program, which has incentives for the developers/builders.

G. BYLAWS

1. Following the November 7th, 2006 Public Hearing, Council considered proposed Bylaw 15/05.

Moved by Councillor Ryan that Council give second reading to Bylaw 15/06, a bylaw to allow Lot 11ER, Block 1, Plan 9913384 to be used for the purpose of procuring a water source for a proposed municipal water system.

CARRIED 4 - 1

IN FAVOUR:

Reeve Cooper

Deputy Reeve Pepper

Councillor Ryan

Councillor Dunki

OPPOSED:

Councillor Adams

R: 349/06
Bylaw 15/06
2nd Reading
CARRIED 4-1

R: 350/06
Bylaw 15/06

Moved by Councillor Ryan that Council give third and final reading to Bylaw 15/06.

CARRIED 4 - 1

3rd Reading
CARRIED 4-1

IN FAVOUR:
Reeve Cooper
Deputy Reeve Pepper
Councillor Ryan
Councillor Dunki

OPPOSED:
Councillor Adams

H. NEW BUSINESS

R: 351/06
Council expense
payments
approved

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

Sept 27	H. Pepper	Tour of Seebe area	\$130 + mileage
	M. Dunki	Tour of Seebe area	\$130 + mileage
	P. Adams	Tour of Seebe area	\$130 + mileage
	P. Ryan	Tour of Seebe area	\$130 + mileage
	D. Cooper	Tour of Seebe area	\$130 + mileage
Oct 3	H. Pepper	Seismic session at Benchlands	\$130 + mileage
Oct 12	H. Pepper	Lafarge anniversary celebration	\$130 + mileage
	M. Dunki	Lafarge anniversary celebration	\$130 + mileage
	P. Adams	Lafarge anniversary celebration	\$130 + mileage
	P. Ryan	Lafarge anniversary celebration	\$130
	D. Cooper	Lafarge anniversary celebration	\$130
Oct 18	H. Pepper	Low Impact Dev. Conf in Cochrane	\$130 + mileage
	M. Dunki	(2 days)	\$260 + mileage
	P. Adams	(3 days)	\$390 + mileage
Sept 26	M. Dunki	Mtg. w/Banff & Canmore re BVWMC	\$130 + mileage
Oct 12	D. Cooper	Legal services interviews	\$130
	P. Adams	Legal services interviews	\$130 + mileage

CARRIED

Council discussed the matter of Council expense payments with regards to when to claim and it was stated that this will be discussed at a Council retreat to provide better clarity on the matter.

2. Moved by Councillor Adams that Council provide a \$2,000 donation, contingent to receipt of an audited financial statement, to the Biosphere Institute in Canmore, in recognition of their ecosystem information services. **CARRIED**

Moved by Deputy Reeve Pepper that Council direct Administration to write a letter requesting that the MD of Bighorn Council have representation, specifically the Reeve, on the Biosphere Institute Board of Directors. **CARRIED**

3. Moved by Councillor Dunki that Council reconsider its earlier decision regarding sponsoring ratepayers attendance at the Alberta Municipal Affairs "Be on the Ballot – Women Impacting Local Government" Workshop in January 2007 and support up to three adult Bighorn residents attending this workshop in Edmonton; further that Administration undertake a random draw process to determine the attendees, if

R: 351/06
\$2,000 donation
on receipt of an
audited financial
statement for
Biosphere

R: 352/06
Req. MD be on
Board of Director

R: 353/06
Support up to 3
adult Bighorn
residents to
attend Be on the
Ballot Workshop
& Admin to

undertake a
random draw
process

necessary, and that financial support be extended (to a maximum of \$350 per person) for registration fees, accommodations and mileage.

CARRIED

R: 354/06
Brownlee LLP as
MD solicitors

4. Moved by Councillor Adams that Council appoint the firm of Brownlee LLP as the municipal solicitors for the M.D. of Bighorn, effective 1 Dec 06. CARRIED

R: 355/06
Janitor contract
to 2000 RPM
Enter. for a 2
year term

5. Moved by Councillor Ryan that Council direct staff to award the MD of Bighorn Office Janitor Contract to 2000 R.P.M Enterprises, the current contractor, and that the contract be for the term of (2) years. CARRIED

R: 356/06
Cir. Greenhorn's
Guide to Bighorn
to MD comm./
boards for
additional input

6. Moved by Councillor Dunki that Council request Administration to circulate the Greenhorn's Guide to Bighorn document with the introductory letter to all appropriate MD committees and boards for their input and that these groups be asked to suggest additional material for inclusion into a package of information for new residents/ratepayers to the MD of Bighorn. CARRIED

