



**TOWN OF PINCHER CREEK COUNCIL
MEETING AGENDA
Monday, September 26, 2022 at 6:00 p.m.
Council Chambers, 962 St. John Avenue
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 August 30, 2022
 - 5.2 Minutes of the Committee of the Whole held September 12, 2022
 - 5.3 Minutes of the Regular Meeting of Council held on September 12, 2022
6. **Business Arising from the Minutes**
 - 6.1 Disposition of Delegation Yellowstone to Yukon Conservation Initiative
 - 6.2 Disposition of Delegation – Traffic Concerns
7. **Bylaws**
 - 7.1 Chief Administrative Officer Bylaw 1573-22
 - 7.2 Regional Assessment Review Board Bylaw 1633-22
8. **New Business**
 - 8.1 Speed Sign Locations
 - 8.2 October 5th 2022 Is Energy Efficiency
 - 8.3 Day Highway 6 Warning Flashers
9. **Council Reports**
 - 9.1 Upcoming Committee Meeting and Events
10. **Administration**
 - 10.1 Council Information Distribution List
11. **Closed Session Discussion**
 - 11.1 Joint Funding Requests - 16 & 24
 - 11.2 Event Request (No RFD) - s.17
12. **Notice of Motion**
13. **Adjournment**

The next Regular Council Meeting is scheduled for October 11, 2022 AT 6:00 p.m.



SPECIAL MEETING OF COUNCIL
Held on Tuesday August 30, 2022
In Person & Virtually,
Commencing at 9:00 a.m.

IN ATTENDANCE:

Mayor: D. Anderberg

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

Staff: W. Catonio, Director of Finance and Human
Resources; K. Green, Executive Assistant; A.
Roth, Director of Operations; A. Grose,
Recreation Manager; M. Everts, Events,
Marketing & Economic Development, T.
Walker, Energy Lead; A. Levair, Operations
Manager and L. Rideout, Director of
Community Services

1. CALL TO ORDER

Mayor Anderberg called the meeting to order at 9:02 am.

2. AGENDA APPROVAL
OLIVER:

The Council for the Town of Pincher Creek agrees to add 6.6 Irrigation System Sewer Lagoon to the August 30, 2022 agenda.

CARRIED 22-309

GREEN:

The Council for the Town of Pincher Creek approves the August 30, 2022 agenda as amended.

CARRIED 22-310

3. ADOPTION OF MINUTES

3.1 Minutes of the Regular Meeting of Council held on August 22, 2022

WRIGHT:

That Council for the Town of Pincher Creek approves the minutes of the Regular Meeting of Council held on August 22, 2022.

CARRIED 22-311

4. BUSINESS ARISING FROM THE MINUTES

4.1 Chief Administrative Officer applications review process

BARBER:

That Council for the Town of Pincher Creek direct administration to forward all of the CAO applications received to date to the Town Council for review and have a meeting on September 12, 2022 at 9am to review and discussion.

CARRIED 22-312

5. BYLAWS

5.1 Fee Structure Bylaw - 3rd Reading

GREEN:

That Council for the Town of Pincher Creek agree to give third and final reading to Fee Structure Bylaw 1584-22 and that a copy of which be attached hereto and form part of the minutes.

CARRIED 22-313

6. NEW BUSINESS

6.1 Communities in Bloom - Councillor Appointment

NODGE:

That Council for the Town of Pincher Creek assigns Councillor Oliver to sit on the Communities in Bloom committee.

CARRIED 22-314

6.2 Joint Funding and Joint Budget - Process Improvement

OLIVER:

That Council for the Town of Pincher Creek agree to move the Oldman River Antique Equipment Society (Heritage Acres), Pincher Creek Historical Society (Kootenay Brown) and the Grant Writer from the joint funding process to the joint budget process and request these groups make a presentation to Joint Council on October 6, 2022.

DEFEATED

6.3 Community Events Support Level (discussion)

Barber:

That Council for the Town of Pincher Creek accept discussion as information.

CARRIED 22-315

Mayor Anderberg called a recess at 10:21 am

Mayor Anderberg called the meeting back to order at 10:34 am

6.4 Budget/Facility's meeting schedule (No RFD)

6.5 Arena Furnace Installation Funding Acceptance

OLIVER:

That Council for the Town of Pincher Creek provide formal approval to move forward with installing the new high efficiency furnaces at the Memorial Arena

CARRIED 22-317

6.6 Irrigation System

NODGE:

That Council for the Town of Pincher Creek agrees to the decommissioning and removal of the irrigation system.

CARRIED 22-318

M. Everts, A. Grose, T. Walker L. Rideout & A. Levair left meeting at 10:48am

7. CLOSED MEETING DISCUSSION

GREEN:

That Council for the Town of Pincher Creek agree to move into closed session of Council on Tuesday, August 30, 2022 at 10:48 am in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act, with Director of Finance and Human Resources, Executive Assistant and Director of Operations in attendance.

CARRIED 22-319

GREEN:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Tuesday, August 30, 2022 at 11:23 am in accordance with section 19 & 24 of the Freedom of Information and Protection of Privacy Act, with Director of Finance and Human Resources, Executive Assistant and Director of Operations in attendance.

CARRIED 22-320

7.1 RCMP Detachment Facility Meeting

OLIVER:

That Council for the Town of Pincher Creek receive and approve the RCMP Detachment facility report and forward same to the RCMP Director of Law Enforcement and Oversight Branch prior to the Sept. 2nd virtual meeting.

CARRIED 22-321

8. ADJOURNMENT

WRIGHT:

That this meeting of Council on August 30, 2022 be hereby adjourned at 11:24 pm.

CARRIED 22-322

MAYOR, D. Anderberg

CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 12th DAY OF SEPTEMBER 2022 S E A L
NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY SEP 12, 2022 AT
6:00 P.M.**



Town of Pincher Creek
COMMITTEE OF THE WHOLE MINUTES
September 12, 2022 – 9:00 AM
In Person & Virtually

ATTENDANCE:

Mayor: D. Anderberg
Councillors: M. Barber, S. Nodge, and D. Green
With Regrets: B. Wright and W. Oliver
Staff:

1. **CALL TO ORDER**

Deputy Mayor Green called the meeting to order at 9:00 am.

2. **AGENDA APPROVAL**

NODGE:

That the Committee of the Whole for the Town of Pincher Creek agrees to approve the September 12, 2022 agenda as presented.

CARRIED COTW 2022-108

3. **DELEGATIONS**

4. **COMMITTEE REPORTS**

5. **Administration**

6. **Business Arising from the Minutes**

7. **Policy**

8. **New Business**

9. Closed Session

NODGE:

That the Committee of the Whole for the Town of Pincher Creek agree to move into a closed session of Council on Monday, September 12, 2022 at 9:31 am in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act.

BARBER:

That the Committee of the Whole for the Town of Pincher Creek to move out of a closed session of Council on Monday, September 12, 2022 at 11:12 pm in accordance with section 19 & 24 of the Freedom of Information and Protection of Privacy Act.

9.1 CAO Resume Review

GREEN:

That the Committee of the Whole for the Town of Pincher Creek defer item 9.1 to the next Committee of the Whole meeting on September 19, 2022 at 9:00am

CARRIED COTW 2022-109

10. Adjournment

GREEN:

That this session of Committee of the Whole be adjourned at 11:31 am.

CARRIED COTW 2022-0110

**APPROVED BY RESOLUTION OF
COUNCIL FOR THE TOWN OF PINCHER CREEK
THIS 26 DAY OF SEPTEMBER 2022**

Mayor, D. Anderberg

CAO, L. Wilgosh



REGULAR MEETING OF COUNCIL
Held on Monday September 12, 2022
In Person & Virtually,
Commencing at 6:00 p.m.

IN ATTENDANCE:

Mayor: D. Anderberg

With Regrets: B. Wright

Councillors: M. Barber, D. Green, W. Oliver, and S. Nodge

Staff: W. Catonio, Director of Finance and Human Resources; K. Green, Executive Assistant; A. Grose, Recreation Manager; M. Everts, Events, Marketing & Economic Development, A. Levair, Operations Manager; A. Hlady, FCSS and L. Rideout, Director of Community Services

1. CALL TO ORDER

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

2. SCHEDULED PUBLIC HEARING

3. AGENDA APPROVAL

GREEN:

The Council for the Town of Pincher Creek approves the September 12, 2022 agenda as presented.

CARRIED 22-323

4. DELEGATIONS

4.1 Bonnie Gaetz -Simpson – Traffic Concerns

4.2 Patty Richards - Y2Y Report

5. ADOPTION OF MINUTES

5.1 Minutes of the Committee of the Whole held on September 7, 2022

BARBER:

That Council for the Town of Pincher Creek approves the minutes of the Committee of the Whole held on September 7, 2022.

CARRIED 22-324

6. BUSINESS ARISING FROM THE MINUTES

6.1 Disposition of Delegation - South Canadian Rockies

OLIVER:

That Council for the Town of Pincher Creek receive the Disposition of Delegation for the South Canadian Rockies Presentation as information.

CARRIED 22-325

6.2 Disposition of Delegation Chantel Laliberte – Short Term Rental

Concerns

GREEN:

That Council for the Town of Pincher Creek receive the Disposition of Delegation for Chantel Laliberte – Short Term Rental Concerns Presentation as information and provide assurance the By-law is currently under review and in process.

CARRIED 22-326

7. BYLAWS

7.1 Chief Administrative Officer Bylaw 1573-22

OLIVER:

That Council for the Town of Pincher Creek agree and give first reading to Chief Administrative Officer Bylaw 1573-22.

CARRIED 22-327

8. NEW BUSINESS

8.1 Waterline Creek Crossing - Capital Project Award

GREEN:

That Council for the Town of Pincher Creek approve an additional \$445,000 from the Waterline Replacement Reserve to fund the Waterline Creek Crossing project and award the project to UG Excavating Ltd. for a total of \$1,819,479.20 excluding GST.

CARRIED 22-328

A. Levair left meeting at 7:20 pm

8.2 Awards Of Excellences

NODGE:

That Council for the Town of Pincher Creek agree to provide a sponsorship of \$1500 as a Diamond Sponsor for the Pincher Creek & District Chamber of Commerce Awards of Excellence to be expensed through the general contingency fund 74-12-00-2770 and funded through the Municipal Sustainability Reserve 00-00-00-4705 if required.

CARRIED 22-329

8.3 Town Office Facility Usage Policy 153-22

OLIVER:

That Council for the Town of Pincher Creek agree and approve the Town Office Facility Usage Policy 153-22 as presented with the change to the fees schedule effective January 1, 2023.

CARRIED 22-330

8.4 Multi-Purpose Facility Hydrochloric Acid Room Funding Re-Allocation

OLIVER:

That Council for the Town of Pincher Creek approve increasing the budget for the completion of the new Hydrochloric Acid room at the Multi-Purpose Facility by \$30,000 with funding to come from the Pool Reserve account number 71-02-00-4760.

CARRIED 22-331

9. COUNCIL REPORTS

9.1 Upcoming Committee meetings and events

10. ADMINISTRATION

10.1 Council Information Distribution List

BARBER:

That Council for the Town of Pincher Creek accept the September 12, 2022 Council Information Distribution List as information.

CARRIED 22-332

10.2 Community Services Quarterly Report 2022

BARBER:

That Council for the Town of Pincher Creek accept the Community Services Second Quarter Report as information with thanks.

