

## MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, February 14, 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

### CALL TO ORDER

Reeve Dunki called the meeting to order at 9:02 a.m.

#### A. APPROVAL OF AGENDA

Moved by Deputy Reeve Adams that the agenda for the February 14, 2006 Regular Council meeting be adopted with the following amendments:

- |                               |   |
|-------------------------------|---|
| - Business Arising Item D. 2. | Communication RE: Seismic/drilling          |
| - Business Arising Item D.3.  | Derelict Vehicles on Residential Properties |
| - New Business Item H.19.     | Air Quality Conference in Edmonton          |
| - New Business Item H.20.     | Speed Limits on Gap Hill                    |
| - In Camera Item K.2.c)       | Additional Information                      |
| - In Camera Item K.4.         | CASA formation                              |
| - In Camera Item K.5.         | Personnel                                   |
| - In Camera Item K.6.         | Land Issue                                  |
| - In Camera Item K.7.         | Legal Issue                                 |

CARRIED

#### B. MINUTES

1. Moved by Councillor Adams that the minutes of the January 10, 2006 Council meeting be adopted with the following amendment:

- Page 4, Agenda Item D.2., first paragraph and second sentence, change the wording "every child at the Exshaw..." to "every child in Exshaw..." and delete the words "offer every Exshaw child a book,".
- Page 7, paragraph on the top of the page change the wording "Pony Club has talked..." to "Pony Club have talked...".

R: 22/006  
Feb.14/06  
Agenda  
adopted as  
amended

R: 23/006  
Jan. 10/06  
Council  
minutes  
adopted with  
amendments

CARRIED

**C. MEETING NOTES/COMMUNITY MINUTES**

1. Moved by Councillor Ryan that Council acknowledge that the following minutes have received approval:
  - a) Municipal Planning Commission - November 23, 2005
  - d) Emergency Services Committee - November 25, 2005
  - c) Community Services Board - November 30, 2005
  - d) Municipal Excellence Committee - November 22, 2005
  - e) Historical Resources Committee - September 29, 2005

CARRIED

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

1. a) Council did not schedule any future Ratepayer meetings at this time.
2. Councillor Pepper noted that with regards to the oil activity in his area that the oil companies were not communicating with the residents. He noted that no one has been informed of when meetings are being held in the area. Councillor Pepper questioned if it was possible for Administration to work out a way so people could know about the seismic/drilling operations in advance. He questioned if the MD could suggest to the oil companies to have better communications with the people. The CAO noted that it is up to the oil companies to follow the AEUB guidelines and that the Province is to have a watch dog role and make sure that the AEUB guidelines are being followed. Council directed Administration to inform the Council members of the seismic/drilling operations in the MD when Administration is informed of them.
3. Councillor Cooper expressed concern with amount of derelict vehicles around the Hamlet of Exshaw and questioned about the process of getting the residents to remove them. Deputy Reeve Adams also expressed concern about derelict vehicles on a commercial property in Dead Man's Flats. It was noted that the Land Use Bylaw contains provisions regarding derelict vehicles on residential property. Councillor Cooper noted that there should be an education program regarding vehicles in the newsletter. It was noted that there are companies that will haul away vehicles; the Kidney Foundation will also haul vehicles away, issuing a tax receipt in exchange, but it was uncertain if the Foundation would haul vehicles from this far outside of Calgary.

**E. DELEGATIONS**

1. Wes Stambaugh from ISL Engineering was in attendance to talk about the draft Final Report on the Dead Man's Flats Waster Master Plan (which is attached to the Agenda Package under Item H.15). He noted that there are 3 potential supplies of water for Dead Man's Flats which are drawing surface water off the Bow, hooking into Canmore's water system, and drilling a ground-water well. He noted that Dead Man's Flats has a good supply of ground water and that the deeper the well the less treatment that has to be done. Mr. Stambaugh explained the contents of the report noting that his

recommendation would be for a deep well system. Council questioned the timeframe for this project and it was noted that the MD would apply for the grants this year and hopefully start construction in 2007. Mr. Stambaugh noted that the Dead Man's Flats well would be shallower than Exshaw's and that the MD should push for Alberta Environment's approval on this project.

