

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, December 11, 2007
in the Council Chambers, M.D. office, with the following persons present:

COUNCIL:

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

STAFF:

MARTIN BUCKLEY	CHIEF ADMINISTRATIVE OFFICER
GREG BIRCH	ASSISTANT MUNICIPAL MANAGER
VALERIE FLINK	EXECUTIVE ASSISTANT
BRENDA CHRISTIE	DIRECTOR OF FINANCE
HUGH PETTIGREW	DIRECTOR OF OPERATIONS

Reeve Cooper
called mtg to order
at 9:00 am

CALL TO ORDER

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

A. APPROVAL OF AGENDA

The following amendments were suggested for the agenda:

Add the following items to the agenda:

- Meeting Notes/Community Minutes 05Dec 07 Conservation Easements Meeting Notes
- New Business Item H.12 Additional Information (*letter from Alberta
Minister Municipal Affairs and Housing*)
- New Business Item H.15 Adoption of 2008 Operating and Capital Budgets
- In Camera Item K.3 Personnel Item
- In Camera Item K.4 Personnel Item
- Description of draft Bylaw 19/07 on agenda is reversed with the description of draft Bylaw 20/07

Moved by Councillor Adams that the agenda be adopted with the above-noted amendments.

CARRIED

B. MINUTES

Moved by Deputy Reeve Dunki that the meeting minutes of the 13 November 07 Regular Council meeting be adopted with the following amendment.

- On page 6 Item I.2 replace "root" with "route".

CARRIED

C. MEETING NOTES/COMMUNITY MINUTES

Moved by Councillor Ryan that Council acknowledge that the following minutes have received approval:

12 Mar 07 Municipal Excellence Committee Meeting Minutes

R: 368/07
Agenda adopted as
amended

R: 369/07
13 Nov 07 Council
Meeting Minutes
Approved with
Amendments

R: 370/07
Acknowledge
Committee/Board
Minutes that
received Approval

09 May 07 Community Services Board Meeting Minutes
09 July 07 Municipal Excellence Committee Meeting Minutes
07 Nov 07 Finance & Economic Development Committee Meeting Minutes
22 – 25 Nov 07 FCSS Annual Convention Report from Councillor Adams
05 Dec 07 Conservation Easements: A Landowner Seminar from Deputy Reeve Dunki

CARRIED

D. BUSINESS ARISING FROM MINUTES/NOTES

E. DELEGATIONS

1. The Exshaw School Principal, Ms. Debra Anstey, introduced five students from the School Leadership Group. The students spoke to Council about their Leadership program and their contributions to the Christmas Spirit Campaign. The students of this group filled 20 Christmas Stockings full of small gifts (picked out by the students themselves) and are planning to donate to the Christmas Spirit so that they can be distributed to the needy.
2. Steve Donelon and Melanie Percy, both from Alberta Sustainable Resource Development – Fish and Wildlife Department in Canmore, presented a Power Point presentation on the “Eastern Bow Wildlife Study”. This study provided information on animal tracking in the Bow Corridor from Dead Man’s Flats area to the Kananaskis Settlement area. It utilizes snow-tracking, satellite collar tracking and camera boxes.

F. UNFINISHED BUSINESS

G. BYLAWS

1. 02-Z/07 – LUB Amendment for Hamlet Residential Districts
Council discussed the proposed amendments with respect to the guidelines for residential areas in an effort to provide additional housing opportunities, and architectural/design changes.

Moved by Councillor Pepper that Council give second reading to Bylaw 02-Z/07, a Bylaw to amend the Land Use Bylaw as it applies to hamlet residential districts, with the following amendments:

- a) Change the definition of Secondary Suites to read:
Secondary Suites means a room or rooms located in a Single Family Detached Dwelling, typically in the basement, and utilized as a separate dwelling unit.
- b) Change the definition of Row-house and Townhouse to read:
Row-house see Attached Housing
Townhouse see Attached Housing
and place them in alphabetical order within the list of definitions.
- c) Change the definition of Home Occupation to read:
Home Occupation means an occupation, trade, profession or craft for gain and support which is located on a residential property, is undertaken by a permanent resident of that property, is an incidental and subordinate use to the principle residential use, is usually restricted to

the dwelling unit and accessory buildings, and does not interfere with the rights of the other residents to the quiet enjoyment of the residential neighbourhood.

