

**MUNICIPAL DISTRICT OF BIGHORN NO. 8**

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, August 8, 2006  
in the Council Chambers, M.D. offices, with the following persons present:

**COUNCIL:**

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

**ABSENT:**

HUGH PEPPER	COUNCILLOR
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**STAFF:**

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

**CALL TO ORDER**

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

**A. APPROVAL OF AGENDA**

Moved by Councillor Cooper that the agenda for the August 8, 2006 Regular Council meeting be adopted with the following amendments:

- Business Arising Item D.1.a): North Ranchlands Meeting
- Business Arising Item D.3.: BCEC Residents Subcommittee report
- Unfinished Business F.5.: Exshaw Beach
- Unfinished Business F.6.: Knowlerville Access
- New Business Item H.12.: Highway 1A Signs
- New Business Item H.13.: CASA – Fixed on Nitrogen Conference September 27  
- 29, 2006
- New Business Item H.14.: Community Sprit Signs
- New Business Item H.15.: Wild Smart Fridge Magnets
- New Business Item H.16.: ATCO Gas Pipeline Access - Lac des Arcs
- In Camera Item K.2...: BVWMC matter

CARRIED

**B. MINUTES**

1. Moved by Deputy Reeve Adams that the minutes of the July 11, 2006 Council meeting be adopted with the following amendment:
  - Page 2, item D.2.a), delete the wording ‘vinyl siding, plastic paint containers, and handles of paint containers’ and replace with ‘most plastics in the construction industry’;

R: 238/06  
Aug 8/06  
Agenda adopted  
as amended

R: 239/06  
June 13/06  
Council min.  
adopted with  
amendment

- Page 5, item 14, change both percentage signs (%) to  $\text{ug/m}^3$  and replace the word 'particulates' with 'P.M. 2.5'.

CARRIED

- 2. Moved by Councillor Ryan that the minutes of the Public Hearing for Bylaw 11-Z/06 held on July 17, 2006 be adopted as circulated. CARRIED

R: 240/06  
PH -11-Z/06  
adopted as circ.

R: 241/06  
Acknowledge  
Committee/  
Board minutes  
that received  
approval

**C. MEETING NOTES/COMMUNITY MINUTES**

- 1. Moved by Councillor Cooper that Council acknowledge that the following minutes have received approval:
  - a) Municipal Planning Commission – June 21, 2006

CARRIED

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

- 1.a) Councillor Adams inquired about the proposed September 5, 2006 North Ranchlands Ratepayers meeting, noting that he has a personal appointment that day. Council discussed the Ratepayers meetings' concept, noting that (at the last Finance and Economic Development Committee meeting) it was determined not to schedule Ratepayers meetings until there is a specific request for a meeting (from either the community or the respective Councillor).

Deputy Reeve Adams requested that a ratepayers meeting be held for Harvie Heights as there was one scheduled for the beginning of Spring which had to be postponed. Council directed Administration to look into the Harvie Heights Community Hall availability for September and email Council with dates.

- 2. Councillor Ryan noted that he has received numerous complaints from the residents of Exshaw living by Highway 1A with regards to trucks using their retarder brakes through the hamlet. Councillor Ryan noted that he has contacted the owner of a local company that seems to be creating some of the noise. Councillor Ryan questioned if the MD could take ownership of the portion of Highway 1A which runs through Exshaw; Administration noted that, even if the Provincial Government were to agree to cede Highway 1A jurisdiction to the municipality (which the Province would likely not do), the costs of maintaining said highway would be extremely high for the M.D. Council directed the CAO to check into an Enhanced Special Constable status for the Bylaw Enforcement Officer. Councillor Ryan questioned if there were any tools that the MD could use, in this situation: the CAO noted that RCMP can enforce speed limits and commercial inspections could be done. Deputy Reeve Adams questioned the time of day that this problem was occurring: it was noted that it happens around 7:00 am. Councillor Ryan suggested that a Bighorn Corridor Environment Committee – Trucking Subcommittee meeting be set up to discuss this issue, and that the owner of the company that he had talked to be invited to attend. Councillor Cooper noted that Lafarge has completed a noise study and will be implementing a project to decrease the noise by 8 decibels at a cost of \$5,000,000. Councillor Cooper noted that, with the fuel flexibility project, Lafarge will have more trucks hauling fuels to the plant. Councillor Cooper

noted that a sign requesting not to use retarder brakes through the hamlet is a good idea. Reeve Dunki questioned if the noise study will include Alberta Transportations input and Councillor Cooper stated that this study is all Lafarge's. The Director of Operations noted that the DOT's could come and do inspections on the trucks.