CARRIED 22-333

M. Everts & A. Hlady left meeting at 7:54 pm

Mayor Anderberg called a recess at 7:54 pm

Mayor Anderberg called the meeting back to order at 8:03 pm

11. CLOSED MEETING DISCUSSION

GREEN:

That Council for the Town of Pincher Creek agree to move into closed session of Council on Monday, September 12, 2022 at 8:03 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Executive Assistant, Director of Finance and Human Resources, Recreation Manager, Events, Marketing & Economic Development, Director of Operations, and Director of Community Services in attendance.

CARRIED 22-334

BARBER:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, September 12, 2022 at 9:15 pm in accordance with section 19 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Executive Assistant, Director of Finance and Human Resources, Recreation Manager, Events, Marketing & Economic Development, Director of Operations, and Director of Community Services in attendance.

CARRIED 22-335

11.1 Concession Operator Agreement – s.16

BARBER:

That Council for the Town of Pincher Creek direct administration to offer the 2022-2023 arena concession to JB's Diner with the terms as discussed.

CARRIED 22-336

11.2 North East Area Structure Plan – s.23

OLIVER:

That Council for the Town of Pincher Creek direct administration to circulate the North East Area Structure Plan for referral to main government agencies and affected parties and subsequently prepare and present a bylaw for adoption of the North East Area Structure Plan and to make corrections as discussed.

CARRIED 22-337

11.3 Update on Pincher Creek Community Early Learning Centre – s.23 & 24

GREEN:

That Council for the Town of Pincher Creek direct administration to engage legal counsel to conduct a review of the foundational documents of the Pincher Creek Community Early Learning Centre and schedule a meeting accordingly.

CARRIED 22-338

11.4 Climate Resiliency grant funding acceptance - s.23

OLIVER:

That Council for the Town of Pincher Creek authorize the Mayor to approve and sign the Climate Resilience Capacity Building Program Grant Agreement for the climate resiliency and adaptation study in partnership with the MD

CARRIED 22-339

12. NOTICE OF MOTION

13. ADJOURNMENT

GREEN:

That this meeting of Council on September 12, 2022 be hereby adjourned at 9:20 pm.

CARRIED 22-340

MAYOR, D. Anderberg

CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 26th DAY OF SEPTEMBER 2022 S E A L
NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON
MONDAY SEP 26, 2022 AT 6:00 P.M.**

Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Disposition of Delegation Yellowstone to Yukon Conservation Initiative	
PRESENTED BY: Wendy Catonio, Director of Finance and Human Resources	DATE OF MEETING: 9/26/2022

PURPOSE:

Yellowstone to Yukon Conservation Initiative came to council to do a second presentation and talk about the results of their report.

RECOMMENDATION:

That Council for the Town of Pincher Creek accept the Yellowstone to Yukon Conservation Initiative presentation as information.

BACKGROUND/HISTORY:

The Y2Y initiative came to Council in May to present the second phase of the nature positive/emerging economies project for SW Alberta.

ALTERNATIVES:

none

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

none

FINANCIAL IMPLICATIONS:

none

PUBLIC RELATIONS IMPLICATIONS:

none

ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

Administration supports Council accepting this report as information.

Signatures:

Department Head:

Wendy Catonio

CAO:

Wendy Catovic, For: CAO



Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Disposition of Delegation – Traffic Concerns	
PRESENTED BY: Wendy Catonio, Director of Finance and Human Resources	DATE OF MEETING: 9/26/2022

PURPOSE:

Bonnie Gaetz-Simpson and Mike Swetsyn came to council to talk about the increasing speeds and noise on Broadview Street.

RECOMMENDATION:

That Council for the Town of Pincher Creek accept the Traffic Concerns presentation as information.

BACKGROUND/HISTORY:

Administration conducted a preliminary traffic survey the results of which were included in the September 12, 2022 package.

ALTERNATIVES:

That Council for the Town of Pincher Creek direct administration to do follow up speed surveys and assessments.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

n/a

FINANCIAL IMPLICATIONS:

none at this time

PUBLIC RELATIONS IMPLICATIONS:

n/a

ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

Administration supports receiving this report as information.

Signatures:

Department Head:

Wendy Catonio

CAO:

Wendy Catovic, For: CAO



Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Chief Administrative Officer Bylaw 1573-22	
PRESENTED BY: Lisa Goss, Legislative Service Manager	DATE OF MEETING: 9/26/2022

PURPOSE:

For Council to consider second and third readings of Chief Administrative Officer Bylaw 1573-22

RECOMMENDATION:

That Council for the Town of Pincher Creek agree and give second reading to Chief Administrative Officer Bylaw 1573-22.

That Council for the Town of Pincher Creek agree and give third and final reading to Chief Administrative Officer Bylaw 1573-22 and that a copy of which be attached hereto forming part of the minutes.

BACKGROUND/HISTORY:

The addition of item 11.4 "The CAO shall be authorized to consolidate bylaws as per section 69(1) of the MGA" was a recommendation as a result of the Municipal Affairs Municipal Accountability Program review conducted in 2021.

The proposed bylaw amendments received first reading at the September 12, 2022 regular meeting of Council.

ALTERNATIVES:

That Council for the Town of Pincher Creek receives the information regarding the Chief Administrative Officer Bylaw 1573-22 as presented.

That Council for the Town of Pincher Creek direct administration to further amend the Chief Administrative Officer Bylaw 1573-22 and bring back to a future meeting for second reading.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

See attached pages from Town of Pincher Creek - 2021 Municipal Accountability Program (MAP) Report

FINANCIAL IMPLICATIONS:

None at this time.

PUBLIC RELATIONS IMPLICATIONS:

None at this time.

ATTACHMENTS:

1573-22 Chief Administrative Officer Bylaw FINAL - 2996

DRAFT Chief Administrative Officer Bylaw 1573-22 - 2996

Pages from Town of Pincher Creek - 2021 Municipal Accountability Program (MAP) Report
- 2996

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek agree and give second and third readings to Chief Administrative Officer Bylaw 1573-22.

Signatures:

Department Head:

Lisa Goss

CAO:

Wendy Catonic, For: CAO



**BYLAW NO. 1573-22
OF THE
TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA
FOR THE PURPOSE OF**

**Defining the Duties and Powers of the
Chief Administrative Officer of the Town of Pincher Creek.**

WHEREAS, the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta, R.S.A. 2000, and Amendments thereto, a Council may, by Bylaw, delegate any or all of its executive and administrative duties to a Chief Administrative Officer:

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

1. This Bylaw shall be cited as "The Town of Pincher Creek Chief Administrative Officer Bylaw".
2. In this Bylaw, including this section, unless the context otherwise requires:
 - a. "Act" means The Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, R.S.A. 2000, as amended and any acts substituted therefore.
 - b. "Town" means the corporation of the Town of Pincher Creek, and where the context so requires, means the land included in the boundaries of the Town.
 - c. "Council" means the Mayor and Councillors of the Town of Pincher Creek.
 - d. "CAO" means the Chief Administrative Officer as described in the Act, and further a person selected by Council on the basis of education, training and experience in the field of public administration.
 - e. "Directors" means the principal subordinates as appointed by Council or the Chief Administrative Officer.

3. QUALIFICATIONS AND POWERS:

3.1 There shall be in and for the Town, a CAO who shall be appointed by reasons of his/her qualifications and training preferably in the field of Public Administration, by the Town Council and who shall carry out any and all of the executive and administrative duties of Council, or others as Council has power to delegate, as set out in the Act and such other executive and administrative duties as may have prior to this Bylaw or hereafter from time to time be vested, conferred or delegated in, upon and to the CAO by Bylaw or Resolution of Council.

4. ACTING CAO:

4.1 The Council may appoint an Acting CAO, in the absence of the CAO due to illness, absence, or other incapacities. The Acting CAO shall perform all the duties of the CAO as prescribed by this Bylaw and the Act during his/her tenor.

5. INVESTIGATION OF ANY TOWN AFFAIRS:

5.1 The Town Council and the CAO have the responsibility to make all necessary investigations into the affairs of the Town for the purpose of safeguarding the individual responsibilities of either of them and to further safeguard the electorates' trust by ensuring integrity in all operations of the Town.

6. SEPARABILITY:

6.1 Except for the purpose of official inquiry, the Town Council and its members shall deal with and control the administrative service solely through the Chief Administrative Officer, and neither the Council nor any members thereof shall give orders to any of the subordinates of the CAO, either publicly or privately.

7. DUTIES OF THE CAO:

7.1 In addition to the powers and duties prescribed by the Act and the powers and duties as may from time to time be delegated to him/her by Bylaw or Resolution of Council, the CAO shall:

- a. Enforce all Bylaws and Resolutions of the Town.
- b. Attend all regular and special meetings of Council, and when required, attend or be represented by his/her designate at all meetings of Boards, Committees or Commissions appointed by Council.
- c. Keep the Council advised on all operations of the Town and consider and make recommendations to Council on all matters affecting the security, welfare, and financial condition of the Town and such other measures as he/she may deem necessary and pertinent; keep the Council advised of the financial condition and needs of the Town; cause the Annual, Current and Capital budgets to be prepared including estimates of revenues and expenditures for the following year and in such detail as Council may prescribe.
- d. Provide for the supervision of all departments of the Town.
- e. Provide supervision, care, control and maintenance of all public thoroughfares, sidewalks, public buildings and/or places, owned or controlled by the Town.

- f. Provide for the prosecution of all claims for damage to property owned or controlled by the Town and the judgment of all claims against the Town.

7.2 Such directorates as may be in effect at the time of the adoption of this Bylaw, and subsequent hereto, shall act in an advisory capacity to the CAO and shall be subject to the direction of the CAO as prescribed in this Bylaw or the Act.

7.3 The Annual, Current and Capital Budget documents and all funds of the Town as approved by Council, shall be managed within the restrictions laid down by this Bylaw or the Act.

7.4 No officer, employee or agent of the Town shall place any order to purchase, or make any purchase except for a purpose and in the sum authorized in the Tax Rate Bylaw or any supplementary appropriation or fund unless there are sufficient funds to cover the proposed expenditure.

8. PERSONNEL ADMINISTRATION:

8.1 Subject to the provisions of the Act and as hereafter provided, the CAO shall be solely responsible for the supervision, hiring, suspension and discharging of all employees of the Town.

8.2. The CAO shall be the Chief Administrative Officer of the Town and all Directors, Officers, employees and Agents of the Town are subject to his/her supervision to the extent allowed by this Bylaw and the Act.

8.3 All Directors, Department Heads, Employees and Agents of the Town shall be appointed or engaged for employment with the Town on the basis of qualification and merit.

8.4 The CAO shall fix all salaries of those non-union employees subject to his/her supervision and within the annual budget allocations.

8.5 The CAO shall coordinate the preparation of the Council Agenda within the terms of reference of Bylaw No. 1596-21, Council Procedural Bylaw.

8.6 The CAO may designate a Town employee, to serve as the Administrative Lead of such other Boards, Commissions, or Committees that he/she deems proper and consistent with the keeping of accurate public records.

8.7 The Director of Finance shall keep the CAO fully advised as to the financial condition of the Town on a monthly basis and more often as deemed necessary. Such reports shall include Current and Capital Budget Statements, periodic analysis of revenue and expenditure accounts, including debt service, invested funds, and all other funds of the Town. The CAO may assign such other administrative duties to the Director of Finance as is deemed necessary and proper.

9. ADMINISTRATIVE ORGANIZATIONS:

9.1 The Town Council may, acting on the advise of the CAO, create and reorganize such administrative departments of the Town as are deemed necessary and proper to fulfill the functional obligations of the government. The CAO will retain the appointing authority over all Directors, Department Heads and Supervisors which may be added to or subtracted from the present organization as prescribed by Council Resolution.

