



**COMMITTEE OF THE WHOLE
MEETING AGENDA
Wednesday, May 3, 2023 at 9:00 a.m.
Council Chambers, Town Hall
Zoom Link**

1. **Call to Order**
2. **Agenda Approval**
3. **Scheduled Delegations**
4. **Committee Reports**
5. **Administration**
6. **Business Arising from the Minutes**
 - 6.1 Tennis Courts Windscreen Fencing
7. **Policy**
 - 7.1 Policy Training Discussion
8. **New Business**
 - 8.1 Trust Accounts
 - 8.2 Dissolution of Operations Committee
 - 8.3 Town Snow Management Discussion
 - 8.4 Alberta Municipalities Convention - Sep 27-29, 2023
 - 8.5 Committee of the Whole Bylaw 1608-20
 - 8.6 Council Code of Conduct Bylaw 1622-18
9. **Closed Session Discussion**
 - 9.1 Pincher Creek Early Learning Centre Financial Statements – FOIP S. 16
10. **Adjournment**



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Tennis Courts Windscreen Fencing	
PRESENTED BY: Adam, Recreation Manager	DATE OF MEETING: 5/3/2023

PURPOSE:

For Committee of the Whole to review and provide a recommendation on the information pertaining to the windscreen at the Tennis Courts.

RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to bring the windscreen budget pricing back to a future council meeting for consideration.

BACKGROUND/HISTORY:

In the 2023 budget deliberations, administration proposed to have the fencing replaced at the Tennis Courts including the addition of windscreen. This line item was not approved in the budget, and as such no further action was taken by administration.

A letter was forwarded to Council from the local Pickleball group to consider adding wind screen at the Tennis Courts.

At the March 27th, 2023 regular meeting of Council it was moved 'That Council for the Town of Pincher Creek direct administration to look into the Windscreen at the Tennis Courts for pickleball and bring back to Council.'

Administration obtained the quote from the Pickleball group and also obtained 2 additional quotes for both fencing and windscreen at the Tennis Courts. The following options are presented to Council for consideration:

Option #1 - Install windscreen on existing fence on the West Fence (96') - \$3,300.00

Option #2 - Install windscreen on existing fence on the South and West Fence (230') - \$8,000.00

Option #3 - Replace 12' Tennis Fence (908') and install windscreen on the West and South Fencing (230') - \$32,000-\$37,000 (depends on contractor quote)

Option #4 - Replacement of 12' Tennis Fence, replace 12' fence at skate park with 5' fence, replacement of all existing gates, and removal and disposal of existing fence -

\$45,000 (*note - if town staff completed the removal and disposal this would save approximately \$7,000).

Administration strongly recommends to have the entire fence replaced at the Tennis Courts prior to any windscreen being installed. The condition of the existing fence will likely cause damage to the windscreen over time, and reduce it's life expectancy drastically.

ALTERNATIVES:

Not to proceed with this project at this time and refer it to the 2024 budget deliberations.

Direct administration to apply for grants and work with the pickleball group to finance this project.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The following was taken from the Recreation Master Plan:

Upgrade existing outdoor facilities - (tied for #3)

To support greater participation in recreation, parks, and culture activities, well-loved outdoor facilities should be improved through enhanced irrigation at sports fields, wind fencing at the tennis courts, and equipment upgrades at the skatepark.

FINANCIAL IMPLICATIONS:

There is currently \$107,849/\$153,666 in the Parks/Sportfield reserve respectively, as well there is \$3,692.65 leftover from the 2019 Southern Alberta Summer Games which is earmarked for upgrades to the Tennis Court Fence.

PUBLIC RELATIONS IMPLICATIONS:

The local Pickleball group has been growing steadily in numbers over the last few years, and the sport is becoming increasingly popular in the community. There is strong support for windscreen at the Tennis Courts.

ATTACHMENTS:

- Skate Park Fence - 3144
- Tennis Courts Overhead View - 3144
- Tennis Fence1 - 3144
- Tennis Fence2 - 3144
- Tennis Fence4 - 3144
- Tennis Fence5 - 3144

CONCLUSION/SUMMARY:

Administration supports replacing the fencing and the addition of a windscreen at the Tennis Courts, and skate park.

Signatures:

Department Head:

Adam Grose

CAO:

Angie Lucas



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Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Trust Accounts	
PRESENTED BY: Wendy Catonio, Director of Finance and Human Resources	DATE OF MEETING: 5/3/2023

PURPOSE:

To describe the process of Trust Accounts within the Town of Pincher Creek's financial records.

RECOMMENDATION:

That Council for the Town of Pincher Creek accept the presentation regarding Trust Accounts as information.

