



**TOWN OF PINCHER CREEK COUNCIL  
MEETING AGENDA**  
Tuesday, October 12, 2021 at 6:00 p.m.  
[Virtual via Zoom](#)

1. **Call to Order**
2. **Scheduled Public Hearing**
3. **Agenda Approval**
4. **Scheduled Delegations**
5. **Adoption of Minutes**
  - 5.1 Minutes of the Special Meeting of Council held on September 27, 2021
  - 5.2 Minutes of the Regular Meeting of Council held on September 27, 2021
6. **Business Arising from the Minutes**
  - 6.1 Disposition of Delegation – Jeff Kaupp – Pincher Creek Hockey Association
  - 6.2 Economic Development Strategy Review
7. **Bylaws**
  - 7.1 Council Remuneration Bylaw 1578-21
  - 7.2 Tax Incentive Bylaw 1629-21
8. **New Business**
  - 8.1 Early Learning Centre Recruiter Funding
9. **Reports**
  - 9.1 Upcoming Committee Meeting and Events
10. **Administration**
  - 10.1 Council Information Distribution List
11. **Closed Session Discussion**
  - 11.1 Development Permit 21-D0041 – FOIP s. 16 & 24 (No RFD)
  - 11.2 Municipal District of Pincher Creek Municipal Development Plan – FOIP s. 21 & 23
  - 11.3 COVID-19 Vaccination Policy – FOIP s. 24 (No RFD)
  - 11.4 Councillor Comments – Council Code of Conduct Bylaw 1622-18 – FOIP s. 19
12. **Notice of Motion**
13. **Adjournment**

*The next Regular Council Meeting is scheduled for October 25, 2021 at 6:00 p.m.*



**SPECIAL MEETING OF COUNCIL  
Town of Pincher Creek  
Held on Monday, September 27, 2021  
Virtually via Zoom  
commencing at 1:00 p.m.**

**IN ATTENDANCE:** Mayor: D. Anderberg  
Councillors: M. Barber, L. Jackson, S. Korbett and B. McGillivray  
Absent with Regrets: W. Elliott  
Staff: L. Wilgosh, Chief Administrative Officer

**1. CALL TO ORDER**

Mayor Anderberg called the meeting to order at 1:00 p.m.

**2. AGENDA APPROVAL**

**BARBER:**

That Council for the Town of Pincher Creek approves the September 27, 2021 Special Meeting of Council agenda as presented.

**CARRIED 21-354**

**3. NEW BUSINESS**

**4. CLOSED SESSION DISCUSSION**

**KORBETT:**

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, September 27, 2021 at 1:03 pm in accordance with section 19 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer in attendance.

**CARRIED 21-355**

**JACKSON:**

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, September 27, 2021 at 2:51 pm.

**CARRIED 21-356**

*Mayor Anderberg called a recess at 2:51 pm.*

*Mayor Anderberg called the meeting back to order at 2:56 pm.*

**BARBER:**

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, September 27, 2021 at 2:56 pm in accordance with section 19 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer in attendance.

**CARRIED 21-355**

**KORBETT:**

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, September 27, 2021 at 3:32 pm.

**CARRIED 21-356**

**4.1 Chief Administrative Officer Performance Evaluation**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek accept the Chief Administrative Officer performance appraisal discussions as received.

**CARRIED 21-357**

**5. ADJOURNMENT**

**JACKSON:**

That this Special Meeting of Council on September 27, 2021 be hereby adjourned at 3:33 pm.

**CARRIED 21-358**

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

\_\_\_\_\_  
CAO, L. Wilgosh

**APPROVED BY RESOLUTION  
OF THE COUNCIL OF THE  
TOWN OF PINCHER CREEK,  
THIS 12<sup>th</sup> DAY OF OCTOBER 2021**

**S E A L**

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY SEPTEMBER 27,  
2021**



**REGULAR MEETING OF COUNCIL**  
**Held on Monday September 27, 2021**  
**Virtually, commencing at 6:00 p.m.**

**IN ATTENDANCE:**

Mayor: D. Anderberg

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

Absent with Regrets: W. Elliott

Staff: L. Wilgosh, Chief Administrative Officer;  
L. Rideout, Director of Community Services;  
W. Catonio, Director of Finance and Human Resources;  
A. Grose, Recreation Manager;  
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 September 27, 2021 agenda as presented.