9.2 It shall be the duty and responsibility of the CAO to submit periodic recommendations to Council concerning the administrative organizations/ and such recommendations to be submitted at not less than two year intervals from the date of passage of this Bylaw.

10. PURCHASING POLICY:

10.1 Refer to Town of Pincher Creek Policy #110-94 and Amendments thereto (Proposal, Tendering and Purchase Policy).

11. GENERAL PROVISIONS:

11.1 It is expressly implied that Council authorizes the CAO to delegate such responsibility as is herein assigned to his/her office, for the purpose of establishing an efficient and workable administrative structure. The delegation of authority shall be to Directors, Department Heads and Officials of the Town provided that it is in keeping with provisions of this Bylaw, and is not inconsistent with the Act, or any other Act of the Province of Alberta.

11.2 To the extent that it is necessary to bring to bear on a given subject several disciplines, the CAO is hereby authorized to establish such limited administrative committees as is deemed necessary to the proper and efficient administration of the Town's business. Such committee or committees may be used for coordination of daily operations as well as for the furnishing of full information of Council upon inquiry.

11.3 It is the responsibility of the CAO to be kept fully informed of the transactions of all Committees, Boards and Commissions authorized by Council and to further provide coordination with Committees outside the scope of Council legislative power but pertinent to the daily operations of the Town's business.

11.4 The CAO shall be authorized to consolidate bylaws as per section 69(1) of the M.G.A.

11.5 THAT Bylaw #1573 and all amendments are hereby repealed.

11.6 THIS Bylaw shall come into force and take effect upon the final reading.

READ A FIRST TIME THIS 12th DAY OF SEPTEMBER, 2022, A.D.

MAYOR – Don Anderberg

C.A.O. – Laurie Wilgosh

READ A SECOND TIME THIS 26th DAY OF SEPTMEBER, 2022, A.D.

MAYOR – Don Anderberg

C.A.O. – Laurie Wilgosh

READ A THIRD TIME THIS 26th DAY OF SEPTEMBER, 2022, A.D.

MAYOR – Don Anderberg

C.A.O. – Laurie Wilgosh

**BYLAW NO. 1573-22
OF THE
TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA
FOR THE PURPOSE OF**

**Defining the Duties and Powers of the
Chief Administrative Officer of the Town of Pincher Creek.**

WHEREAS, the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta, R.S.A. 2000, and Amendments thereto, a Council may, by Bylaw, delegate any or all of its executive and administrative duties to a Chief Administrative Officer:

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

1. This Bylaw shall be cited as "The Town of Pincher Creek Chief Administrative Officer Bylaw".
2. In this Bylaw, including this section, unless the context otherwise requires:
 - a. "Act" means The Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, R.S.A. 2000, as amended and any acts substituted therefore.
 - b. "Town" means the corporation of the Town of Pincher Creek, and where the context so requires, means the land included in the boundaries of the Town.
 - c. "Council" means the Mayor and Councillors of the Town of Pincher Creek.
 - d. "CAO" means the Chief Administrative Officer as described in the Act, and further a person selected by Council on the basis of education, training and experience in the field of public administration.
 - e. "Directors" means the principal subordinates as appointed by Council or the Chief Administrative Officer.

3.QUALIFICATIONS AND POWERS:

- 3.1** There shall be in and for the Town, a CAO who shall be appointed by reasons of his/her qualifications and training preferably in the field of Public Administration, by the Town Council and who shall carry out any and all of the executive and administrative duties of Council, or others as Council has power to delegate, as set out in the Act and such other executive and administrative duties as may have prior to this Bylaw or hereafter from time to time be vested, conferred or delegated in, upon and to the CAO by Bylaw or Resolution of Council.

4. ACTING CAO:

4.1 The Council may appoint an Acting CAO, in the absence of the CAO due to illness, absence, or other incapacities. The Acting CAO shall perform all the duties of the CAO as prescribed by this Bylaw and the Act during his/her tenor.

5. INVESTIGATION OF ANY TOWN AFFAIRS:

5.1 The Town Council and the CAO have the responsibility to make all necessary investigations into the affairs of the Town for the purpose of safeguarding the individual responsibilities of either of them and to further safeguard the electorates' trust by ensuring integrity in all operations of the Town.

6. SEPARABILITY:

6.1—Except for the purpose of official inquiry, the Town Council and its members shall deal with and control the administrative service solely through the Chief Administrative Officer, and neither the Council nor any members thereof shall give orders to any of the subordinates of the CAO, either publicly or privately.

7. DUTIES OF THE CAO:

~~7.~~ 7.1 In addition to the powers and duties prescribed by the Act and the powers and duties as may from time to time be delegated to him/her by Bylaw or Resolution of Council, the CAO shall:

- a. Enforce all Bylaws and Resolutions of the Town.
- b. Attend all regular and special meetings of Council, and when required, attend or be represented by his/her designate at all meetings of Boards, Committees or Commissions appointed by Council.
- c. Keep the Council advised on all operations of the Town and consider and make recommendations to Council on all matters affecting the security, welfare, and financial condition of the Town and such other measures as he/she may deem necessary and pertinent; keep the Council advised of the financial condition and needs of the Town; cause the Annual, Current and Capital budgets to be prepared including estimates of revenues and expenditures for the following year and in such detail as Council may prescribe.
- d. Provide for the supervision of all departments of the Town.
- e. Provide supervision, care, control and maintenance of all public thoroughfares, sidewalks, public buildings and/or places, owned or controlled by the Town.

- f. Provide for the prosecution of all claims for damage to property owned or controlled by the Town and the judgment of all claims against the Town.

~~87.2.~~ Such directorates as may be in effect at the time of the adoption of this Bylaw, and subsequent hereto, shall act in an advisory capacity to the CAO and shall be subject to the direction of the CAO as prescribed in this Bylaw or the Act.

~~97.3.~~ The Annual, Current and Capital Budget documents and all funds of the Town as approved by Council, shall be managed within the restrictions laid down by this Bylaw or the Act.

~~107.4.~~ No officer, employee or agent of the Town shall place any order to purchase, or make any purchase except for a purpose and in the sum authorized in the Tax Rate Bylaw or any supplementary appropriation or fund unless there are sufficient funds to cover the proposed expenditure.

8. PERSONNEL ADMINISTRATION:

~~118.1.~~ Subject to the provisions of the Act and as hereafter provided, the CAO shall be solely responsible for the supervision, hiring, suspension and discharging of all employees of the Town.

~~128.2.~~ The CAO shall be the Chief Administrative Officer of the Town and all Directors, Officers, employees and Agents of the Town are subject to his/her supervision to the extent allowed by this Bylaw and the Act.

~~13.8.3~~ All Directors, Department Heads, Employees and Agents of the Town shall be appointed or engaged for employment with the Town on the basis of qualification and merit.

~~14.8.4~~ The CAO shall fix all salaries of those non-union employees subject to his/her supervision and within the annual budget allocations.

~~15.8.5~~ The CAO shall coordinate the preparation of the Council Agenda within the terms of reference of Bylaw No. 1596-21, Council Procedural Bylaw.

~~16.8.6~~ The CAO may designate a Town employee, to serve as the Administrative Lead of such other Boards, Commissions, or Committees that he/she deems proper and consistent with the keeping of accurate public records.

~~17.8.7~~ The Director of Finance shall keep the CAO fully advised as to the financial condition of the Town on a monthly basis and more often as deemed necessary. Such reports shall include Current and Capital Budget Statements, periodic analysis of revenue and expenditure accounts, including debt service, invested funds, and all other funds of the Town. The CAO may assign such other administrative duties to the Director of Finance as is deemed necessary and proper.

9. ADMINISTRATIVE ORGANIZATIONS:

~~18.9.1~~ The Town Council may, acting on the advise of the CAO, create and reorganize such administrative departments of the Town as are deemed necessary and proper to fulfill the functional obligations of the government. The CAO will retain the appointing authority over all Directors, Department Heads and Supervisors which may be added to or subtracted from the present organization as prescribed by Council Resolution.

~~19.9.2~~ It shall be the duty and responsibility of the CAO to submit periodic recommendations to Council concerning the administrative organizations/ and such recommendations to be submitted at not less than two year intervals from the date of passage of this Bylaw.

10. —PURCHASING POLICY:

~~20.10.1~~ Refer to Town of Pincher Creek Policy #110-94 and Amendments thereto (Proposal, Tendering and Purchase Policy).

11. GENERAL PROVISIONS:

~~21.11.1~~ It is expressly implied that Council authorizes the CAO to delegate such responsibility as is herein assigned to his/her office, for the purpose of establishing an efficient and workable administrative structure. The delegation of authority shall be to Directors, Department Heads and Officials of the Town provided that it is in keeping with provisions of this Bylaw, and is not inconsistent with the Act, or any other Act of the Province of Alberta.

~~22.11.2~~ To the extent that it is necessary to bring to bear on a given subject several disciplines, the CAO is hereby authorized to establish such limited administrative committees as is deemed necessary to the proper and efficient administration of the Town's business. Such committee or committees may be used for coordination of daily operations as well as for the furnishing of full information of Council upon inquiry.

~~23.11.3~~ It is the responsibility of the CAO to be kept fully informed of the transactions of all Committees, Boards and Commissions authorized by Council and to further provide coordination with Committees outside the scope of Council legislative power but pertinent to the daily operations of the Town's business.

~~24.11.4~~ The CAO shall be authorized to consolidate bylaws as per section 69(1) of the M.G.A.

~~25.11.5~~ THAT Bylaw #1573 and all amendments are hereby repealed.

~~26.11.6~~ THIS Bylaw shall come into force and take effect upon the final reading.

READ A FIRST TIME THIS ____ DAY OF _____ 2022, A.D.

MAYOR – Don Anderberg

C.A.O. – Laurie Wilgosh

READ A SECOND TIME THIS ____ DAY OF _____ 2022, A.D.

MAYOR – Don Anderberg

C.A.O. – Laurie Wilgosh

READ A THIRD TIME THIS ____ DAY OF _____ 2022, A.D.

MAYOR – Don Anderberg

C.A.O. – Laurie Wilgosh

2. Bylaw Revisions and Amendments

Legislative requirements: MGA 63-69, 191, and 692

1. Are revision bylaws limited to:
 - consolidation of two or more bylaws;
 - altering citation; and
 - changes that do not materially affect a bylaw (clerical, technical, grammatical, or typographical)?
2. Does the title of the bylaw indicate that it is a revision bylaw?
3. Has the CAO certified in writing the revision prior to the bylaw being given first reading?
4. How are schedules to bylaws amended (e.g., fees charges or rate schedules)?
5. Have there been amendments to a bylaw that initially required advertising?
6. Was the amending bylaw advertised?
7. Are bylaws amended or repealed in the same way as the original bylaw was enacted?

Comments/Observations: The town does not use revision bylaws, but instead changes bylaws by repealing and replacing.

The town's land use bylaw (bylaw 1547) has been amended and in each instance, the amendment was advertised and received a public hearing prior to being passed. The bylaw has been consolidated up to and including April 2021 amendments. A designated officer may only make a consolidation of bylaws when council has delegated the authority by bylaw in accordance with section 69(1) of the *MGA*.

Meets Legislative Requirements: No

Recommendations/Action Items: A bylaw that authorizes the CAO or a designated officer to consolidate one or more bylaws in accordance with section 69(1) of the *MGA* is required.

