

**MUNICIPAL DISTRICT OF BIGHORN NO. 8**

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, January 10, 2006  
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

<b>STAFF:</b> 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 Dunki called the meeting to order at 9:00 a.m.

**A. APPROVAL OF AGENDA**

Moved by Deputy Reeve Adams that the agenda for the January 10, 2006 Regular Council meeting be adopted with the following amendments:

- |                              |  |
|------------------------------|--|
| - Meeting Notes C.1.a)       | Community Services Board Meeting Date  |
| - Business Arising Item D.2. | Bonnie's Book Project  |
| - New Business Item H.9.     | Item J.7. Information Report RE: Water Wells for<br>Municipal System in Exshaw |
| - New Business Item H.10.    | Community Partnership Enhancement Initiative                                   |
| - New Business Item H.11.    | Donation request: Action for Agriculture                                       |
| - In Camera Item K.1.        | Lafarge Meeting  |
| - In Camera Item K.2.        | Bow Valley Waste Management Commission   |
| - In Camera Item K.3.        | CAO Appraisal  |
| - In Camera Item K.4.        | Bow Valley Regional Housing  |
| - In Camera Item K.5.        | BCEC Powerpoint Presentation   |

CARRIED

**B. MINUTES**

1. Moved by Councillor Adams that the minutes of the December 13, 2005 Council meeting be adopted with the following amendment:

- Page 6, Agenda Item H.4., second paragraph and second sentence, change the wording "will soon be referring..." to "noted that this issue should be referred..."

CARRIED

R: 01/006  
Jan. 10/05  
Agenda  
adopted as  
amended

R: 02/006  
Nov 8/05  
Council  
minutes  
adopted

**C. MEETING NOTES/COMMUNITY MINUTES**

1. a) Councillor Ryan noted at the Calgary Regional Partnership meeting discussed Special Needs Transportation. A business plan has been created and they are seeking input for solutions. Councillor Ryan noted that they would like to make a presentation to the Community Services Board on this issue and invite Family and Community Support Services (FCSS) to attend.

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

1. a) It was noted that the Jamieson Road Ratepayers' Meeting will be held at Beaupre Hall, on Thursday, January 26, 2006 from 7:00 to 9:00 p.m.
2. Councillor Ryan updated Council on the Bonnie's Book project at the Bighorn Library noting that there is now a website on blogger.com. It was noted that the Annual Exshaw plant sale donated \$800.00 for this project and that over Christmas they were able to give every child in Exshaw two books, donate 75 books to the Spirit of Christmas and 25 books to the Canmore Daycare.

Council directed Administration to mention this project in the next MD's Newsletter suggesting to residents if they have any gently used children's books in their house to donate them to the Bighorn Library for the Bonnie's Book project.

**E. DELEGATIONS**

1. Glen Sine, Ken Jones, Ron Moggert and Monica Bryan from Shell Canada Limited were in attendance.

Glen Sine, Asset Manager for the Burnt Timber/Panther Plant, presented a powerpoint presentation on the Panther activities which is attached to the Agenda package. Council questioned about whether the Panther wells have run across methane gas and it was noted that nothing of commercial viable was found. Council questioned about an Panther Advisory Group and if they could be on and Mr. Sine noted that they could have a representative on the group. Council questioned if Shell uses the connection at 567 and if they plan on developing the last 8 km of the road; Mr. Sine noted that Shell does not use that road as it is windy and indicated other alternate roads used by Shell. Council questioned about access management with new gas roads being built and Mr. Sine noted that they build on LOC's, which they can not deny access as the Crown dictates how much access to grant or control. Council questioned if all of the Panther site was in the MD and it was noted from the Red Deer River down was in the MD. Council again expressed concern with being represented, on appropriate Advisory Groups, and Mr. Sine noted that there is a meeting at the Mountainair Lodge on February 15, 2006 at 9:30 a.m.

Ron Moggert from Shell provided a powerpoint presentation on Emergency Response Planning (ERP) which is attached to the Agenda package. Mr. Moggert noted that they use rovers that roam the countryside tracking people in the area. Council noted that the MD's Ghost Firehall gets more emergency calls from area visitors than for residents in

Mention  
Bonnie's Book  
Project in next  
MD's Newltr.

the Ghost area due to increased recreational use of the area. Mr. Moggert noted that there needs to be a partnership between the oil companies, MD and Province on this area. Mr. Moggert stated that Shell has requested more RCMP patrols in the area and there was support for this request.

