



**TOWN OF PINCHER CREEK COUNCIL
MEETING AGENDA
Monday, February 22, 2021 at 6:00 p.m.**
Council Chambers, Town Hall
962 St. John Avenue
[Virtual via GoToMeeting](#)

1. **Call to Order**
2. **Scheduled Public Hearing**
3. **Agenda Approval**
4. **Scheduled Delegations**
 - 4.1 Riversdale Resources – Keith Bott
 - 4.2 Beverley McLachlin Drive – Judy Lane
 - 4.3 Allied Arts Council – Healthy Communities Initiative – Stacy McRae & Val Wynder
5. **Adoption of Minutes**
 - 5.1 Minutes of the Regular Meeting of Council held on February 8, 2021
6. **Business Arising from the Minutes**
 - 6.1 Water Allocations Update
 - 6.2 Notice of Motion – Renaming a portion of Veterans Street
7. **Bylaws**
 - 7.1 Tax Incentive Bylaw 1629-21
8. **New Business**
 - 8.1 Property Tax Arrears Recovery – Public Auction
9. **Reports**
 - 9.1 Upcoming Committee Meeting and Events
10. **Administration**
 - 10.1 Council Information Distribution List
11. **Closed Session Discussion**
 - 11.1 RCMP Facility Update – No RFD – FOIP s. 24
 - 11.2 Municipal Operating Support Transfer (MOST) Funding Update – No RFD – FOIP s. 24
12. **Notice of Motion**
13. **Adjournment**

The next Regular Council Meeting is scheduled for March 8, 2021 at 6:00 p.m.



ALLIED ARTS COUNCIL OF PINCHER CREEK



Amphitheatre Project Proposal



ALLIED ARTS COUNCIL OF PINCHER CREEK

Dear Mayor and Council,

The Allied Arts Council has regularly fielded requests to provide musical or performance based programming. While we often promote the members of our community already offering services, prior to the pandemic our 2020 programming was expanding our offerings to include an indoor concert series. This project was to fill a gap in the community and advance the organization with a new service offering.

The AAC has seen music and performance capacity as an avenue that is largely untapped in our community with many members of the public taking it upon themselves to start up small groups, teach music out of their homes, or run concerts on private land.

The Turning Pointe Dance Studio ran classes out of the Lebel for many years until this year when they had to find another space that could accommodate group dance classes with proper distancing in place. We have known of the need for a performance venue for quite some time and have come up with a solution that can be accessible to and utilized by the community at large with restrictions in mind.

The Allied Arts has limited capacity, in a normal time, to promote music and performance, and we know that doing it alone would not be serving the community in the best way. We have the unique capacity to build a structure that all members of the public can have access to whether it be for performances, small concerts, learning opportunities, outdoor workshops or speaking engagements. All of which help promote a healthy, vibrant and socially engaged community.

The Canada Healthy Communities Initiative is a perfect match for an Amphitheatre on the east lawn of the Lebel Mansion grounds surrounding the Oldman Rose Garden. Currently, the space is under-utilized and wide open with a path that cuts through from the Lebel parking lot to Kettles Street.

Allied Arts Council of Pincher Creek

February 22, 2021

The grant focuses on 'Community projects that create and adapt public spaces, or programming and services for public spaces that improve open spaces, parks and access to other amenities. Community Projects that adapt public spaces to meet public health guidance.' This is a non-matching fund meant to help prepare communities to be ready to re-engage after Covid restrictions are lifted.

Through the Covid-19 pandemic many cultural activities have been brought to a halt which has amplified a collective discontinuity of fellowship. En masse, we are understanding now more than ever the positive impact performance activities have on public health, especially mental health.

The pandemic has played havoc on mental health across the globe. As an organization, we recognize our local, public responsibility to provide for the community and combat mental health decline. The way we can help, currently, is by creating space for musicians and performers to feel appreciated and valued which in turn, engages the community in the benefits of positive, creative expression.

The community skating rink is answering the indoor rink closures much in the same way that an outdoor theatre would do for members of the community that depend on music or performance as a positive outlet.

In order to help our community adapt/pivot through and following Covid-19, the Allied Arts is seeking to apply to the March 9th deadline in order to have funding in place by the summer months to ensure we can build this summer and be ready to open the facility for public use by 2022 at the latest.

We encourage you to read the letters of support we have provided from members of the community. Thank you for your time.

Sincerely,
The Allied Arts Council of Pincher Creek

Amphitheatre Project Proposed Timeline:

March 9th Application Deadline

April-June funds distributed to successful applications

If successful in securing funds, the project would be underway as soon as possible.

1. Amphitheatre Committee begins work on finalizing a concept design and continues work to engage the public at large as per the fund requirements. The AAC commits to consulting indigenous performers and cultural leaders in the design process.
2. Final design completion June 2021, proper permits applied for, land survey completed
3. Project out for bidding - The AAC would like to stress the importance of hiring local companies to complete the work to ensure the project acts as a community stimulus.
4. Bids awarded late summer if not sooner.
5. The AAC aims to have construction completed by October 2021

The Allied Arts Council of Pincher Creek requests the following from The Town of Pincher Creek:

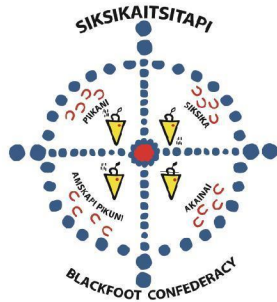
- A letter of support for the project and the permission to build an amphitheatre on Town property for the benefit of the community.
- Recognize and respect the project is to be managed by the Allied Arts Council Amphitheatre Committee in cooperation with the Town of Pincher Creek. Upon successful funding, outline an agreement for use, insurance and maintenance that allows for the most effective community engagement of the asset.
- Commitment to the Allied Arts that the Lebel Mansion will remain as the organizations home beyond the current lease agreement end date of April 30th 2022.

Location and Preliminary Positioning



Preliminary Specifications

- Curved back wall, rock covered to simulate the acoustics of a cave
- Roof - interior made of cedar, formed into a concave shape to amplify sound projection towards the audience and not backwards towards the residences behind the stage
- Floor made of recycled rubber or concrete
- Concrete extends around the entire ground level area to maximize performance space
- Tiered concrete seating (4 tiers), concrete on the face for sound reverberation, sod on the tops for viewing comfort.
- Seating available for up to 110 people



Branch Office :#100, 820 – 59th Avenue | Calgary, AB | T2H 2G5 | 587.287.1100

Wednesday, February 16, 2021

Kirby Smith,
Alberta Protocol Coordinator
Blackfoot Confederacy Tribal Council

Town of Pincher Creek
962, St. John Ave.
Pincher Creek, Alberta
T0K 1W0

Re: Allied Arts Council Amphitheatre proposal

To Whom It May Concern:

The Blackfoot Confederacy Tribal Council respectfully submits this letter of support to the Allied Arts Council in consideration of the proposal to build an amphitheatre in Pincher Creek. Although we may not be involved directly with the planning and execution, we certainly may consider hosting events at such a facility.

Through funding proposals we have been successful in encouraging the development of the arts in a number of activities throughout the Blackfoot communities including music festivals and Pow-wows. If the opportunity arises and an event can be planned with the Town, we will be more than willing to focus some resources to host such an event with the objective of cross-cultural understanding and reconciliation.

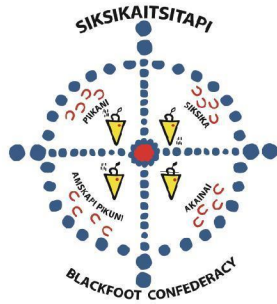
If there are any questions and concerns regarding any of this information, please do not hesitate to contact me at your convenience.