**CARRIED 21-359**

**4. DELEGATIONS**

**4.1 Jeff Kaupp – Pincher Creek Hockey Association**

Jeff Kaupp, representing the Pincher Creek Hockey Association, attended the meeting to present Council with a proposal for a junior team that has expressed interest in playing in Pincher Creek.

**5. ADOPTION OF MINUTES**

**5.1 Minutes of the Regular Meeting of Council held on September 13, 2021**

**JACKSON:**

That Council for the Town of Pincher Creek approve the minutes of the Regular Meeting of Council held on September 13, 2021 as presented.

**CARRIED 21-360**

**6. BUSINESS ARISING FROM THE MINUTES**

**6.1 Disposition of Delegation – Pam Davidson – Candidate for Senate**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek receive the information provided by Pam Davidson - Candidate for Senate at the September 13, 2021 regular meeting as presented.

**CARRIED 21-361**

**7. BYLAWS**

**7.1 Municipal Borrowing Bylaw 1570-21**

**JACKSON:**

That Council for the Town of Pincher Creek agree to give first reading to the Municipal Borrowing Bylaw #1570-21.

**CARRIED 21-362**

**KORBETT:**

That Council for the Town of Pincher Creek agree to give second reading to the Municipal Borrowing Bylaw #1570-21.

**CARRIED 21-363**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek upon unanimous consent, agree to present the Municipal Borrowing Bylaw #1570-21 for third and final reading.

**CARRIED UNANIMOUSLY 21-364**

**BARBER:**

That Council for the Town of Pincher Creek agree to give third and final reading to the Municipal Borrowing Bylaw #1570-21, and that a copy be attached hereto and form part of the minutes.

**CARRIED 21-365**

**7.2 Council Remuneration Bylaw 1578-21**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek agree to give Bylaw #1578-21 first reading.

**CARRIED 21-366**

**KORBETT:**

That Council for the Town of Pincher Creek agree to give Council Remuneration Bylaw No. 1578-21, second reading.

**CARRIED 21-367**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek unanimously agree to present Bylaw No. 1578-21, Council Remuneration, for third reading.

**DEFEATED**

**7.3 Council Procedural Bylaw 1596-21**

**JACKSON:**

That Council for the Town of Pincher Creek agree and give first reading to Council Procedural Bylaw 1596-21.

**CARRIED 21-368**

**KORBETT:**

That Council for the Town of Pincher Creek agree and give second reading to Council Procedural Bylaw 1596-21.

**CARRIED 21-369**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek upon unanimous consent, agree to present the Council Procedural Bylaw #1596-21 for third and final reading.

**CARRIED UNANIMOUSLY 21-370**

**BARBER:**

That Council for the Town of Pincher Creek agree to give third and final reading to the Council Procedural Bylaw #1596-21, and that a copy be attached hereto and form part of the minutes.

**CARRIED 21-371**

**8. NEW BUSINESS**

**8.1 Regional Director of Emergency Management**

**JACKSON:**

That Council for the Town of Pincher Creek adopt the recommendation of the Emergency Advisory Committee that Brett Wuth be appointed the designated officer Regional Director of Emergency Management under the Regional Emergency Management Organization Bylaw #1590-19.

**CARRIED 21-372**

**8.2 2022 Joint Funding Allocations**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek approve the 2022 Joint Funding Allocation at a per capita rate of \$28.76 for a total of \$104,734 from the Town and direct administration to include this amount in the 2022 Operating Budget. FURTHER

That Council for the Town of Pincher Creek approve the 2022 amount for the Grant Writer position in the amount of \$3.25 per capita for a total of \$11,851 from the Town and direct administration to include this amount in the 2022 Operating Budget.

**CARRIED 21-373**

**8.3 Chamber of Commerce Awards of Excellence Sponsorship**

**KORBETT:**

That the Council for the Town of Pincher Creek provide sponsorship of two awards for a total amount of \$900 to the 2021 Awards of Excellence, to be funded from the general contingency fund account 7412002770.

**CARRIED 21-374**

**9. REPORTS**

**9.1 Upcoming Committee Meetings and Events**

Emergency Advisory Committee

Budget

Economic Development Strategy Session

Pincher Creek Foundation

Landfill Association

All Candidates Forum

**10. ADMINISTRATION**

**10.1 Council Information Distribution List**

**KORBETT:**

That Council for the Town of Pincher Creek accept the September 27, 2021 Council Information Distribution List as information.

