

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, January 9, 2007
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 9:04a.m.

A. APPROVAL OF AGENDA

Moved by Councillor Dunki that the agenda for the January 9, 2007 Regular Council meeting be adopted with the following amendments:

- | | |
|-----------------------------|---|
| - Business Arising D.1.a): | MEX Meeting on January 11, 2007 |
| - Business Arising D.1.b): | Living in the Natural Environment |
| - Business Arising D.1.c): | Heritage Resource Committee meeting |
| - Unfinished Business F.1.: | Bylaw 05/05 - Dead Man's Flats Road Closure |
| - Unfinished Business F.4.: | More information |
| - Unfinished Business F.6.: | Hearing Times for Moondance Public Hearing |
| - New Business Item H.8.: | Land Use Forum Update (Verbal – Pepper) |
| - New Business Item H.9.: | Agricultural Services & Environmental Advisory
Board "Strategic Business Plan" |
| - In-Camera Item K.2.: | Land Development |
| - In-Camera Item K.3.: | Aggregate Payment Levy |

CARRIED

B. MINUTES

1. Moved by Councillor Adams that the minutes of the December 13, 2006 Council meeting be adopted with the following amendment:
 - Page 4, Item G.3., second motion; change the name 'Cooper' to 'Dunki'.
 - Page 7, Item H.14, after the words 'less than 1/10' add the words 'with regards to S0₂'.

R: 001/07
Jan 9/07 Agenda
adopted as
amended

R: 002/07
Dec.12/06
Council min.
adopted with
amendment

- Page 8, under Adjournment; change 'Deputy Reeve' to 'Councillor'.

CARRIED

- 2. Moved by Councillor Ryan that the minutes of the December 13, 2006 Special Council meeting be adopted as circulated. CARRIED

R: 003/07
Nov3/06 Special
Council minutes
adopted as circ.

R: 004/07
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 - November 22, 2006
 - b) Bighorn Corridor Environment Committee - September 6, 2006

CARRIED

D. BUSINESS ARISING FROM THE MINUTES/NOTES

- 1.a) Councillor Dunki asked about the Municipal Excellence Meeting scheduled for January 11, 2007, wondering if there was a need for the meeting. It was noted that there are two issues on the agenda: the first issue is the one of the Reeve/Deputy Reeve appointment, and the second issue is the Staff post-Xmas Party. It was decided that the Reeve/Deputy Reeve appointment issue should be taken to the February 2007 Council meeting and that the details of Staff Party will be discussed today during lunch.
- b) Councillor Dunki noted that the Living in Natural Environment Conference will be held on February 9, 2006 at the Cochrane Ranchehouse between 4:00 p.m. to 9:00 p.m. at the cost of \$25.00. The main topics at the Conference will be Mountain Pine Beetles, wildlife on private and public lands and WildSmart.
- c) Councillor Adams asked if a Historic Resources Committee meeting has been scheduled: it was noted from Councillor Ryan that there are historical resources in Exshaw, with the disposition of one possible historic building being talked about. Councillor Ryan noted that the person who is looking after the disposition of the building is away on holidays and will not be back until early in February.

F. UNFINISHED BUSINESS

- 1. Moved by Councillor Dunki that Council give second reading to Bylaw 05/05, a bylaw to close a portion of a road allowance in the Hamlet of Dead Man's Flats.

CARRIED

Moved by Councillor Adams that Council give third and final reading to Bylaw 05/05.

CARRIED

- 2. There was no new information on this issue.

R: 005/07
2nd Reading
Bylaw 05/05

R: 006/07
3rd Reading
Bylaw 05/05

3. There was no new information on this issue.
4. Reeve Cooper noted that the Lafarge plant burns fuel at the same rate as the city of Red Deer, and indicated that the monitoring/studying of air quality needs to be done on a 24 hours/7 days a week basis, as is presently being done. He noted that the Lafarge plant is the only one doing ground level air quality monitoring. Reeve Cooper noted that when there is an exceedence over 30 mg/m³ it needs to be over a three year period to affect anyone. He stated that out of the four scenarios from the CRAZ Report, two are offensive in that they suggest removing the monitors from Lac des Arcs and Exshaw for 6 months. He stated that he has been denied a meeting with the Chair and the Interim Chair of the committee and indicated that he is arranging a meeting with Dr. Friesen (Calgary Health Region). Reeve Cooper stated that ground lever monitoring is an absolute necessity in the Lac des Arcs/Exshaw area due to the industrial plants.