BACKGROUND/HISTORY:

Historically the Town of Pincher Creek has had two regular trust accounts. One for the Cemetery and one for FCSS. These are organizations that the Town manages the funds but there are other partners involved. The MD and Town participate together in the Cemetery and the Town, MD and Cowley participate in FCSS. Therefore, the funds are in a separate bank account with an offsetting liability account.

More recently, during COVID a trust account was established for the Food Bank as the Town was managing funds that they expected to forward to the organization that would set up a new food bank when the existing one closed. The new organization applied for Charitable Status so they could issue tax receipts which they only achieved recently. In the meantime, the residents requesting a charitable tax receipt would pay the Town as the Town has the ability to issue Charitable tax receipts if the Town controls the funds.

As well, when the Spray Park was constructed and since this would be a Town asset, the Town had the ability to issue Charitable Tax Receipts for this project as well.

ALTERNATIVES:

That Council for the Town of Pincher Creek request further information from Administration regarding trust accounts.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

None at this time.

FINANCIAL IMPLICATIONS:

None at this time.

PUBLIC RELATIONS IMPLICATIONS:

None at this time.

ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

Administration supports Council accepting the trust account presentation as information.

Signatures:

Department Head:

Wendy Catonio

CAO:

Angie Lucas



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Dissolution of Operations Committee	
PRESENTED BY: Alexa Levair, Director of Operations	DATE OF MEETING: 5/3/2023

PURPOSE:

To recommend Council remove the Operations Committee from the Council Committee Appointments list.

RECOMMENDATION:

That Council for the Town of Pincher Creek agree to amend the Council Appointments list to dissolve the Operations Committee.

BACKGROUND/HISTORY:

The Operations Committee's Terms of Reference are attached to this RFD for information.

According to the Terms of Reference the Operations Committee is an advisory body. The committee consists of 2 members of Council and 1 member at large.

Administration has (on various committees) had difficulty filling vacancies and the member at large position has been vacant on the Operations Committee since 2019. It has also been difficult to arrange meeting times for councilors with busy/conflicting schedules which has resulted in the Operations Committee meetings not being conducted since August 2022 due to quorum not being met on meeting days.

The previous Director Operations Director typically used this committee to request decisions on issues which may have upset residents. In many cases these decisions should have been escalated to the CAO for advice first rather than to the committee. There have also been many items brought to the committee which are then recommended to Council at which point the entire background information is presented again.

Administration feels that more minor requests can be dealt with by administration and larger discussions (such as service levels) should be provided to all of Council rather than a committee. Additionally, the Operations Committee was formed partially to review policies, however, this is now being directed to the Policy Review Committee, making this a redundant process.

Preparing agendas and scheduling committee meetings is a significant effort by administration and detracts from other tasks which may better service the community. Administration believes the most effective way forward for both the Operations Department and for Council is to dissolve the committee.

As per the Terms of Reference:

"The Committee shall serve at the pleasure of Council and may be dissolved at any time with the agreement of the Town of Pincher Creek or by committee resignation or recommendation."

ALTERNATIVES:

That Council for the Town of Pincher Creek amend the Terms of Reference for the Operations Committee to reduce the required number of meetings to once per year, with 1 Councilor assigned to the Committee, no members of the public required and that the purpose of the Committee be redefined based on Council direction.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

N/A

FINANCIAL IMPLICATIONS:

Reducing committee appointments will reduce the budgetary requirement for councilors to attend committee meetings. The Operations Committee is scheduled to meet 4x/year with 2 councilors attending which would be an approximate savings of \$960/year.

PUBLIC RELATIONS IMPLICATIONS:

Public rarely attend the Operations Committee meetings, and administration has seen a reduced desire for participation as a member at large.

ATTACHMENTS:

2021 OPS Terms of Reference - 3130

Pages from 22.10.24 Organizational Council Minutes - 3130

CONCLUSION/SUMMARY:

Administration supports the dissolution of the Operations Committee.

Signatures:

Department Head:



CAO:



TERMS OF REFERENCE

Pincher Creek Operations Committee

PURPOSE OF THE COMMITTEE:

The Pincher Creek Operations Committee shall study and provide advice to the Town of Pincher Creek regarding matters related to Operational Services which could include:

- Infrastructure (Water/Waste Water and Roads/Streets)
- Equipment
- Policy/Bylaws
- Cemetery
- By law Enforcement/Compliance Issues/Safety Codes
- Solid Waste and Recycling

Specifically, the Committee will:

- Maintain current service level

MEMBERSHIP:

The Committee shall be composed of up to 3 voting members. Composition shall be as follows:

Town of Pincher Creek – Two (2) Councilors

Member at Large - One (1)

A member of the Committee will be disqualified to serve on the Committee if they:

- Cease to be a resident of Pincher Creek
- Are absent for three (3) meetings unless absences are authorized by the Town of Pincher Creek
- Send written notice of resignation to the Town of Pincher Creek

TERM OF THE COMMITTEE:

- four (4) years for Councilors (October 2021 to October 2025) or until such time as the purpose of the committee has been fulfilled
- One (1) year for Members at Large or until such time as the purpose of the committee has been fulfilled.
- the Committee shall serve at the pleasure of Council and may be dissolved at any time with the agreement of the Town of Pincher Creek or by committee resignation or recommendation.