**F. UNFINISHED BUSINESS**

1. It was noted that the meeting will be set for either the last part of January or the first part of February of 2006 to discuss Draft Bylaw 18-Z/04.
2. Councillor Ryan declared a conflict of interest on this matter and left the Council Chambers at 9:20 a.m.

The Assistant Municipal Manager noted that a meeting was held on December 5, 2005 with the affected residents of Exshaw on the Exshaw Laneway encroachment issue and that not many of the residents had attended the meeting. He noted that the MD is now seeking input and opinions from the people who were not at the meeting.

Councillor Cooper commended the Assistant Municipal Manager on a great job of running the meeting and questioned about the some of the concerns that were brought up at the meeting regarding the slippery sidewalks, removing the barrier at the rear of Lot 12

Councillor Ryan returned back to the Council Chambers at 9:25 a.m.

3. The CAO stated that a letter was sent out to the people affected by Bylaw 18/05, the Harvie Heights Water Rates and that a report should be coming to the February Council meeting.
4. The CAO noted that a redrafted agreement for the Harvie Heights Lot 18 MR to ER Designation has been sent out for input.
5. The CAO noted that the next Community Services Board meeting will be January 25, 2006 and that the issue of the Bow Valley Waste Management Table Agreement RE: Grants/Hosting fees will be on the Agenda.
6. Moved by Councillor Ryan that Council authorize Administration to:
  - 1) Obtain design-build quotations, through a request for proposal (RFP), for the replacement of the Exshaw Creek pedestrian bridge at Mt. Lorette Drive; and;
  - 2) To return to Council, with the result of the proposal call for final approval.

**CARRIED**

The Director of Operations noted that Lafarge will be sending a letter for written consent on using their land on the one side of the bridge along with providing some funding for this project. The Director of Operations noted that there will be some undermining tied in the project also

**G. BYLAWS**

1. Reeve Dunki at 1:07 p.m. asked if there was anyone to speak on Bylaw 05/05 and there was no one in attendance. The Assistant Municipal Manager noted that the MD had received a letter from the Town of Canmore expressing that they had no concerns closing a portion of the road allowance in the Hamlet of Dead Man's Flats (letter attached to the Agenda package).

Moved by Councillor Cooper that Council request the approval of the Minister of Alberta Infrastructure and Transportation for Bylaw 05/05, a bylaw to close a portion of a road allowance in the Hamlet of Dead Man's Flats. **CARRIED**

2. Moved by Councillor Ryan that Council table Bylaw 13/05 until after lunch to give the Assistant Municipal Manager and Mrs. Cowley an opportunity to amend the Rafter Six Area Structure Plan. **CARRIED**

After the lunch break, Council resumed discussions on proposed Bylaw 13/05.

Moved by Councillor Ryan that Council give third and final reading to Bylaw 13/05, a bylaw adopting the Rafter Six Area Structure Plan, with amendments to the Area Structure Plan as follows:

- page 12, after the words 'fauna and flora' add the words 'resulting from future studies and environment impact assessments.'
- page 30, at the bottom of the page and the following after the words 'to the plan' insert the words 'following additional study of the wildlife, sewage treatment and other matters'
- page 18, delete the paragraph that commences with the words 'Resort Hotels do not' in its entirety, and add the following after the next sentence that ends with 'permanent residents on site': 'Additionally, there would be new staff accommodation for Phase I as well as for future phases. These staff additions would add to the above traffic estimates but traffic volumes would be lower than if the staff lived off site.'
- page 24, item b) change 'stables are' to 'stables shall be', deleted the word 'are' after the word 'wastes', delete 'Stock watering facilities are on groundwater wells separate from domestic supply sources', change 'stables does' to 'stables shall', add 'be allowed to' after 'not', and change 'Rafter Six does' to 'Rafter Six shall'.
- page 26, first paragraph, change the words 'for the private' to 'for this' and add 'working in conjunction with the Province and at no cost to the municipality.' after the word 'Developer'.
- page 28, second paragraph, change 'The Municipality has indicated that they are' to 'The Municipality has indicated that it is'.
- page 21, last paragraph of item d), change 'proposed development area, however, because elk' to 'proposed development area. However, because elk', and change 'property guests' to 'property, guests'.
- change the following typos: on page 24 item a) 'fed' to 'feed'; page 25 item e) 'developers over time the' to 'develops over time, the'; page 28 item b) 'location, it' to 'location. It'; and page 30 item b) 'sprinkler' to 'sprinklers'. **CARRIED**