Moved by Councillor Dunki that Council support the position of Reeve Cooper took on for the residents of the MD of Bighorn with regards to the CRAZ Report. CARRIED

5. Councillor Ryan provided a report to Council which is attached to the Council Agenda package. Councillor Dunki questioned if there has been a formal request to discuss other usage at the Francis Cooke Landfill and it was noted that no formal request has been received. Councillor Adams asked about the Town of Banff's Transfer Station: it was noted that the Station is run by the Town of Banff and that it is about 100m by 100m in size. It was noted that the last Intermunicipal meeting with the Town of Canmore held was in November 2005 with the MD having made several formal and informal requests for another meeting, after that last meeting.

Moved by Deputy Reeve Pepper that Council accept the January 9, 2007 Report to Council, from Councillor Ryan, regarding the Bow Valley Waste Management Commission as information. CARRIED

6. Moved by Councillor Ryan that Council rescind motion number 399/06. CARRIED

Moved by Councillor Adams that the Public Hearing for Bylaw 19/06 be scheduled and advertised in two parts with the first part to be held on March 1, 2007 commencing at 1:00 p.m. at the Exshaw Community Hall and the second part to be held on March 5, 2007 commencing at 7:00 p.m. at the Exshaw Community Hall; further that the public hearing procedure be followed from start to end on both days.

CARRIED

G. BYLAWS

1. Moved by Councillor Ryan that Council give first reading to Bylaw 01-Z/07, to amend the M.D.'s Land Use Bylaw 19/96, adding a requirement for source separation of construction/renovation/demolition waste to the Conditions of Approval for developments and further that Council direct Administration to refer this draft bylaw to the Bow Valley Waste Management Commission for comments.

R: 007/07
3rd Reading
Support Reeve
position on the
CRAZ Report

R: 008/07
Jan 9/07 report
from Ryan
accepted as info

R: 009/07
Rescind R:
399/06

R: 010/07
PH for Bylaw
19/06 Mar 1/07
@ 1pm & Mar
5/07 @ 7pm @
Exshaw
Community Hall

R: 011/07
01-Z/07
1st reading

Withdrawn

Councillor Ryan withdrew his motion.

R: 012/07
01-Z/07
1st Reading & to
BVWMC for
comments

Moved by Councillor Adams that Council give first reading to Bylaw 01-Z/06, to amend the M.D.'s Land Use Bylaw 19/96, adding a requirement for source separation of construction/renovation/demolition waste to the Conditions of Approval for developments and further that Council direct Administration to refer this draft Bylaw to the Bow Valley Waste Management Commission for comments. CARRIED

R: 013/07
PH March 13/07
@ 1pm at MD
office

Moved by Councillor Ryan that Council set the Public Hearing date for Bylaw 01-Z/07 on March 13, 2007 commencing at 1:00 p.m. to be held at the MD Office during the regular scheduled Council meeting. CARRIED

2. Councillor Ryan asked if he should declare a conflict of interest on proposed Bylaw 02-Z/07; it was indicated that, due to the interest being held in common with the majority of electors, there was no conflict.

R: 014/07
1st Reading
Bylaw 02-Z/07
with amendments

Moved by Deputy Reeve Pepper that Council give first reading to Bylaw 02-Z/07, to amend residential district of Land Use Bylaw 19/96 as they apply in the MD's five hamlets with three changes as follows:

- a) in the draft R-1A District add Secondary Suites as a Discretionary Use;
- b) also in the draft R-1A District, add wording to stipulate that Secondary and Studio Suites will only be allowed if the property owner lines on the property; and
- c) in the draft R-M District, delete the parking and loading requirements as set out in Section 34.8.0, and establish those requirements instead in Section 12.9.0, where the other parking and loading regulations of the Land Use Bylaw are located.