Resources: Municipal Affairs has created a handbook that includes the procedures to pass, amend and revise bylaws: [Basic Principles of Bylaws](#).

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Regional Assessment Review Board Bylaw 1633-22	
PRESENTED BY: Lisa Goss, Legislative Service Manager	DATE OF MEETING: 9/26/2022

PURPOSE:

For Council to consider first reading of Regional Assessment Review Board Bylaw 1633-22

RECOMMENDATION:

That Council for the Town of Pincher Creek agree and give first reading to Regional Assessment Review Board Bylaw 1633-22.

BACKGROUND/HISTORY:

The proposed changes to the Regional Assessment Review Board Bylaw were recommendations as a result of the Municipal Affairs Municipal Accountability Program review conducted in 2021.

ALTERNATIVES:

That Council for the Town of Pincher Creek receives the information regarding the Regional Assessment Review Board Bylaw 1633-22 as presented.

That Council for the Town of Pincher Creek direct administration to further amend the Regional Assessment Review Board Bylaw 1633-22 and bring back to a future meeting.

That Council for the Town of Pincher Creek agree and give all three readings to Regional Assessment Review Board Bylaw 1633-22 at the regular meeting of Council on September 26, 2022.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

See attached pages from Town of Pincher Creek - 2021 Municipal Accountability Program (MAP) Report

FINANCIAL IMPLICATIONS:

None at this time.

PUBLIC RELATIONS IMPLICATIONS:

None at this time.

ATTACHMENTS:

DRAFT Regional Assessment Review Board Bylaw 1633-22 - 3002

Pages from Town of Pincher Creek - 2021 Municipal Accountability Program (MAP)

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek agree and give first reading to Regional Assessment Review Board Bylaw 1633-22.

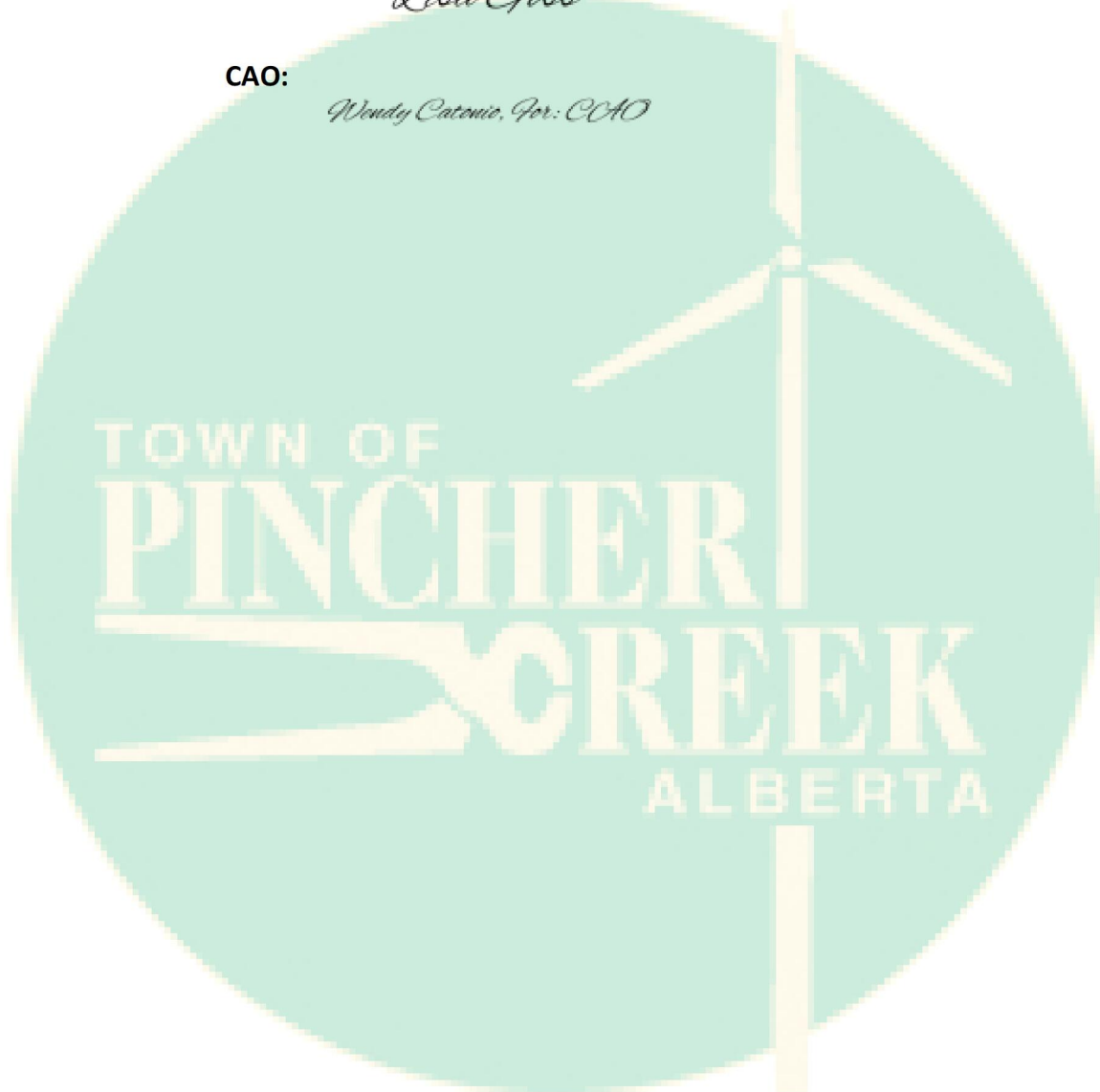
Signatures:

Department Head:

Lisa Goss

CAO:

Wendy Caton, For: CAO



Schedule "B"

"MUNICIPALITYTOWN OF PINCHER CREEK" BYLAW NUMBER 1633-221

A bylaw of the "MunicipalityTown of Pincher Creek" in the Province of Alberta to establish a Regional Assessment Review Board.

WHEREAS, section 454 of the *Municipal Government Act*, states that council must by bylaw establish a local assessment review board and a composite assessment review board; and

WHEREAS, section 454.1(1) of the *Municipal Government Act*, states that council must appoint at least 3 persons as members of the local assessment review board; and

WHEREAS, section 454.2(1) of the *Municipal Government Act*, states that council must appoint at least 2 persons as members of the composite assessment review board; and

WHEREAS, section 455(1) of the *Municipal Government Act*, states that two or more councils may agree to jointly establish the local assessment review board or the composite review board, or both, to have jurisdiction in their municipalities; and

WHEREAS, Oldman River Regional Services Commission (Commission) and Municipalities within the region, jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by an assessed person or taxpayer of a Regional Member Municipality; and

WHEREAS, Oldman River Regional Services Commission will pay for the costs associated with the establishment and operations of the required Assessment Review Board(s) and will invoice the Municipality their portion of the costs.

NOW THEREFORE, the Council of the "Municipality"Town of Pincher Creek, duly assembled, enacts as follows:

1. Title

1.1 The title of this Bylaw shall be the "Regional Assessment Review Board Bylaw-~~Amendment 2021~~".

2. Definitions

2.1 Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the MGA.

2.2 In this bylaw the following terms shall have the meanings shown:

- a. **Alternate** means a person who is available to perform the duties of a member in the event the member is unable to fulfil Board duties.
- b. **Board** means the Regional Assessment Review Board.
- c. **CARB** means the Composite Assessment Review Board established in accordance with the 'Matters Relating to Assessment Complaints' regulation.

- d. **Clerk** means the person appointed to carry out the duties and functions of the assessment review board as required under section 456 of the *Municipal Government Act*.
- e. **Citizen-at-large** means a person who does not represent a specific organization and is appointed by Council.
- f. **LARB** means the Local Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation.
- g. **Member** means a member of the Regional Assessment Review Board.
- h. **MGA** means the *Municipal Government Act* of Alberta, RSA 2000, Ch. M-26, as amended and Regulations passed under that Act.
- i. **Regional Member Municipality** means those municipalities who enter into an agreement with the Commission to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw.

3. Establishment of Boards

3.1 Council hereby establishes the following boards:

- a. **Local Assessment Review Board; and**
- b. **Composite Assessment Review Board**

3.4. Appointment of Board Members

3.14.1 Each Member Municipality may appoint one individual to the Board and may appoint an individual as an alternate to the Board.

3.24.2 The Board shall consist of a minimum of twenty members, some of whom may be a Citizen-at-large or a Council member.

3.34.3 In addition, when sitting as the CARB, the Board shall include the provincial member appointed by the Minister.

4.5. Terms of Appointment

4.15.1 Unless otherwise stated, all Members are appointed for three-year terms, except in the initial year where up to three are appointed for three-year terms and up to four are appointed for two-year terms.

4.25.2 If a vacancy on the Board occurs the Member Municipality who made the appointment may appoint a new person to fill the vacancy for the remainder of the term.

4.35.3 A Member may be re-appointed to the Board at the expiration of his/her term, provided recertification training has occurred prior to the expiration of term.

4.45.4 A Member may resign from the Board at any time on written notice to the Clerk and to the Member Municipality to that effect.

4.55.5 The Member Municipality may remove their designated Member at any time.

5.6. Panels of the Board

5.16.1 The Board shall sit in panels to hear assessment complaints as the nature of the complaint may permit or require, such panels are to consist of:

- a. three persons selected by the Clerk when the Board is acting as a Local Assessment Review Board;
- b. two persons selected by the Clerk when the Board is acting as a Composite Assessment Review Board; or
- c. a single member selected by the Clerk when the Board is acting as a Single Member Composite Assessment Review Board or a Single Member Individual Local Assessment Review Board.

5.26.2 The Clerk may select any member to sit on a panel and shall designate the Chairperson for each panel, provided however that:

- a. the provincial member must be the Chairperson of a panel sitting as the Composite Assessment Review Board; and
- b. the provincial member must be the sole member of a panel sitting as a Single Member Composite Assessment Review Board;
- c. where possible, the Clerk shall include on a three-person panel a member who is from the municipality under whose jurisdiction the complaint arises.

6.7. Chairperson Presiding Officer

6.17.1 The Chairperson Presiding Officer of a panel:

- a. will preside over and be responsible for the conduct of meetings;
- b. may limit a submission if it is determined to be repetitious or in any manner inappropriate; and
- c. will vote on matters submitted to the panel unless otherwise disqualified.

7.8. Jurisdiction of the Board

7.18.1 The Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Regional Member Municipality.

8.9. Clerk(s) of the Board

8.19.1 The Clerk(s) of the Board shall be a person designated by the Oldman River Regional Services Commission's Chief Administrative Officer.

8.29.2 The Clerk shall:

- a. assist the Board in fulfilling its mandate; and
- b. prescribe the remuneration and expenses payable to each member of the Assessment Review Board.

9.10. Meetings

~~9.10.1~~ Meetings will be held at such time and place as determined by the Board.

~~9.210.2~~ The proceedings and deliberations of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the Freedom of Information and Protection of Privacy Act.

10.11. Quorum and Voting

~~10.111.1~~ The quorum for panels of the Board shall be as established by the MGA, namely:

- a. two members of a panel acting as a local assessment review board; and
- b. one member and the provincial member of a panel acting as a composite assessment review board.

~~10.211.2~~ All members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.

~~10.311.3~~ The majority vote of those Members present and voting constitutes the decision of the Board.

~~10.411.4~~ Where a member of a panel absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the Clerk shall appoint a replacement member of the panel.

