

MUNICIPAL DISTRICT OF BIGHORN NO. 8

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

COUNCIL:

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

STAFF:

| | |
|----------------|------------------------------|
| MARTIN BUCKLEY | CHIEF ADMINISTRATIVE OFFICER |
| GREG BIRCH | ASSISTANT MUNICIPAL MANAGER |
| VALERIE FLINK | EXECUTIVE ASSISTANT |
| HUGH PETTIGREW | DIRECTOR OF OPERATIONS |

ABSENT:

| | |
|-----------------|---------------------|
| BRENDA CHRISTIE | DIRECTOR OF FINANCE |
|-----------------|---------------------|

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 following items to the agenda:

- | | |
|---------------------------|--------------------------------|
| ➤ New Business Item H.12: | Municipal Sponsorship Program |
| ➤ New Business Item H.13 | Exshaw Library Fundraiser |
| ➤ New Business Item H.14 | Support our Troops Decals |
| ➤ New Business Item H.15 | Logging the Bar C Area |
| ➤ New Business Item H.16 | Education re: Weed Control |
| ➤ New Business Item H.17 | Bears in the Municipality |
| ➤ New Business Item H.18 | Letter from Mark Seland of CPR |
| ➤ In Camera Item K.4 | Land Issue |

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

CARRIED

B. MINUTES

1. Moved by Deputy Reeve Pepper that the meeting minutes of the 14 August 07 regular Council meeting be approved as presented.

CARRIED

It was noted that the readings of Bylaw 06/07, the Carraig Ridge Municipal Development Plan, had been incorrectly recorded in the 12 June 07 Council minutes.

Reeve Called
meeting to Order at
9:00 am

R: 263/07
Agenda adopted as
amended

R: 264/07
14 Aug 07 Council
Meeting Minutes
approved as
amended.

R: 265/07
To Change wording

DC
18

of
R: 171/07 and
insert new
R: 172(a)/07

Moved by Councillor Ryan to amend Resolution 171/07, dated June 12 2007, to read "Moved by Councillor Dunki that Council give second reading to..." and insert new Resolution 172(a)/07 to read "Moved by Councillor Ryan that Council give third and final reading to Bylaw 06/07, to amend the Municipal Development Plan with respect to Transfer of Subdivision Density.

IN FAVOUR
Reeve Cooper
Councillor Adams
Councillor Dunki
Councillor Ryan"

CARRIED
OPPOSED
Deputy Reeve Pepper

CARRIED

C. MEETING NOTES/COMMUNITY MINUTES

There were no adopted Committee / Board Meeting Minutes to circulate to Council at the time of this meeting.

D. BUSINESS ARISING FROM MINUTES/NOTES

E. DELEGATIONS

1. Horseshoe Lands – Environmental Assessment and Area Structure Plan Update

Mr. John Third spoke to Council on behalf of Horseshoe Lands and the Stoney Nakoda Developments Ltd. He reviewed the process involved since first bringing the concept to Council. He discussed the 27 Issues in which all but 2 have been signed off. Councillor Adams questioned Mr. Third about the future trend of walking communities and if this was the intention of this new community and if Horseshoe Lands was proposing any senior housing. Mr. Third responded "Somewhat" to the question of walking community and "yes" to the seniors housing.

Mr. Shawn Martin from Gartner Lee Ltd. presented a power point presentation with respect to Horseshoe Lands final Environmental Assessment. Upon completion of this presentation, Mr. Martin answered some questions from Council. Mr. Martin's closing comments to Council were that Gartner Lee Ltd. started the Environmental Impact Assessment in 2005 and will continue to monitor the environment throughout the development stages until complete. (The PowerPoint presentation is attached as Schedule A). Council agreed to have a special Council meeting with Horseshoe Lands on September 27th at 1:00 pm, to consider third and final reading for the Horseshoe Lands Area Structure Plan.

