

MUNICIPAL DISTRICT OF BIGHORN NO. 8

Minutes of the Regular meeting of Council held at 9:00 a.m. on Tuesday, July 10, 2007
in the Council Chambers, M.D. office, 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/ RECORDING SECRETARY
GREG BIRCH	ASSISTANT MUNICIPAL MANAGER
BRENDA CHRISTIE	DIRECTOR OF FINANCE
HUGH PETTIGREW	DIRECTOR OF OPERATIONS

CALL TO ORDER

Reeve Called
meeting to Order
at 9:00 am

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

A. APPROVAL OF AGENDA

The following amendments were suggested for the Agenda:

- Business Arising item D.1: Request for meetings: Horseshoe Lands
- Delegation item E.2: delete from agenda – delegation cancelled
- New Business item H.8: Additional information – revised environmental assessment
- New Business item H.10: Additional information – Development Agreement for Cantara Construction
- New Business item H.13: BCEC Biosolids project
- Correspondence item J.9: Municipal Sustainability Initiative consultation sessions – Min. of Mun. Affairs & Housing
- Correspondence item J.10: Notice of Assessment Audit – Municipal Affairs and Housing
- In Camera Item K.3: Land Issue
- In-Camera Item K.4: Personnel Issue
- In-Camera Item K.5: Personnel Issue

Council discussed the inclusion of the new material received on Item H.8, and the appropriateness of adding it to the agenda, as it had arrived after the agenda had closed, and Administration had not had time to review it. It was indicated, by consensus, that Item H.8, with the additional new information, would be deleted from the agenda.

R: 196/07
Agenda adopted
as amended

Moved by Councillor Adams that the agenda be adopted with the above-noted amendments, and the deletion of New Business item H.8 (Environmental Assessment – Jamieson Road Subdivision Access Road).

CARRIED

B. MINUTES

R: 196/07
12 June 07 Coun.
Meeting Minutes
Approved as
amended.

1. Moved by Councillor Adams that the meeting minutes of the 12 June 07 regular Council meeting be approved with the following amendments:

- Page 2, item F.1, change to “Exshaw/Dead Man’s Flats Design ...”;
- Page 5, Resolution 184/07, change to read “ ...Councillor Ryan as the BCEC residents’ sub-committee representative ...”;
- Page 6, item H.12, change to read “... encouraged that the M.D. of Bighorn meet with the M.D. of”.

CARRIED

R: 197/07
13 June 07 Pub.
Hrg. Minutes
adopted.

2. Moved by Councillor Dunki that the minutes of the 13 June 07 Public Hearing on Bylaw 04-z/07 be adopted as circulated.

CARRIED

C. MEETING NOTES/COMMUNITY MINUTES

R: 198/07
Acknowledge
Committee/ Board
minutes that
received approval

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

30 Oct 06 Emergency Services Committee Meeting Minutes
7 March 07 Bighorn Corridor Environment Committee Notes
12 Mar 07 Municipal Excellence Committee Meeting Minutes
7 May 07 S/DAB DP 08/07 Meeting Minutes – Bow Kor Excavating
6 May 07 Municipal Planning Commission Meeting Minutes
5 June 07 Special Municipal Planning Commission Meeting Minutes
6 June 07 Bighorn Corridor Environment Committee Notes
18 June 07 Emergency Services Committee Meeting Minutes
28 June 07 Municipal Excellence Committee Meeting Minutes

CARRIED

D. BUSINESS ARISING FROM MINUTES/NOTES

1. Councillor Adams indicated that he had attended a recent Harvie Heights Community Association Board meeting: the Board had discussed issues for a possible ratepayers’ meeting with Council, and had determined there was no need for a ratepayers’ meeting, at this time.

2. Councillor Ryan indicated he had received a call from Alberta Infrastructure & Transportation, regarding the draft Highways 1A/1X Safety Audit, and requested that a BCEC Trucking Sub-Committee meeting be set up.
3. Council discussed the 10 July letter from the Horseshoe Lands Area Structure Plan proponents, requesting two separate meetings with Council (an open meeting on July 31st, and an incamera session at the August 14th regular Council meeting), to clarify some of the issues outlined in the twenty-seven points provided at second reading of the ASP. After discussion, Council indicated agreement with the requested meeting times, but noted that some Councillors may be absent on one or more of the days (Deputy Reeve Pepper was uncertain about July 31st; both Deputy Reeve Pepper and Councillor Adams may be away on August 14th).