11.12. Conflict of Interest

~~11.112.1~~ Where a member of the Board is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the member may absent himself or herself from Board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the member:

- a. declares that he or she has a conflict of interest; and
- b. describes in general terms the nature of the conflict of interest.

~~11.212.2~~ The Clerk shall cause a record to be made in the Minutes of the members' absence and the reasons for it.

~~11.312.3~~ For the purposes of this provision, a member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:

- a. he or she has a personal interest in the matter which would conflict with his or her obligation as a member to fairly consider the issue; or
- b. substantial doubt as to the ethical integrity of the member would be raised in the minds of a reasonable observer, if that member were to participate in the consideration of that matter.

12.13. Pecuniary Interest

~~12.1~~13.1 The pecuniary interest provisions of the MGA apply to all members of the Board while attending meetings of the Board, as though they were councillors attending meetings of council.

~~12.2~~13.2 A Board member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a member of the Board.

13.14. Commencement of Appeals

~~13.1~~14.1 An assessed person or a taxpayer may commence an assessment complaint by:

- a. mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the '*Matters Relating to Assessment Complaints*' regulation and within the time specified in the MGA; and
- b. paying the applicable fee.

14.15. Rules of Order

~~14.1~~15.1 The Board shall make its own procedural rules, having due regard for the principles of procedural fairness.

15.16. Adjournments

~~15.1~~16.1 The Board may in its discretion grant adjournments of a hearing for such purposes as it feels necessary to ensure proper consideration of the issues before it, including:

- a. allowing the Board to obtain a legal opinion or other professional guidance; or
- b. to allow a viewing by the Board of the site in respect of which the appeal is being made.

~~15.2~~16.2 Where the parties to an appeal consent to an adjournment of the hearing, such adjournment may be granted by the Chairperson after consultation with the Members individually (whether in person, by telephone or by e-mail) without the need to convene a formal meeting. In such a case, the Board is deemed to have convened and the hearing is deemed to have commenced as of the date of such consultation.

16.17. Notice of Decisions & Record of Hearing

~~16.1~~17.1 After the hearing of a complaint, the Clerk shall:

- a. under direction of the Chairperson, prepare Minutes of the hearing, the decision or order of the Board and the reasons for the decision in compliance with the MGA; and
- b. arrange for the order or decision of the Board to be signed and distributed in accordance with the requirements under the MGA.

~~16.2~~17.2 The Clerk will maintain a record of the hearing.

17.18. Delegation of Authority

~~17.18.1~~ In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:

- a. its authority under the MGA to prescribe an appeal fee schedule and the remuneration and expenses payable to each member of the Regional Assessment Review Board and to the Clerk who will follow the Oldman River Regional Services Commission policy.

18.19. Reimbursement of Costs

~~18.19.1~~ The Oldman River Regional Services Commission shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board. Recovery of costs from Regional Member Municipalities will be as set out in the agreements established.

~~Bylaw 2011/02 of the Town of Pincher Creek and amendments thereto are hereby repealed.~~

~~Bylaw 1633-21 of the Town of Pincer Creek and amendments thereto are hereby repealed.~~

~~This Bylaw comes into effect upon the final reading thereof.~~

~~Read a First Time this 8th day of November, 2021.~~

~~READ A FIRST TIME THIS ?? DAY of ??, 2022~~

MAYOR, Don Anderberg

CAO, Laurie Wilgosh

~~Read a Second Time this 8th day of November, 2021.~~

~~READ A SECOND TIME THIS ?? DAY of ??, 2022~~

MAYOR, Don Anderberg

CAO, Laurie Wilgosh

Read a Third and Final Time this 8th day of November, 2021.
READ A THIRD TIME THIS ?? DAY of ??, 2022

MAYOR, Don Anderberg

CAO, Laurie Wilgosh

Mayor / Reeve

Chief Administrative Officer

DRAFT

4. Assessment Review Boards

Legislative requirements: [MGA 454-456](#), [Matters Relating to Assessment Complaints Regulation 201/2017](#)

1. Has a local assessment review board been established?
 - Are at least three members appointed to this board?
 - Is the term of the office of each member appointed established?
 - Has council prescribed the remuneration and expenses, if any, payable to each member?
 - Has council designated one of the members appointed as chair and prescribed the chair's term of office, remuneration, if any, and expenses?
 - Have the appointed members received the mandatory training?
2. Is a composite assessment review board established?
 - Are at least two members appointed to this board?
 - Is the term of the appointment established?
 - Has council prescribed the remuneration and expenses, if any, payable to each member?
 - Has council designated one of the members appointed as chair and prescribed the chair's term of office, remuneration, if any and expenses?
 - Have the appointed members received the mandatory training?
3. Has a person been appointed as the clerk and received the mandatory training?
4. Has the municipality jointly established the local assessment review board, composite assessment review board, or both, with one or more other municipalities?
 - Have the member councils jointly designated one of the board members as chair?
 - Have the member councils jointly prescribed the chair's term of office and the remuneration and expenses, if any, payable to the chair?
 - Have the member councils jointly appointed the clerk of the assessment review boards?

Comments/Observations: Council passed bylaw 2011-02 on May 13, 2011 authorizing a regional assessment review board. The bylaw does not establish the local and composite assessment review boards for the town, but instead authorizes the regional board to exercise the functions of both the local and composite assessment review boards.

Additionally, the bylaw does not address the appointment of a chair. Section 455(2)(a) of the *MGA* requires the councils to jointly designate one of the board members as chair.

Meets Legislative Requirements: No

Recommendations/Action Items: The town must amend or replace bylaw 2011-02 to:

- establish both a local assessment review board and a composite assessment review board;
- establish a process for jointly appointing a chair; and
- ensure the provisions of the bylaw are in compliance with legislation.

Since all members of the regional board should have the same bylaw, it would be advisable to work with all member municipalities of the regional assessment review board, as well as their legal counsel, to ensure that member bylaws are consistent and comply with the requirements of the *MGA*.

Resources: Municipal Affairs has developed a website to assist municipalities with respect to [Assessment Review Boards](#). In addition, Municipal Affairs Assessment Advisors are available to provide general support by calling toll-free 310-0000 and then 780-422-1377.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

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Schedule "B"

"MUNICIPALITY" BYLAW NUMBER 1633-21

A bylaw of the "Municipality" in the Province of Alberta to establish a Regional Assessment Review Board.

WHEREAS, section 454 of the *Municipal Government Act*, states that council must by bylaw establish a local assessment review board and a composite assessment review board; and

WHEREAS, section 454.1(1) of the *Municipal Government Act*, states that council must appoint at least 3 persons as members of the local assessment review board; and

WHEREAS, section 454.2(1) of the *Municipal Government Act*, states that council must appoint at least 2 persons as members of the composite assessment review board; and

WHEREAS, section 455(1) of the *Municipal Government Act*, states that two or more councils may agree to jointly establish the local assessment review board or the composite review board, or both, to have jurisdiction in their municipalities; and

WHEREAS, Oldman River Regional Services Commission (Commission) and Municipalities within the region, jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by an assessed person or taxpayer of a Regional Member Municipality; and

WHEREAS, Oldman River Regional Services Commission will pay for the costs associated with the establishment and operations of the required Assessment Review Board(s) and will invoice the Municipality their portion of the costs.

NOW THEREFORE, the Council of the "Municipality", duly assembled, enacts as follows:

1. Title

1.1 The title of this Bylaw shall be the "Regional Assessment Review Board Bylaw Amendment 2021".

2. Definitions

2.1 Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the MGA.

2.2 In this bylaw the following terms shall have the meanings shown:

- a. **Alternate** means a person who is available to perform the duties of a member in the event the member is unable to fulfil Board duties.
- b. **Board** means the Regional Assessment Review Board.
- c. **CARB** means the Composite Assessment Review Board established in accordance with the '*Matters Relating to Assessment Complaints*' regulation.
- d. **Clerk** means the person appointed to carry out the duties and functions of the assessment review board as required under section 456 of the *Municipal Government Act*.

- e. **Citizen-at-large** means a person who does not represent a specific organization and is appointed by Council.
- f. **LARB** means the Local Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation.
- g. **Member** means a member of the Regional Assessment Review Board.
- h. **MGA** means the *Municipal Government Act* of Alberta, RSA 2000, Ch. M-26, as amended and Regulations passed under that Act.
- i. **Regional Member Municipality** means those municipalities who enter into an agreement with the Commission to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw.

3. Appointment of Board Members

- 3.1 Each Member Municipality may appoint one individual to the Board and may appoint an individual as an alternate to the Board.
- 3.2 The Board shall consist of a minimum of twenty members, some of whom may be a Citizen-at-large or a Council member.
- 3.3 In addition, when sitting as the CARB, the Board shall include the provincial member appointed by the Minister.

4. Terms of Appointment

- 4.1 Unless otherwise stated, all Members are appointed for three-year terms, except in the initial year where up to three are appointed for three-year terms and up to four are appointed for two-year terms.
- 4.2 If a vacancy on the Board occurs the Member Municipality who made the appointment may appoint a new person to fill the vacancy for the remainder of the term.
- 4.3 A Member may be re-appointed to the Board at the expiration of his/her term, provided recertification training has occurred prior to the expiration of term.
- 4.4 A Member may resign from the Board at any time on written notice to the Clerk and to the Member Municipality to that effect.
- 4.5 The Member Municipality may remove their designated Member at any time.

5. Panels of the Board

- 5.1 The Board shall sit in panels to hear assessment complaints as the nature of the complaint may permit or require, such panels are to consist of:
 - a. three persons selected by the Clerk when the Board is acting as a Local Assessment Review Board;
 - b. two persons selected by the Clerk when the Board is acting as a Composite Assessment Review Board; or
 - c. a single member selected by the Clerk when the Board is acting as a Single Member Composite Assessment Review Board or a Single Member Individual Local Assessment Review Board.

- 5.2 The Clerk may select any member to sit on a panel and shall designate the Chairperson for each panel, provided however that:
- a. the provincial member must be the Chairperson of a panel sitting as the Composite Assessment Review Board; and
 - b. the provincial member must be the sole member of a panel sitting as a Single Member Composite Assessment Review Board;
 - c. where possible, the Clerk shall include on a three-person panel a member who is from the municipality under whose jurisdiction the complaint arises.

6. Chairperson

- 6.1 The Chairperson of a panel:
- a. will preside over and be responsible for the conduct of meetings;
 - b. may limit a submission if it is determined to be repetitious or in any manner inappropriate; and
 - c. will vote on matters submitted to the panel unless otherwise disqualified.

7. Jurisdiction of the Board

- 7.1 The Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Regional Member Municipality.

8. Clerk(s) of the Board

- 8.1 The Clerk(s) of the Board shall be a person designated by the Oldman River Regional Services Commission's Chief Administrative Officer.
- 8.2 The Clerk shall:
- a. assist the Board in fulfilling its mandate; and
 - b. prescribe the remuneration and expenses payable to each member of the Assessment Review Board.

9. Meetings

- 9.1 Meetings will be held at such time and place as determined by the Board.
- 9.2 The proceedings and deliberations of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the Freedom of Information and Protection of Privacy Act.

10. Quorum and Voting

- 10.1 The quorum for panels of the Board shall be as established by the MGA, namely:
- a. two members of a panel acting as a local assessment review board; and
 - b. one member and the provincial member of a panel acting as a composite assessment review board.
- 10.2 All members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- 10.3 The majority vote of those Members present and voting constitutes the decision of the Board.
- 10.4 Where a member of a panel absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the Clerk shall appoint a replacement member of the panel.