Moved by Deputy Reeve Adams that Council accept the draft Final Report – Dead Man's Flats Water Master Plan and express their appreciation to ISL on this project.

CARRIED

It was noted that as the M.D. had just received the report this morning, Councillors would read over the report to provide input and comments, at a later time.

**F. UNFINISHED BUSINESS**

1. It was noted that the meeting to discuss Draft Bylaw 18-Z/04 is set for March 8, 2006 starting at 7:00 p.m. at the Beaupre Hall.
2. The Exshaw Laneway Encroachment issue will be going to the March Council Meeting
3. The CAO noted that the Bylaw 18/05, the Harvie Heights Water Rates, will be on the March Council meeting agenda: there was an issue to resolve with respect to metering at the existing two condominium complexes at Harvie Heights.
4. Deputy Reeve Adams noted that he had attend the Harvie Heights meeting last Thursday and a motion was passed to sign the agreement with the MD of Bighorn for Lot 18 MR to ER Designation.
5. It was noted that the Community Services Board had tabled the matter of Hosting Fees from the Bow Valley Waste Management Commission - Table Agreement.
6. The Director of Operations noted that Request For Proposal's are due on March 9, 2006 for construction of the Exshaw Pedestrian Bridge.
7. Draft Bylaw 05/05 – Dead Man's Flats Road Closure will be returning to the March Council meeting.

**G. BYLAWS**

1. Moved by Councillor Ryan that Council direct Administration to amend the draft of proposed Bylaw 02/06, a bylaw to establish the Assessment Review Board, by the following:
  - Under Item 1.d), at the end of the sentence add the following "No Councillor shall hear an appeal from their own ward."

CARRIED

R: 24/006  
Accept DMF  
Water Master  
Plan

R: 25/006  
Amend Bylaw  
02/06

R: 26/006  
1<sup>st</sup> Reading  
Bylaw 02/06  
ARB

Moved by Deputy Reeve Adams that Council give first reading to draft Bylaw 02/06, a bylaw to establish the Assessment Review Board.

CARRIED

R: 27/006  
2<sup>nd</sup> Reading  
Bylaw 02/06

Moved by Councillor Cooper that Council give second reading to Bylaw 02/06.

CARRIED

R: 28/006  
Consent for 3<sup>rd</sup>  
Reading  
Bylaw 02/06

Moved by Deputy Reeve Adams that Council give consent to proceed with third and final reading to Bylaw 02/06 at this meeting.

CARRIED UNANIMOUSLY

R: 29/006  
3<sup>rd</sup> Reading  
Bylaw 02/06

Moved by Councillor Ryan that Council give third and final reading to Bylaw 02/06.

CARRIED

## **H. NEW BUSINESS**

R: 30/006  
Jan.06 Cheques  
Issued Rpt.  
accepted as info

1. Moved by Deputy Reeve Adams that Council received for information, the report of A/P cheques issued, number 19702 to 19842 in the amount of \$268,105.80 and payroll cheques issued, number 4598 to 4648, in the amount of \$43,517.12.

CARRIED

R: 31/006  
Jan/06 Bud/  
Act as info

2. Moved by Councillor Pepper that Council accept as information the Balance Sheets and Budget vs. Actual Spending Reports to January 31, 2006 as information.

CARRIED

It was noted that the Finance Department will perform a Year End Close and generate a Balance Sheet for Year 2006 following the Finance and Economic Development meeting scheduled for February 21, 2006.

R: 32/006  
Approval of  
payment for  
mtg. exp.  
claims

3. Moved by Councillor Cooper that Council approve the payment for the following meeting expense claims, from the Contingency Allowance.

