



REGULAR MEETING OF COUNCIL
Held on Monday February 27, 2023
In Person & Virtually,
Commencing at 6:00 p.m.

IN ATTENDANCE:

Mayor: D. Anderberg

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

Staff: A. Lucas, Chief Administrative Officer; K. Green, Executive Assistant; W. Catonio Director of Finance and Human Resources, A. Grose, Recreation Manager; M. Everts, Events, Marketing & Economic Development; L. Rideout, Director of Community Services; A. Hlady, FCSS; T. Walker, Energy Lead and L. Wilgosh, Former CAO

1. CALL TO ORDER

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

2. Scheduled Public Hearing

2.1 Pincher Creek Part 2 Northeast Area Structure Plan Bylaw 1635-23

Present: Mayor Anderberg
Councillor Barber
Councillor Cleland
Councillor Nodge
Councillor Oliver
Councillor Green
Councillor Wright

Staff: A. Lucas, Chief Administrative Officer
L. Wilgosh, Former CAO
K. Green, Executive Assistant
L. Rideout, Director of Community Services
T. Walker, Energy Lead
A. Hlady, FCSS
M. Everts, Events, Marketing & Economic Development
A. Grose, Recreation Manager
A. Levair, Director of Operations
W. Catonio, Director of Finance and Human Resources

1. CALL TO ORDER

The Mayor called the Public Hearing for Bylaw No. 1635-23 at 6:00pm February 27, 2023 to order.

2. ADOPTION OF AGENDA

BARBER:

That Council for the Town of Pincher Creek approves the February 27, 2023 Public Hearing for Bylaw No. 1635-23 agenda as presented

CARRIED PH23-1

3. PURPOSE OF PUBLIC HEARING -- (Mayor).

The purpose of the public hearing is to present Bylaw 1635-23 to adopt the Northeast Pincher Creek Part 2 Area Structure Plan, being a bylaw to amend the 1989 Northeast Pincher Creek Area Structure Plan Bylaw 1427 for portions of the SW 26-6-30-W4M including:

- LOT 1, BLOCK 8, PLAN 0613747
- LOTS 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15, BLOCK 7, PLAN 0613747
- LOT 15, BLOCK 5, PLAN 0613747
- LOT 1, BLOCK 6, PLAN 0512720
- LOTS 24 & 25, BLOCK 4, PLAN 0611417
- LOTS 12, 16 & 17, BLOCK 4, PLAN 0512718
- LOT 2, BLOCK 5, PLAN 0512718

A portion of the SE 26-6-30-W4M including:

- BLOCK 1, PLAN 2060JK

The purpose of the Northeast Pincher Creek Part 2 Area Structure Plan (ASP) is to provide for the future land use, subdivision layout and design, road networks, servicing guide and engineering support information applicable to the land to allow for orderly and efficient development of the said lands as described in the ASP document.

4. CONFIRMATION OF NOTICE (Asked for by The Mayor and replied by the CAO).

The Chief Administrative Officer advised that the Notice of Public Hearing was advertised first on February 8, and re-advertised in the February 15 and 22, 2023 editions of the local weekly newspaper the Pincher Creek Echo.

5. REPORT FROM OLDMAN RIVER REGIONAL SERVICES COMMISSION SENIOR PLANNER

(Steve Harty - Development Services Report)

REPORT FROM THE TOWN'S MANAGEMENT STAFF

Referral comments were received from Operational Services

6. WRITTEN SUBMISSIONS

There have been no written submissions received as of 12:00 Noon, February 22, 2023.

7. PERSONS WISHING TO BE HEARD/PRESENTATIONS

There have been no persons indicating their wish to be heard as of 12:00 Noon, February 22, 2023.

The Mayor asked if there were any persons wishing to be heard. (First Time)

Nodge:

That Council for the Town of Pincher Creek agrees to hear Megan Metherall at the Public Hearing for Bylaw No. 1635-23 on February 27, 2023 .