11. Conflict of Interest

- 11.1 Where a member of the Board is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the member may absent himself or herself from Board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the member:
- a. declares that he or she has a conflict of interest; and
 - b. describes in general terms the nature of the conflict of interest.
- 11.2 The Clerk shall cause a record to be made in the Minutes of the members' absence and the reasons for it.
- 11.3 For the purposes of this provision, a member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:
- a. he or she has a personal interest in the matter which would conflict with his or her obligation as a member to fairly consider the issue; or
 - b. substantial doubt as to the ethical integrity of the member would be raised in the minds of a reasonable observer, if that member were to participate in the consideration of that matter.

12. Pecuniary Interest

- 12.1 The pecuniary interest provisions of the MGA apply to all members of the Board while attending meetings of the Board, as though they were councillors attending meetings of council.
- 12.2 A Board member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a member of the Board.

13. Commencement of Appeals

- 13.1 An assessed person or a taxpayer may commence an assessment complaint by:
- a. mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the '*Matters Relating to Assessment Complaints*' regulation and within the time specified in the MGA; and
 - b. paying the applicable fee.

14. Rules of Order

- 14.1 The Board shall make its own procedural rules, having due regard for the principles of procedural fairness.

15. Adjournments

- 15.1 The Board may in its discretion grant adjournments of a hearing for such purposes as it feels necessary to ensure proper consideration of the issues before it, including:
- a. allowing the Board to obtain a legal opinion or other professional guidance; or
 - b. to allow a viewing by the Board of the site in respect of which the appeal is being made.

- 15.2 Where the parties to an appeal consent to an adjournment of the hearing, such adjournment may be granted by the Chairperson after consultation with the Members individually (whether in person, by telephone or by e-mail) without the need to convene a formal meeting. In such a case, the Board is deemed to have convened and the hearing is deemed to have commenced as of the date of such consultation.

16. Notice of Decisions & Record of Hearing

- 16.1 After the hearing of a complaint, the Clerk shall:
- a. under direction of the Chairperson, prepare Minutes of the hearing, the decision or order of the Board and the reasons for the decision in compliance with the MGA; and
 - b. arrange for the order or decision of the Board to be signed and distributed in accordance with the requirements under the MGA.
- 16.2 The Clerk will maintain a record of the hearing.

17. Delegation of Authority

- 17.1 In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:
- a. its authority under the MGA to prescribe an appeal fee schedule and the remuneration and expenses payable to each member of the Regional Assessment Review Board and to the Clerk who will follow the Oldman River Regional Services Commission policy.

18. Reimbursement of Costs

18.1 The Oldman River Regional Services Commission shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board. Recovery of costs from Regional Member Municipalities will be as set out in the agreements established.

Read a First Time this 8th day of November, 2021.

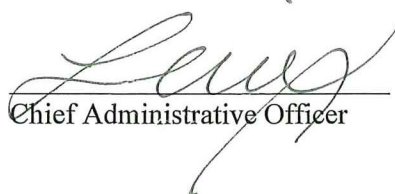
Read a Second Time this 8th day of November, 2021.

Read a Third and Final Time this 8th day of November, 2021.

Mayor / Reeve



Chief Administrative Officer



Schedule "C" Responsibilities

AC = Assistant Clerk from Member Municipality

A = Assessor from Member Municipality

C = Clerk for Regional Board (ORRSC or as designated by Chief Administrative Officer)

Receipt of Appeal	
AC	<ul style="list-style-type: none"> Collect fee
AC	<ul style="list-style-type: none"> Review appeal for validity/compliance with legislation
AC	<ul style="list-style-type: none"> Open file and send to Assessor & Clerk

Initial Stages	
A/AC	<ul style="list-style-type: none"> Preliminary discussions and disclosure of information occurs between Complainant and Assessor
A/AC	<ul style="list-style-type: none"> Assessor advises Assistant Clerk if matter is resolved or proceeding to appeal
AC	<ul style="list-style-type: none"> If resolved, Assistant Clerk advises Clerk and administers withdraw in accordance with local practice (refund fee MGA Sec, 481(2))
AC	<ul style="list-style-type: none"> If proceeding, Assistant Clerk advises Clerk and forwards copy of all appeal documents
AC	<ul style="list-style-type: none"> Assistant Clerk advises Regional Clerk of hearing location preference

Confirmation of Receipt of Appeal	
C	<ul style="list-style-type: none"> Review appeal for appeal type/validity/compliance with legislation
C	<ul style="list-style-type: none"> Determine if issue exists for merit hearing

Assignment of Resources	
C	<ul style="list-style-type: none"> Open file/identify all parties involved
C	<ul style="list-style-type: none"> Assign administrative support and Board members
C	<ul style="list-style-type: none"> Establish hearing date, schedule facility, Board members

Send Notice of Hearing to Complainant	
C	<ul style="list-style-type: none"> Copies to Assistant Clerk, Assessor and Minister (if CARB)
C	<ul style="list-style-type: none"> Copies if necessary to property owner, agent, lessee, etc...

	Disclosure
AC/A	<ul style="list-style-type: none"> Complainant provides first disclosure to Assistant Clerk and Assessor
AC	<ul style="list-style-type: none"> Assistant Clerk date stamps submission and forwards a copy to Clerk
A	<ul style="list-style-type: none"> Assessor submits response to Assistant Clerk and Complainant
AC	<ul style="list-style-type: none"> Assistant Clerk date stamps Assessor's submission and forwards a copy to Clerk
AC	<ul style="list-style-type: none"> Complainant provides rebuttal to Assistant Clerk and Assessor
AC	<ul style="list-style-type: none"> Assistant Clerk date stamps submission and forwards a copy to Clerk

	Agenda
C	<ul style="list-style-type: none"> Clerk verifies all disclosures
C	<ul style="list-style-type: none"> Clerk verifies attendance of all parties
C	<ul style="list-style-type: none"> Clerk produces agenda packages and provides copies at the hearing for members and public
C	<ul style="list-style-type: none"> Clerk liaises with Board and provides all material necessary – including legislation
C	<ul style="list-style-type: none"> Clerk prepares templates for minutes and decisions of Board

	Appeal Hearing
C	<ul style="list-style-type: none"> Clerk attends hearing and produces minutes that identify all issues presented to Board
C	<ul style="list-style-type: none"> Clerk attends deliberations and produces a decision from the Board that identifies all issues, arguments, reasons for the decision (including both conforming and dissenting reasons)

	Send Notice to Complainant
C	<ul style="list-style-type: none"> Copies to Assistant Clerk, Assessor and Minister (if CARB)
C	<ul style="list-style-type: none"> Copies if necessary to property owner, agent, lessee, etc...

	Reporting
C	<ul style="list-style-type: none"> Clerk provides Assistant Clerk with a reporting package of the appeal which includes:
C	<ul style="list-style-type: none"> – Invoice for services in accordance with agreement
C	<ul style="list-style-type: none"> – Copy of hearing minutes
C	<ul style="list-style-type: none"> – Statistics (where necessary)
C	<ul style="list-style-type: none"> – Feedback form to establish best practices and service standards for quality control
C	<ul style="list-style-type: none"> – Clerk compiles and retains a record of the hearing in accordance with legislation and regulations

Schedule "D" **Fees**

Regional Assessment Board Fee

Annual Fee = \$500, payable to Oldman River Regional Services Commission.

Remuneration

Board Members and Clerk shall receive honorariums for adjudicating at formally scheduled Hearings or taking appropriate training. Honorariums shall be awarded on the following basis:

MERIT Half day – Four (4) hour block \$100.00

MERIT Full day – Four plus (4+) hour block, excluding lunch hour \$200.00

LARB Half day – Four (4) hour block \$100.00

LARB Full day – Four plus (4+) hour block, excluding lunch hour \$200.00

CARB Half day – Four (4) hour block \$200.00

CARB Full day – Four plus (4+) hour block, excluding lunch hour \$400.00

Board Members and the Clerk shall receive compensation for travel based on the most current published Alberta Government Public Service Subsistence, Travel and Moving Expenses regulation for performing adjudication duties or taking appropriate training.

Board Members and the Clerk shall receive reimbursement for meals incurred while performing adjudication duties or taking appropriate training. A reasonable meal allowance will be offered and will most often be authorized and organized by the Clerk.

Guidance to limitations can be derived from the most current published Alberta Government Public Service Subsistence, Travel and Moving Expenses regulation.

Board Members and the Clerk shall receive reimbursement for any lodging accommodations required while performing adjudication duties or taking appropriate training.

Provincial Members shall receive reimbursement for all expenses incurred and at the rates prescribed by the Province.

Category of Complaint Fee

Filing fees are determined and collected by Member Municipalities through either a Fees Bylaw or Fee Policy.

In response to recent provincial legislation, the affected Municipality will refund assessment complaint fees when the board or (on appeal) the Court of Queen's Bench decides in favour of the complainant. The fee will also be refunded if a complaint is withdrawn because agreement was reached with an assessor to correct the matter under complaint.

Requesting an appeal fee is at the discretion of municipality. Schedule 2 of *Matters Relating to Assessment Complaint Regulation, 2018*, Complaint Fee indicates:

	Complaint Fee
Residential 3 or fewer dwellings and farmland	Up to \$ 50
Residential 4 or more dwellings	Up to \$650
Non-residential	Up to \$650
Business tax	Up to \$ 50
Tax notices (other than business tax)	Up to \$ 30
Linear property — power generation	Flat fee \$650 per facility
Linear property — other	Flat fee \$ 50 per DIPAUID *
Designated industrial property — major plant or facility	Flat fee \$650 per major plant or facility
Designated industrial property – other	Flat fee \$50 per DIPAUID *
Equalized assessment	Flat fee \$650

* Designated Industrial Property Assessment Unit Identification

Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Speed Sign Locations	
PRESENTED BY: Al Roth, Director of Operations	DATE OF MEETING: 9/26/2022

PURPOSE:

For Council to provide input on installation locations for flashing speed signs.

RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to install additional speed signs at specific locations in the community.

BACKGROUND/HISTORY:

In September 2016 two speed sensory signs were installed in the community. Current location of the two speed sensory signs are Hewetson Ave (southbound, down the hill) and Victoria Crescent (westbound near Canyon Elementary School). Additional posts were installed to accomodate occassional relocation of the existing signs at Christie Avenue (southbound) and Bev McLachlin Drive (southbound).

As part of the 2022 Capital Budget, two additional signs were approved. The signs have been received by the Operations Department and are ready for installation.

The Town of Pincher Creek Community Peace Officers have developed a list of possible locations based off public request and officer enforcement.

Two considerations for Council are previous requests for speed signage:

1. In October 2018, if approved during budget deliberations, the Police Advisory Committee motioned for additional speed sentries be purchased and be mounted at schools in the community (Resolution PAC 18-008).
2. A group of residents presented at the September 12, 2022 Regular Council Meeting requesting action to combat speeders on Broadview Street.

ALTERNATIVES:

That Council for the Town of Pincher Creek request additional information.

That Council for the Town of Pincher Creek direct administration to choose installation locations based on their professional opinion.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

N/A

FINANCIAL IMPLICATIONS:

This project has been approved as part of the 2022 Capital Budget, and therefore has no further financial implications.

PUBLIC RELATIONS IMPLICATIONS:

With requests from various entities, installation at one location may result in another request being denied.

ATTACHMENTS:

CPO - Location Suggestions - 2992

CONCLUSION/SUMMARY:

Administration supports Councils decision in choosing the location of the speed sensory signs.