Jan 12	Reeve Dunki	UDI Luncheon in Canmore	\$130 + mileage
	Dep. Reeve Adams	UDI Luncheon in Canmore	\$130 + mileage
	Coun. Ryan	UDI Luncheon in Canmore	\$130 + mileage

CARRIED

R: 33/006  
Cougar Mtgn.  
Cres. – Exshaw  
Inds. Park “No  
Parking” &  
amend Sch. C  
of Bylaw 08/00

4. Moved Councillor Cooper that Council designate Cougar Mountain Crescent in the Exshaw Industrial Park as a “No Parking” street, pursuant to Bylaw 08/00, direct Administration to amend Schedule “C” of Bylaw 08/00, and to install appropriate signage accordingly, on Cougar Mountain Crescent.

CARRIED

R: 34/006  
06 Hamlet  
Cleanup Dates

5. Moved by Councillor Adams that Council approve the following dates for the 2006 Spring and Fall Cleanups in the Bow Valley Hamlets and the Hamlet of Benchlands:

<u>LOCATION</u>	<u>CLEANUP WEEKEND</u>	<u>PICK-UPDATES</u>
Harvie Heights	May 27 & 28, 2006 Sept 30 & Oct 1, 2006	May 29, 2006 October 2, 2006
Exshaw	June 3 & 4, 2006 September 23 & 24, 2006	June 5, 2006 September 25, 2006
Dead Mans Flats/ Kananaskis Settlement/	June 10 & 11, 2006 September 16 & 17, 2006	June 12, 2006 September 18, 2006
Lac des Arcs	June 17 & 18, 2006 September 9 & 10, 2006	June 19, 2006 September 11, 2006
Benchlands	June 24 & 25, 2006 October 7 & 8, 2006	June 26, 2006 October 10, 2006

CARRIED

Moved by Councillor Adams that Council direct Administration to delete Rule #4 – “There is a limit of one five-ton truck size load per household.” from the list of conditions for clean-ups.

DEFEATED 3 - 2

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

R: 35/006  
Delete #4 of  
the rules

Defeated 3-2

R: 36/006  
AAMD&C  
Spring Conv.

6. Moved by Councillor Pepper that Council authorize Councillors Adams, Dunki, Pepper and Ryan to attend the Spring A.A.M.D. & C. Convention which is to be held on March 27-29, 2006 and further that those delegates authorized to attend receive per-diems, in accordance with the Council & Committee Remuneration Policy. CARRIED

R: 37/006  
Mts. @ AAMD  
&C Spring Con

7. Moved by Councillor Ryan that Council direct Administration to set up meetings with the following Ministers/Department Officials at the Spring A.A.M.D. & C. Convention: Alberta Transportation, Sustainable Resource Development, Justice Department, Community Development, Environment and Seniors. CARRIED

R: 38/006  
Approve cont.  
of Exshaw  
water well  
drilling & auth  
\$25,000 bud.  
inc.

8. Moved by Councillor Cooper that Council approve the continuation of the Exshaw water well drilling program and authorize a \$25,000 increase in the budgeted amount for this project. CARRIED

R: 39/006  
Support joint  
initiative for

9. Moved by Councillor Ryan that Council agree to:  
 a) support a joint initiative, including Parks Canada and the Towns of Banff and

bicycle/comm..  
trail (Canmore/  
HH/ Banff),  
\$5,000 for  
project & MD  
to coordin.  
grant

Canmore (and apply to Alberta Economic Development for funding towards) a feasibility and route selection study for a Canmore – Harvie Heights – Banff bicycle/commuter trail;

- b) allocate a maximum \$5,000 towards the project; and
  - c) recommend the MD of Bighorn as the municipality to receive and coordinate the grant funding.
- CARRIED

R: 40/006  
Provide Mun.  
Opinion on  
Picnic shelter  
for Ex. Com.

10. Moved by Councillor Cooper that Council provide the Exshaw Community Association with a municipal opinion endorsing the picnic shelter project at the Exshaw Recreation Grounds.
- CARRIED

R: 41/006  
Table decision  
on Seebe's  
Historic Res.  
Defeated 3-2

11. Moved by Councillor Pepper that Council table the decision regarding the Superintendent's Residence and old School in Seebe, and the sites on which they sit, as part of its municipal reserve dedication at the time of subdivision of TransAlta's Seebe Lands for a thirty day period.

