



REGULAR MEETING OF COUNCIL
Held on Monday March 9, 2020 in the
Town Hall Council Chambers, commencing at 6:00 p.m.

IN ATTENDANCE:

Mayor: D. Anderberg

Councillors: B. McGillivray, S. O'Rourke, L. Jackson
M. Barber and S. Korbett

Absent with regrets: W. Elliott

Staff: L. Wilgosh, Chief Administrative Officer
and L. Goss, Administrative Manager

1. CALL TO ORDER

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

2. SCHEDULED PUBLIC HEARING

3. AGENDA APPROVAL

McGILLIVRAY:

That Council for the Town of Pincher Creek approves the March 9, 2020 agenda as amended, the amendment being the addition of item 11.2 Intermunicipal Collaboration Framework Update.

CARRIED 20-133

4. DELEGATIONS

5. ADOPTION OF MINUTES

5.1 Minutes of the Regular Meeting of Council held on February 24, 2020

BARBER:

That Council for the Town of Pincher Creek approve the minutes of the regular meeting of Council held on February 24, 2020 as presented.

CARRIED 20-134

5.2 Minutes of the Committee of the Whole Meeting held on March 4, 2020

McGILLIVRAY:

That Council for the Town of Pincher Creek approve the minutes of the Committee of the Whole meeting held on March 4, 2020 as presented.

CARRIED 20-135

6. BUSINESS ARISING FROM THE MINUTES

6.1 AUMA Leader's Caucus Proposed Request for Decision

KORBETT:

That Council for the Town of Pincher Creek direct administration to forward the proposed request for decision to the Alberta Urban Municipalities Association asking that AUMA advocate for the concerned members municipalities with the Minister of Alberta Health and Alberta Health Services, to collaborate regarding the recent physician wage reductions with the Alberta Medical Association to find efficiencies and alternate cost savings in the Alberta health system.

CARRIED 20-136

Handwritten initials in blue ink, appearing to be "D" and "S" or similar, written over a horizontal line.

6.1(a) Physician Compensation – Request to meet with Minister of Health

JACKSON:

That Council for the Town of Pincher Creek authorize Councillor Korbett and Mayor Anderberg to attend a meeting with the Minister of Health in Calgary on Wednesday March 11, 2020 to discuss Physician Compensation.

CARRIED 20-137

7. BYLAWS

8. NEW BUSINESS

8.1 Asset Management Policy

BARBER:

That Council for the Town of Pincher Creek refer the Asset Management Policy 168 to administration to bring back to a future Committee of the Whole meeting.

CARRIED 20-138

8.2 Community Peace Officer Policies 205-20, 208-20, 209-20, 210-20 and 211-20

KORBETT:

That Council for the Town of Pincher Creek approve the adoption of the following policies and Traffic Safety Plan:

Baton and OC Spray use by Peace Officers - Policy Number 205-20

Cannabis Policy and Procedures - Policy Number 208-20

Known Risk Policy and Protocol - Policy Number 209-20

Exhibit Handling and Disposal of Cannabis - Policy Number 210-20

Community Peace Officer Communication Policy- Policy Number 211-20

Traffic Safety Plan 2020 to 2022;

And that copies of each be attached hereto and form part of the minutes.

CARRIED 20-139

9. COUNCIL REPORTS

10. ADMINISTRATION

10.1 Council Information Distribution List

O'ROURKE:

That Council for the Town of Pincher Creek accept the March 9, 2020 Council Information Distribution List as information.

CARRIED 20-140

Mayor Anderberg called a recess at 6:35 pm.

Mayor Anderberg called the meeting back to order at 6:40 pm.

11. CLOSED MEETING DISCUSSION

McGILLIVRAY:

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, March 9, 2020 at 6:40 pm in accordance with section 16, 21 and 25 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer and Administrative Officer in attendance.

CARRIED 20-141



JACKSON:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, March 9, 2020 at 6:50 pm.

CARRIED 20-142

Mayor Anderberg called a recess at 6:50 pm

Mayor Anderberg called the meeting back to order at 6:54 pm.

