



**TOWN OF PINCHER CREEK COUNCIL  
MEETING AGENDA  
Monday, September 25, 2023 at 6:00 p.m.  
Council Chambers, Town Hall  
Zoom Link**

1. **Call to Order**
2. **Scheduled Public Hearing**
3. **Agenda Approval**
4. **Scheduled Delegations**
5. **Adoption of Minutes**
  - 5.1 Minutes of the Joint Meeting of Council held on September 7, 2023 (Page 2)
  - 5.2 Minutes of the Special Meeting of Council held on September 11, 2023 (Page 5)
  - 5.3 Minutes of the Regular Meeting of Council held on September 11, 2023 (Page 8)
  - 5.4 Minutes of the Special Meeting of Council held on September 12, 2023 (Page 13)
6. **Business Arising from the Minutes**
  - 6.1 Property Assessment Proposal (Page 16)
7. **Bylaws**
8. **New Business**
  - 8.1 2024 Franchise Fees - APEX Utilities (Page 18)
  - 8.2 FortisAlberta Franchise Fee 2024 (Page 23)
  - 8.3 Library Board Appointment (Page 30)
9. **Council Reports**
  - 9.1 Upcoming Committee Meetings and Events
10. **Administration**
  - 10.1 Council Information Distribution List (Page 33)
11. **Closed Session Discussion**
  - 11.1 Offer to Purchase Roll #4102200 - FOIP s. 16 & 24
  - 11.2 Administration Transition (No RFD) - FOIP s. 24
12. **Notice of Motion**
13. **Adjournment**

*The next Regular Council Meeting is scheduled for October 10, 2023 AT 6:00 p.m.*



**JOINT COUNCIL MEETING**  
**Town of Pincher Creek & Municipal District of Pincher Creek #9**  
**Held on September 7, 2023**  
**MD Council Chambers**  
**Commencing at 6:00 p.m.**

**IN ATTENDANCE:**

**Town of Pincher Creek** – Mayor - D. Anderberg  
 Councillors: M. Barber, D. Green, G. Cleland, and S. Nodge  
 Staff: CAO, A. Lucas; Kristie Green, Executive Assistant

**Municipal District of Pincher Creek #9** – Reeve R. Lemire  
 Deputy Reeve T. Bruder  
 Councillors: D. Cox, J. MacGarva, H. Hollingshead  
 Staff: CAO, Roland Milligan; Executive Assistant, Jessica McClelland

**1. CALL TO ORDER**

Mayor Anderberg called the meeting to order at 6:00 p.m.

**2. AGENDA APPROVAL**  
**CLELAND:**

That Council for the Town of Pincher Creek agrees to add 6C Recruitment and Retention to the September 7, 2023 Joint Council Meeting.

**CARRIED 23-J12**

**CLELAND:**

That Council for the Town of Pincher Creek approves the September 7, 2023 Joint Council meeting agenda as amended.

**CARRIED 23-J13**

**3. DELEGATION**

**A) Community Fund**

- Background
- Andrea Hlady and Dan Crawford will be in attendance

**4. NEW BUSINESS**

**A) Municipal Scholarships – Reeve Lemire to discuss**

**ANDERBERG:**

That Council for the Town of Pincher Creek agree to create a steering committee to make the criteria for the scholarships.

**CARRIED 23-J14**

**WRIGHT:**

That Council for the Town of Pincher Creek appoint Councillor Nodge and members at large to the Scholarship Steering Committee.

**CARRIED 23-J15**

**B) Curling Rink**

- Letter from MD to Town Regarding Curling Facility

**5. ROUND TABLE**

*Reeve Lemire called a recess at 7:23 pm*

*Reeve Lemire called the meeting back to order at 7:31 pm*

**6. CLOSED SESSION**

**CLELANDS:**

That Council for the Town of Pincher Creek agree to move into closed session of Council on September 7, 2023 at 7:31 pm in accordance with section 16 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, and Executive Assistant.

**CARRIED 23-J16**

**CLELAND:**

That Council for the Town of Pincher Creek agree to move out of closed session of Council on September 7, 2023 at 8:37 pm in accordance with section 16 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, and Executive Assistant.

**CARRIED 23-J17**

**A) Energy Manager Position – FOIP s. 16**

**B) Eco-Centre – FOIP s. 16**

**NODGE:**

That Council for the Town of Pincher Creek direct administration to create survey questions with the MD to develop a survey on the Eco Centre.

**CARRIED 23-J18**

**C) Retention and Recruitment**

**WRIGHT:**

That Council for the Town of Pincher Creek authorize Councillor Cleland to facilitate a meeting with all the user groups.

**CARRIED 23-J19**

**NODGE:**

That Council for the Town of Pincher Creek agree to leave funding as it currently stands in the agreement.

**CARRIED 23-J20**

**7. Next Meeting Date**

**8. ADJOURNMENT**

**CLELAND:**

That this Joint Council Meeting on September 7, 2023 is hereby adjourned at 8:41 pm.

**CARRIED 23-J21**

\_\_\_\_\_  
MAYOR, D. Anderberg

\_\_\_\_\_  
CAO, A. Lucas

**APPROVED BY RESOLUTION  
OF THE COUNCIL OF THE  
TOWN OF PINCHER CREEK,  
THIS 25<sup>th</sup> DAY OF SEPTEMBER 2023**

**S E A L**



**SPECIAL COUNCIL MEETING**  
**Held on September 11, 2023**  
**Commencing at 5:00 p.m.**

**IN ATTENDANCE:**

Mayor: D. Anderberg

Councillors: M. Barber, B. Wright, D. Green W. Oliver,  
and S. Nodge

With Regrets: G. Cleland

Staff: A. Lucas, Chief Administrative Officer; W.  
Catonio, Director of Finance and Human  
Resources; and K. Green, Executive  
Assistant

**1. CALL TO ORDER**

Mayor Anderberg called the meeting to order at 5:00 pm.