**CARRIED 21-375**

**11. CLOSED MEETING DISCUSSION**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, September 27, 2021 at 7:00 pm in accordance with section 17, 18 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services, Recreation Manager, and Administrative Manager in attendance.

**CARRIED 21-376**

*Councillor Korbett declared a conflict of interest with item 11.1 as he is personal friends with the property owner and left the meeting at 7:02 pm.*

*Councillor Korbett returned to the meeting at 7:04 pm.*

**KORBETT:**

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, September 27, 2021 at 7:42 pm.

**CARRIED 21-377**

**11.1 Request to Waive Tax Penalties – Roll #0502600 – FOIP s. 17 & 18**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek agree to waive the penalty applied to tax roll account number 00502600.0000 as per section 347(1) of the MGA given the particular circumstances.

**CARRIED 21-378**

*Councillor Korbett declared a conflict of interest with item 11.1 as he is personal friends with the property owner and left the meeting at 7:43 pm.*

*Councillor Korbett returned to the meeting at 7:44 pm.*

**11.2 Vaccination Protocol Policy – FOIP s. 17, 18 & 24**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek direct Administration to develop a policy regarding Vaccination/Testing Protocol for Town Employees and schedule a meeting of the policy committee to discuss and a meeting with staff to garner feedback.

**CARRIED 21-379**

**12. NOTICE OF MOTION**

**13. ADJOURNMENT  
KORBETT:**

That this meeting of Council on September 27, 2021 be hereby adjourned at 7:53 pm.

**CARRIED 21-380**

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

\_\_\_\_\_  
CAO, L. Wilgosh

**APPROVED BY RESOLUTION  
OF THE COUNCIL OF THE  
TOWN OF PINCHER CREEK,  
THIS 12<sup>th</sup> DAY OF OCTOBER 2021  
AT 6:00 P.M.**

**S E A L**

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON TUESDAY OCTOBER 12, 2021**



# TOWN OF PINCHER CREEK

## REQUEST FOR DECISION

*Council*

<b>SUBJECT:</b> Disposition of Delegation - Jeff Kaupp	
<b>PRESENTED BY:</b> Adam, Recreation Manager	<b>DATE OF MEETING:</b> 10/12/2021

**PURPOSE:**

To dispose of the September 27, 2021 Delegation by Jeff Kaupp, who presented the concept of having a GMHL Junior 'A' hockey team coming to the town of Pincher Creek.

**RECOMMENDATION:**

That Council for the Town of Pincher Creek accept the presentation for a GMHL Junior 'A' Hockey team as information and direct administration to research the potential to host a team in Pincher Creek.

**BACKGROUND/HISTORY:**

The Junior 'A' Greater Metro Hockey League (GMHL) has expanded its operations into Western Canada, housing several teams in Northern Alberta and BC. The GMHL Western division has expressed interest in expanding its boundaries to include Southern Alberta and British Columbia. Town administration and Jeff Kaupp president of the Pincher Creek Hockey Association met with representatives from the GMHL West League to discuss the league format, facility requirements, and general expectations for hosting a Junior 'A' hockey team.

**ALTERNATIVES:**

Not to pursue the opportunity to have a Junior 'A' GMHL Hockey club in Pincher Creek.  
Agree to enter into negotiations to host a Junior 'A' GMHL Hockey club in Pincher Creek.

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

Arena upgrades were identified as a high priority in the 2020 Recreation Master Plan.

**FINANCIAL IMPLICATIONS:**

A standard GMHL contract would be for a minimum of a 3 year term. Regular ice rental rates would apply for all games, and a reduced rate is typically assessed for practice times. There may be additional costs associated with some facility upgrades including potential changeroom additions or upgrades and expansion of the players benches.

**PUBLIC RELATIONS IMPLICATIONS:**

providing a home base for a Jr. "A" Hockey team may receive considerable support from the local community.

**ATTACHMENTS:**

None at this time.

**CONCLUSION/SUMMARY:**

Administration supports that Council for the Town of Pincher Creek accept the presentation for a GMHL Junior 'A' Hockey team as information and to research the potential to host a team in Pincher Creek.

**Signatures:**

**Department Head:**

*Adam Grose*

**CAO:**

*Lannie Wilgosh*



# TOWN OF PINCHER CREEK

## REQUEST FOR DECISION

*Council*

<b>SUBJECT:</b> Economic Development Strategy Review	
<b>PRESENTED BY:</b> Laurie Wilgosh, Chief Administrative Officer	<b>DATE OF MEETING:</b> 10/12/2021

**PURPOSE:**

To bring the resolution of Council for post council approval regarding the Economic Development Strategy review and presentation.