R: 357/06
B.Weerstra Chair
of AS&EAB

7. Moved by Councillor Dunki that Council appoint Bryne Weerstra as Chairperson of the Agricultural Services and Environmental Advisory Board. CARRIED

R: 358/06
FCSS Funding
Agreement

8. Moved by Councillor Adams that Council agree to enter into a Family and Community Support Services Funding Agreement with Her Majesty the Queen in Right of Alberta, and authorize the Reeve and Municipal Secretary to sign it on Council's behalf. CARRIED

R: 359/06
HHCA extension
to Sept/07 for CS
Grant Program

9. Moved by Councillor Adams that Council give the Harvie Heights Community Association (HHCA) an extension, until September 2007 to account for grant funding provided through the Community Services Grant Program in 2006 in order to allow the Community Association to complete upgrades to the ice rink that will not occur until late spring 2007. CARRIED

R: 360/06
Approve
development of
road allowance
between NW 36-
24-6 W5M &
SW 1-25-6 W5M
with conditions

10. Moved by Councillor Dunki that Council approve the development of the road allowance between NW Sections 36-24-6 W5M and SW 1-25-6 W5M subject to the following conditions:
1. That the proposed road meet all relevant conditions of the MD of Bighorn Policy T-16.
 2. The applicant shall submit properly prepared & stamped engineered drawings, that meet the MD of Bighorn's Schedule 1 – 60km standard, as a minimum, for the MD's Director of Operations approval.
 3. Prior to any commencement of work on the road allowance, other than survey data collection work, the applicant shall be responsible to obtain all Alberta Environment permits, and, if necessary, meet Department of Fisheries & Oceans' requirement/standards.
 4. Prior to any commencement of work on the road allowance, other than survey data collection work, the applicant shall be responsible to obtain all necessary utility relocations agreement, permits and or approvals, with the respective utility

companies affected.

5. Contact Alberta Sustainable Resource Development and the MD of Bighorn prior to removal of any trees on the road allowance in order to determine the value of the trees, stumpage rates, potential revenues, and the proper allocation of that revenue. CARRIED

R: 361/06
Fall 06
Playground Insp.
as info

11. Moved by Councillor Adams that Council accept the Fall 2006 Playground Inspections Information Report as information. CARRIED

R: 362/06
Support in
principle the dev.
of an Alberta
Recreation &
Parks Infrastruct.
Program

12. Moved by Councillor Dunki that Council support in principle the development of an "Alberta Recreation and Parks Infrastructure Program" that would increase capital funding for recreation and parks infrastructure in Alberta, and further that a letter expressing that support be sent to the Minister of Community Development (Hon. Denis Ducharme) with a copy to Banff-Cochrane MLA Janis Tarchuk. CARRIED

R: 363/06
Table until after
in-camera

13. Moved by Councillor Dunki that Council table the ASRD Referral - Exshaw Land Purchase Application until after the in-camera discussion later on the agenda. CARRIED

Following the incamera discussions, the following resolution was passed:

Moved by Deputy Reeve Pepper that Council recommend to Public Lands and Forest, Alberta Sustainable Resource Development (ASRD) that the application to purchase approximately 0.44 acres of Crown Land in the Hamlet of Exshaw, as described in ASRD Application PLS 060026, be refused for the following reasons:

- the land is important for wildlife movement near what is already a developed area (the Hamlet of Exshaw);
- regardless of ownership, the land's amenity value to the property remains the same if it is not going to be developed;
- if Crown Land can be purchased simply because it has been occupied, this sets an important precedent for other lands in the MD of Bighorn and elsewhere in the Province;
- similarly, the Hamlet of Exshaw is abutted by Crown Land on several sides, and allowing this purchase application is likely to encourage other applications to purchase Crown Land;
- only a portion of the land proposed for purchase is actively utilized by the landowner;
- the western part of the Crown Land currently has numerous large spruce trees on it, and those provide wind and dust protection for south Exshaw; and
- the private property is presently listed for sale, and so arguments to purchase the land based on historic family use are somewhat questionable;

R: 364/06
Recommend to
ASRD that
Application PLS
060026 be
refused due with
reasons and
Admin to
proceed with MD
acquiring this
land to protect it
from be sold in
the future

and further, that Council direct Administration to inquire about the possibility of the MD of Bighorn acquiring this land to protect it from be sold to an individual or company in the future.

CARRIED

R: 365/06
Dunki to attend
AAMD&C -
Land Use
Framework Cross
Sector Forum

14. Moved by Councillor Ryan that Council nominate Councillor Dunki to attend the AAMD&C session on Land Use Framework Cross Sector Forum to be held from December 4 to 6 in Red Deer. CARRIED

15. The Assistant Municipal Manager handed out an e-mail from Philip Dack of the Moondance Land Company/Horseshoe Lands project, regarding the TransAlta Seebe Lands and a letter from the Stoney Tribal Administration regarding the Inclusion of 1117123 Lands in the draft Horseshoe Lands Area Structure Plan (ASP). It was noted that the draft ASP and various support documentation had been received at different times, by the M.D., with the draft ASP itself arriving less than a week before the Council meeting: Council and staff, therefore, had not had a full review of the proposed document.