JACKSON:

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, March 9, 2020 at 6:54 pm in accordance with section 16, 21 and 25 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer and Administrative Officer in attendance.

CARRIED 20-143

L. Goss left the meeting at 6:54 pm.

BARBER:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, March 9, 2020 at 7:00 pm.

CARRIED 20-144

11.1 Lease Agreement – Sec 5-7-29-W4 and Plan 8511150, Block 1, Lot 1 – FOIP s. 16 & 25

KORBETT:

That Council for the Town of Pincher Creek award Macleod View Dairy (1994) Ltd. a five (5) year lease for Parcel 1 (Sec 5-7-29-W4 approximately 439.5 acres) and Parcel 2 (Plan Pincher Creek 8511150, Block 1, Lot 1 approximately 112.5 acres) for the purpose of growing agricultural crops and direct administration to enter into the Lease Agreement dated March 2020 with Macleod View Dairy (1994) Ltd.

CARRIED 20-145

11.2 Intermunicipal Collaboration Framework Update – FOIP s. 21

McGILLIVRAY:

That Council for the Town of Pincher Creek receive the Intermunicipal Collaboration Framework Update as information.

CARRIED 20-146

12. NOTICE OF MOTION

13. ADJOURNMENT

O'ROURKE:

That this meeting of Council on March 9, 2020 be hereby adjourned at 7:03 pm.

CARRIED 20-147



*Regular Council Meeting
March 9, 2020*



MAYOR, D. Anderberg



CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 23rd DAY OF MARCH 2020**

S E A L

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY MARCH 23, 2020
AT 6:00 P.M.**

TOWN OF PINCHER CREEK

Approved by: Council	Date: September 12, 2005	Policy Number: 205-20
Reference: Motion: #05-315 Motion: #20-139	Revision Date/by: March 9, 2020	
Title: BATON AND OC SPRAY USE BY PEACE OFFICERS		

Policy Statement

The Town of Pincher Creek will provide guidelines for the use of a Baton and OC Spray by Peace Officers.

1. Definitions

- 1.1 **Peace Officer** shall mean the person appointed as a Peace Officer under the Peace Officer Act.
- 1.2 **Town** shall mean the Municipality of the Town of Pincher Creek
- 1.3 **Baton** shall mean a collapsible impact weapon manufactured in either metal or composite material.
- 1.4 **OC** shall mean Oleoresin Capsicum and as defined in Section 4(1) of the Peace Officer Regulations.

2. Procedures

- 2.1 The Town may issue a baton and/or OC Spray to its Peace Officers who may be required to utilize a baton and/or OC Spray during the execution of their duties providing that:
 - 2.1.1 Peace Officers are authorized by Alberta Solicitor General and Public Security to be issued a baton and/or OC Spray.
 - 2.1.2 The baton and/or OC Spray is utilized as an aid in the arrest of a resisting person, or to control a person or crowd when lesser means are not likely to succeed, or have failed or more severe means are not yet required,
 - 2.1.3 The baton and/or OC Spray is utilized to control an attack or threat of an attack from animals.

Policy No. 205-20

2.1.4 When OC Spray has been deployed and the subject(s) has been brought under control, decontamination procedures will be commenced as soon as practical.

2.2 The issue of a baton and/or OC Spray to Peace Officers is conditional upon their having met the qualifications listed in clause (4).

2.3 Peace Officers shall only carry and use a baton and/or OC Spray which is issued by the Town.

2.4 Peace Officers may carry a baton and/or OC Spray only when on duty as a Peace Officer.

2.5 When a baton or OC Spray is in the office and not in possession of a Peace Officer, it must be stored in a locked cabinet.

2.6 When a baton or OC Spray is in the possession of a Peace Officer at his/her residence, and when it is not reasonable to have it locked at the office, the Peace Officers must ensure proper storage of the baton and OC Spray, in a locked cabinet.

2.7 Submits an Incident Report to the Supervisor and to Public Security Department on approved form describing the incident and reasons for utilizing the OC Spray. This includes accidental OC Spray discharge.