2. Andrew Stiles, 2007 Bow Valley Weed Survey and Control Program

Mr. Stiles began his presentation by showing Council a map of the Bow Valley and the areas that are of concern. Mr. Stiles noted that we have a very serious weed problem in the Bow Valley and there is an urgent need to get everyone involved. He mentioned that all of the MD's habitats (rangelands, forests, grasslands, riparian area, wetlands, lakes, and streams) are vulnerable to weed invasion. It was noted that Exshaw has the highest concentrations of Blueweed in the Bow Valley. When noxious weeds dominate a site, the composition, structure and function of the entire ecological community is altered. Mr. Stiles stressed that Education is

imperative. He will be meeting with the employees of the Bow Valley Campground, so that they could educate the campers later today and he will be meeting with Canadian Pacific Railway on September the 12 to discuss this serious issue. Councillor Adams suggested that the MD re-send our "Weed Identification" booklet to all the ratepayers. Councillor Dunki mentioned that this booklet is presently outdated and it would need to be updated before sending out, she suggested that we recommend to our ratepayers to refer to the "Invasive Plant Council" website as well as attend the Agricultural Service and Environmental Advisory Board (ASE&AB) meeting being held on Friday, September 14, 2007. Councillor Ryan invited Mr. Stiles to attend the next Bighorn Corridor Environmental Committee (BCEC) meeting on December 5, 2007 at 4:00 pm at the MD office because of the common denominators being roads and railway. Reeve Cooper thanked Mr. Stiles for his presentation and reassured him that both of the MD boards (ASE&AB) and (BCEC) would work with him to help protect the "Biodiversity" of these lands.

F. UNFINISHED BUSINESS

1. Bylaw 02-Z/07 – Hamlet Residential Districts – 2nd and 3rd Reading
This issue was discussed incamera with the M.D.'s solicitor.

G. BYLAWS

1. Moved by Councillor Adams that Council give first reading to Bylaw 16/07, to amend the Carraig Ridge Bylaw 07-07 regarding clerical omissions.

CARRIED

Moved by Councillor Ryan that Council give second reading to Bylaw 16/07.

CARRIED

Moved by Councillor Dunki that Council give consent to proceed with third and final reading to Bylaw 16/07 at this meeting.

CARRIED UNANIMOUSLY

Moved by Deputy Reeve Pepper that Council give third and final reading to Bylaw 16/07

CARRIED

2. The MD's Assistant Municipal Manager discussed the background of Bylaw 17-Z/07, a bylaw to amend the Land Use Bylaw as it applies to the districting of the Shell Burnt Timber Gas Plant.

Moved by Deputy Reeve Pepper that Council give first reading to Bylaw 17-z/07, to amend the Land Use Bylaw with respect to the zoning of the Shell Burnt Timber gas-plant lease area, with the following amendment: delete the word "inappropriate" within the second paragraph of the bylaw preamble.

CARRIED

Moved by Councillor Ryan that Council direct staff to inform Shell that they need to apply for a Land Use Bylaw amendment and pay the normal application fee involved with this process.

CARRIED

R: 266/07
1st Reading to
bylaw 16/07

R: 267/07
2nd Reading to
bylaw 16/07

R: 268/07
3rd Consent to
Proceed to 3rd
Reading to bylaw
16/07

R: 269/07
3rd and final
Reading to bylaw
16/07

R: 270/07
First reading Bylaw
17-z/07
w/amendment

R: 271/07 Admin
to inform Shell that
they need to pay



H. NEW BUSINESS

R: 272/07
Cheques Issued
Report for August
2007

1. Moved by Deputy Reeve Pepper that Council accept for information, the payroll cheques issued report for cheque numbers 5650 – 5668 and EFT numbers 25 - 66 in the amount of \$57,626.60 and the register for A/P cheques issued, numbers 22318 to 22439 in the amount of \$1,601,646.30 for the month of August 2007.

CARRIED

R: 273/07
Accept Balance
Sheet Report as
Info.

2. Moved by Councillor Ryan that Council approve the Balance Sheet Report for August, 2007 as information. .

CARRIED

R: 274/07
Response from
Council re: Well
Drilling Equipment
Tax

3. Moved by Councillor Dunki that Council respond to the stakeholder consultation questionnaire on the review of the Well Drilling Equipment Tax Rate regulation (AR 61/2002) by indicating the following:

- the phase in of the new rates should occur over two years, not three
- the phase in rates should reflect the two-year adjustment, (first year rates be equal to the suggested second year rates; year two rates be the suggested third year rates)
- that the Province be urged to review this regulation and the associated rates on a more frequent basis.

CARRIED

R: 275/07
Admin to forward
this info to
AAMD&C and
CAAMD&C

Moved by Council Dunki that Council direct Administration to refer this information to the AAMD&C and CAAMD&C for their thoughts and support.