**2. AGENDA APPROVAL**  
**BARBER:**

That Council for the Town of Pincher Creek approve the September 11, 2023 Special Council Meeting Agenda as presented.

**CARRIED 23-396**

**3. NEW BUSINESS**

**3.1 Appoint Auditor**  
**GREEN:**

That Council for the Town of Pincher Creek as the Member for the Pincher Creek Community Early Learning Centre, agree to appoint Avail LLP as auditor for the Pincher Creek Community Early Learning Centre for the year ended December 31, 2023.

**CARRIED 23-397**

**3.2 Appoint the PCCELEC Board Members**  
**NODGE:**

That Council for the Town of Pincher Creek as the Member for the Pincher Creek Community Early Learning Centre, agree to appoint the following individuals to the Board of the Pincher Creek Community Early Learning Centre:

Michelle Spencer, Christy Gustavison, Brian McGillivray, David Green, Mark Barber, and Don Anderberg.

**CARRIED 23-398**

**NODGE:**

That Council for the Town of Pincher Creek as the Member for the Pincher Creek Community Early Learning Centre agree that the number of board members for the for the board will be set at 7.

**CARRIED 23-399**

**3.3 Receive the Financial Statements**

**OLIVER:**

That Council for the Town of Pincher Creek as the Member for the Pincher Creek Community Early Learning Centre, agree to receive the Audited 2022 Financial Statements and Auditor's Report for Pincher Creek Community Early Learning Centre, and a copy of these Financial Statements be attached hereto and form part of the minutes.

**CARRIED 23-400**

**3.4 Discuss Bylaws**

**NODGE:**

That Council for the Town of Pincher Creek as the Member for the Pincher Creek Community Early Learning Centre requests that the board of directors reviews the amendments to the bylaw and advise of its consideration.

**CARRIED 23-401**

**5. ADJOURNMENT**

**CLELAND:**

That this meeting of Council on September 11, 2023 be hereby adjourned at 5:32 pm

**CARRIED 23-402**

\_\_\_\_\_  
MAYOR, D. Anderberg

\_\_\_\_\_  
CAO, A. Lucas

**APPROVED BY RESOLUTION  
OF THE COUNCIL OF THE  
TOWN OF PINCHER CREEK,  
THIS 25<sup>th</sup> DAY OF SEPTEMBER 2023**

**S E A L**

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON  
MONDAY SEPTEMBER 25, 2023 AT 6:00 P.M.**



**REGULAR MEETING OF COUNCIL**  
**Held on Monday September 11, 2023**  
**In Person & Virtually,**  
**Commencing at 6:00 p.m.**

**IN ATTENDANCE:**

Mayor: D. Anderberg

Councillors: M. Barber, D. Green, W. Oliver, S. Nodge,  
and B. Wright

With Regrets: G. Cleland

Staff: A. Lucas, Chief Administrative Officer; W.  
Catonio, Director of Finance and Human  
Resources; L. Goss, Legislative Services  
Manager and A. Levair, Director of  
Operations

**1. CALL TO ORDER**

Mayor Anderberg called the meeting to order at 6:00 pm.

**2. Scheduled Public Hearing**

**3. AGENDA APPROVAL**

**NODGE:**

That Council for the Town of Pincher Creek approve the September 11, 2023 Regular Council meeting agenda as presented.

**CARRIED 23-403**

**4. DELEGATIONS**

**5. ADOPTION OF MINUTES**

**5.1 Minutes of the Regular Meeting of Council held on August 28, 2023**

**GREEN:**

That Council for the Town of Pincher Creek approves the minutes of the Regular Meeting of Council held August 28, 2023 as presented.

**CARRIED 23-405**

**5.2 Minutes of the Committee of the Whole held on September 5, 2023**

**WRIGHT:**

That Council for the Town of Pincher Creek approves the minutes of the Committee of the Whole held on September 5, 2023 as presented.

**CARRIED 23-406**

*A. Grose joined meeting at 6:10pm*

**6. BUSINESS ARISING FROM THE MINUTES**



**7. BYLAWS**

**7.1 Land Use Bylaw Amendment 1547-AQ- 2nd & 3rd Readings**

**NODGE:**

That Council for the Town of Pincher Creek agree and give second reading to Land Use Bylaw Amendment 1547-AQ amending the Land Use Bylaw 1547 to include "Drive-In Restaurant" as a discretionary use in the Transitional Commercial - C4 land use district.

**DEFEATED**

**7.2 Land Use Bylaw Amendment 1547-AR - Short-term Rentals to C4**

**NODGE:**

That Council for the Town of Pincher Creek agree to defer the Land Use Bylaw Amendment 1547-AR - Short-term Rentals to C4 to the Land Use amendment process.

**CARRIED 23-407**

**8. NEW BUSINESS**

**8.1 October 4th Public Open House**

**WRIGHT:**

That Council for the Town of Pincher Creek agree to cancel the Oct 4, 2023 Public Open House.

**CARRIED 23-408**

**NODGE:**

That Council for the Town of Pincher Creek direct administration to bring the Public Open House discussion to the November Committee of the Whole.

**CARRIED 23-409**

**8.2 Committee of the Whole Meetings**

**WRIGHT:**

That Council for the Town of Pincher Creek agree to remove the Committee of the Whole meetings for July & August 2024.

**DEFEATED**

**8.3 Letter from the Municipal District of Pincher Creek**

**BARBER:**

That Council for the Town of Pincher Creek accepts the letter from the Municipal District of Pincher Creek regarding the curling club as information.