Sincerely,

Kirby Smith,
Alberta Protocol Coordinator



www.blackfootconfederacy.ca



Branch Office :#100, 820 – 59th Avenue | Calgary, AB | T2H 2G5 | 587.287.1100

Blackfoot Confederacy



www.blackfootconfederacy.ca

Tynan Groves
Box 944 Coleman Ab
T0K 0M0
(403)563-2003
tynangroves@gmail.com
grovesmusic.ca

February 2021

To Whom It May Concern,

First, let me introduce myself. I am a musician and music educator in the Crowsnest Pass & Pincher Creek area. As a touring musician, and as an ally of music students, I understand first hand the value of areas that are designed and built for performance.

I wanted to express my support of the outdoor performance space at the Lebel Mansion in Pincher Creek, Alberta. Firstly, there is no dedicated performance space in Pincher Creek. By adding this space for performers, the area will gain a place for self-expression, a place for community gathering, a place for positive cathartic release. Not only as a musician, but as a lover of the arts, these places in communities enhance the liveability of an area. I believe that the arts are an intrinsic part of creating a quality of life that supports mental health and physical well being.

I believe that with the pandemic, outdoor venues will be in high demand as we search for performance outlets amidst these restrictive times. We, as a culture and society, can only watch music in our homes for so long and I can not think of a better means to have a place to enjoy dance, theatre, or music than an outdoor venue.

Let me give you realistic scenarios: There is a fiddle group from the Crowsnest Pass (who's organizer is Paul Pichurski - principal of Canyon School) called Second Fiddle String Band. Phil Lethbridge has joined in many times (he is a famous fiddler the Pincher Creek area), and I play with them when I am able. They put on square dances in the area. Imagine for yourself with your spouse, with your kids, or your grandkids dancing to fiddle music in the outdoors. Or, imagine a place that teenagers could have a battle of the bands! Imagine Turning Pointe Dance Studio putting on performances. My wife Shelly Groves is the conductor of the Crowsnest Pass Symphony Orchestra, and there are many members from Pincher Creek: imagine sitting outside listening to beautiful classical music on a warm summer evening. The possibilities are limitless: touring bands/musicians, theatre groups, First Nations musicians sharing their talents and culture.

I hope that this project goes forward for the health and welfare of the community, this performance venue will only serve to enrich this culturally diverse area.

Sincerely yours,

Tynan Groves

Windy Hollow Players
Box 2842
Pincher Creek, AB T0K 1W0

Allied Arts Council
Pincher Creek, AB

I am writing on behalf of Pincher Creek's community theatre group, the Windy Hollow Players to express my support for the Pincher Creek Allied Arts Council's Amphitheatre Project. For over 50 years our theatre group has provided live entertainment for residents of Pincher Creek and area. Within our community The Windy Hollow Players is known to always offer a vibrant experience for actors and attendees by opting to put on family-friendly comedic dramas, often written by Canadian playwrights. We strive to uphold a space of collaboration and expression, always extending our reach to the public and succeeding in finding new talent, both young and old to take part in our productions.

We are known to be a consistent, unfailing source of enjoyment which brings together those not just from Pincher Creek, but from surrounding locales. Our continued support from the public is a blessing and serves as evidence to our region's appreciation of the arts and its ability to both strengthen and foster relationships. In the last decade our productions have included:

Clue
The Twin Mendaccio's
Farce of Habit
Death by Design
Heir Today Gone Tomorrow
Too Many Cooks
The Malted Falcon
Bedtime Stories
Office Hours
Boeing Boeing

Despite the size and location of our community, it's clear that we have the capacity to sustain this artistic practice. Our commitment to staging a production nearly once a year has held true, and this has been made possible through ongoing support from our event attendees, as well as the time and effort volunteered by our actors, director and additional crew. Despite our faith in each other and hope that live theatre will

recommence it should no doubt be obvious that having a reliable and consistent space to rehearse and perform at is essential to the life of our organization.

Over the years we have seen all of our local performance venues disappear. Most schools have removed their stages, and our community hall is acoustically impossible and cost prohibitive to perform in. We are ever grateful to the organizations who lend us their space, however finding a dedicated space that we can consistently rely on has been a hope of ours for years. It is our secure belief that the development of an amphitheatre would absolutely bolster our group, perpetuate an interest in live theatre, and more broadly, live entertainment of all kinds. We deeply appreciate your consideration.

Doris Blackburn
Secretary



REGULAR MEETING OF COUNCIL
Held on Monday February 8, 2021
Virtually, commencing at 6:00 p.m.

IN ATTENDANCE:

Mayor: D. Anderberg

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

Absent with Regrets: E. Elliott

Staff: L. Wilgosh, Chief Administrative Officer; W. Catonio, Director of Finance and Human Resources; L. Rideout, Director of Community Services; D. Green, Family and Community Support Services; 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 February 8, 2021 agenda as presented.

CARRIED 21-045

4. DELEGATIONS

5. ADOPTION OF MINUTES

5.1 Minutes of the Special Meeting of Council held on January 14, 2021

BARBER:

That Council for the Town of Pincher Creek approve the minutes of the Special Meeting of Council held on January 14, 2021 as presented.

CARRIED 21-046

5.2 Minutes of the Regular Meeting of Council held on January 25, 2021

KORBETT:

That Council for the Town of Pincher Creek approve the minutes of the Regular Meeting of Council held on January 25, 2021 as presented.

CARRIED 21-047

5.3 Minutes of the Committee of the Whole Meeting held on February 3, 2021

McGILLIVRAY:

That Council for the Town of Pincher Creek approve the minutes of the Committee of the Whole Meeting held on February 3, 2021 as presented.

CARRIED 21-048

6. BUSINESS ARISING FROM THE MINUTES

6.1 Subdivision & Development Training

KORBETT:

That Council for the Town of Pincher Creek authorize the participation of Councillor McGillivray in the Subdivision and Development Training in 2021

CARRIED 21-049

7. BYLAWS

7.1 Land Use Bylaw Amendment 1547-AK

JACKSON:

That Council for the Town of Pincher Creek agree and give Bylaw No. 1547-AK amending the Land Use Bylaw No. 1547 first reading.

CARRIED 21-050

KORBETT:

That Council for the Town of Pincher Creek agree to hold a Public Hearing on Bylaw No. 1547-AK amending the Land Use Bylaw on March 8th, 2021 before consideration of second and/or third reading.

CARRIED 21-051

8. NEW BUSINESS

8.1 2021 Municipal Emergency Plan

McGILLIVRAY:

That Council for the Town of Pincher Creek accept the 2021 Municipal Emergency Plan as presented.

CARRIED 21-052

9. REPORTS

9.1 Upcoming Committee Meetings and Events

Municipal Development and Subdivision Authority
Airport Committee
Policy Advisory Board
John Barlow Advisory Board

10. ADMINISTRATION

10.1 Council Information Distribution List

JACKSON:

That Council for the Town of Pincher Creek accept the February 8, 2021 Council Information Distribution List as information.

CARRIED 21-053

D. Green left the meeting at 6:28 pm

11. CLOSED MEETING DISCUSSION

BARBER:

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, February 8, 2021 at 6:28 pm in accordance with section 16 and 21 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services, Director of Finance and Human Resources and Administrative Manager in attendance.

CARRIED 21-054

JACKSON:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, February 8, 2021 at 7:30 pm.

CARRIED 21-055

11.1 Pincher Creek Foundation Funding Formula – FOIP s. 21

KORBETT:

That Council for the Town of Pincher Creek receive and approve the Intermunicipal Collaboration Framework Committee recommendation to both the Municipal District and the Town Councils that the Pincher Creek Foundation revised funding formula be phased in over a five (5) year plan, the first percentage change to take place in 2022, with the final funding formula being approximately 60% Municipal District and 40% Town by 2025, adjusted slightly with the Village of Cowley funding.

CARRIED 21-056

11.2 Recycling Services Landfill Proposal – FOIP s. 16

JACKSON:

That Council for the Town of Pincher Creek receive the information regarding the Crowsnest Pincher Creek Landfill Recycling proposal as presented and direct administration to collaborate with the Municipal District of Pincher Creek regarding a Recycling Program and location in the community.