**RECOMMENDATION:**

That Council for the Town of Pincher Creek receive and forward the Economic Development Strategy as presented and discussed with Council on October 4, 2021, and to release the Executive Summary as amended,  
Further that Council for the Town of Pincher Creek recommend to the newly elected council that the Economic Development Strategy is a working document to be implemented over time,  
Further to approve this post meeting resolution and subsequent Council remuneration for the meeting held on Oct. 4th with Natalie Gibson of Innovisions and Associates, and the Economic Development Officer, Marie Everts.

**BACKGROUND/HISTORY:**

The Economic Development Strategy review meeting of Council was scheduled for October 4th, at 12 p.m.. Unfortunately this was a meeting of Council and should have been handled as a special meeting. The meeting was not advertised accordingly. Those members of Council who attended will be eligible for the required remuneration.

**ALTERNATIVES:**

That Council receive the Economic Development Strategy review as information.

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

The Economic Development Strategy was proposed and supported by Council early in 2018, and Innovisions and Associates were engaged in the same year. With the onset of COVID 19 the focus of our Economic Development team pivoted to helping our existing businesses get through the decline. The strategy is very direct and informative, and will be a valuable guide for Town Council, Town Administration and the Community at large.

**FINANCIAL IMPLICATIONS:**

The 2022 budget contains funding to start on the strategy, and following funding will be considered in a phased approach with Council's direction.

**PUBLIC RELATIONS IMPLICATIONS:**

Public Involvement in implementing the Strategy will be necessary to make it a success!

**ATTACHMENTS:**

None at this time.

**CONCLUSION/SUMMARY:**

Administration recommends presenting the amended Executive Summary for public review and approval to forward the Economic Development strategy to the 2021 newly elected Council and to approve the remuneration of the attending Council members at the October 4th meeting.

**Signatures:**

**Department Head:**

*La Vonne*

**CAO:**

*Wendy Catone, Fer. CAO*



# TOWN OF PINCHER CREEK

## REQUEST FOR DECISION

*Council*

<b>SUBJECT:</b> Council Remuneration Bylaw 1578-21	
<b>PRESENTED BY:</b> Lisa Goss, Administrative Manager	<b>DATE OF MEETING:</b> 10/12/2021

**PURPOSE:**

For Council to consider third and final reading of Council Remuneration Bylaw 1578-21.

**RECOMMENDATION:**

That Council for the Town of Pincher Creek agree and give third and final reading to Council Remuneration Bylaw 1578-21 and that a copy of which be attached hereto forming part of the minutes.

**BACKGROUND/HISTORY:**

Council Remuneration Bylaw received first and second reading at the September 27, 2021 regular meeting of Council. The resolution to present the bylaw for third and final reading at that meeting was defeated as it was not unanimous.

During budget deliberations in 2018, a thorough review of Council Remuneration was performed due to Canada Revenue Agency changing the policy regarding taxation of Council Fees and Per Diems. Council decided to increase the monthly Council Stipend by \$100 per month for 2020, 2021 and 2022.

The amount was increased accordingly for 2020 but was not increased in 2021. During the 2022 Budget Meeting held on September 2, 2021, Council agreed that Council Remuneration should be increased as discussed in 2018. Therefore, the Council Remuneration Bylaw #1578-21 has been adjusted by \$200/month effective November 1, 2021.

As well, Council discussed increasing the per km rate for travel to reflect the increased costs of fuel etc. The amount has been \$0.50 per km for several years.

At the September 9, 2021 Budget Meeting, Council was informed that CRA considers \$0.59/km to be reasonable for 2021. This amount has been included in the Council Remuneration Bylaw #1578-21.

**ALTERNATIVES:**

That Council for the Town of Pincher Creek receive Council Remuneration Bylaw 1578-21 as information.

That Council for the Town of Pincher Creek direct administration to bring back Council Remuneration Bylaw 1578-21, with amendments, to the next regular Town Council meeting for consideration.

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

None at this time.

**FINANCIAL IMPLICATIONS:**

This change will result in an additional \$16,800 in Fees and Per Diems for Council.

**PUBLIC RELATIONS IMPLICATIONS:**

None at this time.

**ATTACHMENTS:**

Council Remuneration Bylaw 1578-21 DRAFT - 2734

**CONCLUSION/SUMMARY:**

Administration supports that Council for the Town of Pincher Creek agree and give third and final reading to Council Remuneration Bylaw 1578-21 and that a copy of which be attached hereto forming part of the minutes.