R: 366/06
Table draft
Horseshoe Lands
ASP – Nov/06
until December
Council mtg.

Moved by Councillor Adams that Council table the draft “Horseshoe Lands Area Structure Plan, November 2006” to the December Council meeting in order to have sufficient time to review the draft document in terms of the Municipal Development Plan requirements for this area structure plan. CARRIED

R: 367/06
Proceed with the
Exshaw
Industrial Park
water and sewer
servicing project

16. Moved by Councillor Dunki that Council authorize that:
- 1) Administration proceeds with the Exshaw Industrial Park water and sewer servicing project, from the current pre-design and provide the tender ready documents to full detailed design, complete with drawings and specifications and;
 - 2) Administration seek and obtain construction proposals from pre-qualified contractors and return to Council for award.

CARRIED

R: 368/06
Subdivision
Agreement with
BHB Canmore
Ltd. for Sub. No.
85-24-09(2)DMF

17. Moved by Councillor Adams that Council resolve to enter into an agreement with BHB Canmore Ltd. pursuant to the requirements of Subdivision No. 85-24-09(2)DMF, and authorize the Reeve and Municipal Secretary to sign the agreement on Council’s behalf. CARRIED

R: 369/06
Approve Dec. 06
newsletter with
amendment

18. Moved by Councillor Dunki that Council approve the attached articles for the December 2006 newsletter with the amendment to the “Be on the Ballot – Women Impacting Local Government” Workshop. CARRIED

R: 370/06
Appr. BBWMP –
Phase 1 ToFR
dated Aug16/06

19. Moved by Deputy Reeve Pepper that Council approve the Bow Basin Watershed Management Plan (BBWMP) – Phase One Terms of Reference dated August 16, 2006 from the Bow River Basin Council. CARRIED

Admin to prepare
policy for rental
of hall at Ghost
River Fire Hall

20. Moved by Councillor Dunki that Council direct Administration to prepare a policy with regards to the rental of the hall in the Ghost River Fire Hall.

Councillor Dunki withdrew her motion.

WITHDRAWN

R: 371/06
Write to Minister
Cannon who is
responsible for
Canada Post

21. Moved by Councillor Dunki that the MD of Bighorn write to Lawrence Cannon, the Minister Responsible for Canada Post and request that the federal government:
1. Change the financial and policy framework it uses to set targets for Canada Post so that the corporation does not have to provide commercial profits and dividends.
 2. Instruct Canada Post to act like a public service, not a commercial enterprise, by using more of its profits on public postal services, including maintaining and expanding home mail delivery in rural and urban areas.

CARRIED

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

Councillor Dunki questioned when the date for the removal of the dead trees at the Jamieson Road Transfer Station is and the Director of Operations noted that a date has not been decided on yet. Councillor Dunki questioned about the issue of providing garbage collection/recycling containers for the West Jumping Pound area, and the Director of Operations noted that he is in discussions with respect to using Volker Stevins yard on Highway 68.

J. INFORMATION

Moved by Councillor Ryan that items J.1 to J.11., J.13., J.15 and J.17. to J.21. be accepted as information.

CARRIED

K. IN CAMERA

Moved by Councillor Adams that Council go in camera at 3:50 p.m.

CARRIED

Moved by Councillor Adams that Council go out of camera at 4:50 p.m.

CARRIED

2. Moved by Councillor Adams that Council authorize the following amendments to the October 2005 purchase agreement, on the sale of Lot 1, Block 1 and Lot 1, Block 6, both in Plan 0513540:

- Section 1(a), "Closing Date", change "October 31st, 2006" to "December 15th, 2006";
- Schedule "D", Conditions of Purchase, item C, second bullet, change "July 31st, 2006" to "November 7th, 2006".

CARRIED

R: 372/06
J.1-.11., J.13, J.
15 & J.17. to J.21
accepted as info

R: 373/06
In Camera @
3:50pm

R: 374/06
Revert to open
mtg. @ 4:50 pm

R: 375/06
Amendments to
Oct/05 purchase
agreement on the
sale of Lot 1,
Block 1 & Lot 1,
Block both in
Plan 0512340

ADJOURNMENT

R: 376/06
Adjournment @
4:52pm

Moved by Deputy Reeve Adams that the November 7th, 2006 Regular Council Meeting adjourn at 4:52 p.m.

CARRIED

REEVE

MUNICIPAL SECRETARY