



REGULAR MEETING OF COUNCIL
Held on Monday February 14, 2022
Virtually, commencing at 6:00 p.m.

IN ATTENDANCE: Mayor: D. Anderberg
Councillors: M. Barber, D. Green, S. Nodge, W. Elliott, B. Wright, and W. Oliver
Staff: L. Wilgosh, Chief Administrative Officer; K. Green, Executive Assistant; L. Rideout, Director of Community Services; A. Grose, Recreation Manager

1. CALL TO ORDER

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

2. SCHEDULED PUBLIC HEARING

3. AGENDA APPROVAL

BARBER:

The Council for the Town of Pincher Creek agrees to add 6.5 Airport Regional meeting, 10.2 Covid Policy, and 10.3 Strategic Planning Schedule to the February 14, 2022 agenda.

CARRIED 22-037

NODGE:

The Council for the Town of Pincher Creek approves the February 14, 2022 agenda as amended.

CARRIED 22-038

4. DELEGATIONS

4.1 Pincher Creek & District Historical Society – Colleen Casey-Cyr

Colleen has asked the Council for a letter of approval to build a pergola addition to the existing deck on the Beere Hall and to address any questions on the request.

5. ADOPTION OF MINUTES

5.1 Minutes of the Regular Meeting of Council held on January 24, 2022

OLIVER:

That Council for the Town of Pincher Creek approve the minutes of the Regular Meeting of Council held on January 24, 2022 as presented.

CARRIED 22-039

5.2 Minutes of the Committee of the Whole held on February 2, 2022

BARBER:

That Council for the Town of Pincher Creek approve the minutes of the Committee of the Whole held on February 2, 2022 as amended.

CARRIED 22-040

6 BUSINESS ARISING FROM THE MINUTES

6.1 Stars Funding 2022

BARBER:

That Council for the Town of Pincher Creek approve the increase of \$16 to the STARS grant for 2022.

CARRIED 22-041

BARBER:

That Council for the Town of Pincher Creek agree to make a standing motion to include STARS in their yearly budgets in the amount of \$7,300.

CARRIED 22-042

6.2 Alberta Municipalities - Municipal Leaders Caucus

GREEN:

That Council for the Town of Pincher Creek directs administration to register Councillor Nodge to attend in person and Councillor Green to attend virtually to the Alberta Municipalities Municipal Leaders Caucus in Edmonton on March 9th and 10th 2022.

CARRIED 22-043

6.3 Sgt. Ryan Hodge – RCMP

a) Community Policing Report

OLIVER:

That Council for the Town of Pincher Creek accepts the Community Policing Report as information.

CARRIED 22-044

b) Provincial Transition Proposal Discussion

OLIVER:

That Council for the Town of Pincher Creek directs administration to invite the MLA to speak to Council about the police transition proposal and how to inform the public on the proposal.

CARRIED 22-045

A. Roth joined the meeting at 6:47 pm

6.4 Cabin Ridge Coal Project Update

NODGE:

That Council for the Town of Pincher Creek accepts the Cabin Ridge Coal Project Update as information.

CARRIED 22-046

6.5 Airport Regional Meeting

GREEN:

That Council for the Town of Pincher Creek directs administration to request the Advisory Committee develop a Terms of Reference and include a Proforma of financial statements for Council's information.

CARRIED 22-047



7. BYLAWS

7.1 Municipal Borrowing Bylaw #1570-22

OLIVER:

That Council for the Town of Pincher Creek agrees to give first reading to the Municipal Borrowing Bylaw #1570-22.

CARRIED 22-048

GREEN:

That Council for the Town of Pincher Creek agrees to give second reading to the Municipal Borrowing Bylaw #1570-22.

CARRIED 22-049

ELLIOTT:

That Council for the Town of Pincher Creek upon unanimous consent, agrees to present the Municipal Borrowing Bylaw #1570-22 for third and final reading.

CARRIED 22-050

NODGE:

That Council for the Town of Pincher Creek agree to give third and final reading to the Municipal Borrowing Bylaw #1570-22, and that a copy be attached hereto and form part of the minutes.

CARRIED 22-051

8. NEW BUSINESS

8.1 Letter of Notice to Bargain CUPE Local 927

BARBER:

That Council for the Town of Pincher Creek appoints Councillor Nodge and Mayor Anderberg, with Councillor Wright as an alternate to the Union Contract Negotiating Committee.

CARRIED 22-052

BARBER:

That Council for the Town of Pincher Creek directs administration to research third party negotiators and bring forward prospective candidates for Council approval.

CARRIED 22-053

Mayor Anderberg called a recess at 7:53 pm

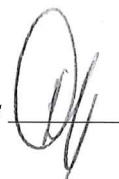
Mayor Anderberg called the meeting back to order at 8:05 pm

8.2 MCCAC Clean Energy Improvement Program

OLIVER:

That Council for the Town of Pincher Creek directs administration to provide a brief report on what would be required for the municipality to administer the MCCAC CEIP program.

CARRIED 22-054



8.3 Proposed Library Expansion - Letter of Support

BARBER:

That Council for the Town of Pincher Creek provide a letter of support to the Pincher Creek and District Library Board to start the planning process for a proposed Library expansion.