CARRIED PH23-2

The Mayor asked if there were any persons wishing to be heard. (Second Time)

The Mayor asked if there were any persons wishing to be heard. (Third and Final Time)

Bylaw No. 1635-23 will be presented to Council for consideration of Second and Third reading at the regular Council meeting on March 13, 2023.

8. CLOSURE OF PUBLIC HEARING

ANDERBERG:

That this Public Hearing on February 27, 2023 be hereby adjourned at 6:25 p.m.

CARRIED PH23-3

L.Goss & A. Hlady left meeting at 6:25pm

3. AGENDA APPROVAL

CLELAND:

The Council for the Town of Pincher Creek agrees to approve the February 27, 2023 agenda as presented.

CARRIED 23-065

4. DELEGATIONS

4.1 Glenda Farnden – Stars

4.2 Faith Zachar - Pincher Creek Football Club

5. ADOPTION OF MINUTES

5.1 Minutes of the Regular Meeting of Council held on February 13, 2023

GREEN:

That Council for the Town of Pincher Creek approves the minutes of the Regular Meeting of Council held on February 13, 2023 as presented.

CARRIED 23-066

5.2 Minutes of the Joint Council Meeting held on November 15, 2022

WRIGHT:

That Council for the Town of Pincher Creek approves the minutes of the Joint Council Meeting held on November 15, 2022 as presented.

CARRIED 23-067

6. BUSINESS ARISING FROM THE MINUTES

6.1 Disposition Of Delegation - Alan Mcrae (Triple T Energy)

NODGE:

That Council for the Town of Pincher Creek accept the disposition of delegation by Alan McRae of Triple T Energy as information and direct administration to set up a meeting with Mr. Mcrae and property owner and report back to council.

CARRIED 23-068

A. Levair left meeting at 6:35pm

7. BYLAWS

7.1 Municipal Borrowing Bylaw 1636-23 – Curling Rink

BARBER:

That Council for the Town of Pincher Creek give first reading to Municipal Borrowing Bylaw No. 1636-23 with regards to incurring indebtedness by the issuance of a loan or authorized debt instrument in an amount up to \$4,000,000.

CARRIED 23-069

BARBER:

That Council for the Town of Pincher Creek direct administration to advertise Bylaw No. 1636-23 for two weeks; the week of March 8, 2023 and March 15, 2023. The 15-day petition period would start March 16, 2023 and end March 30, 2023.

CARRIED 23-070

OLIVER:

That Council for the Town of Pincher Creek direct administration to provide information on the borrowing capacity of the town.

CARRIED 23-071

7.2 Municipal Borrowing Bylaw 1570-23

NODGE:

That Council for the Town of Pincher Creek agree to give first reading to the Municipal Borrowing Bylaw #1570-23.

CARRIED 23-072

OLIVER:

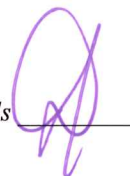
That Council for the Town of Pincher Creek agree to give second reading to the Municipal Borrowing Bylaw #1570-23.

CARRIED 23-073

GREEN:

That Council for the Town of Pincher Creek upon unanimous consent, agree to present the Municipal Borrowing Bylaw #1570-23 for third and final reading.

CARRIED 23-074



WRIGHT:

That Council for the Town of Pincher Creek agree to give third and final reading to the Municipal Borrowing Bylaw #1570-23, and that a copy be attached hereto and form part of the minutes.

CARRIED 23-075

8. NEW BUSINESS

8.1 Epilepsy Calgary – Purple Day – Proclamation

BARBER:

That Council for the Town of Pincher Creek agree to proclaim March 26, 2023 as Purple Day in honor of Epilepsy Calgary

CARRIED 23-076

Councillor Oliver has recused himself at 7:45 pm

8.2 Riplinger Wind Project Proposal

NODGE:

That Council for the Town of Pincher Creek directs the Mayor as required by bylaw 1622-18 to investigate code of conduct and respond to the author of the letter.