**CARRIED 23-410**

**8.4 Office Space Requirements**

**GREEN:**

That Council for the Town of Pincher Creek approve \$40,000 to be funded from the General Contingency Reserve for office renovations and furniture required for additional staff at the Town Administration Office.

**CARRIED 23-411**

*A. Levair left meeting at 7:03pm*

**8.5 Vote on Resolutions at AB Municipalities Convention (No RFD)**

**WRIGHT:**

That Council for the Town of Pincher Creek accept the Vote on Resolutions at AB Municipalities Convention as information.

**CARRIED 23-412**

**8.6 National Legion Week**

**BARBER:**

That Council for the Town of Pincher Creek agree to declare the week of September 17th to September 23 as National Legion Week.

**CARRIED 23-413**

**9. COUNCIL REPORTS**

**9.1 Upcoming Committee Meetings and Events**

**OLIVER:**

That Council for the Town of Pincher Creek accept the Upcoming Committee Meetings and Events as information.

**CARRIED 23-414**

**10. ADMINISTRATION**

**10.1 Council Information Distribution List**

**GREEN:**

That Council for the Town of Pincher Creek accepts the September 11, 2023 Council Information Distribution List as information.

**CARRIED 23-415**

*Mayor Anderberg called a recess at 7:09 pm*

*Mayor Anderberg called the meeting back to order at 7:26 pm*

**11. CLOSED MEETING DISCUSSION**

**GREEN:**

That Council for the Town of Pincher Creek agree to move into closed session of Council on Monday September 11, 2023 at 7:09 pm in accordance with section 16 & 21 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Executive Assistant, Legislative Services Manager, Recreation Manager and Director of Finance and Human Resources in attendance.

**CARRIED 23-416**

**BARBER:**

That Council for the Town of Pincher Creek agree to move out of closed session of Council on Monday September 11, 2023 at 8:35 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act.

**CARRIED 23-417**

**11.1 Offer to Purchase Roll #08603600, 08603800 & 08604000- FOIP s.16**

**WRIGHT:**

That Council for the Town of Pincher Creek counter offer the Country Vets Ltd. offer to purchase in the amount of \$169,00 (Plus GST) for Plan 0613747, Block 7, Lots 6, 7 & 8 dated July 24, 2023 subject to that the purchase is responsible for all costs associated with consolidation of lots direct

administration to provide instruction to North & Company Law Office to act on the Town's behalf regarding the real estate transaction and that all costs associated be borne by the purchaser.

**CARRIED 23-418**

**11.2 Offer to Purchase Roll #4102400 - FOIP s.16**

**NODGE:**

That Council for the Town of Pincher Creek agree to the proposed Pincher Creek Mini Storage Inc. offer to purchase in the amount of \$99,600 (GST Exempt) for Plan 0512718, Block 4, Lot 19 dated August 23, 2023 subject to that the purchaser is responsible for all costs associated with the water and sewer connections to the mains and direct administration to provide instruction to North & Company Law Office to act on the Town's behalf regarding the real estate transaction and that all costs associated be borne by the purchaser.

**CARRIED 23-419**

*A. Grose & L. Goss left meeting at 8:06 pm*

**11.3 Multi-Purpose Facility - Lease Agreement foIP s. 16**

**WRIGHT:**

That Council for the Town of Pincher Creek direct administration to draft a 5-year Lease Agreement between the Town of Pincher Creek and Consistent Fitness Pincher Creek and bring back to a future council meeting for consideration.

**CARRIED 23-420**

**11.4 Letter to MD on EMS - foIP s. 21**

**WRIGHT:**

That Council for the Town of Pincher Creek redraft the letter to the MD of Pincher Creek outlining the proposed amendments to the Funding Model for the Pincher Creek Emergency Services Commission.

**CARRIED 23-421**

**11.5 Administration Transition – FOIP S. 24**

**12. NOTICE OF MOTION**

**13. ADJOURNMENT**

**OLIVER:**

That this meeting of Council on Septewmber 11, 2023 be hereby adjourned at 8:38 pm.

**CARRIED 23-423**

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MAYOR, D. Anderberg

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CAO, A. Lucas

**APPROVED BY RESOLUTION  
OF THE COUNCIL OF THE  
TOWN OF PINCHER CREEK,  
THIS 25<sup>th</sup> DAY OF SEPTEMBER 2023**

**S E A L**

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON  
MONDAY SEPTEMBER 25, 2023 AT 6:00 P.M.**

DRAFT



**SPECIAL COUNCIL MEETING**  
**Held on September 12, 2023**  
**Commencing at 12:00 p.m.**

**IN ATTENDANCE:**

Mayor: D. Anderberg  
Councillors: M. Barber, B. Wright, D. Green W. Oliver,  
and S. Nodge  
With Regrets: G. Cleland  
Staff: A. Lucas, Chief Administrative Officer

**1. CALL TO ORDER**

Mayor Anderberg called the meeting to order at 12:06 pm.

**2. AGENDA APPROVAL**

**OLIVER:**

That Council for the Town of Pincher Creek approve the September 12, 2023 Special Council Meeting Agenda as presented.

**CARRIED 23-424**

**3. CLOSED SESSION**

**BARBER:**

That Council for the Town of Pincher Creek agree to move into closed session of Council on Tuesday September 12, 2023 at 12:17 pm in accordance with section 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative in attendance.

**CARRIED 23-425**

**WRIGHT:**

That Council for the Town of Pincher Creek agree to move out of closed session of Council on Tuesday September 12, 2023 at 2:07 pm in accordance with section 24 of the Freedom of Information and Protection of Privacy Act.