CONDUCT OF MEETINGS:

- Meetings will be conducted in accordance with Bylaw 1596-21
- The Committee shall hold no less than four (4) regular meeting of the committee each year.

AUTHORITY OF THE COMMITTEE:

- The Committee shall act in an advisory capacity to the Town Council and shall not have the power to direct Town consultants or enter into any agreements.

FINANCIAL:

- The Committee may not incur any expenses unless authorized by the Town of Pincher Creek.

**SCHEDULE "A"
COUNCIL APPOINTMENTS
OCTOBER 24, 2022 TO OCTOBER 23, 2023**

1. ALBERTA SOUTHWEST REGIONAL ALLIANCE

Mandate: Alberta SouthWest Regional Alliance Ltd. (AlbertaSW) is a Regional Economic Development Alliance (REDA) of 16 communities working together to help each other succeed. Requires one member.

Staff Lead: Open

Meetings: First Wednesday evening monthly at various communities

Member(s): Don Anderberg

2. ASSESSMENT REVIEW BOARD

Mandate: Oldman River Regional Services Commission and Municipalities within the region jointly established a Regional Assessment Review Board (Bylaw 2011-02) to exercise the functions of a Local Assessment Review Board (LARB) and the function 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. Requires one member and one alternate member.

Staff Lead: Legislative Services Manager

Meetings: Annually if assessment appeals are received.

Member(s): Don Anderberg

Alternative: Sahra Nodge

3. COMMUNITY EARLY LEARNING CENTRE BOARD

Mandate: Requires three members

Staff Lead: Director of Community Services

Meetings: As required

Member(s): Don Anderberg, David Green, and Mark Barber

Alternate: Sahra Nodge

4. COMMUNITY FUTURES ALBERTA SOUTHWEST BOARD

Mandate: Establish priorities, monitor performance and be accountable to key stakeholders, such as local, provincial, and federal governments.
Requires one member.

Staff Lead: Chief Administrative Officer

Meetings:

Member(s): Mark Barber

5. COMMUNITY HOUSING COMMITTEE

Mandate: Study and provide advice regarding matters related to housing.
Requires three members.
Staff Lead: Family and Community Support Services Coordinator
Meetings: Monthly
Members: Wayne Oliver, Garry Cleland and Sahra Nodge

6. COMMUNITY TRANSPORTATION COMMITTEE

Mandate: Study and provide advice regarding matters related to transportation.
Requires two members.
Staff Lead: Director of Operations
Meetings: As required
Membership: Currently Inactive

7. ECONOMIC DEVELOPMENT COMMITTEE

Mandate: To advise Town Council on various economic development issues.
Requires one member.
Staff Lead: Economic Development Officer
Meetings:
Member(s): Currently Inactive

8. EMERGENCY SERVICES COMMISSION

Mandate: To manage fire and ambulance services. Requires two members and one alternate member.
Staff Lead: Fire Chief
Meetings: Fourth Thursday monthly at 1:30 pm.
Member(s): Don Anderberg and Brian Wright
Alternate: Sahra Nodge

9. FACILITIES PLANNING STUDY STEERING COMMITTEE

Mandate: To study and provide advice to the Town of Pincher Creek regarding the future development, renovation or expansion of facilities including sport, recreational, community and other Town owned facilities. Requires two members.
Staff Lead: Director of Community Services
Meetings: As required - Committee on hold
Member(s): Currently Inactive

10. FAMILY AND COMMUNITY SUPPORT SERVICES

Mandate: Agreement between Her Majesty in Right of Alberta and Town of Pincher Creek to provide for the establishment, administration, and operation of a Family and Community Support Services Program in accordance with the Family and Community Support Services Act and Regulation.
Requires one member.

Staff Lead: Family and Community Support Services Coordinator

Meetings: Third Monday monthly at 6:30 pm

Member(s): Sahra Nodge

11. FINANCE AND BUDGET COMMITTEE

Mandate: Pursuant to the Municipal Government Act, Council must adopt an operating and capital budget for each calendar year. Requires all members of Council

Staff Lead: Chief Administrative Officer/Director of Finance and Human Resources

Meetings: As required in the fall and winter prior to the budget year

Member(s): All of Council

12. HEALTH PROFESSIONS ATTRACTION AND RETENTION COMMITTEE

Mandate: Responsible for making policy decisions and ensuring through the Executive Director that appropriate staff, structures and processes are in place to carry out the policy and day-to-day tasks of the [RhPAP].
Requires one member

Staff Lead: Chief Administrative Officer

Meetings:

Member(s): Brian Wright

13. HIGHWAY 3 TWINNING DEVELOPMENT ASSOCIATION

Mandate: Members to this committee must be approved by the Association Board.
Requires one member and one alternate member.