CARRIED 23-077

Councillor Oliver returned to meeting at 7:51 pm

8.3 Oldman Watershed Council Letter

CLELAND:

That Council for the Town of Pincher Creek receive the letter from the Oldman Watershed Council as information.

CARRIED 23-078

8.4 Community Recreation & Events Centre for Green and Inclusive Buildings Grant

OLIVER:

That Council for the Town of Pincher Creek provide direction and approval for additions to the curling rink design build to meet standards necessary for the Green and Inclusive Buildings Grant

CARRIED 23-079

OLIVER:

That Council for the Town of Pincher Creek agree to meet the grant criteria and the applicants design must be built to net zero standards (Zero Carbon Building (ZCB) Design Standard V3)

- Be built to highest accessibility standards (Canadian Standards Association's Technical Standard Accessible Design for the Built Environment)
- Be built as an economic driver and for the benefit of multiple user groups, with weight put on underserved populations. Additions to the existing request to

meet these standards have been identified in the Recreation Master Plan as priorities including:
- A climbing/bouldering wall to provide an accessible space for diverse recreation (Priority 6)
- And an exhibition or conference space to provide capacity to gather and share in a variety of formats to create a destination to drive the local economy.

CARRIED 23-080

8.5 Piikani Nation Chief and Council Meet & Greet

BARBER:

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

CARRIED 23-081

9. COUNCIL Report

9.1 UPCOMING COMMITTEE MEETINGS AND EVENTS

BARBER:

That Council for the Town of Pincher Creek accepts upcoming meetings and events as information.

CARRIED 23-082

NODGE:

That Council for the Town of Pincher Creek move that Councillor Green attend the Public Agriculture Literacy Program training.

CARRIED 23-083

10. ADMINISTRATION

10.1 Council Information Distribution List

BARBER:

That Council for the Town of Pincher Creek accepts the February 27, 2023 Council Information Distribution List as information.

CARRIED 23-084

10.2 Community Services Quarterly Report

GREEN:

That Council for the Town of Pincher Creek accepts the Community Services Quarterly Report as information with great thanks.

CARRIED 23-085

*T. Walker left meeting at 8:20 pm
Mayor Anderberg called a recess at 8:30 pm
Mayor Anderberg called the meeting back to order at 8:43 pm
M. Everts left meeting at 8:43 pm*

11. CLOSED MEETING DISCUSSION

CLELAN:

That Council for the Town of Pincher Creek agree to move into closed session of Council on Monday, February 27, 2023 at 8:45 pm in accordance with section 16 & 24 of the

*Regular Council Meeting
February 27, 2023*

Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Executive Assistant, Director of Community Services, Former CAO and Director of Finance and Human Resources in attendance.

CARRIED 23-086

CLELAND:

That Council for the Town of Pincher Creek agree to move out of closed session of Council on Monday, February 27, 2023 at 10:08 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer Executive Assistant, Director of Community Services, Former CAO and Director of Finance and Human Resources in attendance.

CARRIED 23-087

11.1 Allied Arts Lease Agreement - FOIP s. 16 & 24

GREEN:

That Council for the Town of Pincher direct administration to share the draft lease agreement with the Allied Arts Council of Pincher Creek for consideration and if agreeable prepare and execute same.

CARRIED 23-088

11.2 CUPE Local 927, Draft Union Contract Review- FOIP s. 16 & 24

CLELAND:

That Council for the Town of Pincher accept the Memorandum of Agreement and that the Mayor be authorized to sign the Memorandum of Agreement between the Town of Pincher Creek and Local 927 of the Canadian Union of Public Employees for the period of April 1, 2022 to March 31, 2026

CARRIED 23-089

W. Catonio left meeting at 9:45 pm

11.3 Debrief of Joint Council meeting FOIP s. 21

WRIGHT:

That Council for the Town of Pincher accepts the debrief update as information.