CARRIED

4. Moved by Councillor Ryan that Council accept the 31 Aug 07 Terms of Reference for an Environmental Assessment, submitted by 1285211 Alberta Ltd. (operating as Milestone Cree Estates) on the allowance between the north half of Section 23-26-7-W5 and the south half of Section 26-26-7-W5 (in the Jamieson Road area), as part of the conditions for approval to construct a municipal standard road, subject to the following:

- a signed copy of the final 15 May 07 Applied Geo-Environmental Solutions Inc. report be submitted to, and approved by, the Department of Fisheries and Oceans Canada.
- clearer, cleaner maps outlining the options for road construction (Schedule "C" to the Terms of Reference) be provided.
- signed letters be provided by those land-owners consulted with, regarding the options for road construction, indicating their concurrence with the Terms of Reference recommendations.
- Notes from any meetings with Fish and Wildlife that may be referenced in the submitted documents must be provided to the M.D.
- the M.D.'s Operations department be consulted with, and approve the route for clearing, for drill access on the base stability testing.
- an ALS survey (real property report) be prepared, showing the location of property lines, fences, large trees and any fixtures that may be present.
- further information will be required regarding log haulage and storage site(s), and

R: 276/07
Milestone Creek
Estates

gravel haulage and source site(s), to the M.D.'s satisfaction, prior to any construction taking place.

- that the proponents be responsible for reclaiming the cleared area provided for drill access; and further provide security, in an amount to the sole and absolute satisfaction of the M.D.'s Director of Operations, to ensure the rehabilitation of said area.
- that no construction commence until all reports and engineered drawings have been provided, and approved by M.D. Council.

CARRIED

5. Moved by Councillor Dunki that Council agree to pursue a municipal road allowance on the SW Section 2 - 25 - 6 - W5M, to be dedicated by the property owners, which will meet the criteria of both the M.D.'s Roads Policy T-16, and Alberta Energy & Utilities Board guidelines; the location of said road allowance to be to the sole and absolute discretion of the M.D. Council.

CARRIED

Moved by Councillor Dunki that, upon conclusion (satisfactory subdivision and dedication of the road allowance), Council agree to refund 100% of the fees for the Land Use Bylaw amendment and subdivision applications, in recognition of the dedication of the road allowance, to the applicants (V. & D. Wesley).

DEFEATED

IN FAVOUR

Deputy Reeve Pepper
Councillor Dunki

OPPOSED

Reeve Cooper
Councillor Adams
Councillor Ryan

Moved by Councillor Ryan that, upon conclusion (satisfactory subdivision and dedication of the road allowance), Council agree to refund 50% of the fees for the Land Use Bylaw amendment and subdivision applications, in recognition of the dedication of the road allowance, to the applicants (V. & D. Wesley).

CARRIED

6. Moved by Deputy Reeve Pepper that, with respect to the land use concept plan approval process, Council accept staff recommendation number one (which would establish Council as the approving body; require that the draft concept plan be circulated to designated agencies and adjoining property owners, much like as done with subdivision applications; give Council the right to hold a public hearing regarding the plan if it deems it necessary; and finally that Council would approve the concept plan by resolution once it is satisfied with the proposal), and request that a formal policy be drafted for Council's consideration at the October 9th, 2007 regular Council meeting.

CARRIED

7. Moved by Councillor Adams that Council allocate a maximum of \$800 to the Harvie Heights Community Association as special funding to help repair the tennis court

R: 277/07
Agree to pursue a
municipal road
allowance

R: 278/07
Council agrees to
refund 50% of fees
for LUB
Amendment

R: 279/07
Accept Staff
decision report
option no. 1 and
that staff prepare a
draft policy with
respect to a
conceptual plan
approval process.

R: 280/07
Harvie Heights

Community receive
\$800.00 for
upgrades to the
Tennis Court

fencing damaged by the tree blow-down, and that this money be paid to the Association upon submission of appropriate receipts.

CARRIED

R: 281/07
Proclamation that
October is Library
Month

8. Moved by Councillor Dunki that Council declare the month of October 2007 as Canadian Library Month, authorize the Reeve to sign the proclamation and that the proclamation be posted in the entrance way to the MD office.

CARRIED

R: 282/07
Amendment to
Bylaw 08/00 New
Stop Sign Locations

9. Moved by Councillor Ryan that Council Authorize Administration to amend Schedule "B" of the Road Protection & Traffic Control Bylaw #08/00, by approving the following stop signs locations, in Exshaw:

- 1) NW corner of Fortress Mountain Way and Veterans Way intersection.
- 2) NW corner of Barrier Mountain Dr, and Veterans Way intersection.
- 3) NW corner of Mt. McGillivary Dr. and Veterans Way intersection.
- 4) NW corner of Pigeon Mountain Dr. and Veterans Way intersection.
- 5) SE corner of Grotto Mountain Dr. and Fortress Mountain Way intersection.