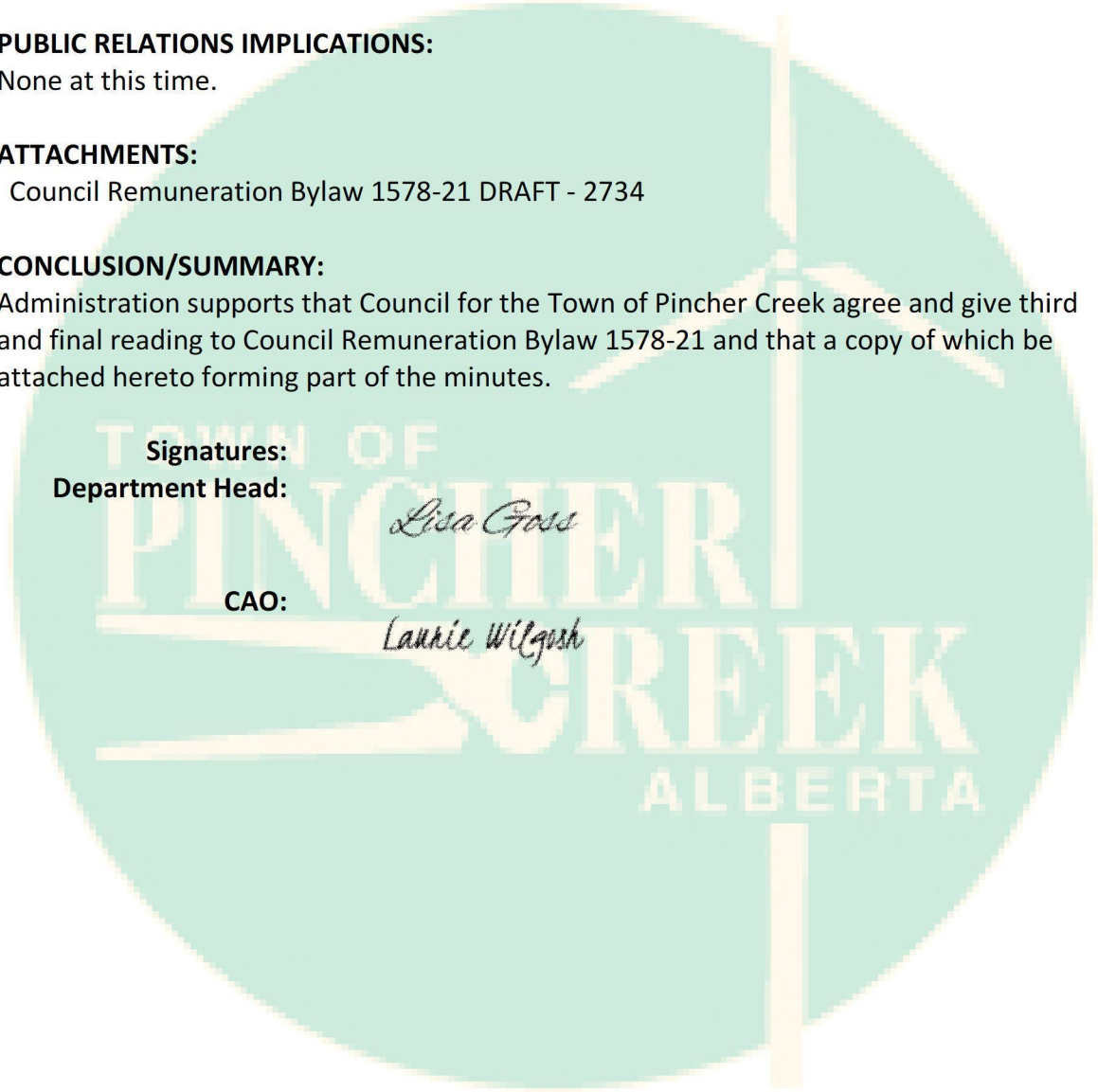
**Signatures:**

**Department Head:**

*Lisa Goss*

**CAO:**

*Lannie Wilgosh*





Town of Pincher Creek  
Council Remuneration Bylaw # 1578-21

**BYLAW #1578-21**  
**of**  
**TOWN OF PINCHER CREEK**

**A BYLAW OF THE TOWN OF PINCHER CREEK, IN THE PROVINCE OF  
ALBERTA, FOR THE PURPOSE OF PROVIDING REMUNERATION TO  
THE COUNCIL OF THE TOWN OF PINCHER CREEK**