Staff Lead: Chief Administrative Officer

Meetings: As required

Member(s): Don Anderberg

Alternate: Brian Wright



14. INTERMUNICIPAL COLLABORATION FRAMEWORK STEERING COMMITTEE

Mandate: Provide for integrated and strategic planning, delivery and funding of intermunicipal services; Allocate scarce resources efficiently in the providing of local services; Ensure municipalities contribute funding to services that benefit their residents. Requires two members and one alternate

Staff Lead: Chief Administrative Officer

Meetings:

Member(s): Don Anderberg and Wayne Oliver

Alternate: Mark Barber

15. INTERMUNICIPAL DEVELOPMENT COMMITTEE

Mandate: As per Bylaw No. 1526, Intermunicipal Development Plan. Requires two members.

Staff Lead: Legislative Services Manager

Meetings: As needed (generally daytime)

Member(s): Garry Cleland and Mark Barber

16. LIBRARY BOARD and CHINOOK ARCH

Mandate: Pursuant to the Libraries Act of Alberta, the Pincher Creek & District Municipal Library will provide full and equal access to information, resources, and ideas, and promote an atmosphere of life-long learning. Requires one member.

Staff Lead: Head Librarian

Meetings: Library Board – Fourth Wednesday every other month at 7:00 pm

Chinook Arch – First Thursday of April, August and December 6:00 pm

Member(s): Mark Barber

17. MAYORS & REEVES OF SOUTHWEST ALBERTA

Mandate: Mayors & Reeves of Southwest Alberta. Requires the Mayor.

Staff Lead: Open

Meetings: First Friday monthly at 1:00 pm in Lethbridge (No meeting in July & August)

Member(s): Don Anderberg

Alternative: Deputy Mayor

18. MUNICIPAL DEVELOPMENT AND SUBDIVISION AUTHORITY (MDSA)

Mandate: Pursuant to the Municipal Government Act and MDSA Bylaw #1543, to review applications for discretionary developments. Requires three members.

Staff Lead: Legislative Services Manager

Meetings: Third Wednesday monthly at 9:30 am

Member(s): Sahra Nodge, Brian Wright and Wayne Oliver

19. MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD (MSDAB)

Mandate: Pursuant to the Municipal Government Act and Bylaw #1544. Requires one member.

Staff Lead: Legislative Services Manager and Chief Administrative Officer

Meetings: As required, by Oldman River Regional Services Commission

Member(s): Don Anderberg

20. OLDMAN RIVER REGIONAL SERVICES COMMISSION (ORRSC)

Mandate: Concerns matters of subdivision, planning, etc. Requires one member and one alternate member.

Staff Lead: Chief Administrative Officer

Meetings: First day of March, June, September, and December at 7:00 pm in Lethbridge

Member(s): Don Anderberg

Alternates: Brian Wright

21. OLDMAN WATERSHED COUNCIL

Mandate: A healthy, resilient watershed where people, wildlife and habitat thrive. Requires one member

Staff Lead: Director of Operations

Meetings: Quarterly

Member(s): Wayne Oliver

Alternate: Sahra Nodge

22. OPERATIONS COMMITTEE

Mandate: Study and provide advice regarding matters related to operational services. Requires two members.

Staff Lead: Director of Operations

Meetings: Quarterly

Member(s): Brian Wright and Wayne Oliver

23. PINCHER CREEK FOUNDATION BOARD

Mandate: Manages the Housing Units in Pincher Creek. Requires two members.
Staff Lead: Pincher Creek Foundation CAO
Meetings: Fourth Wednesday monthly
Member(s): David Green and Wayne Oliver

24. POLICE ADVISORY COMMITTEE

Mandate: Formalize the process for receiving input from the community and the partnership between the community, the RCMP and local government. Requires one member and one alternate member.
Staff Lead: Family and Community Support Services Coordinator
Meetings: Third Wednesday every two months at 7:00 pm
Member(s): Mark Barber & Brian Wright
Alternate:

25. POLICY REVIEW COMMITTEE

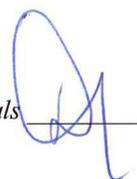
Mandate: Requires two members of Council.
Staff Lead: Legislative Services Manager
Meetings: As required (monthly)
Member(s): Sahra Nodge and Wayne Oliver