CARRIED

R: 015/07
PH March 12/07
@ 7pm Ex.
Comm. Hall

Moved by Councillor Ryan that Council set the Public Hearing date for Bylaw 02-Z/07 on March 12, 2007 commencing at 7:00 p.m. to be held at the Exshaw Community Hall. CARRIED

R: 016/07
1st reading
Bylaw 03/07

3. Moved by Councillor Adams that Council give first reading to draft Bylaw 03/07, a bylaw respecting identification required for Local Authority Elections.

CARRIED 4 - 1

Carried 4-1

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

H. NEW BUSINESS

R: 017/07
Cheques Issued
Report for
December 2006

1. Moved by Councillor Ryan that Council accept for information, the payroll cheques issued reports for cheque number 5206 to 5271 in the amount of \$59,938.68 and number 21221 to 21417 in the amount of \$388,845.80 less void cheque 21382 in the amount of

\$1,923.15 for a net amount of *\$386,922.65* for the month of December.

CARRIED

R: 018/07
Budget vs.
Actual Dec/06
accepted

2. Moved by Councillor Ryan that Council accept the Balance Sheets and Budget vs. Actual Spending Reports for the month of December 2006. CARRIED

R: 019/07
Policy G-10
approved as circ.

3. Moved by Councillor Dunki that Council approve Draft Policy G-10, Recording Devices in Council Chambers/meetings, as circulated.

CARRIED

R: 020/07
Royal Bank
MD's bank

4. Moved by Councillor Adams that Council authorize Administration to enter into an agreement with the Canmore Branch of The Royal Bank of Canada, for the provision of banking services; the agreement shall be for a three year period commencing January 2007 and ending January 2010. CARRIED

R: 021/07
Subdivision
Extension
1063181 AB Ltd.

5. Moved by Councillor Adams that, pursuant to Clause 2.2.12 of the subdivision agreement between Bighorn and 1063181 Alberta Ltd., Council grant an extension to July 31st, 2007 for completion of the roadway system required by the subdivision approval (#76-23-05(1)LDA) and related subdivision agreement.

CARRIED

R: 022/07
Agreement with
Banff Gate
Mountain Lodge
(1999)

6. Moved by Deputy Reeve Pepper that Council resolve to enter into an agreement with Banff Gate Mountain Lodge (1999) to guarantee the conditions of Development Permit No. 41/06, a permit granted for construction of the sixth motel buildings at the Banff Gate Mountain Lodge, and authorize the Reeve and Municipal Secretary to sign the agreement on Council's behalf. CARRIED

R: 023/07
\$250 to 07
Action for Agric.

7. Moved by Councillor Dunki that Council authorize a \$250 donation to the 2007 Action for Agriculture conference, to be held March 16th, 2007.

CARRIED

8. Deputy Reeve Pepper updated Council on the land use forum that he attended on January 5, 2007. He stated that some of the issues in the green zone are pine beetle, water issues and encroachment from urban areas. He noted that there needs to be a proposal put together for a secretariat for this issue. He stated that a written report will be coming soon from AAMD&C. Councillor Dunki noted that they are looking at public lands and a province wide land use plan. Deputy Reeve Pepper there is a matter of juridical confusion. It was noted that the M.D. of Willow Creek has asked to join the Southeastern Slopes Municipalities Task Force.

R: 024/07
Support in
principle

9. Moved by Councillor Ryan that Council support in principle the Agricultural Services & Environmental Advisory Board's Strategic Business Plan for the year 2007. CARRIED

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

Councillor Ryan asked about the status of the M.D.'s regular garbage truck: it was noted that, due to warranty work, the 1 ½ year old truck has been out of service for a while.

J. INFORMATION

Moved by Councillor Adams that items J.1 to J.13. be accepted as information.

CARRIED

R: 025/07
J.1-J.13.
accepted as info

K. IN CAMERA

Moved by Councillor Dunki that Council go in camera at 2:30 p.m.

CARRIED

R: 026/07
In Camera @
2:30pm

Moved by Councillor Adams that Council go out of camera at 3:00 p.m.

CARRIED

R: 027/07
Revert to open
mtg. @ 3:00 pm

ADJOURNMENT

Moved by Councillor Adams that the January 9, 2007 Regular Council Meeting adjourn at 3:01 p.m.

CARRIED

R: 028/07
Adjournment @
3:01pm

REEVE

MUNICIPAL SECRETARY