- d) In Schedule A, the revised R-1 District that will apply in the Hamlets of Benchlands, Harvie Heights and Lac des Arcs, change the maximum height of the principle building (s.20.5.1 (a)) to 9.0 m (29.5 ft).
- e) In Schedule D, the new R-1A District that will apply in the Hamlets of Dead Man's Flats and Exshaw, make the following changes:
 - delete Secondary Suites and Studio Suites from the list of Discretionary Uses (s.33.2.2).
 - delete the material related to Secondary Suites and Studio Suites from the Maximum Limits part (s.33.5.3 and s.33.5.4).
 - delete the material related to Secondary Suites and Studio Suites from the Additional Requirements part (s.33.6.0 (b)).
- f) In Schedule B (the revised R-2 District), Schedule C (the revised R-1S District), Schedule D (the new R-1A District), and Schedule E (the new R-M District), add "Adherence to Dark Sky lighting principles for exterior lighting" to the site planning considerations of the Additional Design Guidelines portions of these four land use districts.
- g) In Schedule A, the revised R-1 District, add the following to the Purpose and Intent portion (s.20.1.1): "It is intended to be used particularly in the Hamlets of Benchlands, Harvie Heights and Lac des Arcs."
- h) In Schedule D, the new R-1A District, add the following to the Purpose and Intent portion (s.33.1.1): "It is intended to be used particularly in the Hamlets of Dead Man's Flats and Exshaw".
- i) In Schedule A, the revised R-1 District, add the following to the Minimum Requirements portion (s.20.4.1): "(e) Notwithstanding the forgoing minimum lot sizes, generally there shall be no further subdivision of the existing residential lots in the Hamlets of Harvie Heights and Lac des Arcs."
- j) In schedule D, the abbreviation for the new Hamlet Single Family Serviced Residential Area shall be changed from R-1A to R-SH."

CARRIED UNANIMOUSLY

2. Draft Bylaw 19/07 – Amendment to Bylaw 18/05 – Hamlet of Harvie Heights Water System
Moved by Deputy Reeve Dunki that Council give first reading to Draft Bylaw 19/07, to amend Bylaw 18/05, Hamlet of Harvie Heights Water System.

CARRIED

Moved by Councillor Pepper that Council give second reading to Draft Bylaw 19/07, to amend Bylaw 18/05, Hamlet of Harvie Heights Water System.

R: 371/07
2nd Reading given
to Draft Bylaw 02-
Z/07

R: 372/07
1st Reading to Draft
Bylaw No. 19/07

R: 373/07
2nd Reading to Draft
Bylaw No. 20/07

CARRIED

R: 374/07
Consent to proceed
for 3rd and final
reading

Moved by Councillor Adams that Council give consent to proceed with third reading to Draft Bylaw 19/07, to amend Bylaw 18/05, Hamlet of Harvie Heights Water System.

CARRIED UNANIMOUSLY

R: 375/07
3rd Reading to Draft
Bylaw 19/07

Moved by Councillor Ryan that Council give third and final reading to Draft Bylaw 19/07, to amend Bylaw 18/05, Hamlet of Harvie Heights Water System.

CARRIED

3. Draft Bylaw 20/07 – Amendment to Bylaw 14/06 – Hamlet of Harvie Heights Sanitary Sewer Bylaw

R: 376/07
1st Reading to Draft
Bylaw No. 20/07

Moved by Councillor Pepper that Council give first reading to Draft Bylaw 20/07, to amend Bylaw 14/06, Hamlet of Harvie Heights Sanitary Sewer System.

CARRIED

R: 377/07
2nd Reading to Draft
Bylaw No. 20/07

Moved by Councillor Adams that Council give second reading to Draft Bylaw 20/07, to amend Bylaw 14/06, Hamlet of Harvie Heights Sanitary Sewer System.

CARRIED

R: 378/07
Consent to proceed
for third and final
reading

Moved by Councillor Ryan that Council give consent to proceed with third reading to Draft Bylaw 20/07, to amend Bylaw 14/06, Hamlet of Harvie Heights Sanitary Sewer System.

CARRIED UNANIMOUSLY

R: 379/07
3rd Reading to Draft
Bylaw 20/07

Moved by Deputy Reeve Dunki that Council give third and final reading to Draft Bylaw 20/07, to amend Bylaw 14/06, Hamlet of Harvie Heights Sanitary Sewer System.

CARRIED

H. NEW BUSINESS

R: 380/07
Cheques Issued
Report for
November 2007

1. That Council, accepts for information, the payroll cheques issued report for EFT numbers 159 - 213 in the amount of \$52,393.25 and the register for A/P cheques issued, numbers 22692 to 22830 in the amount of \$442,678.35 for the month of November 2007.