3. Restriction of Use of Baton and OC

3.1 Peace Officers shall abide Government of Alberta Solicitor General and Public Security Policy regarding the use of a baton and OC Spray.

3.2 A Peace Officer's appointment authorizes them to be in possession of a baton and/or OC Spray only for the purpose of their duty or employment and does not extend to off-duty activities.

4. Qualifications

4.1 Peace Officers shall:

4.1.1 Be trained in the use, care and handling of a baton and OC Spray in accordance with the Government of Alberta Solicitor General and Public Security standards.

4.1.2 Recertify on Baton and OC Spray training every 36 months.

5. Reporting Requirements

5.1 A Peace Officer who during the course of their duties utilizes a baton or OC Spray shall:

5.1.1 Report the occurrence as soon as practicable to the supervisor.

Policy No. 205-20

- 5.1.2 Complete the standard occurrence report outlining the circumstances surrounding the use of the baton or OC Spray.
- 5.2 A Peace Officer will immediately report any incident in which the baton and/or OC Spray was used as a means of force to their supervisor and the Alberta Solicitor General and Public Security Department in writing of the circumstances surrounding the usage of the Baton or OC Spray pursuant to the Peace Officer Act and its regulations thereto.
- 5.3 Peace officers who are carrying authorized batons must check their baton on a weekly basis for wear and tear, bent shaft and stress fractures, abrasions on the tip or loose tip, and secure butt cap. Any defects must immediately be reported to a supervisor.

6. End of Policy

TOWN OF PINCHER CREEK

Approved by: Council	Date: March 9, 2020	Policy Number: 208-20
Reference: Motion #20-139	Revision Date / by	
Title:	CANNABIS POLICY AND PROCEDURES	

Policy Statement

The Town of Pincher Creek recognizes Community Peace Officers may receive complaints related to the use and possession of recreational cannabis. The purpose of this policy is to ensure employees of the Town of Pincher Creek Municipal Enforcement Department is provided a safe and effective professional response for complaints relating to the use and possession of recreational cannabis.

1. DEFINITIONS

- 1.1 **Adult** – shall mean any person 18 years of age and over.
- 1.2 **Cannabis** – shall be the meanings given to them in the Federal Act.
- 1.3 **Minor** – shall mean a person under the age of 18 years.
- 1.4 **Public Place**- shall mean a place or building that is open to the public and include a vehicle in a public place.
- 1.5 **Smoke** - where used as a verb in respect of cannabis, means inhaling or exhaling the smoke produced by lit cannabis or holding or otherwise having control of lit cannabis or any device or thing that contains lit cannabis.
- 1.6 **Use** - where used as a verb in respect of cannabis, includes smoke, vape, apply, inhale and consume.
- 1.7 **Vape** - in respect of cannabis, means inhaling or exhaling the vapour, emissions or aerosol produced by, or holding or otherwise having control of, an electronic cigarette or similar device containing cannabis.
- 1.8 **Vehicle** - means a device in, on or by which a person or thing may be transported or drawn on a highway.

2. INVESTIGATIONS/CHARGES

2.1 Community Peace Officers will respond to and investigate any complaints of contravention of the Gaming and Liquor and Cannabis Act/Regulations pertaining to the following sections:

Act	Description
Tobacco and Smoking Reduction Act	3 (a) In a public place.
	3 (b) In a workplace.
	3 (b.1) In a vehicle where minor is present.
	3 (c) In a public vehicle.
	3 (d) Within a prescribed distance from door, window, air intake of a public or workplace. (5 meters)
Gaming, Liquor and Cannabis Act	90.24 Use of cannabis in a vehicle. (unless it is in used as a residence)
	90.25 Transport cannabis in vehicle unopen packaging with easy access of driver/occupant.
	90.26(a) Minors purchase/attempt to purchase cannabis.
	90.26(b) Minor obtain/attempt to obtain cannabis.
	90.26(c) Minor possess/attempt to possess cannabis.
	90.27 Grow cannabis.
	90.28(a) Smoke/Vape cannabis where smoking prohibited under the Tobacco and Smoking Reduction Act or bylaw.
	90.28 (b) Smoke/vape cannabis on hospital/school/child care facility property.
	90.28(c) Smoke/vape cannabis in/within 5m from playground/sports/playing field/skateboard / bicycle park/zoo/outdoor theatre/outdoor pool/splash pad.
90.29 Owner/operator allow smoking/vaping of cannabis where prohibited.	

