

**MUNICIPAL DISTRICT OF BIGHORN NO. 8**

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, April 11, 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

**STAFF:** 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 Councillor Cooper that the agenda for the April 11, 2006 Regular Council meeting be adopted with the following amendments:

- Unfinished Business Item F.6. Replacement Information for Agenda
- Unfinished Business Item F.9. Oil & Gas Development
- Unfinished Business Item F. 10. Southern East Slopes Management to AAMD&C
- By-Laws Item G.6. Bylaw 10/06 - 2006 Tax Rate Bylaw
- New Business Item H.9. Replacement for Agenda page 189

CARRIED

**B. MINUTES**

1. Moved by Councillor Ryan that the minutes of the March 14, 2006 Council meeting be adopted as circulated.

CARRIED

2. Moved by Councillor Ryan that the minutes of the March 22, 2006 Special Council meeting be adopted as circulated.

CARRIED

**C. MEETING NOTES/COMMUNITY MINUTES**

1. Moved by Councillor Pepper that Council acknowledge that the following minutes have received approval:

- a) Municipal Planning Commission - February 15, 2006

CARRIED

R: 112/06  
April 11/06  
Agenda adopted  
as amended

R: 113/06  
Mar. 14/06  
Council min.  
adopted

R: 114/06  
Mar. 22/06  
Spec. Council  
min adopted

R: 115/06  
Acknowledge  
Committee/  
Board minutes  
that received  
approval

R: 116/06  
April 5/06  
Conf. Proceed.  
Pge as info.

2. Moved by Councillor Adams that Council accept the Advances in Cumulative Effects Management – Processes & Perspectives, conference proceedings package of April 5, 2006 as information. CARRIED

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

1. a) Council agreed that instead of having a Finance and Economic Development Committee meeting for the Auditors first quarterly report, they could come to the May Council meeting.

**E. DELEGATIONS**

1. Greg Gilbertson, Section Leader, and Carla Giesbrecht, Applications Coordinator, of the Alberta Energy and Utilities Board (EUB) were in attendance. Their presentations are attached to the Council Agenda package. They discussed the EUB's approval process for oil and gas wells and pipelines, noting the huge increase in application volumes in recent years. They also discussed coal bed methane development in Alberta, emphasizing the varying characteristics of the seams in different parts of Alberta and explaining the phenomena of being able to set tap water on fire.

**F. UNFINISHED BUSINESS**

1. It was noted that a new draft bylaw (Bylaw 07-Z/06) has been created for the Benchlands Land Use Bylaw amendment and will be dealt with later on the agenda.
2. It was noted that the MD is still waiting for the agreement from the Harvie Heights Community Association regarding Lot 18 MR or ER Designation.
3. Moved by Councillor Ryan that the matter of Hosting Fees from the Bow Valley Waste Management Commission be brought forward for discussion. CARRIED

Councillor Ryan withdrew motion 388/05 which states "Moved by Councillor Ryan that 50 percent of the annual hosting fees collected from the Bow Valley Waste Management Commission be set aside for the exclusive use of the Hamlet of Exshaw, to be administered by MD Council through the Community Services Board." He then noted that the Finance and Economic Development Committee had come up with a recommendation.

Moved by Councillor Ryan that the total amount of the Hosting Fees from the Bow Valley Waste Management Commission be set aside in a Community Enhancement Reserve commencing in 2007, and further that Administration draft a policy for dealing with the money that will accrue to this reserve account. CARRIED