R: 04/006  
Bylaw 05/05  
approv to send  
to AB  
Information &  
Trans Minister

R: 05/006  
Table Bylaw  
13/05 until after  
lunch for  
amendments

R: 06/006  
3<sup>rd</sup> & Final  
Reading to  
Bylaw 13/05  
with  
amendments to  
the ASP

**H. NEW BUSINESS**

R: 07/006  
Dec Cheques  
Issued Rpt.  
accepted as info

1. MOVED by Councillor Pepper that Council receive for information, the report of A/P cheques issued, number 19549 to 19701 in the amount of \$566,761.34 and payroll cheques issued, number 4545 to 4597, in the amount of \$48,613.92. CARRIED

R: 08/006  
Oct/Nov Bud/  
Act as info

2. Moved by Councillor Ryan that Council accept as information the Balance Sheets and Budget vs. Actual Spending Reports for October and November 2005. CARRIED

R: 09/006  
Approval of  
payment for  
mtg. exp.  
claims

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

24 Nov	Reeve Dunki	RCMP housing issue mtg. in Canmore	\$130 + mileage
	Coun. Ryan		\$130 + mileage

29 Nov	Reeve Dunki	Canmore/Bighorn C.E.O.'s mtg. w/Alta.Comm. Dev + AIT	\$130 + mileage
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20 Dec	Coun. Ryan	Lafage/Biosolids meeting	\$130 + mileage
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CARRIED

R: 10/006  
MD of R.V.  
Greater Bragg  
ASP no object

4. Moved by Councillor Cooper that Council respond to the MD of Rocky View referral of the Draft Greater Bragg Creek Area Structure Plan by indicating that the MD of Bighorn has no objection. CARRIED

R: 11/006  
IBI to  
undertake  
DMF/Exshaw  
Design review

5. Moved by Councillor Ryan that Council accept the December 15, 2005 proposal of IBI Group to undertake the Dead Man's Flats and Exshaw Design Review, that Review dealing with four land use bylaw and/or statutory plan issues that re focused mainly on urban design in the two hamlets CARRIED

R: 12/006  
Agree to MofU  
for BCRMP

6. Moved by Councillor Ryan that Council agree to the Memorandum of Understanding dated December 8, 2005 for the Bow Corridor Regional Mobility Partnership, and authorize the Reeve to sign it on Council's behalf. CARRIED

R: 13/006  
Grant perm. for  
Petro to utilize  
RD allow btwn.  
5-13-28-7 & 8-  
14-28-7 with  
conditions

7. Moved by Councillor Pepper that Council grant permission for Petro-Canada Oil and Gas encroachment consent request to utilize a portion of the road allowance located between 5-13-28-7-W5M and 8-14-28-7-W5M under the following conditions:

1. That a right of entry fee of \$750.00 be paid to the M.D. by the applicant.
2. That if the well is successful the applicant will pay an additional \$1,500.00 flat fee.
3. That the applicant agrees to pay all costs related to rerouting any future roads, which may be required on this section of road allowance.
4. That the applicant agrees to the conditions and enter into a revised Schedule II agreement with the M.D.

CARRIED

R: 14/006  
Approve ECEC  
becoming  
BCEC, ToR  
adopted, BCEC  
to receive  
compensation,  
Admin to  
prepare a bylaw  
to formalize the  
BCEC

8. Moved by Deputy Reeve Adams that Council authorize the following
1. That the Exshaw Community Environment Committee become the Bighorn Corridor Environment Committee, effective January 1, 2006.
  2. That the Terms of Reference for the Bighorn Corridor Environment Committee be adopted as circulated.
  3. That the new Bighorn Corridor Environment Committee become a committee of the M.D. Council, with public representatives to receive compensation/expenses for attendance at committee meetings.
  4. That Administration be directed to prepare a bylaw to formalize the BCEC.