Council directed Administration to set up a Bighorn Corridor Environment Committee – Trucking Subcommittee meeting, look into special constable status for the Bylaw Enforcement Officer and that RCMP be requested to provide for enforcement.

3. Councillor Cooper updated Council on the Bighorn Corridor Environment Committee – Resident's Subcommittee report on 'Ground Level Monitoring Results Before and After Fuel Conversion at Lafarge'. He noted that the draft is now in its 14<sup>th</sup> edition. Councillor Cooper stated that this report is critical with Lafarge going into major expansions and alternative fuel. Councillor Cooper noted that the report went to the Resident's Subcommittee so that each industry can respond to the report. Once the Residents Subcommittee accept the report it will be brought to the Bighorn Corridor Environment Committee for approval; then will be forwarded to Council and the Agricultural Services & Environmental Advisory Board. Councillor Cooper stated that this is not a public document yet.

**F. UNFINISHED BUSINESS**

5. Councillor Ryan noted that concern has been expressed to him from ratepayers regarding the inability to reach Exshaw beach. Councillor Cooper thanked Administration for the road work, installation of the 'no buses' signs, the garbage can and the parking lot widened. Councillor Cooper noted that there needs to be 'emergency exit' sign installed. Councillor Cooper stated that on Saturday there were only 5 vehicles and they were not blocking the access. It was noted that residents are parking on the street which is already very narrow and that some emergency vehicles could have problems get by. Councillor Cooper noted that there are buses parking in front of the house and leaving the motor running for long periods of time. Councillor Ryan questioned about an Exshaw Beach Parking Permit and noted that large commercial vehicles are not permitted to park in residential areas.

Council directed the two Ward 1 Councillors to meet with the Director of Operations to discuss the situation at the Exshaw beach area.

Moved by Councillor Ryan that Council direct Administration to bring a report back to Council on parking permits and further that the Bylaw Enforcement Officer be direct to investigate the parking and unloading of buses in the residential areas of Exshaw until the report is brought to Council and a decision made. CARRIED

6. Councillor Ryan noted that commercial buses are still parking in the residential area of Knowlerville even though there was a parking lot built by the firehall for them to park.

**G. BYLAWS**

R: 243/06  
2<sup>nd</sup> Reading  
Bylaw 11-Z/06

1. Councillor Cooper abstained from voting on Bylaw 11-Z/06 as he was unable to attend the Public Hearing.

CARRIED 2-1

Moved by Councillor Ryan that Council give second reading to Bylaw 11-Z/06, a bylaw amending the Land Use Bylaw by redesignating NW Section 23, Township 26, Range 7 W5M (64.7 ha) from Agriculture Conservation District to Small Holdings District.

CARRIED 2 - 1

IN FAVOUR:	OPPOSED:
Deputy Reeve Adams	Reeve Dunki
Councillor Ryan	

Deputy Reeve Adams noted that the road issues will be dealt with at the subdivision process. Councillor Ryan noted that the LUB and MDP are not in concert and that it shows that the subdivision process should place a condition for a study to be done on legal access. Reeve Dunki stated that this application has problems with legal access and planning principles have not been dealt with.

R: 244/06  
3<sup>rd</sup> Reading  
Bylaw 11-Z/06

Moved by Deputy Reeve Adams that Council give third and final reading to Bylaw 11-Z/06.

CARRIED 2-1

CARRIED 2 - 1

IN FAVOUR:	OPPOSED:
Deputy Reeve Adams	Reeve Dunki
Councillor Ryan	

2. Moved by Deputy Reeve Adams that Council give first reading to the amended Bylaw 14/06, the proposed Harvie Heights Sanitary Sewer System. CARRIED

R: 245/06  
1<sup>st</sup> Reading  
Bylaw 14/06

Moved by Councillor Cooper that Council give second reading to Bylaw 14/06.