26. RECREATION ADVISORY BOARD

Mandate: Reviews Recreation and Parks issues, makes recommendations, and identifies issues. Requires one member.
Staff Lead: Director of Community Services
Meetings: Monthly as schedules allow (generally evening)
Member(s): Brian Wright
Alternative: Garry Cleland

27. REGIONAL AIRPORT ADVISORY COMMITTEE

Mandate: To advise Council on airport opportunities and issues, policy, and programs within the Southwestern Alberta Region with specific focus on the Pincher Creek Airport (CZPC). Requires two members.
Staff Lead:
Meetings: Quarterly – to be determined
Members(s): Not Applicable
Alternate:



28. REGIONAL EMERGENCY MANAGEMENT ORGANIZATION

Mandate: To act as an agent of the Council to carry out the Council's statutory powers and obligations as prescribed in the Emergency Management Bylaw. Requires two members and one alternate member.

Staff Lead: Chief Administrative Officer

Meetings: Minimum twice annually

Member(s): Don Anderberg and Brian Wright

Alternate: Sahra Nodge

29. REGIONAL LANDFILL – Town/MD/Cowley/Crowsnest Pass

Mandate: Pursuant to landfill Authority bylaws. Requires one member and one alternate member.

Staff Lead: Open

Meetings: Third Wednesday monthly at 9:00 am at the Landfill

Member(s): Mark Barber

Alternate: Garry Cleland

Note**All members of Council shall serve as alternates on all committees and boards.



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Town Snow Management Discussion	
PRESENTED BY: Alexa Levair, Director of Operations	DATE OF MEETING: 5/3/2023

PURPOSE:

To have a discussion with Council of the overarching principles to inform snow management policies moving forward in Pincher Creek.

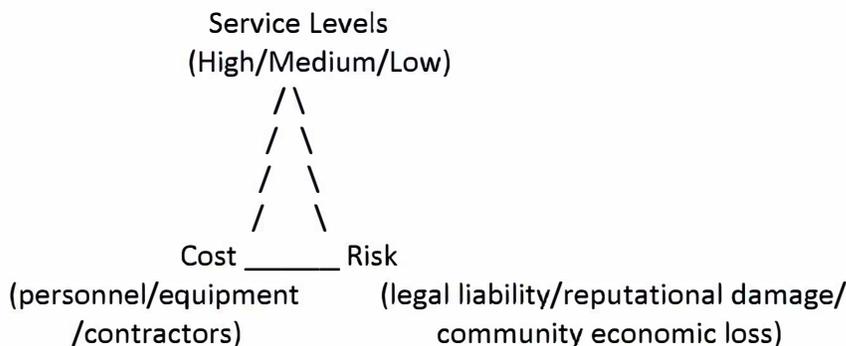
RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to draft a Public Engagement Strategy for the purpose of soliciting community feedback on Snow Management to be brought to the June Committee of the Whole for discussion.

BACKGROUND/HISTORY:

There is no right or wrong answer with policy direction from Council, especially regarding snow removal. Policies can range from not doing any snow removal (very cost effective, but likely to upset residents) to immediately removing and hauling away any/all snow that falls on roads, sidewalks, and pathways (very expensive, also likely to upset residents). Ultimately, the solution lies somewhere in the middle and every community must determine where along the spectrum they fall to find an acceptable balance for their residents when weighing costs against service levels.

In order to assist administration in drafting a policy that attempts to embody the values of residents (as funneled through Council), we would like to have an open discussion/brainstorming with Council of what some of the values of the community may be. It is also strongly recommended that the community is engaged for their feedback and values before drafting a policy on snow management. This will allow for Council to make informed decisions hearing from the entire community.



The above triangle represents all decisions made by administration and council. Any choice made towards one of the points will impact the other 2 points. For example, by increasing a service level, you increase costs but reduce risk.

Some initial questions for Council to discuss are:

- Should there be a higher emphasis on pedestrian or vehicle traffic?
- Is there a difference in approach between residential and business areas?
- Is there a target for cost increase/decrease?

Some values to consider and discuss are:

- Economic Development
- Safety
 - For staff?
 - For general public?
 - For emergency services?
 - For those with mobility issues?
- Cost Savings
- Accessibility
 - For seniors?
 - For businesses?
 - For tourists?
 - For recreational activities?
 - For schools?
- Limitation of liability

By not including a specific value, it does not mean that it is unimportant, but rather that it does not form one of the tenets of the policy approach.