CARRIED 21-057

12. NOTICE OF MOTION

McGILLIVRAY

That Council for the Town of Pincher Creek agree to prepare a similar letter regarding water allocation to the letter provided by the Municipal District of Pincher Creek to Premier Jason Kenny for consideration.

ELLIOTT

In honor of Black History month, That the Council for the Town of Pincher Creek consider renaming the current closed portion of Veterans Street from Scott Ave to the eastern corner of Pioneer Cemetery. I would like to see it renamed to include some or part of Aunty Annie Saunders Way, Avenue, Street, Parkway in honor of Annie Saunders who passed away in 1898 and is buried in Pioneer Cemetery.

**13. ADJOURNMENT
BARBER:**

That this meeting of Council on February 8, 2021 be hereby adjourned at 7.35 pm.

CARRIED 21-058

MAYOR, D. Anderberg

CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 22nd DAY OF FEBRUARY 2021 S E A L
NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY FEBRUARY 22,
2021 AT 6:00 P.M.**

TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Water Allocating Update	
PRESENTED BY: Al Roth, Director of Operations	DATE OF MEETING: 2/22/2021

PURPOSE:

this is coming to Council in response to a Notice of Motion made on February 8th by Cllr. McGillivray

RECOMMENDATION:

That Council for the Town of Pincher Creek Direct Administration to send a follow up letter to Mr. Roger Reid, MLA, Livingstone – MacLeod Constituency supporting concerns from our neighboring municipalities regarding the Oldman River Basin Water Allocation Order and proposed amendments.

BACKGROUND/HISTORY:

Water Allocations regarding the MD # 9, , and the MD of Rachlands

Oldman river Basin Water Allocation Order (Alberta Reg.109/2010)

The Town has four licences totalling 1472 ac-ft as shown in the following table:

- #172 Priority year 1916 Pincher Creek = 241.0 Ac-ft
- #13814 Priority year 1976 Castle River= 312.0 Ac-ft
- #13814 Priorty year 1984 Castle River =500.0 Ac-ft
- #00139597-00-00 Priorty year 1965 Pincher Creek =259.0 Ac-ft
- #00182799-00-00 Priorty year 1984 Pincher Creek =160.0 Ac-ft

ALTERNATIVES:

accept as information the joint letter to MLA Roger Reid from the MD of Pincher Creek and the MD of Ranchlands regarding water allocations and proposed revisions.to the Oldman River Basin Water Allocation Order # 319/2003.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The Order was created through a prerequisite process, that ensured extensive consultations with the immediately impacted municipalities. It is deeply troubling to see that this Order appears to be in the process of being dismantled, effectively with no consultation. What appears to be

passing for consultation, where provincial officials appear to be merely giving notice as to what is going to happen, as opposed to seeking meaningful input from the residents and jurisdictions impacted. This water allocation was supported by the Province recognizing the impact that the Oldman River Dam may have had on the region and local jurisdictions.

FINANCIAL IMPLICATIONS:

None known at this time, however reductions in water resources could impact future development and new industrial growth in our community.

PUBLIC RELATIONS IMPLICATIONS:

Water quality and quantity to meet the ongoing needs of our jurisdictions is the utmost importance.

ATTACHMENTS:

- 21. Letter from MD of Pincher Creek – Water Allocation Order - 583
- 21a. . Joint Letter - Oldman River Basin Water Allocation Order_final - 583
- Oldman river Basin Allocation Order - 583

CONCLUSION/SUMMARY:

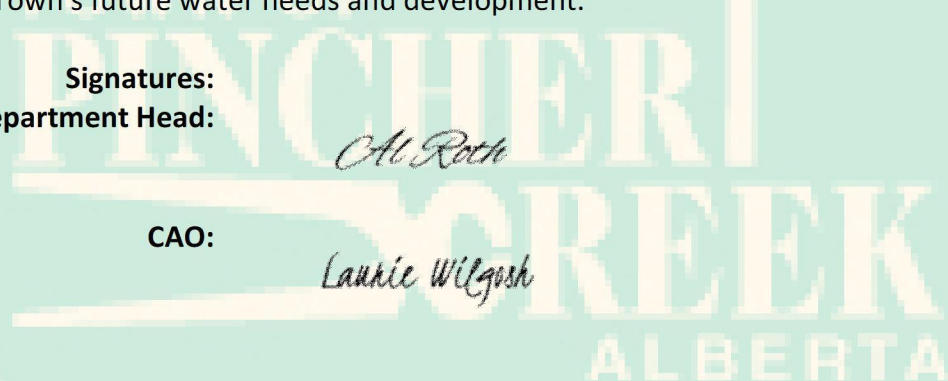
Administration supports that Council provide a letter of concern to the MLA, Roger Reid supporting the points raised by the MD's of Pincher Creek and Ranchlands, and in support of the Town's future water needs and development.

Signatures:
Department Head:

Al Roth

CAO:

Laurie Wilgosh



Tax

From: Cao
Sent: Thursday, February 04, 2021 8:54 AM
To: Tax
Subject: FW: Letter from MD of Pincher Creek - Water Allocation Order
Attachments: Joint Letter - Oldman River Basin Water Allocation Order_final.pdf

To council please

From: Jessica McClelland [mailto:AdminExecAsst@mdpincercreek.ab.ca]
Sent: Wednesday, February 03, 2021 4:30 PM
To: Cao <cao@pincercreek.ca>; Cindy Cornish <vilocow@shaw.ca>; Robert Strauss <CAO@ranchland66.com>; office@cardstoncounty.com; ceo@piikanination.com; md26@mdwillowcreek.com; cao@lethcounty.ca; murray@cardstoncounty.com
Cc: Troy MacCulloch <AdminCAO@mdpincercreek.ab.ca>; Colleen McNeil <admin@ranchland66.com>
Subject: Letter from MD of Pincher Creek - Water Allocation Order

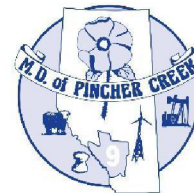
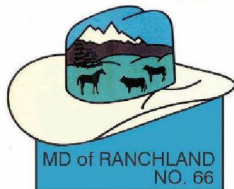
Good Afternoon,

Attached is a joint letter from the MD of Pincher Creek and the MD of Ranchland for your records.

Thank you,

Jessica McClelland
Executive Assistant
Municipal District of Pincher Creek No. 9
1037 Herron Drive, PO Box 279
Pincher Creek, AB T0K-1W0
Phone: 403-627-3130
Communications@mdpincercreek.ab.ca

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February 01, 2021

Mr. Roger Reid, MLA,
Livingstone – MacLeod Constituency
618 Centre Street, SE
High River, Alberta
T1V 1E9

Dear Roger,

RE: Oldman River Basin Water Allocation Order – Alberta Regulation 109/2010

The Councils of the Municipal District of Ranchland and the Municipal District of Pincher Creek have grave concerns surrounding the recent discussions and apparent direction on the part of the Province of Alberta to dismantle the very meaningful water allocation provisions that were set out in the above-cited Order.

The Order was created through a prerequisite process, that ensured extensive consultations with the immediately impacted municipalities. It is deeply troubling to see that this Order appears to be in the process of being dismantled, effectively with no consultation. What appears to be passing for consultation, is a rapid “drive-by” where provincial officials appear to be merely giving notice as to what is going to happen, as opposed to seeking meaningful input from the residents and jurisdictions impacted.

One of the original intents of the Order was to compensate those jurisdictions upstream from the Oldman River Dam for the impact due to the creation of the Dam project. A number of agriculture operations were moved out of the Oldman Dam footprint. The entire transportation network in the area was altered in a negative way, creating more time and expense for residents, and requiring them to go around the reservoir area. The intent of the Order was for the bulk of the water allocation to be used to enhance the irrigation potential in the upstream municipalities. In addition, the creation of the dam and reservoir displaced some existing irrigation operations that were already in place. It is very disappointing that the foundational principle of the Order seems to now have been forgotten or ignored.