**CARRIED 23-426**

**WRIGHT:**

That Council for the Town of Pincher Creek agree to move into closed session of Council on Tuesday September 12, 2023 at 2:15 pm in accordance with section 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative in attendance.

**CARRIED 23-427**

**WRIGHT:**

That Council for the Town of Pincher Creek agree to move out of closed session of Council on Tuesday September 12, 2023 at 2:58 pm in accordance with section 24 of the Freedom of Information and Protection of Privacy Act.

**CARRIED 23-428**

**3.1 Personnel - FOIP s 24**

**OLIVER:**

That Council for the Town of Pincher Creek accept the Personnel update as information.

**CARRIED 23-429**

**4. ADJOURNMENT**

**WRIGHT:**

That this meeting of Council on September 12, 2023 be hereby adjourned at 2:59 pm

**CARRIED 23-430**

DRAFT

\_\_\_\_\_  
MAYOR, D. Anderberg

\_\_\_\_\_  
CAO, A. Lucas

**APPROVED BY RESOLUTION  
OF THE COUNCIL OF THE  
TOWN OF PINCHER CREEK,  
THIS 25<sup>th</sup> DAY OF SEPTEMBER 2023**

**S E A L**

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON  
MONDAY SEPTEMBER 25, 2023 AT 6:00 P.M.**



AGENDA ITEM NO:

# Town of Pincher Creek

## REQUEST FOR DECISION

*Council or Committee of the Whole*

<b>SUBJECT:</b> Property Assessment Proposal	
<b>PRESENTED BY:</b> Alexa Levair, Director of Operations	<b>DATE OF MEETING:</b> 9/25/2023

### **PURPOSE:**

For Council to consider proceeding with Property Condition Assessments at 840 Main Street and 670 Main Street, in order to facilitate the completion of appraisals of the properties.

### **RECOMMENDATION:**

That Council for the Town of Pincher Creek approve \$35,000 from the General Contingency Reserve for Property Condition Assessments at 840 Main Street and 670 Main Street.

### **BACKGROUND/HISTORY:**

Council previously directed administration to obtain appraisals for two properties in Pincher Creek:

- 840 Main Street (Sobeys Building)
- 670 Main Street (Bargain Store)

Due to complications with the appraisal process, the appraisers have requested additional information in order to complete their report. These additional requests include structural assessments as well as estimated costs for repair of existing damages.

The Town has received a proposal for assessments on both buildings that would include:

- Property Condition Assessment of site, building structure, roofing, building envelope, interior finishes, mechanical systems, electrical systems, and fire & life safety systems.
- Feasibility Study for rehabilitation/reuse
- Development of CAD drawing file of existing building (Sobeys only)

The assessments would cost \$35,000.

Once the assessments were received, they would be provided to the appraisers to complete their official appraisals of the facilities.

### **ALTERNATIVES:**

That Council for the Town of Pincher Creek accept the property condition assessment proposal as information.



**IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:**

N/A

**FINANCIAL IMPLICATIONS:**

The property condition assessment report would cost \$35,000 and is proposed to be funded from the General Contingency Reserve.

**PUBLIC RELATIONS IMPLICATIONS:**

None at this time.

**ATTACHMENTS:**

None at this time.

**CONCLUSION/SUMMARY:**

Administration supports proceeding with the property condition assessments as the Appraisers have stated that they will not provide an appraisal for each of the properties without having access to the assessment information listed above.

**Signatures:**

**Department Head:**



**CAO:**





# Town of Pincher Creek

## REQUEST FOR DECISION

*Council or Committee of the Whole*

<b>SUBJECT:</b> 2024 Franchise Fees - APEX Utilities	
<b>PRESENTED BY:</b> Wendy Catonio, Director of Finance and Human Resources	<b>DATE OF MEETING:</b> 9/25/2023

**PURPOSE:**

For Council to discuss increasing franchise fees for 2024

**RECOMMENDATION:**

That Council for the Town of Pincher Creek agree to increase the Natural Gas Distribution Franchise Fee percentage for the year 2024 to \_\_\_\_\_ %.

**BACKGROUND/HISTORY:**

Council reviews the Gas Distribution Franchise Fee percentage annually. Below is the history of franchise fees received.

Actual Franchise Fee 2014	\$286,790.85 (20%)
Actual Franchise Fee 2015	\$342,903.07 (25%)
Actual Franchise Fee 2016	\$389,362.53 (25%)
Actual Franchise Fee 2017	\$406,234.55 (25%)
Actual Franchise Fee 2018	\$435,326.39 (25%)
Actual Franchise Fee 2019	\$476,091.87 (25%)
Actual Franchise Fee 2020	\$490,833.79 (25%)
Actual Franchise Fee 2021	\$487,541.81 (25%)
Actual Franchise Fee 2022	\$514,076.01 (25%)
Estimated Franchise Fee 2021	\$524,403.63 (25%)
Estimated Franchise Fee 2022	\$534,980.97 (25%)
Estimated Franchise Fee 2023	\$626,370.00 (25%)
Estimated Franchise Fee 2024	\$608,109.56 (25%)

Historically, the estimated Delivery Revenues have been higher than actual resulting in lower franchise fees then estimated.

Council for the Town of Pincher Creek has not increased the Franchise Fee percentage since 2014.

The maximum Gas Distribution Franchise Fee that a municipality can charge is 35%. A new 10 year Natural Gas Distribution Franchise Agreement became effective on September 1, 2015.

Franchise fees are paid by all property owners even those that are exempt from paying property taxes.

Increasing the Natural Gas Distribution Franchise Fee by 1% will increase revenue for the Town of Pincher Creek by \$20,561.30 based on 2022 actuals.

**ALTERNATIVES:**

That Council for the Town of Pincher Creek agree that the Natural Gas Distribution Franchise Fee percentage remain unchanged at 25% for 2024.

**IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:**

Franchise Fees are another form of revenue for Municipalities. This fee is collected by APEX Utilities on behalf of the Town of Pincher Creek as a charge to access municipal land to construct, maintain and operate a gas distribution system to service its residents.

Franchise fees are an additional revenue stream applicable to all residents including organizations that are exempt from paying property taxes.

**FINANCIAL IMPLICATIONS:**

The Town of Pincher Creek's Franchise Fee Revenue continues to increase due to increased demand from new growth and increases in APEX fees. Based on the actual Total Delivery Revenues of \$2,056,130 for 2022 a 1% increase in the Franchise Fee will result in an additional \$20,561 of Franchise Fee Revenue for the Town of Pincher Creek.

**PUBLIC RELATIONS IMPLICATIONS:**

If Council decides to increase the Franchise Fee percentage, this increase must be advertised to Pincher Creek residents. This fee is viewed as another form of taxation by some municipal residents. An increase in this fee should be justified as to how the additional revenues will be utilized.

**ATTACHMENTS:**

2023 Franchise Fees Calculations for 2024 - 3252  
APEX Utilities Franchise Fees - 3252

**CONCLUSION/SUMMARY:**

Administration supports Council increasing the Franchise Fee percentage to fund increasing costs to operate the municipality.

**Signatures:**

**Department Head:**

*Wendy Catonio*

**CAO:**

*Angie Lucas*

**FRANCHISE FEE 2024  
REVENUE ANALYSIS**

2:29 PM  
9/15/2023

<b>YEAR</b>	<b>TOTAL DELIVERY REVENUES</b>	<b>FRANCHISE FEE %</b>	<b>FRANCHISE FEES</b>	<b>1% INCREASE</b>	<b>MAXIMUM 35%</b>
<b>APEX</b>					
<b>2022</b>	2,056,129.72	25%	514,032.43	20,561.30	205,612.97
					<b>MAXIMUM</b>
	<b>ESTIMATED</b>				<b>20%</b>
<b>FORTIS</b>	<b>REVENUES</b>				
<b>2023</b>	3,047,783.00	13%	396,211.79	30,477.83	213,344.81
<b>MUNICIPAL</b>					
<b>TAXES</b>					
<b>2023</b>	4,952,263.86			49,522.64	



Apex Utilities Inc.  
5509 45<sup>th</sup> Street  
Leduc, AB T9E 6T6

August 29, 2023

Mayor Don Anderberg and Council  
Town of Pincher Creek  
PO Box 159  
Pincher Creek, AB T0K 1W0

Dear Mayor Anderberg and Council,

**Re: TOTAL REVENUES DERIVED FROM DELIVERY TARIFF**

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As per Section 4 (a) of the Natural Gas Distribution Franchise Agreement currently in effect between the Town of Pincher Creek and Apex Utilities Inc., this correspondence serves to fulfill the Company’s obligation to provide the Municipality with the following information:

1. The total revenues that were derived from the Delivery Tariff within the Municipal Area for the prior calendar year; and
2. An estimate of total revenues to be derived from the Delivery Tariff with the Municipal Area for the next calendar year.

This is provided to assist the Town with its budgeting process and to determine whether a percentage change to the current franchise fee is necessary for the next calendar year. If a fee percentage change is necessary, the Municipality should advise the Company in writing of the franchise fee to be charged by November 15, 2023. Failing notification, the current franchise fee percentage of **25.0%** will remain unchanged.

	<b>2022 Actuals</b>	<b>2024 Estimates</b>
Delivery Revenues (Rate 1, 11, 2 & 12)	\$2,056,129.72	\$2,432,438.24
Delivery Revenues (Rate 3 & 13)	<u>\$0.00</u>	<u>\$0.00</u>
<b>Total Delivery Revenues</b>	<b><u>\$2,056,129.72</u></b>	<b><u>\$2,432,438.24</u></b>
<b>2022 Actual Franchise</b>	<b><u>\$514,076.01</u></b>	
<b>2024 Estimated Franchise Fee</b>		<b><u>\$608,109.56</u></b>

If you have any questions regarding this process or about the information provided, please contact me directly at (780) 980-7305 or via email at irichelh@apexutilities.ca. I look forward to hearing from you.

Sincerely,

**Apex Utilities Inc.**

Irv Richelhoff  
Supervisor Business Development



# Town of Pincher Creek

## REQUEST FOR DECISION

*Council or Committee of the Whole*

<b>SUBJECT:</b> FortisAlberta Franchise Fee 2024	
<b>PRESENTED BY:</b> Wendy Catonio, Director of Finance and Human Resources	<b>DATE OF MEETING:</b> 9/25/2023

**PURPOSE:**

Pursuant to Section 5 of the Electric Distribution System Franchise Agreement, the Town of Pincher Creek has the option to adjust the franchise fee percentage annually upon written notice to FortisAlberta.

**RECOMMENDATION:**

That Council for the Town of Pincher Creek agree that the Electric Distribution Franchise Fee percentage for the year 2024 be increased to \_\_\_\_\_%.

**BACKGROUND/HISTORY:**

FortisAlberta has not provided the annual information as they are waiting for information from the Alberta Utilities Commission.

However, Administration wanted to provide last years information so Council could discuss whether or not they want to increase the Franchise Fee to assist in funding increasing municipal costs.

Attached is a list of all FortisAlberta Municipalities Franchise Fee percentages as of April 1, 2023.

The council reviews the Electric Distribution Franchise Fee percentage annually. Below is the history of franchise fees received.