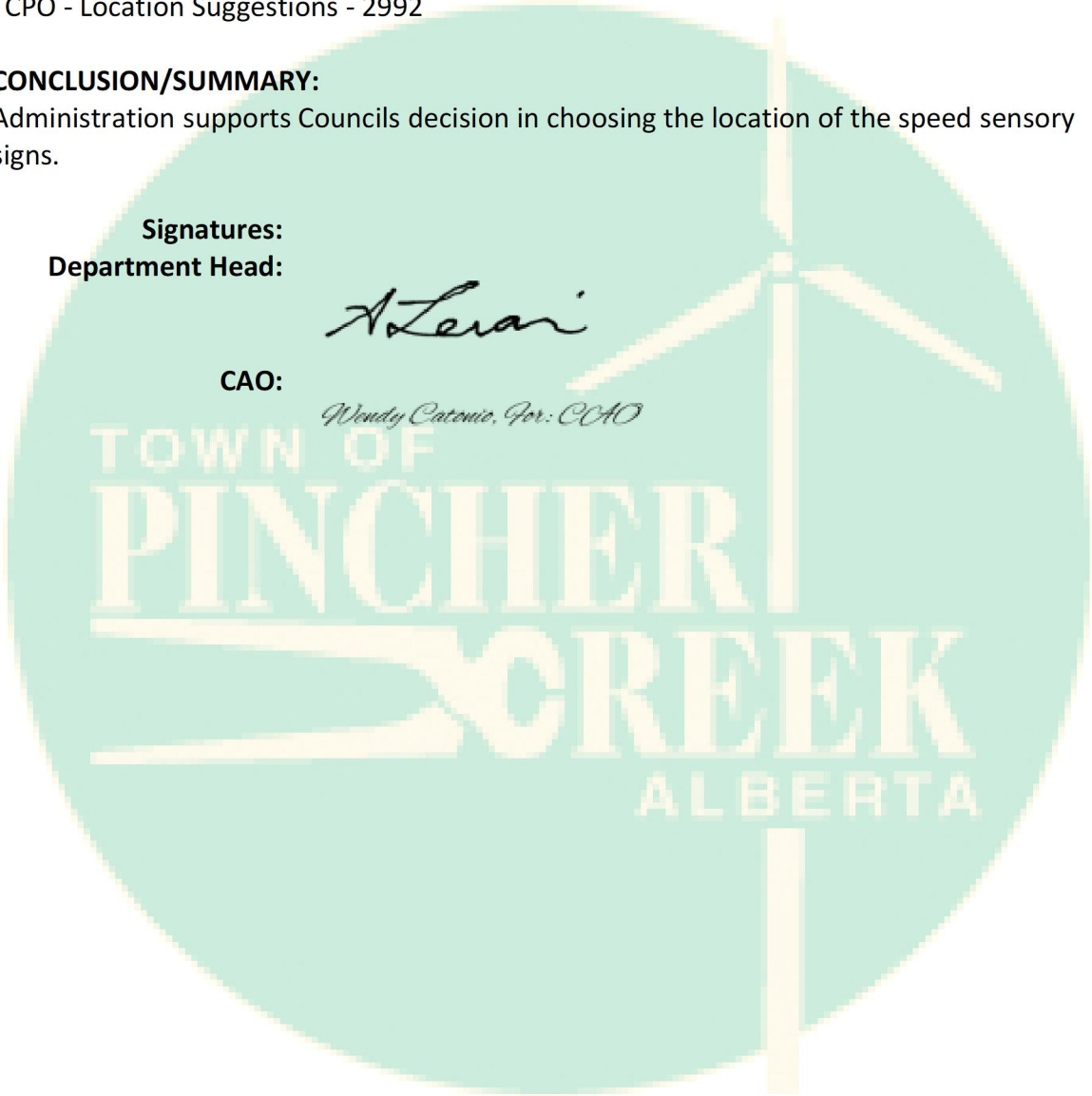
Signatures:

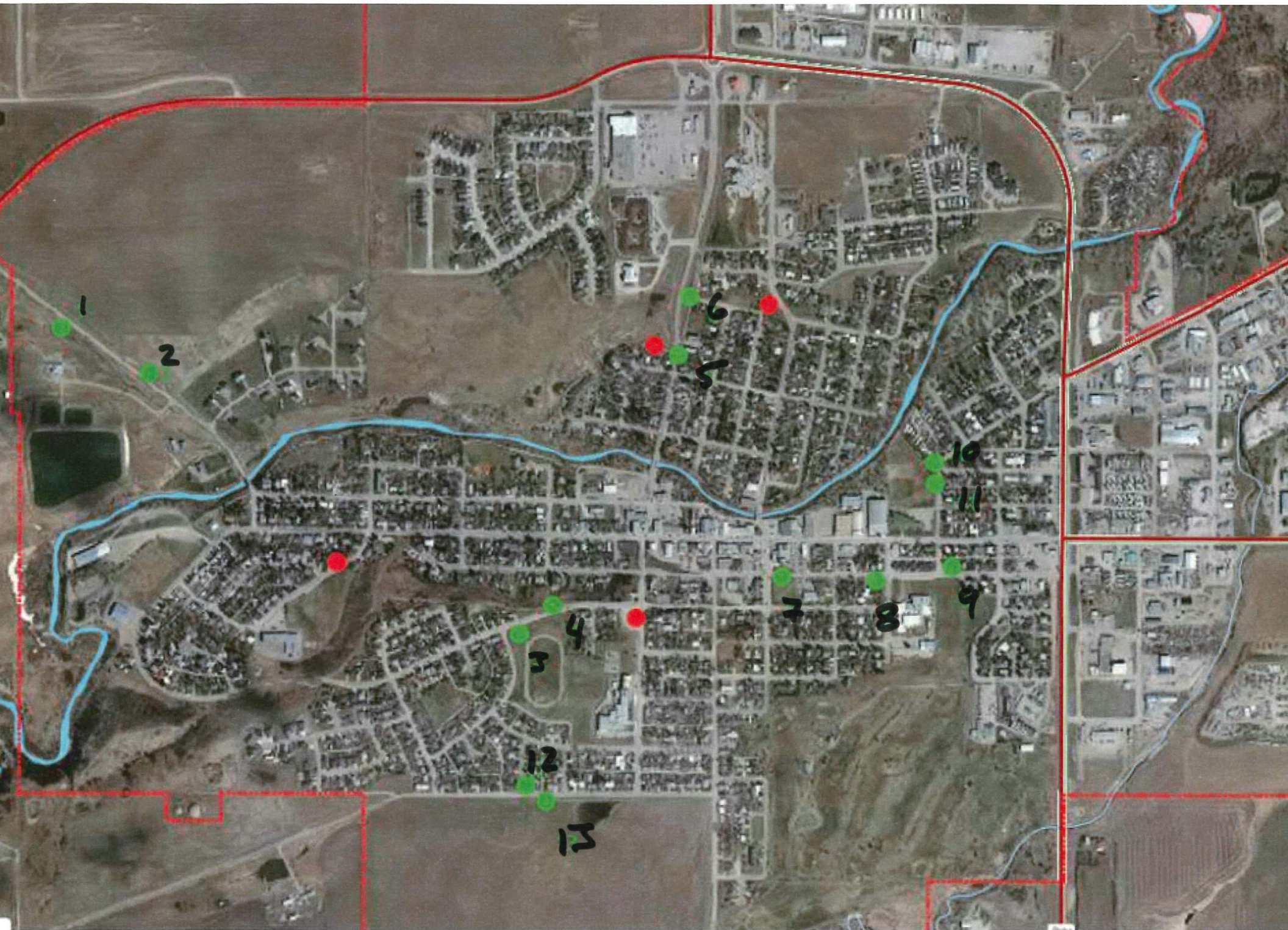
Department Head:



CAO:

Wendy Catonio, For: CAO





Speed sentry sign location recommendations, with details.

1. Beaver drive, facing west, catching south east bound traffic
2. Beaver drive, facing south east. catching northwest bound traffic
3. Schofield street, facing west catching east bound traffic(playground zone 30km)
4. Schofield Street facing east. Catching west bound traffic (playground zone 30km)
5. Hewetson drive facing south catching north bound traffic
6. Hewetson drive facing south catching north bound traffic
7. Kettles Street facing west. Catching east bound traffic (playground zone)
8. Kettles Street and Davidson Avenue intersection. facing west catching east bound traffic (school zone)
9. Kettles Street and Robinson ave, facing east. Catching west bound traffic (school zone)
10. Robinson ave facing north catching south bound traffic (playground zone 30km)
11. Robinson ave facing east catching west bound traffic(playground zone 30km)
12. Broadview street, facing east catching west bound traffic
13. Broadview street facing west catching east bound traffic

Red dots are existing sign locations.

Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: October 5th 2022 is Energy Efficiency Day	
PRESENTED BY: LaVonne Rideout, Community Services	DATE OF MEETING: 9/26/2022

PURPOSE:

For Council to consider the proclaiming October 5th, 2022 as Energy Efficiency Day

RECOMMENDATION:

That Council for the Town of Pincher Creek in recognition of the role that energy efficiency plays in the progress towards a sustainable and healthy society does hereby designate October 5th, 2022, Energy Efficiency Day.

BACKGROUND/HISTORY:

Energy Efficiency day started in 2016 and is supported by Energy Efficiency Canada, in addition to 79 other Canadian organizations. The day is meant to encourage and highlight the benefits of increasing energy efficiency in our day-to-day lives, which include saving money, reducing pollution, and creating job opportunities. There are currently 5 municipalities that have pledged to support Energy Efficiency Day, with at least three more Alberta Municipalities joining in this year.

The Town of Pincher Creek has been cementing itself as a leader in the Energy Efficiency space over the past year and a half through the employment of a Municipal Energy Project Lead, and investment in energy efficiency projects. With the support of staff, the Town and Municipal District have reduced their emissions by over 5% and saved approximately \$30,000 in energy costs per year. Additionally, the Town has committed to studies on energy efficiency, climate change adaptation, and funding programs in support of their residents. For Energy Efficiency Day, the communications staff have developed a series of social media posts designed for education purposes.

ALTERNATIVES:

That Council for the Town of Pincher Creek receives this request as information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

None at this time.

FINANCIAL IMPLICATIONS:

None at this time.

PUBLIC RELATIONS IMPLICATIONS:

Demonstrating leadership and recognition of the importance of energy efficiency in transitioning to a sustainable society, as well as supporting and encouraging our citizens to learn and contribute.

ATTACHMENTS:

Energy efficiency day proclamation_2022 - 2998

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek, in recognition of the role energy efficiency plays in the progress towards a sustainable and healthy society does hereby designate October 5th 2022, Energy Efficiency Day.