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**WHEREAS** pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, the Municipality has the authority to pass bylaws regarding services provided by or on behalf of the municipality;

**AND WHEREAS** Council wishes to provide for remuneration for the Chief Elected Official and Councillors.

**NOW THEREFORE** the Council of the Town of Pincher Creek, duly assembled, hereby enacts as follows:

**DEFINITIONS**

1. **Regular Meeting** of Council shall mean regularly scheduled meetings of Council as determined at the Organizational Meeting of Council or by resolution of Council.
2. **Special Meeting** of Council shall be as defined in the Municipal Government Act, Section 194, as follows:
  - a. The Chief Elected Official may call a Special Council meeting when he/she considers it appropriate to do so, and must call a Special Council Meeting if the official receives a written request for the meeting, stating its purpose, from a majority of the Councillors.
  - b. A Special Meeting must be held within 14 days after the date that the Chief Elected Official receives the request or shorter period provided for by bylaw.
  - c. The Chief Elected Official calls a Special Council meeting by giving at least 24 hours notice in writing to each Councillor and the public stating the purpose of the meeting and the date, time and place at which it is to be held.
  - d. A Special Council meeting may be held with less than 24 hours notice to all Councillors and without notice to the public if at least 2/3 of the Whole Council agrees to this in writing before the beginning of the meeting.



- e. No matter other than that stated in the notice calling the Special Council meeting may be transacted at the meeting unless the Whole Council is present at the meeting and the Council agrees to deal with the matter in question.
- f. Joint Council/special meeting with the Municipal District of Pincher Creek No. 9, held at either municipalities Council Chambers.

3. **Other Council Meetings**

- a. Regional Council meeting to include the following: Town of Pincher Creek, Municipal District of Pincher Creek No. 9, Village of Cowley and Crowsnest Pass Councils.
- b. Elected Officials meeting consisting of Council members from south eastern British Columbia and south western Alberta.
- c. Committee of the Whole, Council Policy Review Committee, Council Budget Committee and any other meeting of Council where all members of Council are appointed to serve on.

**Committee meetings** shall mean those committees that members of Council have been appointed to or been authorized by resolution of Council to attend.

**Monthly stipend** shall mean a monthly salary ~~plus general expenses~~ and shall include activities such as consultation with the public either by telephone or in-person, attendance and/or presentations at public relations events, such as in Town parades, presentations at school, opening remarks at local events, etc. Volunteer Luncheon, Town Facility Site Visits, Public Works Week Celebration Event, Flag Raising Ceremonies, Town Facility Grand Openings, Chamber of Commerce Awards Night, Remembrance Day Services, Committee and Board Christmas Party's, Parade of Lights, Town Christmas Party, Children's Festival.

- 4. **Per Diem** shall mean the allowance paid to Council while out of Town on official Town business and payable only in the event that they are not being remunerated for attending said function.

5. **Other eligible expenses:** Claim based on time requirement and Council Approval:

- |                                       |  |
|---------------------------------------|--|
| Napi PowWow                           | Pincher Creek Family Centre – Literacy Day |
| Early Childhood Development Coalition | Town Council Facility Tour                 |
| Community Information Event Rehearsal | Community Information meeting              |
| Pincher Creek Trade Show              | Curling Rink Presentation and or meetings  |
| Emergency Preparedness Event,         | Vertical Church – Food Bank Event          |
| Habitat for Humanity Events           | Town Pancake Breakfast                     |
| Golf Course Events,                   | Senior's Homes Site visits and events      |
| Highway 3 public events               | Out of Town Community Parades              |





- |  |  |
|--|--|
| National Indigenous People's Day             | Heritage Acres Community Events              |
| Kootenai Brown Museum Festivities            | Summer Games Opening and Closing             |
| Communities in Bloom Judges meeting          | Crestview Lodge Tour & Public Events         |
| Heritage Acres Pancake Breakfast             | Chamber of Commerce Mix and Mingle           |
| Local Business Invitational Events           | Local Meetings with AUMA/Provincial Official |
| Allied Arts annual events                    | Halloween in the Village                     |
| Shell public presentation                    | Community Christmas Carol Event              |
| Day Trips relative to committee appointments |  |

## REMUNERATION

6. The Chief Elected Official shall receive a stipend of ~~\$1,075.00~~ 1,275.00 per month. The newly elected Chief Elected Official shall receive the first stipend for November in the year of election.
7. The Councillors shall receive a stipend of ~~\$600.00~~ 800.00 per month. The newly elected Councillors shall receive the first stipend for November in the year of election.
8. The Chief Elected Official and Councillors shall receive \$235.00 per Regular and Special Meeting of Council  
  
The Chief Elected Official and Councillors shall receive \$120.00 per Committee Meeting up to three 3 hours  
  
The Chief Elected Official and Councillors shall receive \$235.00 per Committee Meeting over three (3) hours in length.  
  