Additionally, there is very little data on the potentially negative impacts of large industrial uses and withdrawal of water on the headwater tributaries and instream flows. We strongly believe that current stream flow testing should be conducted to establish baseline data for future reference. Decisions being contemplated to dismantle and arbitrarily remove sections of the Order, without first understanding the upstream usage and instream flow requirements for a healthy ecosystem are short-sighted and potentially detrimental.

Given the multitude of problems with the process to date, we respectfully but very strongly request that you cease any proposed changes to the existing Water Allocation Order – Alberta Regulation 109/2010.

It is critical that the Government of Alberta honour its past commitments and seek meaningful input from the residents and jurisdictions impacted by this Order, before even considering altering it in the future.

Sincerely,



Reeve, MD of Ranchland No.66



Reeve, MD of Pincher Creek No.9

cc.

Premier of Alberta, Honourable Jason Kenney

Minister of Environment and Parks, Honourable Jason Nixon

Minister of Energy, Honourable Sonya Savage



Province of Alberta

WATER ACT

**OLDMAN RIVER BASIN WATER
ALLOCATION ORDER**

Alberta Regulation 319/2003

With amendments up to and including Alberta Regulation 109/2010

Office Consolidation

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- (f) irrigation;
 - (g) industrial purposes.
- (2) The total amount of water allocated each year for purposes referred to in
- (a) subsection (1)(a) to (e) must not exceed a cumulative total of 1500 acre-feet, and
 - (b) subsection (1)(g) must not exceed a cumulative total of 150 acre-feet.

AR 319/2003 s3;109/2010

Priority number

4 The priority number of any allocation of water reserved under section 2 is the date that this Order is filed under the *Regulations Act*.

Schedule

Region — That portion of Alberta that lies within the area described by the boundaries of the Municipal District of Pincher Creek, the Municipality of Crownsnest Pass and the Municipal District of Ranchland No. 66, as those boundaries may be amended from time to time.

For the purposes of clarification, the Region includes land within any municipality that is within the outside boundaries of the Municipal District of Pincher Creek, the Municipality of Crownsnest Pass or the Municipal District of Ranchland No. 66, including, for example, the Town of Pincher Creek.

AR 109/2010 s5

Attn. Al

July 23, 2010

File:

Town of Pincher Creek
P.O. Box 159
PINCHER CREEK, Alberta T0K 1W0

Attn: Mrs. Laurie Wilgosh, Chief Administrative Officer

Dear Mrs. Wilgosh:

Subject: Oldman River Basin Water Allocation Amendment Order

On July 6, 2010, the Oldman River Basin Water Allocation Amendment Order was filed as Alberta Regulation 109/2010. A copy of the Amendment Order and the original Oldman River Basin Water Allocation Order is enclosed.

The Amendment Order makes it possible for up to 1500 acre-feet of water to be allocated by Alberta Environment when applied for under the Water Act. Allocations can be applied for in the areas described below, for the new purposes of municipal, commercial, recreation, rural community, and agricultural (other than irrigation). Up to 150 acre-feet may be allocated for industrial purposes. Allocations remain available for irrigation purposes as per the original Order.

Water may be allocated under the order by Alberta Environment from the Oldman River upstream of the Piikani Reserve Western boundary, the Oldman River Reservoir, the Castle River, the Crownsnest River and tributaries to these waters. The allocations are available for projects located within the boundaries of the Municipality of Crownsnest Pass, the Municipal District of Pincher Creek and the Municipal District of Ranchlands, including municipalities within these boundaries, for example the Town of Pincher Creek.

There is no restriction on who can apply for an allocation under this order and normal processes for obtaining a water allocation licence under the Water Act will be used. Information on filing an application under the Order, can be obtained from Alberta Environment - contact Kathleen Murphy, Alberta Environment, 403-381-4000.

Sincerely,
ALBERTA ENVIRONMENT



Robert Burland, P. Biol.
District Approvals Manager

Enclosure



TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Notice of Motion - Renaming a portion of Veterans Street	
PRESENTED BY: Lisa Goss, Administrative Manager	DATE OF MEETING: 2/22/2021

PURPOSE:

For Council to consider providing direction regarding the renaming of a portion of Veterans Street.

RECOMMENDATION:

That Council for the Town of Pincher Creek receive the information regarding the notice of motion made at the February 8, 2021 regular meeting of Council by Councillor Elliott regarding renaming a portion of Veterans Street.

BACKGROUND/HISTORY:

Councillor Elliott prepared and had the CAO present a Notice of Motion at the February 8, 2021 regular meeting of Council as follows;

In honor of Black History month, That the Council for the Town of Pincher Creek consider renaming the current closed portion of Veterans Street from Scott Ave to the eastern corner of Pioneer Cemetery. I would like to see it renamed to include some or part of Auntie Annie Saunders Way, Avenue, Street, Parkway in honor of Annie Saunders who passed away in 1898 and is buried in Pioneer Cemetery.

ALTERNATIVES:

That Council for the Town of Pincher Creek direct administration to garner further information for Council consideration regarding renaming a portion of Veterans Street in honor of Annie Saunders.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

On March 27, 2006 Town Council accepted a list of street names of which the next name on the list is Happiness. (Resolution 06-127)

FINANCIAL IMPLICATIONS:

None at this time.

PUBLIC RELATIONS IMPLICATIONS:

A road name change will involve that each property owner(s) arranges for changes to utility services accounts and delivery services. In addition, disruption may occur during the transition in locating the premises by first responders in an emergency. Also, the Town's inhouse accounts and services (Tax Roll, Utility Accounts, GIS Street Map and Street signs) would require updates accordingly.

ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek receive the information regarding the notice of motion made at the February 8, 2021 regular meeting of Council by Councillor Elliott regarding renaming a portion of Veterans Street.

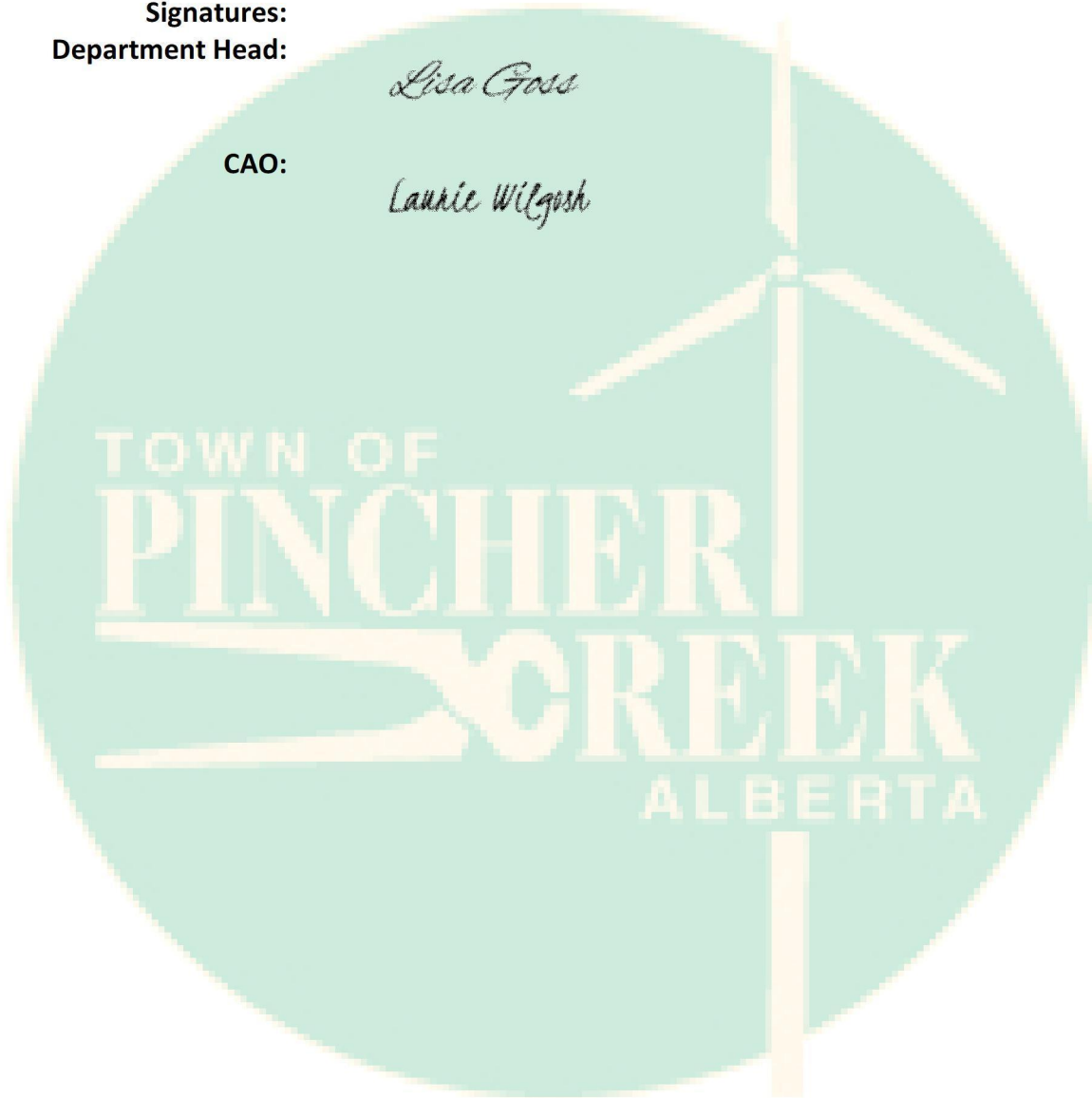
Signatures:

Department Head:

Lisa Goss

CAO:

Laurie Wilgosh



TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Tax Incentive Bylaw No. 1629-21	
PRESENTED BY: Gus Kollee, Legislative Service Manager	DATE OF MEETING: 2/22/2021

PURPOSE:

Further to the Committee of the Whole resolution COTW 2021-008, directing administration to prepare and draft a tax incentive bylaw for non-residential properties, to provide Council with the tax incentive bylaw, Bylaw No. 1629-21 for consideration.

RECOMMENDATION:

That Council for the Town of Pincher Creek give Bylaw No. 1629-21 first reading and direct administration to garner internal referral comments.

BACKGROUND/HISTORY:

On January 6, 2021 the Committee of the Whole was presented with information and the changes to the MGA in summer 2019, going forward municipalities can offer tax exemptions and tax deferrals (collectively, "Incentives") to non-residential properties, for the purpose of encouraging the development or revitalization of these properties for the general benefit of the municipality. It gives municipalities the discretion to determine how much they wish to reduce or defer taxes for a particular non-residential property, subject only to the requirement that an Incentive last for no more than 15 years.

The Rural Municipalities of Alberta (RMA) bulletin date June 5, 2019 provided information that municipalities are granted tax incentive powers for non-residential uses to support economic development.

As a result the Committee of the Whole directed administration to prepared a Tax Incentive Bylaw for Council consideration.

ALTERNATIVES:

That Council for the Town of Pincher Creek give Bylaw No. 1629-21 first, second, third and final reading.

That Council for the Town of Pincher Creek receive the proposed Tax Incentive Bylaw No. 1629-21 as information.

That Council for the Town of Pincher Creek direct administration to amend Bylaw 1629-21 and bring back the bylaw for Council consideration.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

None at this time.

FINANCIAL IMPLICATIONS:

None at this time.

PUBLIC RELATIONS IMPLICATIONS:

The idea of offering an incentive to new and expanding businesses is very appealing as it may encourage some of our existing businesses to look into growth opportunities.

It would encourage incentivization as positive steps as we move into additional steps that will come out of the Community Economic Development Strategy.

ATTACHMENTS:

Draft Bylaw No 1629-21 - Tax Incentive bylaw - 585

CONCLUSION/SUMMARY:

Administration supports that Town Council give Bylaw No. 1629-21 first reading and direct administration to garner internal referral comments before second, third and final reading.

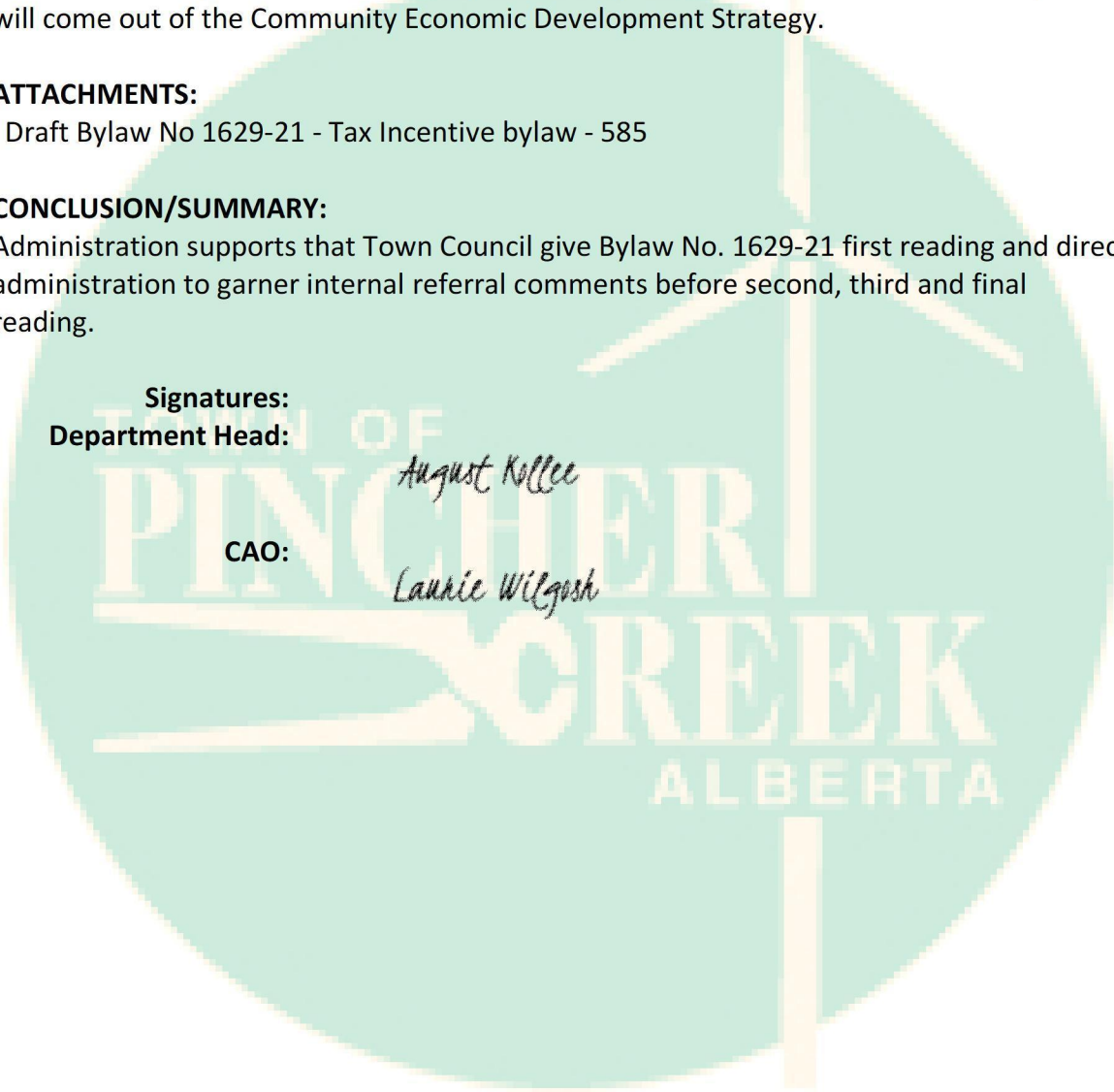
Signatures:

Department Head:

August Kallee

CAO:

Laurie Wilgosh



**TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA
Bylaw No. 1629-21**

**A BYLAW OF THE TOWN OF PINCHER CREEK IN THE PROVINCE OF ALBERTA,
TO ESTABLISH TAX INCENTIVES FOR BUSINESS DEVELOPMENT**

WHEREAS the Town of Pincher Creek acknowledges the importance of business development in the Town for the general benefit of the Town, including goods, services, employment and taxes;

AND WHEREAS the Town wishes to support the growth of already existing businesses and also attract more businesses to support the growth and prosperity of the Town;

AND WHEREAS pursuant to Section 364.2 of the *Municipal Government Act*, RSA 2000, c M-26, Council may pass a tax incentives bylaw to encourage development and revitalization of non-residential properties for the general benefit of the Town;

AND WHEREAS the Town of Pincher Creek is responsible for carrying out measures that will develop and maintain a viable community pursuant to Section 3(c) of the *Municipal Government Act*, which includes measures to improve the long-term economic outlook for the Town;

NOW THEREFORE, the Council of the Town of Pincher Creek, in the Province of Alberta, duly assembled, enacts as follows:

1. Short Title

1.1 This Bylaw may be referred to as the "Tax Incentives Bylaw".

2. Definitions

2.1 In this Bylaw, unless the context otherwise requires:

- a) "Act" means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time;
- b) "Administration" means the administrative and operational arm of the Town comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the CAO;
- c) "Applicant" means a person who applies for an Exemption;
- d) "Assessed Person" means an assessed person as that term is defined under Section 284(1) of the Act;
- e) "Business" means commerce for purposes of the production, storage, buying or selling of goods and services;
- f) "Chief Administrative Officer" or "CAO" means the chief administrative officer as appointed by Council, including the CAO's delegate;

- h) "Complete Application" means an application submitted pursuant to this Tax Incentives Bylaw that includes the Application Fee (if any) and the application requirements for non-residential tax incentives and the application form for non-residential tax incentives as set out in Appendices "A" and "B"
- i) "Council" means all the Councillors of the Town including the Chief Elected Official for the Town;
- g) "Exemption" means an exemption from taxation for Non-residential Property as provided for in Part 10, Division 2 of the Act. For purposes of clarity, the exemption from taxation applies only to taxes imposed by the Town under Part 10, Division 2 of the Act and not any Provincial requisitions;
- h) "Expansion" means development that adds to an existing Structure to increase the Structure's physical space for purposes of facilitating the Business within that Structure, or to replace an existing Structure for purposes of facilitating the Business within that Structure;
- i) "New Construction" means the construction of a new Structure for the purpose of establishing a Business within that Structure;
- j) "Non-residential Property" means non-residential as defined in the Act in respect of property;
- k) "Qualifying Property" means a Structure that is the subject of the New Construction or an Expansion;
- l) "Structure" means a structure as that term is defined in s 284(1)(u) of the Act that is Non-residential Property;
- m) "Tax Incentive Agreement" means a written agreement setting out the terms and conditions for an Exemption for the Qualifying Property; and
- n) "Town" means the Town of Pincher Creek in the Province of Alberta.

3. Purpose

- 3.1 The purpose of this Tax Incentives Bylaw is to allow tax incentives for Exemptions from taxation under Part 10, Division 2 of the Act for Qualifying Properties in the Town that meet the requirements of this Tax Incentives Bylaw.
- 3.2 Tax incentives under this Tax Incentives Bylaw will not be granted in respect of the land portion of Non-residential property taxes imposed on land under Part 10, Division 2 of the Act.

4. Criteria for an Exemption

- 4.1 In order to apply for an Exemption from the Town portion of the property tax (not including land portion), an Applicant must meet the following criteria:
 - 4.1.1 the Applicant must be the Assessed Person for the Qualifying Property that is the subject of the application;
 - 4.1.2 the applicant may apply for an exemption for structural improvements to a property made by a tenant of the property;

4.1.3 the Applicant must have no outstanding monies owing to the Town.

4.2 In order to qualify for an Exemption, the Qualifying Property must meet the following criteria:

4.2.1 the Qualifying Property must be located within the geographical boundaries of the Town;

4.2.2 the development of the Qualifying Property must qualify as New Construction or an Expansion;

4.2.3 All required Town development approvals with respect to the development of the Qualifying Property must have been issued;

4.2.4 Eligibility for a Tax Incentive pursuant to this Bylaw requires the following criteria:

4.2.4.1 Notarized statement from a third-party construction firm indicating that the costs presented by the applicant are true, and that all costs submitted are those only for constructing or expanding the structure of the building.

4.2.4.2 In the case where a property owner elects to use his/her own labour, then a letter from a third-party accounting firm is required verifying the costs submitted and ensuring that all costs are true, and those that are submitted are only those for constructing or expanding the building.

4.2.4.3 A building/ development permit has been obtained and executed by the Town of Pincher Creek.

4.2.4.4 All construction inspections are completed and a permit for occupancy has been granted by the Town.

4.2.4.5 A minimum of \$5,000 invested in new construction or expansion

4.2.5 The Applicant must submit a Complete Application in accordance with the terms of this Bylaw.

4.2.6 With respect to a Qualifying Property, only one agreement with a three- year period is allowed.

5. Application for an Exemption

5.1 Applicants must submit a Complete Application to the CAO. The CAO shall respond to the application within 30 working days from the time of submission.

5.2 Applications may be submitted at any time and, if approved, the tax exemption applies for 36 months from the date the structure is approved for occupancy. If the date of approval should fall outside the Town tax fiscal year then the exemption will be adjusted to apply for 36 contiguous months and the first month shall be the first month of the next Town tax fiscal year.

5.3 Complete Applications may be considered and approved in accordance with the requirements of this Tax Incentives Bylaw before construction on the Qualifying Property is complete, however, the Exemption will not apply until all construction on the Qualifying Property is complete and the development is inspected and approved for occupancy.

5.4 Notwithstanding the Complete Application requirements set out in this Bylaw, the CAO may require any additional information that, in the discretion of the CAO, is necessary to complete the application.

- 5.5 The CAO will advise Applicants in writing if their application is accepted for consideration. Applications accepted for consideration shall become the property of the Town and may not be returned.
- 5.6 The CAO has the discretion to reject applications that are incomplete and will provide a written description of the reasons for rejection within 30 business days of the application.
- 5.7 Applicants whose applications are returned as incomplete may resubmit an application at any time.
- 5.8 The CAO will advise Applicants within 30 business days in writing with reasons if their application is rejected.

6. Consideration of Applications

- 6.1 Administration shall review the Complete Application to determine if it meets the criteria and requirements for an Exemption and provide a written report with recommendations to Council within 30 business days of the application.
- 6.2 Council shall review the Complete Application and Administration's report and may:
 - 6.2.1 pass a resolution directing Administration to enter into a Tax Incentive Agreement; or
 - 6.2.2 pass a resolution refusing the Complete Application.
- 6.3 A resolution directing Administration to enter into a Tax Incentive Agreement must include:
 - 6.3.1 the 36 months to which the Exemption applies; and
 - 6.3.2 the dollar value of the Exemption for the Qualifying Property for each of the fiscal tax years affected whether based upon the costs of New Construction or the costs of an Expansion.
 - 6.3.3 In the first 36 months identified in the Tax Incentive Agreement, the Qualifying Property shall receive a 100% Exemption on the mill rate imposed by the Town for the Town's portion of the property tax for the qualifying amount.
 - 6.3.4 Notwithstanding that the exemption may be granted during a municipal tax fiscal year, the 36 months of exemption from the municipal portion of the tax shall commence in the first month of the next Town tax fiscal year.
- 6.4 Administration shall provide written notice of a refusal by Council to an Applicant within 14 business days which must include the resolution passed under section 6.2.2.