DEFEATED 3 - 2

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

R: 42/006  
Endorse two  
Seebe sites as  
Historic  
Resources

Moved by Councillor Ryan that Council endorse the recommendation of its Heritage Resources Committee, which is that TransAlta Utilities Corporation consider providing the Superintendent's Residence and old school in Seebe, and the sites on which they sit, as part of its municipal reserve dedication at the time of subdivision of TransAlta's Seebe Lands.

CARRIED

R: 43/006  
Approve  
Develop Agree  
with R. Donald

12. Moved by Councillor Cooper that Council approve the Development Agreement between Russell Donald of Mad Dogs and Englishmen and the MD of Bighorn, and authorize the Reeve and the Municipal Secretary to sign the agreement on Council's behalf.
- CARRIED

R: 44/006  
Approve Sub.  
Agree with  
Batyki/ Triple  
H

13. Moved by Councillor Ryan that Council approve the Subdivision Agreement between Vic Batycki Contracting Ltd. and Triple H. Electric Ltd. and the MD of Bighorn, and authorize the Reeve and the Municipal Secretary to sign the agreement on Council's behalf.
- CARRIED

14. Council discussed the March 2006 Newsletter articles and approved for printing with the amendments.

R: 45/006  
Accept DMF  
Water Master  
Plan & obtain  
proposal from  
ISL for next  
step

15. Moved by Councillor Cooper that Council accept the Dead Man's Flats Water Master Plan subject to any refinements Council believes necessary, and direct Administration to obtain a proposal from ISL for the next step in developing a water system in the Hamlet, that being to establish a water source and refine the Master Plan based on that water source information.
- CARRIED

16. Councillor Pepper updated Council with the recent meetings of the Bow River Basin Council, noting in particular their working arrangement with the Alberta Water Council. He indicated that the Stoney First Nation is now wanting to be involved in process: the contact name is Mary Cambell who is one of the Minister's First Nation Advisors and another contact name is Lydia Graham who works as a Stoney First Nations' employee. Councillor Pepper noted that the Bow River Basin Council is hosting an conference at the Telus Convention Center in Calgary on June 16, 2006 with regards to groundwater and surface water. Councillor Pepper advised that Jay Hill wrote the Bow River Basin Council report last year and "State of the Basin" sessions are planned for the Canmore and Cochrane area.

R: 46/006  
Verbal Rpt as  
info

Moved by Councillor Cooper that Council accept Councillor Pepper's verbal report as information. CARRIED

17. Moved by Deputy Reeve Adams that Council approve that the M.D. enter into a Caretaker Agreement (as per M.D. policy T-17) with Graham Lock for that portion of unused road allowance lying between the lands legally described as the Remainder of Lot 2, Block 3, Plan 1370JK and the Kitchen Site Addition Plan 1471LK, in Lac des Arcs. CARRIED

R: 47/006  
Approve  
Caretaker  
Agree for Lot 2,  
Block 3, Plan  
1370JK &  
Kitchen Site in  
LDA

18. Moved by Councillor Ryan that Council approve Councillors Adams, Cooper, Dunki, and Pepper attend the FireSmart Conference in Kananaskis Country on March 15 – 17, 2006 and direct Administration to register the delegates; further that those delegates authorized to attend receive per-diems, in accordance with the Council & Committee Remuneration Policy. CARRIED

R: 48/006  
Adams/Cooper/  
Dunki/Pepper  
to attend  
FireSmart on  
March 15-  
17/06

19. Moved by Councillor Ryan that Council approve Councillors Cooper and Ryan attend the Advances in Cumulative Effect Assessments – Processes & Perspectives conference in Edmonton, Alberta on April 5, 2006 and direct Administration to register the delegates; further that those delegates authorized to attend receive per-diems, in accordance with the Council & Committee Remuneration Policy. CARRIED