If the Town of Pincher Creek is reimbursed at a higher rate than provided above by another organization for a Committee Meeting attended, the Town will pay the at the higher rate for that meeting only.
9. Per diems shall be paid for out of town functions at the rate of \$120.00 for half day (up to three (3) hours) and \$235.00 for full day. This claim can be made only in the event that members of Council are not already being remunerated for attending said function.



Town of Pincher Creek  
Council Remuneration Bylaw # 1578-21

10. When a Town of Pincher Creek Councillor is required to use his/her vehicle to go out of town on Town business, they shall be reimbursed at the rate of ~~\$0.50~~ 0.59 per km.
11. The Chief Elected Official and Councillors shall be paid promptly upon monthly submission of the appropriate forms to the Accounts Payable Department.
12. That Bylaw #1578-20 and all amendments thereto are hereby repealed.
13. This bylaw comes into force and effect upon November 1, 2021.

Read A First Time this 27<sup>th</sup> day of September, 2021 A.D.

\_\_\_\_\_  
Mayor- Don Anderberg (seal)

\_\_\_\_\_  
Chief Administrative Officer – Laurie Wilgosh

Read A Second Time this 27<sup>th</sup> day of September, 2021 A.D.

\_\_\_\_\_  
Mayor – Don Anderberg

\_\_\_\_\_  
Chief Administrative Officer – Laurie Wilgosh

Read A Third Time and Passed this 27<sup>th</sup> day of September, 2021, A.D.

\_\_\_\_\_  
Mayor – Don Anderberg

\_\_\_\_\_  
Chief Administrative Officer – Laurie Wilgosh

# TOWN OF PINCHER CREEK

## REQUEST FOR DECISION

*Council*

<b>SUBJECT:</b> Tax Incentive Bylaw # 1629-21	
<b>PRESENTED BY:</b> Laurie Wilgosh, Chief Administrative Officer	<b>DATE OF MEETING:</b> 10/12/2021

**PURPOSE:**

To recommend that first reading of Bylaw 1629-01 be rescinded and the bylaw be revised with more clarity and brought back for the new Council's consideration.

**RECOMMENDATION:**

That Council for the Town of Pincher Creek appeal resolution # 21-064 approving first reading for the Tax Incentive Bylaw # 1629-21 and to direct administration to bring back the bylaw for Council's consideration within a three month period.

**BACKGROUND/HISTORY:**

Administration presented the Tax Incentive Bylaw # 1629-21 to Council on February 22, 2021 for consideration. At that time Council approved first reading and then directed that it go back to administration for input and recommendations.

Unfortunately administration has not been able to revisit the bylaw. Some considerations to be determined are putting a monetary limit or cap on the tax incentives, clarifying who and what perimeters will be in place for the applicant and Town funding requirements to offset loss of projected revenue if applicable.

The new Economic Development Strategy recommends that Council pass a tax incentive bylaw to help promote and encourage new business and expansion of existing business in the Community.

The Town has always worked to keep the business non-residential tax rate as low as possible to encourage further development and at this time we seem to be experiencing good growth in this area, however we can always strive for more.

**ALTERNATIVES:**

That Council receive the request from administration to repeal resolution # 21-064 as information.

That Council present second and third reading for the Tax Incentive Bylaw # 1629-21 as is.

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

Economic Development Strategy support for a Tax Incentive Bylaw to assist future business development and expansion.

**FINANCIAL IMPLICATIONS:**

Annual tax revenue will be affected as a result of the Tax Incentive Bylaw proposal.

**PUBLIC RELATIONS IMPLICATIONS:**

The Town wants to be active in business attraction and retention and should explore all options available.

**ATTACHMENTS:**

Draft Bylaw No 1629-21 - Tax Incentive bylaw - 2739

**CONCLUSION/SUMMARY:**

Administration recommends that resolution # 21-064 be rescinded, and that the Tax Incentive Bylaw # 1629-21 be presented to the newly elected Council of 2021, for consistency in their support.