2.2 Community Peace Officers do not respond to nor investigate any criminal complaints related to the law, use, possession, distribution of any illicit narcotics as listed in the Controlled Drug and Substances Act (CDSA). Any complaints of that nature will be forwarded to the respective police service of jurisdiction.

2.3 Violations will be reported and documented accordingly and when/if any provincial offence charges laid will be thru the provincial violation notice pertaining to the above noted offences only.

3. STORAGE/DESTRUCTION AND SEIZING OF CANNABIS

- 3.1 Any cannabis, or supporting evidence seized, relating to any charge will be marked, weighed, identified and packaged in approved narcotics envelopes and held for any pending court proceedings;
- 3.2 All cannabis seized will be stored in the approved drug storage locker and held until all court proceedings are finalized.
- 3.3 Once all court proceedings are finalized the cannabis seized may be destroyed by following the proper disposal guidelines as noted by Alberta Environment and Parks.

(Cannabis plant waste and useable cannabis - Mix with leaf and yard waste, food waste, wood chips, animal manure, grease or other compostable oil waste can be taken to a Compost Facility or Anaerobic digester Mix with cat litter, sand, plastic waste or sawdust)

End of Policy

TOWN OF PINCHER CREEK

Approved by: Council	Date: March 9, 2020	Policy Number: 209-20
Reference: Motion # 20-139	Revision Date / by	
Title:	KNOWN RISK POLICY AND PROTOCOL	

Policy Statement

Through the course of their duties Community Peace Officers (CPO's) and the RCMP may become aware of persons, vehicles and properties that may pose a risk to officer safety. These safety concerns include but are not limited to:

- a. A person or a property, where a person is known to reside or frequent: that is known to be violent, whether this is know via CPIC, a police service or other reliable means.
- b. A person or property, where a person is known to reside or frequent, that is known to possess weapons, and this information is obtained through CPIC, a police agency or other reliable means.
- c. A person or property, where a person is known to reside or frequent, that is known to have significant mental health concerns or suicidal tendencies, and this information is obtained through CPIC, a police agency or other reliable means.
- d. A person or property, where a person is known to reside or frequent, that is classified on CPIC as "Special Interest to Police (SIP)", and this information is obtained through CPIC or a police agency.
- e. A vehicle known to be owned or used by a person that meets the criteria identified above.

Policy Goals

The purpose of this Policy it to ensure officer safety and compliance with the recommendation of the Rod Lazenby Fatality Inquiry, respecting the identification of know threats to officers. The identified threats are either known locations or individuals that pose a safety concern to officers. It is to create and maintain a consistent process on how officers are to address concerns of this nature.

The Town of Pincher Creek and other policing agencies will work cooperatively to identify persons and properties that pose a risk to officers' safety within the Town of Pincher Creek. This information will then be shared between enforcement agencies in order to identify these persons, vehicles and locations.

1. Definitions

- 1.1 **Community Peace Officer** shall mean the person appointed as a Peace Officer under the Peace Officer Act.
- 1.2 **RCMP** shall mean the Royal Canadian Mounted Police.
- 1.3 **CPIC** shall mean the Canadian Police Information Center central police database.
- 1.4 **Report Exec** shall mean a program designed to enhance security, safety and track important details for the Community Peace Officers.