R: 49/006  
Cooper/Ryan to  
att. Ad. In  
Cum. Eff. Ass.  
On April 5/06

20. Moved by Councillor Cooper that the M.D. of Bighorn, in the interest of increased public safety for all the highway 1A users, encourage Alberta Transportation to have the posted regulated speed limit on Gap Hill reduced as soon as possible, starting on the road section at Graymont Quarry and ending at the Baymag railway crossing; it is further suggested that the posted regulated limit be 80 km/hr and the posted suggested speed limit continue to be 65 km/hr; and it is further suggested that the change be effective in advance of the scheduled Alberta Transportation safety audit planned for spring 2006. CARRIED

R: 50/006  
Encourage AB  
Trans to reduce  
speed limit on  
Gap Hill

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

Councillor Ryan advised that construction debris had blown off of a development site on

Windridge Road; the CAO noted that a meeting with that developer would be held Friday, February 17<sup>th</sup>, and this issue would be brought to his attention.

Councillor Cooper inquired about a recent dog bite situation in Exshaw; the CAO provided information, noting that the matter has been resolved, as the complainant did not want to press charges.

Deputy Reeve Adams noted that he had come up with a slogan for the Hamlet of Dead Man's Flats for the Hamlet sign "Spirit of the Valley".

**J. INFORMATION**

Moved by Councillor Ryan that items J.1. to J.16. be accepted as information. CARRIED

Council directed Administration to obtain a list of recyclables accepted at the Town of Cochrane's new Recycling Centre and to obtain the RCMP Statistics for the Cochrane Detachment.

**K. IN CAMERA**

Moved by Deputy Reeve Adams that Council go in camera at 2:56 p.m. CARRIED

Moved by Councillor Cooper that Council go out of camera at 5:20 p.m. CARRIED

1.a) Moved by Deputy Reeve Adams that Council amend Resolution 330/05, by establishing a reserve bid of Nine Dollars (\$9.00) per square foot for each of the four leased lots in the Exshaw Industrial Park and will be sold through a public tender process. CARRIED

2.b) Moved by Councillor Ryan that Council appoint Mr. Ken Manning, of the Hamlet of Benchlands, and Mr. Dennis Apedaile, of the Jamieson Road area, to serve as public members of the MD of Bighorn's Heritage Resources Committee, and further that Administration draft a bylaw for this committee for Council's consideration in order to establish the Committee's purpose, membership and operation. CARRIED

2.c) Moved by Councillor Adams that Council approve that the C.A.O.'s salary be adjusted to \$84,000, effective 1 June 05 (a \$1500 adjustment to bring the salary within the revised range, and a further 5% increase, based on a very satisfactory and successful evaluation). CARRIED

3. Moved by Councillor Cooper that Council direct Administration to return the Rogers Wireless S/DAB Decision back to the S/DAB Members to reconsider the decision on Development Permit 55/04, the Rogers Wireless Inc. telecommunication tower at West Jumpingpound. CARRIED

R: 51/006  
J.1 - J.16  
accepted as info

R: 52/006  
In camera @  
2:56 pm

R: 53/006  
Revert to open  
mtg @ 5:20 pm

R: 54/006  
Amend R.  
330/05 & est. a  
reserve bid  
\$9/sq. ft for 4  
Ex. Ind. Park

R: 55/006  
Manning &  
Apedaile  
appoint to HRC  
& Admin to  
draft Bylaw

R: 56/006  
Adj. CAO  
salary

R: 57/006  
S/DAB to  
reconsider  
decision on DP  
55/04

R: 58/006  
In camera @  
5:24 pm

Moved by Councillor Cooper that Council go in camera at 5:24 p.m.

CARRIED

R: 59/006  
Revert to open  
mtg @ 5:50 pm

Moved by Councillor Ryan that Council go out of camera at 5:50 p.m.

CARRIED

**ADJOURNMENT**

R: 60/006  
Adjournment @  
5:50 pm

Moved by Councillor Cooper that the February 14, 2006 Regular Council Meeting adjourn  
at 5:50 p.m.

CARRIED

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REEVE

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MUNICIPAL SECRETARY