Actual Franchise Fee 2014	\$175,035.00 (8%)
Actual Franchise Fee 2015	\$297,617.00 (13%)
Actual Franchise Fee 2016	\$308,003.00 (13%)
Actual Franchise Fee 2017	\$325,046.73 (13%)
Actual Franchise Fee 2018	\$335,543.47 (13%)
Actual Franchise Fee 2019	\$349,041.44 (13%)
Actual Franchise Fee 2020	\$346,850.62 (13%)
Actual Franchise Fee 2021	\$367,927.33 (13%)
Estimated Franchise Fee 2022	\$393,622.00 (13%)

Estimated Franchise Fee 2023	\$396,212.00 (13%)
Estimated Franchise Fee 2023	\$457,167.00 (15%)

An increase of 1% will result in \$30,478 in additional franchise fee revenue based on the estimated 2023 revenues.

The maximum Electric Distribution Franchise Fee that the Town can charge is 20% which was determined by council during negotiations of the FortisAlberta franchise agreement.

Franchise fees are an additional revenue which is applicable to all organizations even those which are exempt from paying property taxes.

**ALTERNATIVES:**

That Council for the Town of Pincher Creek that the Electric Distribution Franchise Fee for the year 2024 remain unchanged at 13%.

**IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:**

Franchise Fees are another form of revenue for Municipalities. This fee is collected by Fortis on behalf of the Town of Pincher Creek as a charge to access municipal land to construct, maintain and operate an electric distribution system to service its residents.

**FINANCIAL IMPLICATIONS:**

Franchise fees are increasing every year due to increase in demand and the rate increases FortisAlberta requests. Total FortisAlberta estimated revenues for 2023 are estimated to be \$3,047,783 so a 1% increase in the Franchise fee % will increase Franchise Fee revenue for the Town of Pincher Creek by \$30,478.

**PUBLIC RELATIONS IMPLICATIONS:**

If Council decides to increase the Franchise Fee percentage, this increase must be advertised to Pincher Creek residents. This fee is viewed as another form of taxation by some municipal residents. An increase in this fee should be justified as to how the additional revenues will be utilized.

**ATTACHMENTS:**

2023 Franchise Fees Calculations for 2024 - 3256  
Municipal Franchise Fee Rider - 3256

**CONCLUSION/SUMMARY:**

Administration supports Council increasing the FortisAlberta Franchise Fee to fund increasing municipal costs.

**Signatures:**



**Department Head:**

*Wendy Catonio*

**CAO:**

*Angie Lucas*

**FRANCHISE FEE 2024  
REVENUE ANALYSIS**

2:29 PM  
9/15/2023

<b>YEAR</b>	<b>TOTAL DELIVERY REVENUES</b>	<b>FRANCHISE FEE %</b>	<b>FRANCHISE FEES</b>	<b>1% INCREASE</b>	<b>MAXIMUM 35%</b>
<b>APEX</b>					
<b>2022</b>	2,056,129.72	25%	514,032.43	20,561.30	205,612.97
					<b>MAXIMUM</b>
	<b>ESTIMATED</b>				<b>20%</b>
<b>FORTIS</b>	<b>REVENUES</b>				
<b>2023</b>	3,047,783.00	13%	396,211.79	30,477.83	213,344.81
<b>MUNICIPAL</b>					
<b>TAXES</b>					
<b>2023</b>	4,952,263.86			49,522.64	

**MUNICIPAL FRANCHISE FEE RIDERS**

**Availability:** Effective for all consumption, estimated or actual, on and after the first of the month following Commission approval, the following franchise fee riders apply to each rate class.

**Price Adjustment:**

A percentage surcharge per the table below will be added to the total distribution tariff, including both the transmission and distribution charges, and excluding any Riders, calculated for every Point of Service within each Municipality and will be billed to the applicable Retailer.

FortisAlberta will pay to each Municipality each month, in accordance with the franchise agreements between FortisAlberta and the Municipalities or an agreement with a non-municipality, the franchise fee revenue collected from the Retailers.

<b>Muni Code</b>	<b>Municipality</b>	<b>Rider</b>	<b>Effective</b>	<b>Muni Code</b>	<b>Municipality</b>	<b>Rider</b>	<b>Effective</b>
03-0002	Acme	3%	2013/07/01	02-0040	Bowden	15%	2017/01/01
01-0003	Airdrie	20%	2021/04/01	03-0041	Boyle	20%	2021/01/01
03-0005	Alix	8.50%	2019/01/01	03-0042	Breton	20%	2015/01/01
03-0004	Alberta Beach	8%	2021/01/01	01-0043	Brooks	14%	2021/01/01
03-0007	Amisk	0%	2014/01/01	02-0044	Bruderheim	2%	2022/01/01
02-0011	Athabasca	16%	2023/01/01	02-0047	Calmar	20%	2013/07/01
04-0009	Argentia Beach	0%	2017/01/01	01-0048	Camrose	16%	2023/04/01
03-0010	Arrowwood	12%	2015/07/01	02-0050	Canmore	12%	2021/01/01
02-0387	Banff	6%	2020/01/01	03-0054	Carmangay	15%	2021/01/01
07-0164	Banff Park	4%	2019/10/01	03-0055	Caroline	12%	2021/01/01
03-0363	Barnwell	5%	2013/07/01	02-0056	Carstairs	10%	2015/01/01
03-0013	Barons	5%	2015/04/01	03-0061	Champion	15%	2015/04/01
02-0014	Barrhead	14%	2023/04/01	03-0062	Chauvin	11%	2016/01/01
02-0016	Bashaw	2%	2021/01/01	01-0356	Chestermere	11.50%	2014/01/01
02-0017	Bassano	14.40%	2019/01/01	03-0064	Chipman	0%	2016/01/01
03-0018	Bawlf	6%	2016/01/01	02-0065	Claresholm	5%	2022/04/01
01-0019	Beaumont	17.25%	2020/01/01	03-0066	Clive	11%	2023/01/01
03-0022	Beiseker	3.50%	2019/01/01	03-0068	Clyde	15%	2017/01/01
02-0024	Bentley	10%	2019/01/01	02-0069	Coaldale	16%	2023/04/01
04-0026	Betula Beach	0%	2017/01/01	02-0360	Coalhurst	7.5%	2023/01/01
03-0029	Bittern Lake	7%	2016/01/01	02-0070	Cochrane	17%	2020/01/01
02-0031	Blackfalds	20%	2013/10/01	03-0076	Coutts	3%	2017/01/01
02-0034	Bon Accord	19%	2022/01/01	03-0077	Cowley	5%	2016/01/01
02-0039	Bow Island	8.50%	2018/01/01	03-0078	Cremona	10%	2016/01/01
				02-0079	Crossfield	17%	2023/01/01