Moved by Councillor Ryan that Council agree to a special meeting with the Horseshoe Lands Area Structure Plan proponents on July 31st, and an incamera session at the August 14th regular Council meeting, to provide clarification on some of the twenty-seven points issued at the ASP's second reading on June 12th, on the condition that the agenda for both the July 31 and August 14 sessions be set, with no amendments allowed.

CARRIED

E. DELEGATIONS

1. Mickey Matheson, a resident of Exshaw for 45 – 50 years, discussed her concerns with in town and Highway 1A speeders. She noted that, since speed bumps had been installed on Windridge Road in Exshaw, people were circumventing that street by speeding down her street (Fortress Mountain Way) and the adjacent street (Barrier Mountain Drive) to avoid the speed bumps. She also noted the presence of a children's playground between those two streets, and indicated this was another reason why speed bumps should be installed on Fortress and Barrier as well.

She also indicated concerns with speeding on Highway 1A through Exshaw, asking what Council was going to do about it. Ms. Matheson felt a large number of these speeders were out-of-town tourists and café racer-style motorcycles. She noted that none of the out-of-towners would stop for pedestrians at the Highway 1A cross-walk, and added that, when she worked at the Banff Park Gates, rumble strips installed there eventually have proven effective, as "you can feel them".

Ms. Matheson would like to see rumble strips on Highway 1A, at the entrance to the hamlet of Exshaw, near the 60 km/hr. signage, noting the increase in traffic on this highway, and adding that she has seen some "doozies" on this road.

It was noted that Highway 1A was a provincial responsibility, and that the M.D. had been trying for years to get Provincial attention to the traffic hazards on this road.

R: 199/07
Special meeting
with Horseshoe
Lands re ASP



F. UNFINISHED BUSINESS

1. Bylaw 02/07 – Exshaw/Dead Man’s Flats Design Guideline – it was noted that this bylaw was not ready for Council consideration, due to work-loads in the Planning & Development department.

Moved by Councillor Ryan that Council direct Administration to take whatever steps are necessary to bring Bylaw 02/07 back to Council at a July 31st special Council meeting.

CARRIED

2. There was nothing to report on the Ghost Waiparous Trails Association 2006 Chairman’s annual report and Financial Statements. The Community Services Coordinator is working with the GWTA Chairman to prepare the reports for Council.

G. BYLAWS

1. Moved by Councillor Dunki that Council give second reading to Bylaw 04-z/07, to amend the Land Use Bylaw as it applies to subdivision on one parcel of land in the West Jumpingpound area.

Moved by Councillor Ryan that consideration of second reading for Bylaw 04/-z/07 be tabled until a legal opinion had been received regarding the M.D. accepting a dedicated portion of the existing Shell easement road (in consideration of allowing the proposed exception), and if excessive liabilities would be incurred, by the M.D., in taking on this road.

It was noted, on a point of procedure, that a tabling motion could not be introduced until all members of Council had an opportunity to discuss the issue. Councillor Ryan subsequently withdrew his tabling motion. Council then discussed the issue at length.

Moved by Councillor Ryan that Council table the issue of Bylaw 04-z/07 and the subsequent dedication of a portion of land for a road allowance, until legal advice had been received regarding the M.D.’s liability on this specific application.

CARRIED

(Dep. Reeve Pepper and Coun. Dunki opposed)

H. NEW BUSINESS

1. Moved by Councillor Dunki that Council accept for information, the payroll cheques issued report for cheque number 5551 to 5612 in the amount of \$57,253.54 and the register for A/P cheques issued, number 22077 to 22211 in the amount of \$495,087.63 for the month of June 2007.

CARRIED

R: 200/07
Bylaw 02/07 to
come back to
Council at July 31
special meeting

R: 201/07 Table
consideration of
Bylaw 04-z/07 re
legal opinion

R: 20207
Cheques Issued
Report for June
2007



2. Moved by Councillor Adams that Council approve the payment for the following meeting expense claims:

R: 203/07
Approval of
Council Meeting
Expense Claims

28 May	All Councillors	Horseshoe Lands discussions	\$130.00 each + mileage
28 May	All Councillors	Carraig Ridge discussions	\$130.00 each + mileage
30 May	Cooper, Pepper, Adams, Dunki	Calgary Regional Partnership Regional Servicing Session	\$130.00 each + mileage
19 Jun	Cooper, Adams	Lafarge Open House/Disclosure	\$130.00 each + mileage
6 Jun	Adams	BCEC regular meeting	\$130.00 each + mileage
24 Jun	Cooper, Pepper Adams	Harvie Heights waterline rand opening	\$130.00 each + mileage

CARRIED

R: 204/07
Accept Balance
Sheet Report as
Info.