R: 246/06  
2<sup>nd</sup> Reading  
Bylaw 14/06

CARRIED

Moved by Councillor Ryan that Council give consent to proceed with third and final reading of Bylaw 14/06 at this meeting.

R: 247/06  
Consent  
Bylaw 14/06

CARRIED UNANIMOUSLY

R: 248/06  
3<sup>rd</sup> reading  
Bylaw 14/06

Moved by Deputy Reeve Adams that Council give third and final reading to Bylaw 14/06. CARRIED

**H. NEW BUSINESS**

R: 249/06  
Cheques issued  
reports for July  
accepted as info

1. Moved by Councillor Ryan that Council accept for information, the payroll cheques issued for cheque number 4915-4972, in the amount of \$49,480.53; and the register for A/P cheques issued, number 20537 to 20733 in the amount of \$442,361.12 less void cheque in the amount of \$65.00 for a net total of \$442, 296.12 for the month of July.

CARRIED

Council requested that any items that are FOIPed over \$500 value, that a description of service be added in.

R: 250/06  
June/06 bud vs  
actual as info

2. Moved by Councillor Cooper that Council review and accept the Budget vs. Actual Spending Reports and the Balance Sheets for July 2006 as information.

CARRIED

R: 251/06  
Amend Policy F-  
10 – Comm.  
Enhance Prog.  
Reserve Account

3. Moved by Councillor Ryan that Council that Policy F-10, the M.D.'s Reserve Funds Policy, be amended by adding a new section entitled "Community Enhancement Program Reserve Account", with wording as circulated.

Moved by Councillor Ryan that Council table the amendment to Policy F-10 regarding "Community Enhancement Program Reserve Account" until further clarification in respect to the ward participation.

CARRIED

R: 252/06  
Table for more  
clarification

R: 253/06  
Cooper/Ryan on  
BVWMC

4. Moved by Councillor Ryan that Council amend Policy F-11, Council & Committee Remuneration, by including the provision that a written report, at the next or following Council meeting, will be required by Council, when Councillors attend unapproved conferences/seminars/conventions.

CARRIED

R: 254/06  
MPC request on  
contamination to  
AB Environment

5. Moved by Councillor Ryan that Council direct the Municipal Planning Commission's request made at its July 19, 2006 meeting, as it relates to potential minor hydrocarbon contamination in the soil on some industrial lots in the Exshaw Industrial Park, to Alberta Environment as this is out of the MD's jurisdiction.

CARRIED

R: 255/06  
Notice to  
TransAlta RE:  
designating  
Superintendents  
Residence and  
the School House  
in Seebe

6. Moved by Councillor Ryan that Council direct that, in order to continue to protect the buildings during the on-going discussion's between TransAlta, Moondance Land Company Ltd. and 991021 Alberta Ltd. regarding the Seebe lands, notice again be given by Administration to TransAlta Utilities Corporation stating that Council is considering adoption of a bylaw to designate the Superintendent's Residence and the School House in Seebe as Historic Resources pursuant to s.26 of the Historical Resources Act.

CARRIED

Council directed Administration to set up a meeting with the Historic Resources Committee and the current owners along with the prospective buyers.

R: 256/06  
CRP Resolution  
– Initiative  
Implementation  
Grant

7. Moved by Councillor Ryan that Council approve the following resolution for the Regional Partnerships Initiative Implementation Grant – Council Resolution

1. "Be it resolved that the M.D. of Bighorn participate in a Regional Partnerships Initiative implementation grant application for the Calgary Regional Partnership under the Alberta Municipal Affairs Regional Partnerships Initiative; further
2. That the M.D. of Bighorn agrees to contribute their portion (on a per capita basis) of the required 25 percent municipal financial contribution component of the implementation grant funding; further
3. That the M.D. of Bighorn agrees that The City of Calgary be designated the managing partner of the Calgary Regional Partnership for the purposes of receiving,

administering, allocating, reporting, and accounting for the grant funds on behalf of the partners; and further

4. That the M.D. of Bighorn agrees to abide by the terms of a Conditional Grant Agreement signed and submitted by The City of Calgary on behalf of the other partner municipalities and/or approved participants governing the purpose and use of the implementation grant funds.”