**Signatures:**

**Department Head:**

*August Kellee*

**CAO:**

*Wendy Cameron, For: CAO*



**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 22<sup>nd</sup> 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.

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Don Anderberg, MAYOR

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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](mailto: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:

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

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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)                      |   |

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Date of the Application

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Signature of Applicant (or Applicant's Agent)

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Print Name of Applicant (or Applicant's Agent)

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**FOR OFFICE USE ONLY**

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**DATE APPLICATION WAS RECEIVED**

---

**NAME OF RECIPIENT**

# TOWN OF PINCHER CREEK

## REQUEST FOR DECISION

*Council*

<b>SUBJECT:</b> Early Learning Centre Recruiter Funding	
<b>PRESENTED BY:</b> LaVonne Rideout, Community Services	<b>DATE OF MEETING:</b> 10/12/2021

**PURPOSE:**

Secure a recruiter for a director at PCCELC

**RECOMMENDATION:**

That Council for the Town of Pincher Creek support PCCELC with up to \$20,000 to help in the recruitment of a qualified director with funding to be provided through the Municipal Income Stabilization Reserve if required.

**BACKGROUND/HISTORY:**

PCCELC Sage site has not had a qualified director since July/21

It is legislated that they have to have a qualified director on site in order to keep their childcare license

The community services director has stepped in temporarily as in interim solution while PCCELC recruits

PCCELC has been recruiting now since August and has had no luck finding a qualified candidate

There is a hiring shortage of qualified ECE professionals across the province

PCCELC board of directors made the decision to hire a recruiting firm to find the right candidate. They will be able to cover the majority of the cost of recruiting but may need help

**ALTERNATIVES:**

Don't use a recruiting firm.

Choose not to support PCCELC with this request

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

Having a qualified childcare director in place will free up the community services director to focus on her regular workload

If no director is found the childcare centre may have to close; many children, families and businesses will be affected

**FINANCIAL IMPLICATIONS:**

Cost is up to \$20,000

**PUBLIC RELATIONS IMPLICATIONS:**

Childcare is an essential service; many children, families and businesses rely on the services provided by PCCELC

**ATTACHMENTS:**

None at this time.

**CONCLUSION/SUMMARY:**

Administration recommends that council support this request

**Signatures:**

**Department Head:**

*La Vonne*

**CAO:**

*Wendy Catonis, Inc., CAO*





**Town of Pincher Creek  
COUNCIL DISTRIBUTION LIST  
October 12, 2021**

<b><u>Item No.</u></b>	<b><u>Date</u></b>	<b><u>Received From</u></b>	<b><u>Information</u></b>
1.	September 23, 2021	Citizen	Daycare worker vaccine mandate
2.	September 25, 2021	Citizen	Stop the mandatory vaxx check for Town Recreational services Pincher Creek
3.	September 28, 2021	CMHC Market Insights	The national housing market moves to a high degree of vulnerability
4.	September 29, 2021	Institute of Public Administration of Canada	National Day for Truth and Reconciliation
5.	September 23, 2021	Electricity Transformation Canada	Join Us For Electricity Transformation Canada!
6.	September 27, 2021	Town of Pincher Creek	Statement from the Mayor for National Truth and Reconciliation Day
7.	October 01, 2021	Municipal District of Pincher Creek No. 9	Letter
8.	September 14, 2021	Alberta Association of Police Governance	Question for ADM Marlin Degrand?
9.	October 04, 2021	Parks Canada - Waterton Lakes National Park	Construction Update - October 4
10.	September 30, 2021	FortisAlberta	Proposed FortisAlberta 2022 Distribution Rates Letter
11.	September 27, 2021	Group Group Youth Society	Letter
12.	September 14, 2021	Town of Pincher Creek	Town Hall RCMP
13.	October 05, 2021	Travel Alberta	October Connections: Latest Tourism Recovery Research, Resources for Navigating New Health Measures, Advisory Committee Callout, and more
14.	October 07, 2021	AlbertaSW	International recognition for southern Alberta!
15.	October 06, 2021	Community Foundation of Lethbridge and Southwestern Alberta	Fall 2021 Grants Deadline October 15
16.	October 06, 2021	Affordable Housing News	The Latest in Housing
17.	September 29, 2021	Alberta Health Services	Weekly AHS Covid-19 Update