<b>Muni Code</b>	<b>Municipality</b>	<b>Rider</b>	<b>Effective</b>	<b>Muni Code</b>	<b>Municipality</b>	<b>Rider</b>	<b>Effective</b>
09-0361	Crowsnest Pass	16%	2016/01/01	02-0188	Killam	9%	2021/01/01
04-0080	Crystal Springs	0%	2016/01/01	01-0194	Lacombe	17.13%	2022/01/01
03-0081	Czar	5%	2013/10/01	04-0196	Lakeview	2%	2016/01/01
02-0082	Daysland	7%	2018/01/01	02-0197	Lamont	7.50%	2020/01/01
02-0086	Devon	15%	2023/01/01	04-0378	Larkspur	3%	2020/04/01
02-7662	Diamond Valley	10%	2023/01/01	01-0200	Leduc	16%	2014/01/01
02-0088	Didsbury	17%	2016/01/01	02-0202	Legal	15%	2021/01/01
02-0091	Drayton Valley	10%	2016/01/01	03-0207	Lomond	15%	2017/01/01
03-0093	Duchess	15%	2018/01/01	03-0208	Longview	17%	2017/01/01
02-0095	Eckville	10%	2015/01/01	03-0209	Lougheed	5%	2016/01/01
03-0096	Edberg	13%	2021/01/01	02-0211	Magrath	15%	2023/01/01
03-0097	Edgerton	15%	2022/01/01	04-0210	Ma-Me-O Beach	0%	2016/01/01
02-0100	Edson	4.91%	2023/01/01	02-0215	Mayerthorpe	12%	2023/04/01
03-0109	Ferintosh	11%	2016/01/01	04-0359	Mewatha Beach	2%	2016/10/01
03-0112	Foremost	7%	2016/01/01	02-0218	Milk River	12%	2017/01/01
02-0115	Fort Macleod	15%	2018/10/01	02-0219	Millet	16%	2019/01/01
01-0117	Fort Saskatchewan	0%	2013/10/01	03-0220	Milo	20%	2017/01/01
02-0124	Gibbons	10%	2013/01/01	02-0224	Morinville	20%	2013/07/01
03-0128	Glenwood	5%	2022/04/01	04-0230	Nakamun Park	0%	2013/10/01
04-0129	Golden Days	0%	2017/01/01	02-0232	Nanton	9%	2019/01/01
02-0135	Granum	5.50%	2013/07/01	02-0236	Nobleford	5%	2023/01/01
04-0134	Grandview	0%	2016/01/01	03-0233	New Norway	6%	2009/01/01
04-0138	Gull Lake	0%	2016/01/01	04-0237	Norglenwold	5%	2015/01/01
04-0358	Half Moon Bay	0%	2021/01/01	04-0385	Norris Beach	0%	2016/01/01
02-0143	Hardisty	9.50%	2021/01/01	02-0238	Okotoks	20%	2021/01/01
03-0144	Hay Lakes	9%	2021/01/01	02-0239	Olds	15%	2019/01/01
02-0148	High River	20%	2015/07/01	02-0240	Onoway	10%	2022/01/01
03-0149	Hill Spring	5%	2014/01/01	04-0374	Parkland Beach	0%	2015/01/01
02-0151	Hinton	11.73%	2022/01/01	02-0248	Penhold	19%	2014/01/01
03-0152	Holden	4%	2016/01/01	02-0249	Picture Butte	11%	2022/01/01
03-0153	Hughenden	5%	2016/01/01	02-0250	Pincher Creek	13%	2017/01/01
03-0154	Hussar	12.50%	2017/01/01	04-0253	Point Alison	0%	2017/01/23
02-0180	Innisfail	17%	2023/03/01	04-0256	Poplar Bay	0%	2016/01/01
03-0182	Irma	20%	2015/01/01	02-0257	Provost	20%	2015/01/01
02-0183	Irricana	8%	2023/05/01	02-0261	Raymond	16%	2022/01/01
04-0185	Island Lake	0%	2016/01/01	02-0265	Redwater	10%	2023/04/01
04-0186	Itaska Beach	0%	2017/10/01	02-0266	Rimbey	20%	2022/01/01
04-0379	Jarvis Bay	0%	2015/10/08	02-0268	Rocky Mtn House	15.3%	2023/01/01
04-0187	Kapasiwin	0%	2018/04/01	03-0270	Rockyford	5%	2015/04/01