2. Procedure:

- 2.1 Individuals and locations that are categorized and Known Threats, are to be entered on Report Exec as “Use Caution.”
- 2.2 Enforcement Officers are required to conduct a Report Exec query for any “Cautions” of the location or individual prior to attending the complaint.
- 2.3 The following query is to be made on Report Exec.:
 - a. SEARCH- CONTACTS
 - b. Enter Name or Locations
 - c. Check Search Report Contact (advanced search) - including unknow
 - d. Check show only contacts with “Use Caution” records.
- 2.4 The query may be made directly by the Peace Officer conducting a computer check or utilized dispatch or administration support (if available) to conduct the check.
- 2.5 If a “Use Caution” entry is noted, the officer is **not to attend the location alone** and utilize appropriate safety assessment and precaution prior to addressing the complaint. Safety assessment will include.:
 - a. Notifying a supervisor, if on duty and, or
 - b. Notify the police service of jurisdiction.
 - c. Conduct a risk assessment of the nature of the complaint, location and number of individuals present.
 - d. Conduct a CPIC query for any further “Cautions” (if available)
 - e. Obtain appropriate additional support or back-up (Community Peace Officer/ Police Officer).
 - f. Discuss ingress and egress procedures prior to arriving on scene.

- g. Notify dispatch or location, arrival on scene, obtain status update report of a maximum 5-minute duration.
 - h. Immediately notify dispatch, upon departing the location.
- 2.6 “Use Caution” entries are to be reviewed by the appointed officer or supervisor bi-annually for accuracy of location or address, and to assess whether the “Use Caution” entry is still relevant.
- 2.7 An Excel spread sheet has been created and maintained of “Known Threat” individuals and locations / addresses. It will be stored in a binder, labelled “Known Threats”, located on the Community Peace Officer desk as additional reference, and in the case of server issues.
- a. The hard copy spread sheet will be divided in accordance to address, as well as to individual names.
 - b. The spread sheet is to be updated as soon as practicable along with the Report Exec entry or modification of the “Use Caution” flag.

3. Administrative:

- 3.1 An approved copy of this Standard Operating Procedure is to be filled with Alberta Justice-Solicitor General Peace Officer Program. This includes any updates and amendments thereto.

End of Policy

TOWN OF PINCHER CREEK

Approved by: Council	Date: March 9, 2020	Policy Number: 210-20
Reference: Motion # 20-139	Revision Date / by	
Title:	EXHIBIT HANDLING AND DISPOSAL OF CANNABIS	

Policy Statement

The Town of Pincher Creek recognizes Community Peace Officers may take possession of items, property, exhibits or evidence that is seized in relation to an investigation. The purpose of the policy is to provide guidelines for exhibit handling and disposal.

1. Definitions

- 1.1 **Community Peace Officer** shall mean the person appointed as a Peace Officer under the Peace Officer Act.
- 1.2 **Town** shall mean the Municipality of the Town of Pincher Creek
- 1.3 **Exhibit** shall mean items, property, exhibits or evidence that is seized in relation to an investigation.
- 1.4 **Report Exec** shall mean a program designed to enhance security, safety and tracking important details for the Community Peace Officers.
- 1.5 **Cannabis** shall be meanings given to them in the Federal Act.

2. Exhibits

- 2.1 Any exhibits or evidence that is seized in relation to an investigation shall be assigned a file number and secured in an exhibit locker to maintain the integrity of the investigation and show a "Chain of Custody".

3. Chain of Custody

- 3.1 Exhibits which must be stored or maintained for the purpose of court will be kept in an airtight container, inside a locked safe with access limited to the Town of Pincher Creek Peace Officers and their Supervisor located in the facilities owned by the Town.

- 3.2 All smaller pieces of evidence or exhibits will be placed in an individual bag, which is then sealed by the investigating officer. The bag will be a label attached that will include the file number and a description of the item.
- 3.3 The officer will then complete an exhibit sheet on Report Exec, which identifies the bag and file number. This exhibit file number will then be listed on Master Exhibit Log
- 3.4 When an exhibit is removed from the locker for court or other purpose the Master Exhibit Log and file must reflect the exhibit movement and reasons why.
- 3.5 If an exhibit is used in court, only the Crown may break the seal on the bag.
- 3.6 If the court holds an item at conclusion of the court proceedings, the File Exhibit Sheet and Master Log must reflect the disposition and signed off by the court. This document must then be scanned to the file.
- 3.7 If the court releases the exhibit back to the officer, it must be booked back into the exhibit locker, and both the File and Master log must be updated.
- 3.8 If the court returns the exhibit back to the owner at the conclusion of the court proceedings, both the File and Master Log must reflect this and the owner must sign the Exhibit Sheet, identifying himself as taking possession of the item, and the document must be scanned to the file.