CARRIED

R: 257/06  
CRP Resolution  
– Regional GIS  
Service Project

Moved by Councillor Ryan that Council approve the following resolution for the Regional Partnerships Initiative Exploration Grant – Regional GIS Service Project – Council Resolution

1. “Be it resolved that the M.D. of Bighorn participate in a Regional Partnerships Initiative exploration grant application for the Calgary Regional Partnership under the Alberta Municipal Affairs Regional Partnerships Initiative; further
2. That the M.D. of Bighorn agrees that the City of Calgary be designated the managing partner of the Calgary Regional Partnership for the purposes of receiving, administering, allocating, reporting, and accounting for the grant funds on behalf of the partners; and further
3. That the M.D. of Bighorn agrees to abide by the terms of a Conditional Grant Agreement signed and submitted by The City of Calgary on behalf of the other partner municipalities and/or approved participants governing the purpose and use of the exploration grant funds.”

CARRIED

R: 258/06  
CRP Resolution  
– Regional  
Growth &  
Sustainability  
Framework

Moved by Councillor Ryan that Council approve the following resolution for the Regional Partnerships Exploration Grant – Regional Growth and Sustainability Framework – Council Resolution

1. “Be it resolved that the M.D. of Bighorn participate in a Regional Partnerships Initiative exploration grant application for the Calgary Regional Partnership, under the Alberta Municipal Affairs Regional Partnerships Initiative; further
2. That the M.D. of Bighorn agrees that The City of Calgary be designated the managing partner of the Calgary Regional Partnership for the purposes of receiving, administering, allocating, reporting, and accounting for the grant funds on behalf of the partners; and further
3. That the M.D. of Bighorn agrees to abide by the terms of a Conditional Grant Agreement signed by the managing partner on behalf of the other partner municipalities and/or approved participants governing the purpose and use of the exploration grant funds.”

CARRIED

R: 259/06  
Refer to  
Canmore  
Intermun. Mtg.

8. Moved by Deputy Reeve Adams that Council refer the H. Gray request for permission to install “Athletes in Training” signage for the Harvie Heights service road to the Canmore/M.D. Intermunicipal Committee.

CARRIED

R: 260/06  
Refer to HH  
Com. Assoc

Moved by Deputy Reeve Adams that Council also refer the H. Gray request for permission to install "Athletes in Training" signage for the Harvie Heights service road to the Canmore/M.D. to the Harvie Heights Community Association for their input.

CARRIED

R: 261/06  
Accept 06-2<sup>nd</sup>  
quarter financial  
statements

9. Moved by Deputy Reeve Adams that Council accept the Year 2006-Second Quarter Financial Statements, as prepared by M.D. Administration and audited by the accounting firm of Chengkalath Mahajan Van Eyck.

CARRIED

R: 262/06  
Sept 06  
Newsletter  
approved for  
publication

10. Moved by Councillor Cooper that Council accept the September 2006 Municipal Newsletter with two minor amendments, and approve for publication.

CARRIED

Council expressed thanks for the good work on the newsletter from Administration.

R: 263/06  
Info Rpt. Exshaw  
Water well as  
info.

11. Moved by Councillor Ryan that Council accept the Information Report on Exshaw Water Well – Cost Update as information.

CARRIED

Council expressed thanks for all of the hard work on the Exshaw Water well project done by Administration.

12. Councillor Cooper stated that there have been new speed signs on the way from Exshaw to Canmore at Gap Lake. He stated that the speed limit has been reduced to 80 km from 100 km and that there is a suggested speed of 65 km going around the top of Gap. This will result in an increase of 30 seconds to the drive time between the communities. Council Cooper expressed appreciation in Alberta Transportation for putting the signs up before the Highway 1A/1X Safety Audit report has been submitted.

R: 264/06  
Cooper to attend  
CASA workshop  
on Sept 27-29

13. Moved by Councillor Ryan that Council authorize Councillor Cooper to attend the Clean Air Strategic Alliance "Fixed on Nitrogen" workshop on September 27 – 29, 2006 at Fairmont Chateau Lake Louise and further authorize that Councillor Cooper receive per-diems, in accordance with the Council & Committee Remuneration Policy.

CARRIED

14. Councillor Cooper thanked Administration for the work done on getting up the Community Spirit signs and complemented Deputy Reeve Adams for the picture in the paper for the Lac des Arcs sign.