Samples of policy statements from other municipalities which emphasize their overarching values:

- ...aims to maintain transportation networks in a SAFE, FISCALLY RESPONSIBLE, and EFFECTIVE manner.
- ... to prevent or REDUCE ACCIDENTS and injury, facilitate the handling of emergencies by the FIRST RESPONDERS and police services and MINIMIZE ECONOMIC LOSS to the community.
- ...to REDUCE snow and ice HAZARDS to provide REASONABLE ROAD SAFETY and mobility under normal winter weather conditions.
- ...will manage snow and ice on municipal roadways and on sidewalks adjacent to municipal property to prevent or REDUCE ACCIDENTS and injuries, ensure safe access for EMERGENCY VEHICLES, MINIMIZE ECONOMIC LOSS to the community, and mitigate harm to the ENVIRONMENT.

- ... To ensure municipal streets and sidewalks are maintained in a REASONABLY SAFE condition during periods of snowfall and icy conditions balanced against BUDGETARY LIMITATIONS, available personnel and equipment.

ALTERNATIVES:

That Council for the Town of Pincher Creek direct administration to incorporate the values of _____, _____, and _____ when drafting the revised policies regarding Snow Management.

That Council for the Town of Pincher Creek table the Snow Management Discussion to be brought forward at the June Committee of the Whole for further discussion.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

Implications will be dependent on Council's values, and will be brought forward with the drafted policy.

FINANCIAL IMPLICATIONS:

None at this time. Financial impacts will be brought forward with the drafted policy options.

PUBLIC RELATIONS IMPLICATIONS:

Of all of Council's policies, snow management is one of the highest categories of receiving resident comments, complaints, and feedback. It is recommended the Town conduct community engagement before making policy decisions on snow management.

ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

Administration supports Council's thorough discussion of snow management values.

Signatures:

Department Head:



CAO:





Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Alberta Municipalities Convention Sept 27 - 29, 2023	
PRESENTED BY: Angie Lucas, Chief Administrative Officer	DATE OF MEETING: 5/3/2023

PURPOSE:

To enquire as to which Councillors wish to attend the Alberta Municipalities Convention to be held at the Edmonton Convention Centre on Sep 27 - 29, 2023.

To determine which Ministers that the Mayor and attending Councillors would like to meet with during the Convention.

To determine which accommodations Mayor and Councillors would like to stay at during the Convention.

RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to register Councillors _____ for the Alberta Municipalities Convention to be held at the Edmonton Convention Centre on Sep 27 - 29, 2023.

direct administration to submit a request that Mayor and Councillors meet with the Ministers for _____ during the AMA Conference to be held at the Edmonton Convention Centre on Sep 27 - 29, 2023.

direct administration to book accommodations at _____ for the Mayor and Councillors to attend the Alberta Municipalities Convention to be held at the Edmonton Convention Centre on Sept 27 - 29, 2023.

BACKGROUND/HISTORY:

The Alberta Municipalities convention is an annual event held in September in Edmonton for municipal elected leaders to attend and interact with MLA's from across Alberta, meet with their counterparts in other municipalities, discuss and learn about proposed policies being put forward and meet directly with Ministers to discuss concerns and issues effecting their municipalities.

ALTERNATIVES:

N/A

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

N/A

FINANCIAL IMPLICATIONS:

Travel, accommodation and convention costs for Mayor and Councillors to attend this annual event to take place Sep 27 - 29, 2023.

PUBLIC RELATIONS IMPLICATIONS:

N/A

ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

To determine which Councillors wish to attend the Alberta Municipalities Convention on Sep 27 - 29, 2023 at the Edmonton Convention Centre and discuss which Ministers Mayor and Councillors wish to meet with and which hotel(s) are the preferred accommodations to be booked.

Signatures:

Department Head:

Angie Lucas

CAO:

Angie Lucas



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Committee of the Whole Bylaw 1608-20	
PRESENTED BY: Lisa Goss, Legislative Service Manager	DATE OF MEETING: 5/3/2023

PURPOSE:

For Council to consider amending the Committee of the Whole Bylaw 1608-20.

RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to prepare an amendment to the Committee of the Whole Bylaw 1608-20 for Council consideration.

BACKGROUND/HISTORY:

At their regular meeting on March 9, 2023, the Policy Review Committee considered Policy and Procedures Standards Policy 102-20. As a result, the committee is recommending to Council that an amendment be made to Committee of the Whole Bylaw 1608-20 to add a standing policy training section to the agenda.

Should the committee agree that amendments be made to the bylaw the opportunity presents itself to make additional amendments if required.

ALTERNATIVES:

That Committee of the Whole for the Town of Pincher Creek receives the information regarding Committee of the Whole Bylaw 1608-20 as presented.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The format of Committee of the Whole allows Council to conduct more indepth conversations and debates on items at Committee of the Whole meetings.

FINANCIAL IMPLICATIONS:

None at this time.

PUBLIC RELATIONS IMPLICATIONS:

The public is invited and encouraged to attend Council and committee meetings.