4. It was noted that Bylaw 05/05 – Dead Man's Flats Road Closure has been sent to the Minister for approval.

R: 117/06  
Remove the  
Tabling of  
Hosting Fees

Withdrew  
R388/05

R: 118/06  
Total Hosting  
Fees into  
Community  
Enhancement  
Reserve

R: 119/06  
Pepper to attend  
06 Env. Conf  
on May 4  
&5/06

R: 120/06  
CASA Rpt as  
info

R: 121/06  
Ltr to BVWMC  
RE: Bylaw  
08/05

5. Moved by Councillor Pepper that Council authorize him to attend the 2006 Alberta Environment Conference, which is to be held on May 2 to 5, 2006, only on the days of May 4 and 5, 2006 and further that Councillor Pepper receive per-diems, in accordance with the Council & Committee Remuneration Policy. CARRIED
6. Moved by Councillor Cooper that Council accept the CASA Update Report dated April 3, 2006 as information. CARRIED
7. Councillor Cooper updated Council on the WildSmart initiative. He noted that the initiative has received some funding that is being handled by Robert Ellis of the Town of Canmore. Councillor Cooper noted that Kathryn Milne, a member of the MD's Bow Corridor Environment Committee, is on the Communication Committee for WildSmart and is doing a great job. He stated that in the beginning of May, 2006 information will be going out on bears and how to live with them. He noted that the group's boundary ends at the Kananaskis River but feels that this information should be distributed to all MD ratepayers, possibly in the next newsletter. Councillor Ryan said that he has seen some draft material from this WildSmart group and that it had logos of some specific supporters on it. He asked Councillor Cooper why some, but not all, supporting groups were being recognized. Councillor Cooper stated that the survey material Councillor Ryan saw is a work in progress and that the logo issue has been resolved. Councillor Cooper also noted that a WildSmart group will be starting up in Bragg Creek which will deal with wildlife from a more rural and agricultural perspective, and that it would be beneficial for the MD to be involved in that initiative also.
8. Moved by Councillor Cooper that Council authorize the forwarding of the draft April 12<sup>th</sup> letter of response to the March 13, 2006 letter from the Bow Valley Waste Management Commission, clarifying the M.D.'s Solid Waste Management Bylaw 08/05. CARRIED
9. Councillor Pepper noted that there is still a problem with people getting access to information from oil and gas companies which are drilling within the area. He noted that drilling can cause damage to aquifers and that oil and gas companies need to extend the area for water well testing to 880 meters from 400 meters away from a gas well. Council discussed the oil and gas activities and suggested that Councillor Pepper, Reeve Dunki, Councillor Cooper and the Assistant Municipal Manager prepare a report on what oil and gas companies operating in the MD of Bighorn should do, such as consulting with people in the area, and providing information such as drilling schedules, drilling mud content and drilling contractor. Councillor Pepper also said the MD should show support for the proposal to test water wells at 880 meters distance from the drilling point from the gas well.

Council also noted that they only want to be notified of oil wells in the areas that affect that Councillor.

10. Councillor Pepper updated Council regarding the Southern East Slopes Management Task Force presentation to the AAMD&C. He noted that Parkland County had put a

motion forward about controlling ATV use but it was defeated. Councillor Pepper noted that the Task Force only wants support for its initiative and not to have it taken over.

**G. BYLAWS**

R: 122/06  
1<sup>st</sup> Reading  
Bylaw 03/06  
Amending  
MDP base  
mapping with  
amendments

1. Moved by Councillor Cooper that Council give first reading to draft Bylaw 03/06, a bylaw amending Bighorn's Municipal Development Plan by amending the base mapping in Figures 1 through 9, with the following amendments:
  - a) On all of the maps, add "Municipal Development Plan" below the MD's logo and name.
  - b) On all of the maps, add a statement explaining that these land use concepts are not the same as the land use districts designations established in the Land Use Bylaw, and noting that the Municipal Development Plan is only one in a series of planning documents.
  - c) In Figure 6, colour Block 4, Plan 0413737 as Residential.
  - d) On Figure 8, add a note that the Environmental Conservation areas are identified on the basis of Provincial Integrated Resource Plans information.
  - e) On Figure 8, correct the colour for the Ghost Reservoir Provincial Recreation Area to show it as Tourism Resort/Recreation Facilities.