CARRIED

R: 381/07
Budget vs Actual
November 2007
accepted

2. Moved by Deputy Reeve Dunki that Council accept the Balance Sheet and Budget vs. Actual Spending Report to November 30, 2007 as information before adjustments and review by the auditor.

CARRIED

R: 382/07
Cancellation of
Balances owing on
inactive tax
accounts

3. Moved by Deputy Reeve Dunki that Council approve the cancellation of the balances owing on inactive tax rolls:

- 179355 in the amount of \$24.73
- 2540811 in the amount of \$864.04
- 2540979 in the amount of \$21.79

➤ 308066 in the amount of \$182.16

CARRIED

4. Moved by Councillor Pepper that Council reimburse 50% of the 2007 Property Taxes for Property File 2540551, a property that was burned to the ground in June of 2007.

R: 383/07
 Reimbursement of
 50% of property
 taxes **DEFEATED**

DEFEATED 4 – 1

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

Moved by Councillor Adams that Council decline to provide any reduction in the 2007 property taxes for Property File No. 2540551, on the grounds that services were and are still provided to the property in question.

R: 384/07
 Decline of
 providing any tax
 reduction

CARRIED 4 – 1

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

5. Moved by Councillor Adams that Council approve the following adjustment of the tax sub ledger in the amount of \$4,121.40 to recognize the inactive tax accounts and reconcile the sub ledger:

R: 385/07
 Approve
 adjustments of the
 tax sub ledger

- Debit GL account 00-3-10-00-00-210 (Tax Receivable)
- Credit GL account 00-1-10-00-00-590 (Legislative Miscellaneous Revenue)

CARRIED

6. This Item was moved to In Camera K2
7. Council discussed the policy with respect to Council members submitting a report when attending different meetings.

Moved by Councillor Ryan that Council approve payment for the following expense claims, from the Contingency Allowance noting that Councillor Pepper needs to submit a report on the "Climate Change Conference" held in Canmore.

R: 386/07
 Approval of
 Council payment of
 meetings

Date	Councillor	Purpose	Amount
26-27 Nov	Adams	Alta. Senior Citizens Housing Assn. conf.	\$60.00
12-14 Nov	Reeve Cooper	Lafarge presentation at Atlanta	\$390.00 + mileage
21-22 Nov	Coun. Pepper	Climate Change conference in Canmore	\$260.00 + mileage

CARRIED

8. Moved by Deputy Reeve Dunki that Council continue to hold their regular meetings on the second Tuesday of every month, commencing at 9:00 a.m., at the M.D. office in Exshaw,

R: 387/07
 Council mtgs. To be

held on the 2nd
Tuesday of each
month

and provide notice of same satisfactory to the requirement of the Municipal Government Act.

CARRIED

R: 388/07
Authorization of
draft letter to
Lafarge re:
Statement of
Concern

9. Moved by Deputy Reeve Dunki that Council authorize the submission of the 5 Dec 07 draft letter to the Director of Southern Region, Alberta Environment's Regulatory Approvals Centre, as the M.D.'s official Statement of Concern on Application 015-1702 (Lafarge Canada Inc. – Exshaw cement plant renewal/expansion proposal).

CARRIED

R: 389/07
Approval to
forward letter of
support to
BVWMC

10. Moved by Councillor Ryan that Council approve the forwarding of the draft 12 Dec 07 letter of support on the Bow Valley Waste Management Commission's 23 Nov 07 Application for Approval Amendment on the Francis Cooke Landfill, for a change in the elevation limitation of the Rock & Lime Waste Area.

CARRIED

R: 390/07
Time Extension
granted to BHB

11. Moved by Councillor Adams that Council grant a time extension to November 30, 2008, for endorsement of Subdivision Approval No. 85-24-09(2)DMF.

CARRIED

R: 391/07
MD provide
funding to CRP

12. Moved by Councillor Adams that Council agree to provide extraordinary funding in the amount of \$1,780.00 towards the cost of the preparation of the Regional Land Use Plan, by the Calgary Regional Partnership, as per the 20 Nov request from the CRP.

CARRIED

R: 392/07
Approval of letter
being sent to Diane
Visser

13. Moved by Deputy Reeve Dunki that Council approve the December 5, 2007 letter of staff member Greg Birch to Diane Visser of the Town of Cochrane as being the official Municipal District of Bighorn position on the Summer Village of Ghost Lake subdivision application for Lots 9, 10, and 11, Block 5, Plan 6490EL and that a copy of this decision be sent to Council and administration of the Town of Cochrane.