7. Tax Incentive Agreement

- 7.1 Where Council has passed a resolution approving an Exemption, Administration shall draft a Tax Incentive Agreement in accordance with the resolution of Council.
- 7.2 A Tax Incentive Agreement must outline:
 - 7.2.1 the taxation years to which the Exemption applies, which must not include any taxation year earlier than the taxation year in which the Exemption is granted;

- 7.2.2 the extent of the Exemption for each taxation year to which the Exemption applies;
 - 7.2.3 a deadline for submission of proof that the Qualifying Property has been approved for occupancy;
 - 7.2.4 any criteria in Section 4 which formed the basis of granting the Exemption and the taxation year or years to which the criteria applies all of which are deemed to be a condition or conditions of the Tax Incentive Agreement the breach of which will result in the cancellation of the Exemption for the taxation year or years to which the criteria applies;
- 7.5 In the event of a cancellation pursuant to section 8.1 of this Bylaw, any monies owed to the Town shall be immediately paid by the Applicant; and
- 7.6 any other conditions Administration deems necessary and the taxation year(s) to which the condition applies.
- 7.7 Tax Incentive Agreements shall be executed by the chief elected official (or their delegate) and the CAO within 30 business days of approval of the Exemption by Council.
- 7.8 A Tax Incentive Agreement shall be honored notwithstanding this bylaw being amended or repealed subsequent to entering into such agreement.
- 7.9 Notwithstanding that the market value of a property could increase, decrease or remain the same, no applicant will be allowed to use the municipal incentive tax rebate to reduce the tax bill to below zero. Any calculated negative amounts will not be carried forward.

8. Cancellation of Tax Incentive Agreements

- 8.1 If at any time after an Exemption is granted, Administration determines that the Applicant or their application:
- 8.1.1. did not meet, or ceased to meet, any of the material applicable criteria in Section 4 which formed the basis of granting the Exemption;
 - 8.1.2. Tax arrears are owing with respect to the Qualifying Property; or
 - 8.1.3. that there was a breach of any material condition of the Tax Incentive Agreement; then

Administration shall make a recommendation to Council and Council may, by resolution, cancel the Exemption for the taxation year or years in which the criterion was not met or to which the condition applies.

- 8.2 A resolution passed by Council pursuant to section 8.1 must include reasons and identify the taxation year or years to which the cancellation applies.
- 8.3 Administration shall provide written notice of a cancellation to an Applicant which must include the resolution passed under section 8.1.

9. Review of Decision

- 9.1 Where an application has been rejected by Administration on the basis that it is incomplete, Applicants may resubmit to Administration a revised application at any time;
- 9.2 Applicants may apply to Council within 30 business days of receiving a Tax Incentive Agreement to review the Tax Incentive Agreement on the limited issue of whether the Tax Incentive Agreement follows the direction of Council. Council may revise the Tax Incentive Agreement or provide direction to Administration to revise the Tax Incentive Agreement in accordance with Council's initial resolution.
- 9.3 Applicants may apply to Council within 30 business days of receiving a notice of cancellation to review the cancellation and Council may uphold or revoke the cancellation.
- 9.4 Applications for judicial review of a decision pursuant to this Tax Incentives Bylaw must be filed with the Court of Queen's Bench and served not more than sixty (60) days after the date the decisions is received by the Applicant.

10. Review of Bylaw

- 10.1 This bylaw shall be reviewed by Council in a public Council meeting at least every second year from the date of passing of the bylaw for the purpose of assessing whether to amend or repeal the bylaw.

11. Severability

- 11.1 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of this Bylaw is deemed valid.

12. Effective Date

- 12.1 This Bylaw shall come into force and take effect when it is approved after third reading.

READ a First time this 22nd day of February, 2021.

READ a Second time this _____ day of _____, 2021.

READ a Third time this _____ day of _____, 2021.

SIGNED AND PASSED this _____ day of _____, 2021.

Don Anderberg, MAYOR

Laurie Wilgosh, CHIEF ADMINISTRATIVE OFFICER

Appendix "A"

Application Requirements for Business Investment Incentive Bylaw No. 1629-21

1. All applications for an Exemption under to the Tax Incentives Bylaw must include the following information:
 - a) a signed and dated application form:
 - b) if the Applicant is not an individual, an agent authorization form or directors' resolution:
 - c) if the Applicant is a corporation, a corporate registry record of the Applicant dated within 60 days of the date of the application:
 - d) a land titles certificate for the lands on which the Qualifying Property is located dated within 60 days of the date of the application:
 - e) copies of all building/development permits issued with respect to the development of the Qualifying Property:
 - f) a description of the Business conducted or to be conducted in the Qualifying Property:
 - g) an indication of whether the development is New Construction or an Expansion:
 - h) an estimate of when the Qualifying Property will be approved for occupancy after completion of the New Construction or Expansion:
 - i) an explanation of how the application meets the criteria for an Exemption; and
 - j) With regards to Expansions the following additional information:
 - i. photographs of the Qualifying Property before the Expansion; and
 - ii. a notarized statement from a third-party construction firm indicating that the costs presented by the applicant are true, and that all costs submitted are those only for constructing or expanding the structure of the building
 - iii. a financial summary and copies of receipts or paid invoices in relation to the development showing the location of the Expansion.
2. Applicants may provide any other material, including additional print, visual or audio-visual material, which the Applicant believes will support their application.

NOTE: Applications and all material provided will be included in reports to Council and the Council agenda packages that are available to the public.

All Qualifying Properties will be subject to inspection by Town staff to ensure the validity of the application.

Appendix "B"
Application Form for Business Investment Incentive
Pursuant to the Tax Incentives Bylaw No. 1629-21

Business Information

Business Name: _____

Registered Corporate name, if different: _____

Legal Address of Assessed Property: _____

Mailing Address of Assessed Property: _____

Personal Information

Name of applicant or agent: _____

Mailing Address for applicant or agent: _____

Email Address for applicant or agent: _____

Telephone number for applicant or agent: _____

Personal information required by Town of Pincher Creek application forms is collected under authority of sections 33(a) and (c) of the Alberta Freedom of Information and Protection of Privacy (FOIP) Act. Your personal information will be used to process your application(s). Please be advised that your name, address and details related to your application may be included on reports that are available to the public as required or allowed by legislation. If you have any questions, please contact the Town's FOIP Head at 403-627-3156 or email reception@pinchercreek.ca

Provide, or append, a brief description of the Business:

The Applicant is applying for a three-year (36 month) tax incentive for : (choose applicable)

- New Construction
- Expansion
- Improvements (façade)

Describe, or append, an explanation of why you are seeking an Exemption and how you meet the criteria for one of the tax incentive programs listed above:

What date is the subject property expected to be approved for occupancy :

Indicate if the application includes the following:

- | | |
|---|---|
| <input type="checkbox"/> Building/Development Permits (required) | <input type="checkbox"/> Land Titles Certificate (required) |
| <input type="checkbox"/> Tax Assessment Notices (required) | <input type="checkbox"/> Notarized cost statement |
| <input type="checkbox"/> Agent Authorization Form/Directors' Resolution (if applicable) | <input type="checkbox"/> Photos (if applicable) |
| <input type="checkbox"/> Financial Summary and Receipts/ Invoices (if applicable) | <input type="checkbox"/> Other materials (optional) |
| <input type="checkbox"/> Corporate Registry Record (if applicable) | |

Date of the Application

Signature of Applicant (or Applicant's Agent)

Print Name of Applicant (or Applicant's Agent)

FOR OFFICE USE ONLY

DATE APPLICATION WAS RECEIVED

NAME OF RECIPIENT

TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Property Tax Arrears Recovery - Public Auction	
PRESENTED BY: Gus Kollee, Legislative Service Manager	DATE OF MEETING: 2/22/2021

PURPOSE:

To receive Town Council direction regarding parcel Plan 8089JK, Lot 262 Roll 770100 which did not sell at the January 21, 2021 scheduled Public Auction.

RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to take title of parcel Plan 8089JK, Lot 262 Roll 770100 and offer the property for sale by listing it for an amount of \$12,400.00 on the town's website.