CARRIED

R: 123/06  
1<sup>st</sup> Reading  
Bylaw 06/06  
Weed Notice  
Appeal Comm.

2. Moved by Councillor Cooper that Council give first reading to Bylaw 06/06, to establish a Weed Notice Appeal Committee.

Moved by Councillor Pepper that draft Bylaw 06/06 be tabled to allow staff to canvas the Subdivision/Development Appeal Board Members to see if they are willing to act as the Weed Notice Appeal Committee, and that Administration bring the information back to the May Council meeting.

CARRIED

R: 124/06  
Tabled till May  
/canvas S/DAB  
members

3. Moved by Councillor Pepper that Council give first reading to draft Bylaw 07-Z/06, a bylaw to amend the Land Use Bylaw as it relates to the keeping of horses and llamas in the Hamlet of Benchlands, and set the hearing for May 16<sup>th</sup>, 2006 commencing at 7:00 p.m. to be held at Beaupre Hall.

Moved by Reeve Dunki that Council direct Administration to amend draft Bylaw 07-Z/06 be amended as follows:

- add a clause that the Development Permit application must be referred to the MD's Agricultural Fieldman for his recommendations; and
- add a clause to section 12.15.8 that the Agricultural Operation Practices Act (AOPA) regulations be adhered to.

CARRIED

The motion for first reading was then voted on.

CARRIED

R: 126/06  
Amend draft  
Bylaw 07-Z/06

4. Moved by Councillor Pepper that Council give first reading to Bylaw 08-Z/06, a bylaw amending the SH District of the Land Use Bylaw to add "Kennel (private)" as a Discretionary Use on one property near Courville Road, and set the public hearing for May 29<sup>th</sup>, 2006 commencing at 7:00 p.m. to be held at Beaupre Hall; and further, that

R: 127/06  
1<sup>st</sup> Reading  
Bylaw 08-Z/06  
Craig PH May  
29/06 @7pm -  
Beaupre Hall &  
legal counsel to

be consulted on  
notif. & advert.  
& pres. at hrg.

administration be advised to consult with Bighorn's legal counsel regarding the notification and advertising related to that hearing, and also to request the presence of counsel at the hearing.  
CARRIED

R: 128/06  
1<sup>st</sup> Reading  
Bylaw 09/06  
ARB

5. Moved by Deputy Reeve Adams that Council give first reading to draft Bylaw 09/06, to amend the Harvie Heights Commercial Water Local Improvement Bylaw.  
CARRIED

R: 129/06  
2<sup>nd</sup> Reading  
Bylaw 09/06

Moved by Councillor Pepper that Council give second reading to Bylaw 09/06.  
CARRIED

R: 130/06  
Consent for 3<sup>rd</sup>  
Reading  
Bylaw 09/06

Moved by Deputy Reeve Adams that Council give consent to proceed with third and final reading to Bylaw 09/06 at this meeting.

CARRIED UNANIMOUSLY

R: 131/06  
3<sup>rd</sup> Reading  
Bylaw 09/06

Moved by Deputy Reeve Adams that Council give third and final reading to Bylaw 09/06.

CARRIED

R: 132/06  
1<sup>st</sup> Reading  
Bylaw 10/06  
06 Tax Rate &  
use of Taxation  
Rate Stab. Res  
to lower 06  
Mun. pro. Tax  
req

6. Moved by Councillor Cooper that Council give first reading to draft Bylaw 10/06, to establish the rates of taxation for the 2006 tax year, and further that Council authorize the use of \$30,915 from the Taxation Rate Stabilization Reserve Account towards lowering the Year 2006 municipal property tax requirements.

CARRIED

R: 133/06  
2<sup>nd</sup> Reading  
Bylaw 10/06

Moved by Councillor Cooper that Council give second reading to Bylaw 10/06.  
CARRIED

R: 134/06  
Consent for 3<sup>rd</sup>  
Reading  
Bylaw 10/06

Moved by Councillor Cooper that Council give consent to proceed with third and final reading to Bylaw 10/06 at this meeting.