CARRIED

R: 393/07
Amend the fee for
Sewage Delivered
to Lagoons of
Schedule "G" of
Bylaw 32/96

14. Council discussed the proposed amendment with respect to Schedule "G" of Bylaw 32/96 – Sewer Rates for Dead Man's Flats and Exshaw. Council agreed that there seemed to be an inconsistency with the existing rates that should be examined.

Moved by Deputy Reeve Dunki that Council direct staff to increase the fee per load from \$59.40 per load (up to 3000 gallons) to \$70.00 per load (up to 3000 gallons) on Schedule "G" of Bylaw 32/96.

CARRIED

R: 394/07
Staff review the
sewage rates and
bring back to
Council at end of 1st
quarter

Moved by Councillor Ryan that Council direct staff to review all sewage rates with respect to the Industry, Institutional and Commercial rates listed in Schedule "G" and bring a report back to Council for their review by the end of the first quarter of 2008.

CARRIED

R: 395/07
Adopt the 2008
Operating and
Capital budget

15. Moved by Councillor Paul Adams that Council adopt the 2008 operating budget with a levy of \$2,855,462 and capital budget in the amount of \$2,866,700, as reviewed on November 7 and 29, 2007 by the Finance and Economic Development Committee.

CARRIED

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

1. Deputy Reeve Dunki questioned the status of the road allowance at the end of Jamieson Road, and indicated that the contractor in question did not follow proper instruction from the MD with respect to the installation of the silt fencing. It was suggested that the MD needs to monitor the project more closely or perhaps the MD could hire an engineering consultant, at the developer's expense, to oversee the work. The Director of Operations responded that the last site activity was 3-4 weeks old and that the MD is awaiting a geotechnical report from the developer's consultants.
2. Councillor Ryan questioned the status of the "rumble stripping" that is to be placed on Highway 1A. The CAO apologized, indicating that he had not corresponded with A.I.T. on this, and that a letter would be sent shortly.

J. INFORMATION

Moved by Councillor Adams that items J.1 to J.22 (with an exception of J.13) be accepted as information.

CARRIED

K. IN CAMERA

Moved by Councillor Ryan that Council go in camera at 2:50 pm.

CARRIED

Moved by Councillor Ryan that Council go out of camera at 3:05 pm.

CARRIED

1. Moved by Councillor Adams that Council accept the resignation of Vernon Gee from the Bighorn Corridor Environment Committee with regret, and seek a new representative from Dead Man's Flats.

CARRIED

Moved by Councillor Adams that Council appoint Chris Read to the Bighorn Corridor Environment Committee, to fill the vacancy for Lac des Arcs.

CARRIED

2. Moved by Councillor Adams that, in exchange for the MD employees covering 100% of the premiums costs for the Weekly Indemnity and Long Term Disability benefits, Schedule "B" of MD Policy H-12, Employee Health & Wellness account, be amended by deleting "Three Hundred and Sixty Dollars (\$360.00)" and replacing it with "Five Hundred (\$500.00)" effective January 1, 2008.

CARRIED

3. Moved by Councillor Adams that Council agree to a three year renewal of the C.A.O. contract with Martin Buckley, and authorize the Reeve and Executive Assistant to sign the contract as circulated.



R: 396/07
Accept Items J1 -
J22 (exception of
J.13)

R: 397/07
Council go into
Camera @ 2:50pm

R: 398/07
Revert to open
meeting @ 3:05pm

R: 399/07
Accept the
resignation of
Vernon Gee on the
BCEC board

R: 400/07
Appoint Chris Read
to the BCEC board

R: 401/07
Amend Schedule
"B" Policy H-12

R: 402/07
Renewal of CAO's
3 year contract

CARRIED

Reeve Cooper publicly congratulated the C.A.O. on an excellent job well done, indicating that it is well deserved and complements are extended.

Moved by Councillor Adams that Council go back in Camera at 3:10 pm.

CARRIED

Moved by Councillor Adams that Council come out of Camera at 3:25 pm.

CARRIED

ADJOURNMENT

Moved by Councillor Adams that the 11 December 07 Regular Council Meeting be adjourned at 3:25 p.m.

CARRIED



REEVE



EXECUTIVE ASSISTANT

R: 403/07
Council go into
Camera @ 3:10 pm

R: 404/07
Revert to open
meeting @ 3:25pm

R: 405/07
Adjournment at
3:25 pm