4. Disposal of Exhibits

- 4.1 Following the conclusion of any court proceeding, Video and DVD's held in custody may be destroyed in accordance with the Municipal/Provincial retention period.
- 4.2 Videos regardless if used in court, may be destroyed after a period of three (3) years.
- 4.3 Destruction of any evidence must be logged on the File and the Master Log. Following the conclusion of any court proceedings related to the exhibit, the Program Manager must approve the destruction of any exhibits.

5. Disposal of Unclaimed Property

- 5.1 All unclaimed property must be held by the municipality for a period of no less the 30 days from when it was obtained, or 30 days following the conclusion of a court proceeding.
- 5.2 At the end of the 30-day period, the property shall be destroyed.

5.3 Any items that are disposed, must be removed from the Master Log and documented on the associated file.

6. **Disposal of Alcohol or Cannabis**

6.1 All alcohol and cannabis disposal must be completed by no less than two (2) Peace Officers to witness the destruction or passed over to the police service of jurisdiction for destruction. As we are unable to determine the actual content of some alcohol containers or the origin of cannabis, under no circumstances shall it be considered for human consumption.

6.2 Cannabis exhibits or unclaimed cannabis, are classified into the following, Liquid Cannabis waste, and Solid Cannabis waste. The following disposal procedure must be adhered to, depending on the type of cannabis:

Liquid Cannabis: This consists but not limited to cannabis concentrate, cannabis extract, solvents, chemicals or waste used in the production or processing of cannabis.

Destruction Method: Placed in sealed metal containers. Clearly labelled as "HAZARDOUS WASTE" with the file number. The container will be held in secure custody until it is picked up, to be properly disposed of by a Hazardous Waste contractor.

Solid Cannabis: This consists, but is not limited of stalks, flowers, cuttings, leaves, or shake.

Destruction Method: All plant parts shall be crushed and thoroughly mixed with either cat litter or sawdust. The content shall then be thoroughly soaked in water rendering all the contents useless. The container shall then be deposited directly into a commercial garbage dumpster for disposal.

7. **End of Policy**

TOWN OF PINCHER CREEK

Approved by: Council	Date: March 9, 2020	Policy Number: 211-20
Reference: Motion # 20-139	Revision Date / by	
Title: COMMUNITY PEACE OFFICER COMMUNICATION POLICY		

Policy Statement

In order to ensure the safety of the Town of Pincher Creek Community Peace Officers, it is of paramount importance the Community Peace Officers be equipped with modern communication devices/equipment. To that end, vehicles and personnel shall have access to two-way radios and cellular phones where deemed necessary by the department supervisor.

1. Definitions

- 1.1 **Community Peace Officer** shall mean the person appointed as a Peace Officer under the Peace Officer Act.
- 1.2 **Town** shall mean the Municipality of the Town of Pincher Creek
- 1.3 **RCMP** shall mean the Royal Canadian Mounted Police.

2. Equipment

- 2.1 Two-way Radios:
 - a. All Peace Officer vehicles will be equipped with two-way radio system that meets the technical and practical requirements. Town vehicle will have:
 - Pincher Creek Emergency Services radio system; and
 - Town of Pincher Creek radio system.
 - b. Personal portable radio devices may be used for day to day requirements of Community Peace Officers.
- 2.2 Cellular Phones:
 - a. Cellular phones will be kept on the officer while on duty.

3. Responsibility

3.1 On/Off Duty:

- a. At the beginning and end of each shift, Peace Officers will check in with supervisor by either radio or in person.
- b. Special events, holiday and weekend shifts, Peace Officer will advise the Police Authority of Jurisdiction of when they are On/Off Duty.

3.2 Status Checks:

- a. In the course of their duties, officers may require status checks. Peace Officer can request the Town office administration or fellow Officer for timed safety and status checks.
- b. If the person conducting the status check on the Peace Officer is unable to contact them, the RCMP will be notified via phone.

End of Policy