15. Councillor Cooper noted that the Wildsmart program has fridge magnets with a phone number to report on but is unsure if the whole MD will be able to use the number. He noted that Wildsmart goes up to Seebe. Council directed Administration to have the Wildsmart magnet inserted into the September newsletter.

R: 265/06  
Atco to maintain  
on Lots 6ER and  
7MR, Block 7,  
Plan 0610644

16. Moved by Deputy Reeve Adams that Council agree to allow ATCO Gas to maintain and make alterations to a natural gas pipeline on Lots 6ER and 7MR, Block 7, Plan 0610644 in the Hamlet of Lac des Arcs and enter into a utility right-of-way agreement for this purpose as proposed by ATCO, subject to the following:

a) a surveyed utility right-of-way for the pipeline shall be established at ATCO's sole

- expense;
- b) public access across the utility right-of-way shall be allowed except on a temporary basis during work on the pipeline;
  - c) any areas disturbed by pipeline work need to be fully reclaimed, not simply leveled; and
  - d) in payment for this right-of-way and for the benefit of the community and people using the reserve areas and associated trails, ATCO Gas shall install a bench on Lot 7MR.

CARRIED

**I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL**

Councillor Ryan inquired about Waste Management Plans as part of the Development Permits and that this could be used on all the upcoming development within the MD's portion of the Bow Valley. The Assistant Municipal Manager noted that the Land Use Bylaw would have to be amended to allow this. Council directed Administration to report back to council on a Waste Management Plan for the MD. Councillor Ryan questioned about the septic systems within the MD and it was noted that this area is still being investigated.

Deputy Reeve Adams inquired about how the Dead Man's Flats water well drilling was progressing; the Assistant Municipal Manager noted that Council finalized a site at the last meeting, which is west of the lagoon and the MD has hired Batycki Contracting to clear the site. He stated that there was a pipe failure as the 8 inch pipe had collapsed and the drill stem had gotten stuck; further that there was still 30 feet of casing stuck in the collapsed well. The Assistant Municipal Manager stated that they are now just concentrating on completing the Exshaw well.

Deputy Reeve Adams requested a copy of the certificate of title for Lot 18 in Harvie Heights when it comes in.

Councillor Cooper noted that an air quality management zone study will be done within the Bow Valley. The study is being done by Kevin Warren and will cost about \$50,000.

Reeve Dunki inquired about the overhead gate on Coyote Creek Road and noted that an accident that happened months ago may have damaged the sign structure. She questioned about the width and height and noted that there are 3 residences and an oil company that use that road with one of the residences building an over-height home. Reeve Dunki questioned who owns the sign and is responsible for the liability of it. The Director of Operations noted that Council approved the sign staying in 2000 and that the Roads Department has written a letter to the owner regarding the accident on the sign with the need to fix it. Council directed Administration investigate this matter and take the appropriate action on fixing the sign or removing the sign.

Reeve Dunki inquired about the land at the east end of the Ghost Lake Bridge, noting that two parking lots have been established in the ditch and further that there has been a lot of garbage there. She noted cars are pulling onto the Highway without looking. Council

directed Administration to write a letter to Alberta Transportation and Community Development regarding this area and also write a letter to the MD of Rocky View for their support on this. Council also suggested that this be taken to the next Bighorn Corridor Environment Committee – Trucking Subcommittee meeting.

**J. INFORMATION**

Moved by Deputy Reeve Adams that items J.1 to J.10. be accepted as information.

CARRIED

R: 266/06  
J.1-.10 accepted  
as info

**K. IN CAMERA**

Moved by Deputy Reeve Adams that Council go in camera at 2:15 p.m.

CARRIED

R: 267/06  
In Camera @  
2:15pm

Moved by Councillor Cooper that Council go out of camera at 3:42 p.m.

CARRIED

R: 268/06  
Revert to open  
mtg. @ 3:17 pm

1.a) Moved by Deputy Reeve Adams that the M.D. nomination for the Ghost Stewardship Committee be considered at the September Council meeting.

CARRIED

**ADJOURNMENT**

Moved by Councillor Cooper that the August 8, 2006 Regular Council Meeting adjourn at 3:43 p.m.

CARRIED

R: 269/06  
Adjournment @  
2:15 pm

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REEVE

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MUNICIPAL SECRETARY