BACKGROUND/HISTORY:

The public auction was held as scheduled on January 21, 2021. The Town of Pincher Creek offered the following property for sale; however, the property did not sell: Roll 770100, Plan 8089JK, Lot 262, Reserve Bid \$12,400.00

The Town may now become the owner of the above parcels. If the Town chooses to take title, the property becomes exempt from future taxation. The only cost to the Town in order to become the owner of the parcels is the cost to register the required forms with Alberta Land Titles.

The TAXervice Agency recommendation is that the Town take title of the properties not sold at auction.

The following paragraphs all apply to taking Title:

By taking title, the Town can choose to:

1. Dispose of the parcel by either:
 - a. selling the property, at any time, and according to any conditions it chooses. Some possible options include direct sale, by tender, through a real estate agent, or by any other means that support selling the property at a price as close as reasonably possible to fair market value; or
 - b. keeping the property and depositing an amount of money equal to the reserve bid into a separate account that has been established solely for the purpose of depositing money from the sale of land under Tax Recovery Proceedings.
2. Grant a lease, license, or permit in respect of the parcel.

Also, the adjacent property owner contacted the Town office and indicated an interest of purchasing the property at such time the Town would offer it for sale.

ALTERNATIVES:

That Council for the Town of Pincher Creek receive the information regarding parcel Plan 8089JK, Lot 262 Roll 770100 which did not sell at the January 21, 2021 scheduled Public Auction as information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The vesting of title for properties that did not sell at the public auction must be approved by Town Council.

FINANCIAL IMPLICATIONS:

The cost to register the required forms with Alberta Land Titles. The tax arrears recovery is revenue neutral as all associated cost is at the taxpayers expense and/or recovered when the property is sold.

The aggregate amount of taxes and tax recovery cost outstanding, as at February 18, 2021, is \$2,566.82 a copy which is attached.

PUBLIC RELATIONS IMPLICATIONS:

None at this time.

ATTACHMENTS:

- Report Jan 21, 2021- Public Auction Land not sold - 586
- Roll 0770100 - Account Balance Outstanding - 586

CONCLUSION/SUMMARY:

Administration supports that Council direct administration to take title of parcel Plan 8089JK, Lot 262 Roll 770100 and offer the property for sale by listing it for an amount of \$12,400.00 on the town's website.

Signatures:
Department Head:

August Killee

CAO:

Laurie Wilgosh



January 21, 2021

By email: legislative@pinchercreek.ca (original to remain on file)

Town of Pincher Creek
Box 159
Pincher Creek AB T0K 1W0

Attention: Gus Kollee – Manager Legislative Services

Dear Gus:

Re: Town of Pincher Creek - Public Auction

The public auction was held as scheduled on January 21, 2021. The Town of Pincher Creek offered the following property for sale; however, the property did not sell.

Roll No	Lot	Block	Plan	C of T	Reserve Bid
770100	262		8089JK	991 011 813+1	\$12,400.00

The municipality may now become the owner of the above parcels. If the municipality chooses to take title, the property becomes exempt from future taxation. The only cost to the municipality in order to become the owner of the parcels is the cost to register the required forms with Alberta Land Titles. We recommend the municipality take title of the properties not sold at auction.

The following paragraphs all apply to taking Title:

By taking title, the municipality can choose to:

1. Dispose of the parcel by either:
 - a. selling the property, at any time, and according to any conditions it chooses. Some possible options include direct sale, by tender, through a real estate agent, or by any other means that support selling the property at a price as close as reasonably possible to fair market value; or
 - b. keeping the property and depositing an amount of money equal to the reserve bid into a separate account that has been established solely for the purpose of depositing money from the sale of land under Tax Recovery Proceedings.
2. Grant a lease, license, or permit in respect of the parcel.

The municipality would become the legal owner of the property and, provided that the property is not in use, would be entitled to take possession and exclude others from entering upon its property. This could, for example, include changing locks. Also, the municipality would want to ensure insurance is in place as deemed necessary. You may want to verify whether your general policy would cover the newly acquired property or if additional coverage will be required.

In the event the property is occupied it may be necessary to give notice to vacate. If you would like our assistance with giving proper notice, please advise.

In the event that personal belongings remain on the property, we recommend notice be given to the former owner(s) requesting that they remove their belongings. If you would like our assistance with giving proper notice, please advise.

If the tax arrears and all related costs in respect of a property are paid before the municipality disposes of the property as mentioned in 1 above or while leasing the property as mentioned in 2 above, the original title must be revived.

Should the municipality choose not to sell the land but retain title in their name with a tax forfeiture registered against title, the municipality can, after 15 years, apply to land titles to remove the tax forfeiture notice, cancel the existing title for the parcel and issue a new title in the name of the municipality. Once this new title is issued, the municipality can use or dispose of the property without regard to the former owner.

The following paragraph applies to NOT taking Title:




If the municipality chooses not to take title, the property will remain taxable and the municipality cannot dispose of it, grant a lease, license, or permit in respect to the parcel.



Please confirm whether the municipality chooses to become the owner of the parcels not sold at auction and we will attend to preparation of the transmission and required affidavits with respect to the property. We will forward the documents to you in due course for your signature and seal.

Yours truly,
TAXervice

Angela M.
Account Executive

Account Balance Outstanding
February 18, 2021

Roll #	00770100.0000		 
Qtr Sec Twp Rge Mer			
Lot Block Plan	262		8089JK
Municipal Address	978	MAIN STREET	

Date	Document Number	Transaction Description		Amount	Balance	
Trx Source	Tax Year	Transaction Description 2	Grid	Year		
11/1/2019	TXARL	2650	Arrears Letter Printed	\$0.00	\$667.65	^
1/3/2020	PNLTY	53	Penalty	\$66.76	\$734.41	
2/28/2020	ACHNG	13808	Assessment \$12,400	\$0.00	\$734.41	
5/22/2020	LEVY	35155	Annual Levy 2020	\$202.98	\$937.39	
7/1/2020	PNLTY	60	Penalty	\$18.59	\$955.98	
8/4/2020	TXCRT	1089	Tax Certificate	\$0.00	\$955.98	
8/28/2020	CRADJ	337954	Tax Recovery - TAXservices	\$723.00	\$1,678.98	
10/1/2020	PNLTY	68	Penalty	\$5.77	\$1,684.75	
11/20/2020	TXARL	2786	Arrears Letter Printed	\$0.00	\$1,684.75	
12/22/2020	CRADJ	338022	Tax Recovery - TAXservices	\$126.00	\$1,810.75	
1/5/2021	PNLTY	76	Penalty	\$181.07	\$1,991.82	
1/8/2021	CRADJ	338026	Tax Recovery - TAXservices	\$575.00	\$2,566.82	▼
Current Balance:					\$2,566.82	



**Town of Pincher Creek
COUNCIL DISTRIBUTION LIST
February 22, 2021**

<u>Item No.</u>	<u>Date</u>	<u>Received From</u>	<u>Information</u>
1.	February 4, 2021	Tree Canada	Show your love of trees!
2.	January 28, 2021	Troy MacCulloch, M.D. of Pincher Creek	Letter re Alberta Community Partnership Grant Application – Town of Pincher Creek
3.	January 28, 2021	Troy MacCulloch, M.D. of Pincher Creek	Letter re Transportation Committee
4.	February 8, 2021	Wind Systems magazine	Wind energy news from Wind Systems magazine – February 2021
5.	February 09, 2021	Office of the Premier	Coal Development Policy for Alberta Reinstatement ACCTS:00710007073
6.	February 10, 2021	North American Clean Energy	ICYMI: January/February issue of North American Clean Energy
7.	February 2, 2021	Cindy Cornish, Village of Cowley	Letter re Regional Emergency Management Plan
8.	February 12, 2021	United Way of Lethbridge	Invitation – We Are the Roots
9.	February 17, 2021	Alberta Association of Police Governance	Alberta Police Interim Advisory Board Quarterly Report