CARRIED 22-055

8.4 Pincher Creek & District Historical Society - Development Application 22-D0002

ELLIOT:

That Council for the Town of Pincher Creek authorize and direct administration to proceed and submit the Application for a Development Permit 22-D0002 for the expansion of the historical exhibits dated January 6, 2022, on Plan 6051JK, Block B, to the Municipal Development and Subdivision Authority (MDSA) for approval in accordance with the Land Use Bylaw No. 1547.

CARRIED 22-056

GREEN:

That Council for the Town of Pincher Creek agrees to waive the development application fee for a discretionary use in the amount of \$150 for Development Application 22-D0002

CARRIED 22-057

9.0 Up Coming Meetings

10. ADMINISTRATION

10.1 Council Information Distribution List

NODGE:

That Council for the Town of Pincher Creek accepts the February 14, 2022 Council Information Distribution List as information.

CARRIED 22-058

10.2 Covid Policy

OLIVER:

That Council for the Town of Pincher Creek agrees to suspend the Covid Policy for approximately 3 weeks then reassess at the Committee of the Whole on March 2, 2022.

CARRIED 22-059

10.3 Strategic Planning Schedule

That Council for the Town of Pincher Creek agrees to book the Strategic Planning Schedule for April 12 & 13th.

Mayor Anderberg called a recess at 9:07 pm

A. Grose left the meeting at 9:08 pm

Mayor Anderberg called the meeting back to order at 9:17 pm



11. CLOSED MEETING DISCUSSION

OLIVER:

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, February 14, 2022 at 9:17 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services, Recreation Manager, Marketing & Economic Development Officer and Executive Assistant in attendance.

CARRIED 22-060

OLIVER:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, February 14, 2022 at 10:27 pm in accordance with section 19 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services, Recreation Manager, Marketing & Economic Development Officer and Executive Assistant in attendance

CARRIED 22-061

11.3 Proposed Development Funding Consideration

BARBER:

That Council for the Town of Pincher Creek agrees to allow the request from the developer to be presented at this Council meeting, as per section 77 of the Council Procedural Bylaw # 1596-21 to give further consideration to a matter within at least three months from the last meeting presentation.

CARRIED 22-062

BARBER:

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, February 14, 2022 at 10:28 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services, Recreation Manager, Marketing & Economic Development Officer and Executive Assistant in attendance.

CARRIED 22-063

OLIVER:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, February 14, 2022 at 10:29 pm in accordance with section 19 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services, Recreation Manager, Marketing & Economic Development Officer and Executive Assistant in attendance

CARRIED 22-064

11.1 Offer to Purchase Roll# 4200200 – FOIP S. 16 & 24

GREEN:

That Council for the Town of Pincher Creek directs administration to respectfully decline the offer to purchase Plan 0512718, Block 5, Lot 2.

CARRIED 22-065

GREEN:

That Council for the Town of Pincher Creek defer item 11.1 to administration to define which lots are not deemed saleable at this time and bring them back to the next regular Council meeting.

CARRIED 22-066

11.2 Eco Waste Cost Projections FOIP S. 16 & 21

GREEN:

That Council for the Town of Pincher Creek receive the anticipated cost projections for the recycling services at the Eco Waste site as information and request that the Town's ICF committee members move forward accordingly.

CARRIED 22-067

11.3 Proposed Development Funding Consideration FOIP S. 16 & 25

OLIVER:

That Council for the Town of Pincher Creek directs administration to propose to the developer that the Town will bring the water and sewer services to the property line for parcel Plan 0614431, Block 1, Lot 4 and will recover the cost through a local improvement agreement contingent on the building permit for the project being issued.

CARRIED 22-068

12. NOTICE OF MOTION

13. ADJOURNMENT

ELLIOTT:

That this meeting of Council on February 14, 2022 be hereby adjourned at 11:02 pm.

CARRIED 22-069



MAYOR, D. Anderberg



CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 28th DAY OF FEBRUARY 2022 S E A L
NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY FEBRUARY 28,
2022 AT 6:00 P.M.**



Bylaw No. 1570-22

**BYLAW NO. 1570-22
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. 1570-22

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.

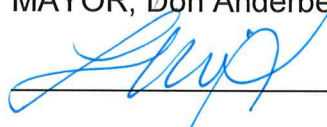
4. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are: Property Taxation
5. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
5. In the event that the Municipal 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 #1570-21 be repealed.
7. This Bylaw comes into force on the final passing thereof.



Bylaw No. 1570-22


READ A FIRST TIME this 14th day of February, 2022

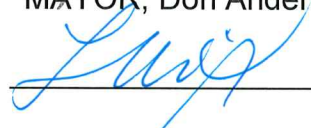


MAYOR, Don Anderberg


CAO, Laurie Wilgosh


READ A SECOND TIME this 14th day of February, 2022




MAYOR, Don Anderberg


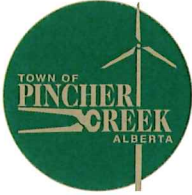
CAO, Laurie Wilgosh

READ A THIRD TIME this 14th day of February, 2022



MAYOR, Don Anderberg


CAO, Laurie Wilgosh



Bylaw No. 1570-22

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 14th day of February, 2022, 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 14th day of February, 2022.



Chief Elected Official

Seal



Chief Administrative Officer