ATTACHMENTS:

23.03.09 Policy Review Committee Meeting Minutes
23.03.09 Policy Review Committee Meeting Minutes - 3141
Bylaw 1608-20 Committee of the Whole - 3141

CONCLUSION/SUMMARY:

Administration supports that Committee of the Whole for the Town of Pincher Creek amend Committee of the Whole Bylaw 1608-20 as recommended by the Policy Review Committee and review the Bylaw for any further required amendments.

Signatures:

Department Head:

Lisa Goss

CAO:

Angie Lucas



**BYLAW No. 1608-20
of the
TOWN OF PINCHER CREEK**

A BYLAW OF THE TOWN OF PINCHER CREEK, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING RESPONSIBILITIES AND AUTHORITY OF THE COMMITTEE OF THE WHOLE.

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 for municipal purposes respecting citizens' safety, health and welfare, property, services and business activities;

AND WHEREAS Section 145 of the Municipal Government Act allows a Council to pass bylaws for the establishment, functions, procedures and conduct of Council committees, and other bodies established by Council;

AND WHEREAS Section 153(e) OF THE Municipal Government Act states that a Councillor's duty is to keep in confidence matters discussed in private at a Council or committee meeting until discussed at a meeting held in public;

AND WHEREAS Section 180(1) of the Municipal Government Act requires Council to act only by resolution or bylaw;

AND WHEREAS Section 180(3) of the Municipal Government Act requires Council under this or any other enactment or bylaw to do something by resolution or to do something without specifying that it be done by bylaw or resolution, it may be done by bylaw or resolution.

AND WHEREAS Section 181(2) of the Municipal Government Act states that a resolution of a Council committee is not valid unless passed at a meeting of the committee held in public at which a quorum is present;

AND WHEREAS Section 197 (1) of the Municipal Government Act states that a Council and Council Committees must conduct their meeting in public;

AND WHEREAS Section 197(2) of the Municipal Government Act allows a Council and its committees to close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act;

AND WHEREAS Section 199(1) of the Municipal Government Acts allows a Council and its committees to conduct a meeting by means of electronic or other communications facilities;

AND WHEREAS Section 203(1) of the Municipal Government Act allows a Council to delegate by bylaw any of its powers, duties and functions to a council committee;

AND WHEREAS Section 203(2) of the Municipal Government Act provides that a Council may not delegate:

- (a) its power or duties to pass bylaws,
- (b) its power to make, suspend or revoke the appointment of a person to the position of Chief Administrative Officer,
- (c) its power to adopt budgets under Part 8,
- (d) its power with respect to taxes under section 347, and
- (e) a duty to decide appeals imposed on it by this or another enactment or bylaw, whether generally or on a case by case basis, unless the delegation is to a council Committee and authorized by bylaw.

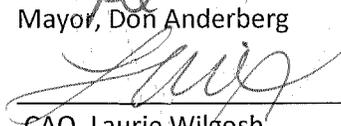
NOW THEREFORE the Council for the Town of Pincher Creek, in the Province of Alberta, duly assembled in a regular meeting, hereby delegates the following powers, duties and functions to the Committee of the Whole; as described in Schedule A as attached.

1. Committee of the Whole is a committee consisting of all Councillors;
2. Committee of the Whole meetings will be held in the Town Council Chambers, at any time as Council or COTW determines necessary.
3. Bylaw #1608-18 be repealed effective the date of final passing hereof.
4. Bylaw No. 1608-20 shall take force and effect on the day of its final reading.

Read a first time this 24 day of February, 2020.



Mayor, Don Anderberg

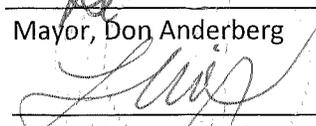


CAO, Laurie Wilgosh

Read a second time this 24 day of February, 2020.



Mayor, Don Anderberg

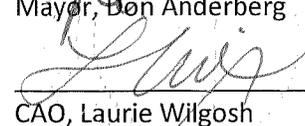


CAO, Laurie Wilgosh

Read a third time this 24 day of February, 2020.



Mayor, Don Anderberg



CAO, Laurie Wilgosh

SCHEDULE A – Bylaw No. 1608-20

The following list outlines the powers, functions and duties which may be delegated by Town Council to the Town Committee of the Whole.

1. Scheduled public delegations
2. Parade and other social invitations
3. Requests for waivers for town facilities fees
4. Unbudgeted funding powers under \$2500.00
5. Committee and Town Service Club requests
6. Policy Direction
7. Proclamation requests
8. Requests for letters of support
9. Citizen requests
10. Direct administration to provide information, reports, etc.
11. Direct ORRSC to provide information, reports, etc.
12. Review of upcoming agenda items (discretionary)
13. Council committee and board member reports
14. Committee Appointments
15. Other items at Council committee discretion

Handwritten initials in black ink, appearing to be 'A' or 'Q' with a flourish.