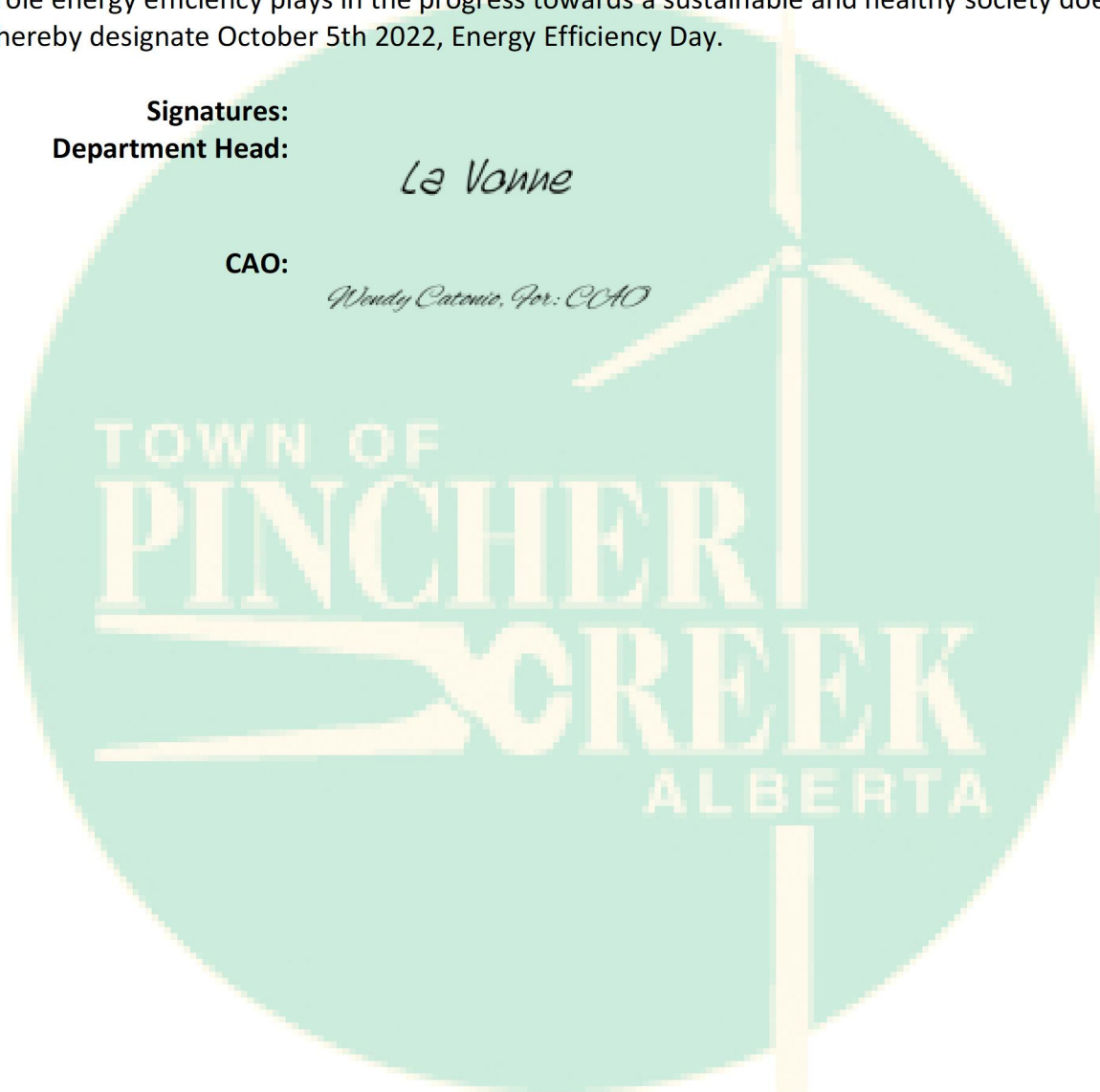
Signatures:

Department Head:

La Vonne

CAO:

Wendy Catonic, For: CAO





Town of Pincher Creek

962 St John Ave (Box 159) Pincher Creek, AB T0K 1W0

403 627 3156

reception@pinchercreek.ca www.PincherCreek.ca



Resolution for Energy Efficiency Day

Resolution

WHEREAS, the Town of Pincher Creek is committed to sustainable growth, climate action, and the health and safety of our residents; and

WHEREAS, energy efficiency is the cheapest, quickest, and cleanest way to meet the Town of Pincher Creek's needs, avoid dangerous pollution, and reduce utility bills for residents and businesses in our community; and

WHEREAS, energy efficiency makes our homes and workspaces healthier, safer, and more comfortable; and

WHEREAS, the Province's electrical grid will depend on fossil fuel generated energy for the foreseeable future, making the cleanest energy the energy we don't use; and

WHEREAS, improved energy codes for homes and commercial buildings significantly reduce utility costs and create jobs, the Town of Pincher Creek supports efforts to meet higher Tiers of energy efficiency included in the 2020 National Energy Code for Buildings; and

WHEREAS, the residents of the Town of Pincher Creek can continue to contribute to our energy efficiency efforts by learning about and participating in our upcoming Clean Energy Improvement Program, or the Canada Greener Homes Grant program.

WHEREAS, together we can continue to contribute to our sustainability efforts by learning more about energy efficiency and practicing smarter energy use in our daily lives;

WHEREAS, an international network of energy efficiency groups and partners has designated the first Wednesday in October as national annual Energy Efficiency Day; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor does hereby recognize October 5, 2022 as "Energy Efficiency Day" in the Town of Pincher Creek.

Mayor



Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Highway 6 Warning Flashers	
PRESENTED BY: Adam, Recreation Manager	DATE OF MEETING: 9/26/2022

PURPOSE:

To consider a request to have the Highway 6 warning flashers removed, or inquire if Alberta Transportation will take them over.

RECOMMENDATION:

That Council for the Town of Pincher Creek formally request that the North warning flashers be removed for energy efficiency purposes, and South flashers remain due to safety concerns, with a request that Alberta Transportation assume the cost for the South flashers.

BACKGROUND/HISTORY:

The warning flashers on Highway 6 at the Main St. intersection cost the Town approximately \$1,800 per year. Traditionally, Alberta Transportation takes on these costs as they are within their infrastructure portfolio, however they are not deemed necessary and thus the expense falls to the Town.

Due to the speed limit being 50 km/h at the location with clear sightlines to the stop lights from both directions, the regulations indicate there is no need for warning flashers. Alberta Transportation has indicated they are willing to remove the flashers at their own cost but will not take on the energy bill.

There has been significant concern about removing the Southern Flashers as loaded trucks come down that hill and use them as an indication of whether they need to stop or can continue to roll through. Removing the lights will narrow that decision window. Additionally, there is some concern about liability should the lights be removed, and an accident occurs.

ALTERNATIVES:

1. That Council for the Town of Pincher Creek receives this request as information.
2. That the Council for the Town of Pincher Creek requests to have both warning flashers removed, and countdown walking signs be added to the stop lights
3. That the Council for the Town of Pincher Creek indicates both flashers remain operational and formally requests Alberta Transportation take on the bill.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

None

FINANCIAL IMPLICATIONS:

Removing one set of flashers will reduce the energy bill by approximately \$600-\$800/yr.

Removing both sets of flashers will save the town the full \$1,800 per year.

Keeping both sets of flashers will cost \$1,800 per year unless Alberta Transportation can be convinced to take on the bill.

PUBLIC RELATIONS IMPLICATIONS:

Positivity in pursuing energy efficiency, saving money that can be used in other areas of the budget, and limiting overbuilding infrastructure in areas where it's unnecessary.

Backlash from removing the flashers for a variety of reasons including perceived safety and forced routine adjustment.

ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

Administration supports that the Town of Pincher Creek engage in talks with Alberta Transportation surrounding the Highway 6 Warning Flashers.

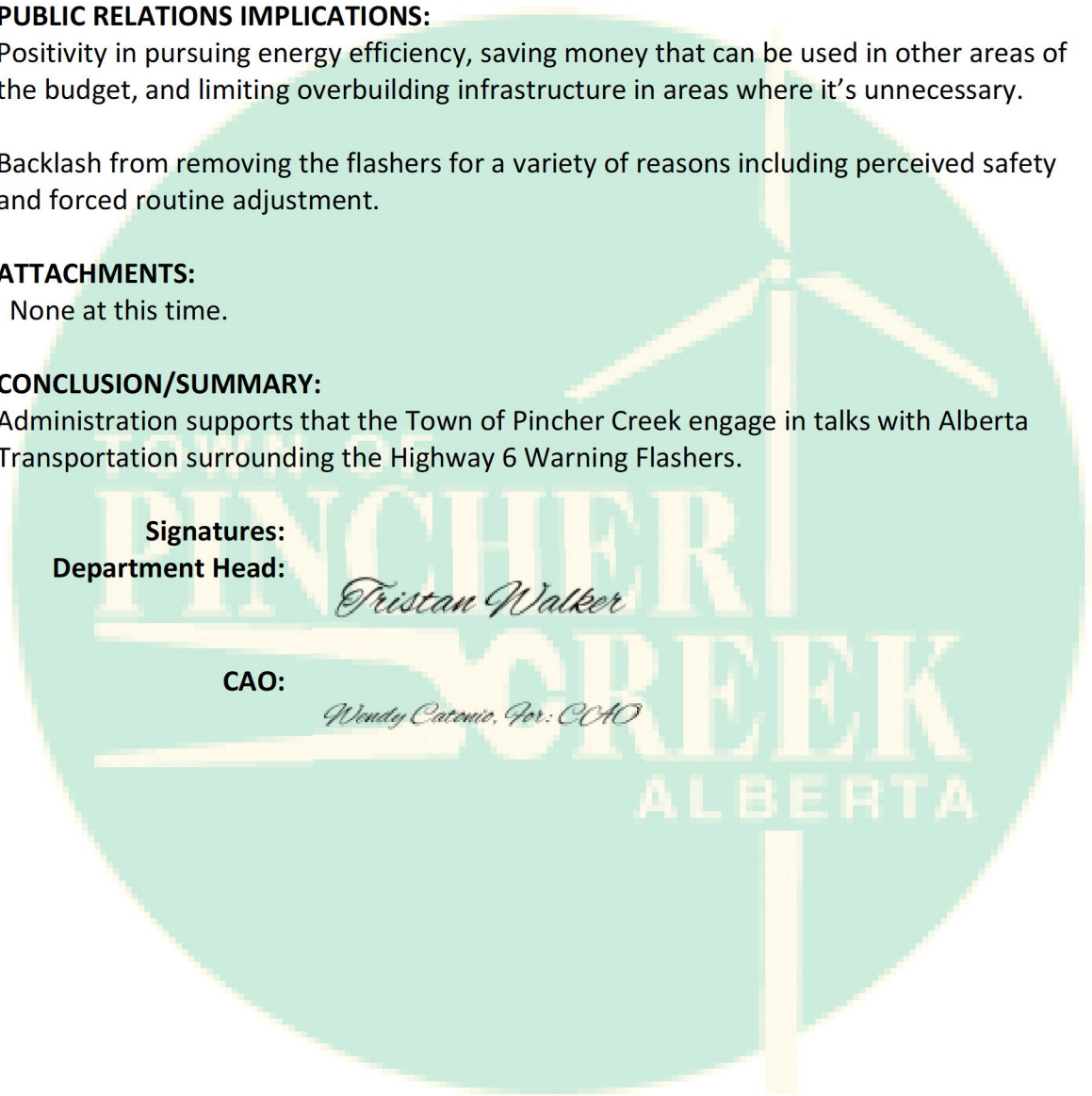
Signatures:

Department Head:

Tristan Walker

CAO:

Wendy Caton, For: CAO





**Town of Pincher Creek
COUNCIL DISTRIBUTION LIST
July 18, 2022**

<u>Item No.</u>	<u>Date</u>	<u>Received From</u>	<u>Information</u>
1.	09/20/2022	Alberta Municipalities	Letter from Alberta Municipalities RE Consultation on victim services redesign
2.	08/31/2022	MD Pincher Creek	Request to Remove Waste Management and Recycling Fees
3.	08/31/2022	MD Pincher Creek	Facilitator for Regional/Capital Structures Planning Session
4.	09/24/2022	MD Pincher Creek	Joint Funding/Joint Budget Process
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