<b>Muni Code</b>	<b>Municipality</b>	<b>Rider</b>	<b>Effective</b>	<b>Muni Code</b>	<b>Municipality</b>	<b>Rider</b>	<b>Effective</b>
03-0272	Rosemary	15.50%	2023/01/01	02-0311	Taber	18%	2020/07/01
04-0273	Ross Haven	0%	2016/01/01	02-0315	Thorsby	20%	2014/01/01
03-0276	Ryley	3%	2016/01/01	02-0318	Tofield	5%	2015/01/01
04-0279	Seba Beach	4%	2014/01/01	04-0324	Val Quentin	0%	2016/01/01
02-0280	Sedgewick	10%	2023/01/01	02-0326	Vauxhall	8%	2022/01/01
04-0283	Silver Sands	3%	2018/01/01	02-0331	Viking	8%	2013/01/01
04-0369	South Baptiste	0%	2005/05/01	02-0333	Vulcan	20%	2013/10/01
04-0288	South View	3%	2019/01/01	03-0364	Wabamun	10%	2017/01/01
01-0291	Spruce Grove	20%	2016/01/01	02-0335	Wainwright	11%	2020/04/01
01-0292	St. Albert	15%	2023/01/01	07-0159	Waterton Park	8%	2018/10/01
03-0295	Standard	0%	2015/01/01	03-0338	Warburg	10%	2015/01/01
02-0297	Stavely	6%	2021/01/01	03-0339	Warner	5%	2021/01/01
03-0300	Stirling	12%	2019/01/01	04-0344	West Cove	0%	2018/01/01
02-0301	Stony Plain	20%	2013/01/01	02-0345	Westlock	14.75%	2022/01/01
09-0302	Strathcona County	0%	TBD	01-0347	Wetaskiwin	17.0%	2023/01/01
02-0303	Strathmore	20%	2020/07/01	04-0371	Whispering Hills	5%	2016/10/01
03-0304	Strome	9%	2022/01/01	02-0350	Whitecourt	3.91%	2023/01/01
02-0307	Sundre	10%	2020/01/01	04-0354	Yellowstone	3%	2016/01/01
04-0386	Sunrise Beach	0%	2018/01/01				
04-0308	Sunset Point	10%	2017/01/01				
02-0310	Sylvan Lake	18%	2023/01/01				



# Town of Pincher Creek

## REQUEST FOR DECISION

*Council or Committee of the Whole*

<b>SUBJECT:</b> Library Board Appointment	
<b>PRESENTED BY:</b> Angie Lucas, Chief Administrative Officer	<b>DATE OF MEETING:</b> 9/25/2023

### **PURPOSE:**

To review the recommendation that Kassandra Chancey be appointed to serve for a three year term on the Library Board.

### **RECOMMENDATION:**

That Council for the Town of Pincher Creek That Council for the Town of Pincher Creek agree that Kassandra Chancey be appointed to serve for a three year term on the Library Board.

### **BACKGROUND/HISTORY:**

The Library Board is currently recruiting for a board members as 2 have recently resigned.

### **ALTERNATIVES:**

That the Board continue the recruitment for a board members.

### **IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:**

N/A

### **FINANCIAL IMPLICATIONS:**

N/A

### **PUBLIC RELATIONS IMPLICATIONS:**

N/A

### **ATTACHMENTS:**

Kassandra Chancey-library board form\_Redacted - 3255

### **CONCLUSION/SUMMARY:**

Administration would like to thank Kassandra Chancey for her commitment to our community and specifically the library and is in support of her appointment to this position.

**Signatures:**

**Department Head:**

*Angie Lucas*

**CAO:**

*Angie Lucas*

**TOWN OF PINCHER CREEK**

Box 159, 962 St. John Avenue, Pincher Creek, AB T0K 1W0  
403-627-3156 Fax: 403-627-4784 [www.pinchercreek.ca](http://www.pinchercreek.ca)  
Email: [reception@pinchercreek.ca](mailto:reception@pinchercreek.ca)

**APPLICATION FOR CITIZEN  
APPOINTMENT TO BOARDS AND  
COMMITTEES**

This application form provides background information on those who wish to serve on the various Town of Pincher Creek Boards and Committees.

NAME: Kassandra Chancey

ADDRESS (civic and box number): [REDACTED]

TELEPHONE NUMBER: (daytime) [REDACTED] (evening) see daytime

EMAIL ADDRESS: [REDACTED]

BOARD OR COMMITTEE INTERESTED IN SERVING ON: Pincher Creek & District Municipal Library

TERM:  1 YEAR  2 YEARS  3 YEARS

**WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD OR COMMITTEE?**

I recognize the importance of library access in our rural community and would like to lend my support as the library moves forward. I am interested in supporting community outreach, development and inclusive programming.

**BACKGROUND INFORMATION: (Education, Work Volunteer Positions, Previous Board or Committee Experience):**

Assistant Director with the Allied Arts Council of Pincher Creek since the summer of 2020 responsible for communications, programming, events, policy development and creating opportunities for community members through the arts. Experience supporting local businesses with their communications and social media. Former Twin Butte Community Hall board member.

**PERSONAL GOALS AND OBJECTIVES you would like to see reached on the Board or Committee for which you are submitting your name:**

I would like to support the library with outreach and further development of programming which is inclusive and accessible to all those in our community.

The information requested is being collected for the purpose of appointing citizens to Boards & Committees for the Town of Pincher Creek under the Freedom of Information and Protection of Privacy Act and is protected by the Act. If you have any questions about this contact the FOIP Coordinator at 403-627-3156.





**Town of Pincher Creek  
COUNCIL DISTRIBUTION LIST  
September 25, 2023**

<b><u>Item No.</u></b>	<b><u>Date</u></b>	<b><u>Received From</u></b>	<b><u>Information</u></b>
1.	Sept 7, 2023	Alberta SouthWest Regional Alliance	Minutes of the Board of Directors Meeting
2.	Sept 12, 2023	Alberta Association of Police Governance	Minister Ellis reply to AAPG letter regarding Commission Appointments
3.	Sept 13, 2023	SPCA/PC Humane Society	Letter