CARRIED

R: 283/07
Postpone any
decision until 09
Oct 07 meeting

10. Moved by Deputy Reeve Pepper that Council postpone any decisions regarding the Draft Trails Criteria – Ghost Stewardship Monitoring Group until revisions are made and re-circulated and brought back to Councils 09 October 07 meeting.

CARRIED

R: 284/07
Agree to participate
and provide \$2500
to the Bow River
Basin Council.

11. Moved by Councillor Dunki that Council agree to participate in the proposed Upper Bow Basin Cumulative Effects Study, initiated through the Bow River Basin Council, and to provide \$2,500.00 towards the project, on the condition that the other partners in the Study contribute on an equitable basis.

CARRIED

R: 285/07
Authorization to
purchase a licence
for Infracycle On-
Line Computer
Program

12. Moved by Councillor Dunki that Council authorize an application to the 2007 Municipal Sponsorship program for funding to purchase a licence for Infracycle On-Line, a computer program that provides detailed analysis of fiscal sustainability information on proposed developments.

CARRIED

13. Information was received by Council with respect to the Exshaw Library Fundraiser. The fundraiser is being held in attempt to raise funds to replace the recently stolen computers at the Library.

14. Moved by Councillor Ryan that Council direct Administration to purchase up to \$300.00 for "Support our Troops" decals to be placed on the Municipal vehicles.

CARRIED
OPPOSED

R: 287/07
Authorization to
purchase \$300. for
"Support are
Troops" decals for
the Municipal
vehicles

IN FAVOUR
Reeve Cooper
Councillor Adams
Councillor Dunki

Deputy Reeve Pepper



Councillor Ryan

R: 288/07 Council direct Admin. to send ltr to SRD regarding Council's Concerns

15. There was a lengthy discussion on the logging activity taking place in the Ghost Waiparous area, near critical watersheds.

Moved by Deputy Reeve Pepper that Council direct Administration to write a letter to Sustainable Resource Development regarding Council's concerns on logging in the Ghost Waiparous area, and the effects on the watershed.

CARRIED

R: 289/07 Weed education program - 2008 budget item

16. Moved by Councillor Dunki that Council direct Administration to bring forward a proposal for an M.D.-wide weed education program, for consideration in the 2008 budget, for implementation next year.

CARRIED

R: 290/07 Mail out "Living Smart with Wildlife" brochure with the next "Up the Creek" newsletter.

17. Moved by Reeve Cooper that Council direct Administration to include the "Living Smart With Wildlife" brochure with the next "Up the Creek" newsletter mail out.

CARRIED

18. Reeve Cooper mentioned that Lafarge will be increasing their production by 60% and they are planning on using the railway system. Reeve Cooper suggested that Mark Seland from CPR attend the next Bow Corridor Environmental Committee (BCEC) meeting on 05 December 07 so that they can discuss this issue further.

I. ENQUIRIES OF ADMINISTRATION FROM COUNCIL

1. Councillor Adams inquired about the dates for the AAMD&C convention. Administration confirmed that the Fall AAMD&C convention would be held in Edmonton on November 19-22nd, 2007.

J. INFORMATION

Moved by Councillor Ryan that items J.1 to J.13 with the exception of J.12 to be accepted as information.

CARRIED

R: 291/07 Accepted as info

K. IN CAMERA

Councillor Pepper vacated the Chambers at 3:30 p.m. and did not return for the incamera/post-incamera sessions.

Moved by Councillor Adams that Council go in camera at 3:30 pm.

CARRIED

R: 292/07 Council go in to Camera @ 3:30 p.m.

The Horseshoe Lands delegation of Audrey Third, John Third, Heather Carnathan, Tom Jacklin, and Gord Geoffrey remained in the Chambers till 4:05 p.m.; the M.D.'s solicitor entered the incamera session at 4:10 p.m., and remained till 5:27 p.m.

R: 293/07 Revert to open mtg



@ 5:27 p.m.

Moved by Councillor Dunki that Council go out of camera at 5:27 pm.

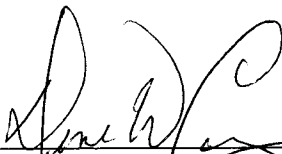
CARRIED

R: 294/07
Adjournment @
5:27 p.m.


ADJOURNMENT

Moved by Councillor Adams that the 11 September 07 Regular Council Meeting adjourn at 5:27 p.m.

CARRIED



REEVE



EXECUTIVE ASSISTANT