CARRIED

9. Council discussed the proposed placement of a source water well (for a municipal water system) in Exshaw in great detail, noting in particular that the location is downstream from Lafarge's existing well. The Assistant Municipal Manager noted that the Lafarge well is 400 feet deep and the MD's well will be 600 feet deep. Council expressed that Alberta Environment should come to a future meeting to discuss this matter. Council also noted that the community should be kept apprised of this issue and that the Bighorn Community Environment Committee should also be updated on this matter.

Moved by Councillor Ryan that Council direct the Chief Administrative Officer to contact Alberta Environment on the Exshaw Water Master Plan report and placement of the well in location to heavy industry and inform the Bighorn Community Environment Committee on this issue.

CARRIED

10. Council discussed Community Partnership Enhancement Initiative 'Leading Together in Kananaskis' Conference be held on March 26 - 30, 2006. Council decided that the Community Services Coordinator would be the best person to attend.
11. Moved by Councillor Pepper that Council authorize a \$250.00 donation to the 2006 Action for Agriculture conference, to be held February 24<sup>th</sup>, 2006.

APPROVED 4 - 1

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

## **I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL**

Councillor Cooper noted that the garbage bin at Sandy Beach in Exshaw is missing and there is garbage everywhere, the Director of Operations will look into this issue.

Councillor Cooper expressed there is a number of properties in Exshaw that have more vehicles than occupants and asked what could be done. The CAO noted that if the vehicles are not in running condition there is a clause in the Land Use Bylaw.

R: 15/006  
CAO to contact  
AB Env on  
Exshaw Water  
Master Plan  
and location of  
well and inform  
BCEC

R: 16/006  
Auth. \$250.  
donation to  
Action for  
Agric. Con. On  
Feb 24/06  
Approved 4-1

Councillor Cooper noted that a few of the members of the Exshaw Pony Club have talked to him about the possibility of having to move at some time in the future as their lease comes up in four years. He noted that he has suggested the Exshaw Pony Club come up with what the future site should look like. Council discussed possible locations in and around the Hamlet of Exshaw.

Deputy Reeve Adams questioned if the MD has advertised for a Bylaw Enforcement Officer and the CAO noted that he had a candidate but would not be available until May.

Deputy Reeve Adams questioned if the Lac Des Arcs air quality monitoring device would be moving and it was noted that a meeting will be held on this issue in the future. He questioned if e-mail were accepted as official complaints and the CAO noted that as long as the time/date/address & phone number of complaint/what happened (description) were in the email it would be accepted as a complaint. Deputy Reeve Adams noted that the Peacepipe Room at the Rafter Six Guest Ranch was booked on January 28, 2006 from 2:00 p.m. to 6:00 p.m. to discuss and receive information on the Fire Smart Program which is happening in Lac des Arcs. He requested that a sandwich board sign go up in Lac des Arcs in mid-January notifying the residents of this meeting.

Reeve Dunki stated that there were household furnishings at the Jamieson Road Waste Transfer site and the Director of Operations noted that he will inform the Utilities Department of this. Reeve Dunki expressed kudos' to the Solid Waste Operator for handling the solid waste efficiently over the holidays.

The Assistant Municipal Manager noted that the Eagle Pride Program with school are offering a 'Power to Choose Assembly Program' on January 19, 2006 at 7:00 p.m.

**J. INFORMATION**

Moved by Councillor Pepper that items J.1. to J.6. and J.8. to J.13. be accepted as information. **CARRIED**

R: 17/006  
J.1 - J.13  
accepted as info

**K. IN CAMERA**

Moved by Deputy Reeve Adams that Council go in camera at 2:55 p.m. **CARRIED**

Moved by Councillor Pepper that Council go out of camera at 4:30 p.m. **CARRIED**

R: 18/006  
In camera @  
2:55 pm

R: 19/006  
Revert to open  
mtg @ 4:30 pm

2. Moved by Councillor Cooper that Council direct Administration to request that the MD's solicitors advice on matters pertaining to Annual Financial Audits. **CARRIED**

R: 20/006  
Admin req. Sol.  
Advice

**ADJOURNMENT**

R: 21/006  
Adjournment @  
4:31 pm

Moved by Councillor Ryan that the January 10, 2006 Regular Council Meeting adjourn at  
4:31 p.m. **CARRIED**

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REEVE

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MUNICIPAL SECRETARY