CARRIED 23-090

K. Green, A. Grose, L. Wilgosh & L. Rideout left meeting at 9:50 pm

11.4 Personnel (Discussion) – FOIP s. 24 & 25

OLIVER:

That Council for the Town of Pincher accepts the personnel update as information.

CARRIED 23-091

12. NOTICE OF MOTION




**13. ADJOURNMENT
CLELAND:**

That this meeting of Council on February 27, 2023 be hereby adjourned at 7:53 pm.

CARRIED 23-092



MAYOR, D. Anderberg



CAO, A. Lucas

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 13th DAY OF MARCH 2023**

S E A L

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON
MONDAY MARCH 13, 2023 AT 6:00 P.M.**



Bylaw No. 1570-23

**BYLAW NO. 1570-23
MUNICIPAL BORROWING BYLAW**

**OF THE TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA**

This bylaw authorizes the Council for the Town of Pincher Creek to borrow for the purpose of financing operating expenditures as specified in Section 256 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26.

WHEREAS the Council for the Town of Pincher Creek (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of:

Revolving line of credit for short-term financial purposes (under 1 year) and:

Mastercard for short-term financial purposes (under 1 year)

NOW THEREFORE pursuant to the provisions of the Municipal Government Act, it is hereby enacted by the Council of the Corporation as a By-law that:

1. The Corporation borrow from ATB Financial up to the principal sum of **\$1,000,000.00 (ONE MILLION DOLLARS AND 00/100 CENTS)** repayable upon demand at a rate of interest per annum not to exceed the Prime Lending Rate from time to time established by ATB Financial plus 1.00%, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
 - (a) Pursuant to Section 251 (2) (b) of the Municipal Government Act, the interest rate in respect of such direct revolving advances shall not in any event exceed a maximum rate of 5% per annum.
2. The Corporation borrow from ATB Financial (Mastercard) sums of money from time to time to complete operating expenditures for convenience purposes and where required by suppliers. Provided that the principal sum owed to ATB Financial at one time not exceed the sum of **\$50,000 (FIFTY THOUSAND DOLLARS AND 00/100 CENTS)**.
3. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
 - (a) to apply to ATB Financial for the aforesaid loans to the Corporation and to arrange with ATB Financial the amount, terms and



Bylaw No. 1570-23


conditions of the loan and security or securities to be given to ATB Financial;

- (b) as security for any money borrowed from ATB Financial
 - (i) to execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
 - (ii) to give or furnish to ATB Financial all such securities and promises as ATB Financial may require to secure repayment of such loans and interest thereon; and
 - (iii) to execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of ATB Financial of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB Financial the security or securities required by it.
4. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are: Property Taxation
 5. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
 5. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB Financial is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 3 hereof and delivered to ATB Financial will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and ATB Financial will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.
 6. That Bylaw #1570-22 be repealed.
 7. This Bylaw comes into force on the final passing thereof.



Bylaw No. 1570-23

READ A FIRST TIME this 27th day of February, 2023




MAYOR, Don Anderberg



CAO, Angie Lucas

READ A SECOND TIME this 27th day of February, 2023

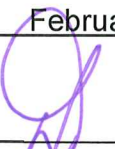


MAYOR, Don Anderberg



CAO, Angie Lucas

READ A THIRD TIME this 27th day of February, 2023



MAYOR, Don Anderberg



CAO, Angie Lucas



Bylaw No. 1570-23

CERTIFICATE

WE HEREBY CERTIFY that the foregoing bylaw was duly passed by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 27th day of February, 2023, at which a quorum was present, as entered in the minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

WITNESS our hands and the seal of the Corporation this 27th day of February, 2023.

A handwritten signature in purple ink, appearing to be "A. Lucas", is written above a horizontal line.

Chief Elected Official

Seal

A handwritten signature in blue ink, appearing to be "A. Lucas", is written above a horizontal line.

Chief Administrative Officer