CARRIED UNANIMOUSLY

R: 135/06  
3<sup>rd</sup> Reading  
Bylaw 10/06

Moved by Councillor Pepper that Council give third and final reading to Bylaw 10/06.  
CARRIED

## **H. NEW BUSINESS**

R: 136/06  
Mar 06  
Cheques  
Issued Rpt.  
accepted as info

1. Moved by Councillor Ryan that Council receive, for information, the reports on Accounts Payable (A/P) cheques issued, numbers 19995 to 20131 in the amount of \$228,748.41 and Payroll cheques issued, numbers 4700 to 4750 in the amount of \$45,894.72.  
CARRIED

R: 137/06  
Mar/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 March 31, 2006 as information.

CARRIED

R: 138/06  
Tfr. o/s utility  
to tax acnts.

3. Moved by Deputy Reeve Adams that Council approve the transfer of outstanding utility charges to the respective tax accounts. **CARRIED**

R: 139/06  
06 spray pthing  
on J & R to The  
Patchmaster

4. Moved by Councillor Cooper that Administration be authorized to award the 2006 spray patching work for Jamieson and Richards Roads to "The Patchmaster" through a sole source procurement process rather than the normal tender process. **CARRIED**

R: 140/06  
Staff to invest.  
& community  
consultation  
RE: teet-tott &  
rocking house  
in HH & report  
back to Council

5. Moved by Deputy Reeve Adams that Council direct staff to undertake an investigation and community consultation regarding the removal or relocation of the teeter-totter and rocking horse in the Harvie Heights Playground as they no longer comply with current CSA standards, and that staff report back to Council with recommendations within 60 days, and that, in the meantime, the structures be allowed to remain in their present location. **CARRIED**

R: 141/06  
Proclaim May  
7-13/06 as  
Building Safety  
Week

6. Moved by Councillor Pepper that Council proclaim the week of May 7 to May 13, 2006 as 'Building Safety Week' and authorize the Reeve to sign the proclamation and that the proclamation be posted in the entrance way to the MD office. **CARRIED**

R: 142/06  
Proclaim June  
5-11/06 as  
Seniors Week  
& \$200. to hold  
a Seniors  
celebration

7. Moved by Deputy Reeve Adams that Council proclaim the week of June 5 to June 11, 2006 as 'Seniors Week' and authorize the Reeve to sign the proclamation and that the proclamation be posted in the entrance way to the MD office, and further that a sum of up to \$200.00 be allocated to hold a Seniors celebration event in the MD of Bighorn. **CARRIED**

R: 143/06  
Approve Dev.  
Agree with  
Snow Owl

8. Moved by Councillor Cooper that Council approve the Development Agreement between Snowy Owl Sled Dog Tours (represented by Connie Arsenault) and the MD of Bighorn, and authorize the Reeve and the Municipal Secretary to sign the agreement on Council's behalf. **CARRIED**

R: 144/06  
Agree to ISL  
April 3/06  
proposal DMF

9. Moved by Deputy Reeve Adams that Council agree to the April 3, 2006 proposal of ISL, titled "Proposed Community Potable Water System at the Hamlet of Dead Man's Flats – Preliminary Design". **CARRIED**

R: 145/06  
Ltr. to TA re:  
Seebe SF's  
House &  
School

10. Moved by Councillor Ryan that notice be given by Administration to TransAlta Utilities Corporation, stating that Council is considering adoption of a bylaw to designate the Superintendent's House and the School House in Seebe as Municipal Historic Resources pursuant to s.26 of the Historical Resources Act. **CARRIED**

R: 146/06  
Info. Rpt on  
BCMP as info

11. Moved by Councillor Cooper that Council accept the Information Report on the Bow Corridor Regional Mobility Partnership as information. **CARRIED**

R: 147/06  
Info. Rpt on  
DMF Wildlife  
Fencing as info.