3. Moved by Councillor Dunki that Council approve the Balance Sheet Report for June, 2007 as information.

CARRIED

R: 205/07
Mtnview County
subd. referral -
Taylor

4. Moved by Deputy Reeve Pepper that Council direct staff to advise Mountain View County that the MD of Bighorn has no objection to the subdivision proposed by K. Taylor in NE 6-32-6 W5M (File No. SD 07-022), and that the information noted in the 15 June 07 Decision Report Background/Discussion be forwarded to Mountainview County as well.

CARRIED

R: 206/07
Contract Planning
Assistance
funding approved

5. Moved by Councillor Adams that Council authorize the expenditure of up to \$25,000.00 in 2007 to be used for contracting a person or persons to assist with planning and development projects at the MD of Bighorn.

CARRIED

R: 207/07
Caretaker
Agreement
approved -
Manning

6. Moved by Deputy Reeve Pepper that Council authorize Administration to enter into a Caretakers Agreement with Mr. Ken Manning for that portion of road allowance lying between Lot 1 Plan 8567EM and the NW Section 4-27-6-W5M.

CARRIED

It was indicated that Administration should contact the holders of the caretaker agreement for the portion of road allowance to the north of the Manning property, to advise them that the gate should be left open, now that there are no horses on the road allowance.

R: 208/07
Caretaker
Agreement
approved - S7
Ranches

7. Moved by Councillor Dunki that Council authorize Administration to enter into a Caretakers Agreement with S-7 Ranches Ltd. for that portion of road allowance lying south of the south-east quarter of Section 2-28-6-W5M.

CARRIED

Item deleted from
agenda

8. Item H.8, the Environmental Assessment – Jamieson Road subdivision access road issue, had been deleted from the agenda.

9. Moved by Councillor Dunki that Council approve the “Updated Hamlet of Exshaw Water Master Plan”, dated June 6, 2007; direct Administration to apply for grant funding to construct a municipal water system in Exshaw based on that Plan; and undertake the preliminary engineering needed to keep the project moving, such as ensuring the proposed reservoir site is suitable from a geotechnical standpoint and available for use.

CARRIED

It was requested that the engineers look at water samples from both upstream and downstream (of the Exshaw well) deep water sources, to try and determine as to the location for a possible point-source of the manganese found in the Exshaw well water.

Councillor Ryan vacated the Chambers at 11:40 a.m., and was not present during discussion on Agenda Item H.10

10. Moved by Councillor Dunki that Council enter into an agreement with Cantara Construction Corporation to guarantee that the conditions of Subdivision Approval No. 2409-23 NE (7) E are met, and authorize the Reeve and Municipal Secretary to sign the agreement on Council’s behalf..

CARRIED

(Coun. Ryan absent for the vote)

Councillor Ryan returned to the Chambers at 11:43 a.m.

11. Moved by Councillor Adams that Council direct that, in order to continue to protect the buildings during the on-going discussion’s between TransAlta, Moondance Land Company Ltd. and 991021 Alberta Ltd. regarding the Seebe lands, notice again be given by Administration to TransAlta Utilities Corporation stating that Council is considering adoption of a bylaw to designate the Superintendent’s Residence and the school house in Seebe as municipal historic resources pursuant to s.26 of the Historical Resources Act.

CARRIED

12. Moved by Councillor Ryan that Council write the Minister of Sustainable Resource Development, and the Reeves/Councils for the rural municipalities in the Southern East Slopes Municipalities area (and the M.D. of Willow Creek), congratulating and thanking the Minister for his efforts in seeking protective measures for the Indian Graves area in the south-western area of Alberta.

CARRIED



R: 209/07
Exshaw Water
Master Plan study

R: 210/07 Cantara
Cosnt. Dev.
Agreement

R: 211/07 Mun.
Historic
Designation –
Seebe extended

R: 212/07
Letter of Thanks
to Min. of SRD re
Indian Graves area