12. Moved by Councillor Pepper that Council accept the Information Report on Dead Man's Flats Wildlife Fencing as information. **CARRIED**

Council suggested that this information report be forwarded to the Municipal Planning Commission for their information.

R: 148/06  
Admin to send  
Req. for  
Express of  
Interest to  
RSTSMMS

13. Moved by Councillor Ryan that Council direct Administration to send a written Expression of Interest as a Project Partner in response to the Calgary Regional Partnership's request for Regional Specialized Transportation Services Mobility Management Services. **CARRIED**

R: 149/06  
Info Rpt. on T  
of Canmore  
Submiss on  
FCSS Review  
as info.

14. Moved by Deputy Reeve Adams that Council accept the Information Report on the Town of Canmore's submission to the Family and Community Support Services (FCSS) Review as information. **CARRIED**

Deputy Reeve Adams asked to be recorded as stating that he initially thought that this review would cause a merger of the two government services but that this no longer seems to be the case.

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

Councillor Ryan noted sand and gravel related to winter street sanding accumulates in ditches and on properties in the spring due to the snow plowing. He asked if the MD has a sweeper that could help the residents move this material back onto the roadway so that it could be removed by the street sweeper we hire. Hugh Pettigrew responded that the attachment the MD has for the skid-steer would not do a very good job and would likely kill the grass. Councillor Ryan then questioned what is going to be done about the spring run-off this year. He noted that in the past water goes down Windridge then heads east down Veterans Way, flooding the last two east blocks in Exshaw. Mr. Pettigrew responded that this is a long-standing issue in Exshaw, that there is no easy solution that the run-off volumes depend on the weather, and that MD staff will respond as they have in the past.

Councillor Cooper questioned about the vehicles that rarely move and are parked on private property or the edge of roads in Exshaw, and wondered about an education program about vehicles and messy yards. It was noted that something could be placed in the next MD newsletter if Council wanted. Councillor Cooper also noted that he had a phone call from a resident about 80 gallons of oil spilled in the CPR rail allowance from CPR and questioned who should be contacted. The Assistant Municipal Manager noted that Councillor Cooper, or anyone else who knew of this episode, should be contacting Alberta Environment.

#### **J. INFORMATION**

R: 150/06  
J.1-.17 accepted  
as info

Moved by Councillor Ryan that items J.1. to J.17. be accepted as information.

**CARRIED**

Council suggested that item J.8. should be taken to the next BCEC – Trucking Subcommittee meeting for their information.

**K. IN CAMERA**

R: 151/06  
In camera @  
2:30 pm

Moved by Councillor Cooper that Council go in camera at 2:30 p.m. **CARRIED**

R: 152/06  
Revert to open  
mtg @ 2:59 pm

Moved by Deputy Reeve that Council go out of camera at 2:59 p.m. **CARRIED**

R: 153/06  
Hebb/Milne/  
Apedaile as  
ARB public rep,  
Adams/Pepper  
as mem. Cooper  
Dunki & Ryan  
as acting board  
mem

1.b) Moved by Deputy Reeve Adams that Council appoint Kevin Hebb of Exshaw, Mike Milne of Lac des Arcs and Denis Apedaile of Jamieson Road as public representatives on the Assessment Review Board, and also appoint Councillors Paul Adams and Hugh Pepper as the regular Council representatives on the Assessment Review Board, and Councillors Dene Cooper, Maria Dunki and Paul Ryan as acting Board members should any regular member be absent, for any reason, from any Assessment Review Board hearing. **CARRIED**

**ADJOURNMENT**

R: 154/06  
Adjournment @  
3:00 pm

Moved by Councillor Cooper that the April 11, 2006 Regular Council Meeting adjourn at 3:00 p.m. **CARRIED**

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REEVE

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MUNICIPAL SECRETARY