Schedule B – Bylaw No. 1608-20

TERMS OF REFERENCE

- 1.1 **Name** Committee of the Whole
- 1.2 **Purpose** This Committee meets on a regular monthly basis to discuss and review various issues and topics in detail for decision and/or referral to Town Council.
- 1.3 **Membership** All members of Town Council
- 1.4 **Meetings** Meetings are regularly scheduled on the first Wednesday of each month at 9:00 am in the Town Council Chambers. . Other meetings may be scheduled as required.
- 1.5 **Authority** To receive various delegations, review information related to planning, administration, finance, operations, community services, and citizen requests to Council. Including, but not limited to:
Budget
Corporate Management
Economic Development
Financial Planning
Land Sales and Planning
Legal Services
Town Facilities
- 1.6 **Term** A permanent standing committee of Council

Town of Pincher Creek
Policy Review Committee
March 9, 2023 – 10:00 AM
962 St. John Avenue
ATTENDANCE:

Councillors: S. Nodge and W. Oliver

Staff: A. Lucas, Chief Administrative Officer; L. Goss, Legislative Services Manager; A. Levair, Director of Operations and K. Green, Executive Assistant

Call to Order

Councillor Nodge called the meeting to order at 10:03 am.

Agenda Approval

OLIVER:

That the Policy Review Committee for the Town of Pincher Creek agrees to approve the March 9, 2023 agenda as presented.

CARRIED

Approval of Minutes

OLIVER:

That the Policy Review Committee for the Town of Pincher Creek agrees to approve the February 9, 2023 minutes as presented.

CARRIED

Terms of Reference

4.1 Review updated Terms of Reference

OLIVER:

That the Policy Review Committee for the Town of Pincher Creek direct administration to finish drafting the authority statement in the Terms of Reference and bring forward to council for consideration.

CARRIED

NODGE:

That the Policy Review Committee for the Town of Pincher Creek direct administration that the authority of the policy committee be an advisory committee.

CARRIED

Priority List

5.1 Review Policy List – undertake gap and relevance analysis

OLIVER:

That the Policy Review Committee for the Town of Pincher Creek direct administration to establish the criteria for policy review as discussed,

- 1) legislation driven
- 2) Areas of concern
- 3) Financial Policies
- 4) Policies to be rescinded

CARRIED

6. Policies

6.1 Policy and Procedures Standards 102-20

OLIVER:

That the Policy Review Committee for the Town of Pincher Creek recommend to council to amend the Committee of the Whole Bylaw #1608-20 to add a standing policy training section to the agenda.

CARRIED

6.2 Winter Street Maintenance Policy 302-13A

NODGE:

That the Policy Review Committee for the Town of Pincher Creek Request administration bring this to Committee of the Whole to define the snow removal philosophy for the community.

CARRIED

7. Bylaws

(None at this time)

8. Adjournment

NODGE:

That this session of the Policy Review Committee be adjourned at 11:59 am

CARRIED



Town of Pincher Creek
Policy Review Committee
March 9, 2023 – 10:00 AM
962 St. John Avenue

ATTENDANCE:

Councillors: S. Nodge and W. Oliver

Staff: A. Lucas, Chief Administrative Officer; L. Goss, Legislative Services Manager; A. Levair, Director of Operations and K. Green, Executive Assistant

1. **Call to Order**

Councillor Nodge called the meeting to order at 10:03 am.

2. **Agenda Approval**

OLIVER:

That the Policy Review Committee for the Town of Pincher Creek agrees to approve the March 9, 2023 agenda as presented.

CARRIED

3. **Approval of Minutes**

OLIVER:

That the Policy Review Committee for the Town of Pincher Creek agrees to approve the February 9, 2023 minutes as presented.

CARRIED

4. **Terms of Reference**

4.1 **Review updated Terms of Reference**

OLIVER:

That the Policy Review Committee for the Town of Pincher Creek direct administration to finish drafting the authority statement in the Terms of Reference and bring forward to council for consideration.

CARRIED

NODGE:

That the Policy Review Committee for the Town of Pincher Creek direct administration that the authority of the policy committee be an advisory committee.

CARRIED

5. Priority List

5.1 Review Policy List – undertake gap and relevance analysis

OLIVER:

That the Policy Review Committee for the Town of Pincher Creek direct administration to establish the criteria for policy review as discussed,

- 1) legislation driven
- 2) Areas of concern
- 3) Financial Policies
- 4) Policies to be rescinded

CARRIED

6. Policies

6.1 Policy and Procedures Standards 102-20

OLIVER:

That the Policy Review Committee for the Town of Pincher Creek recommend to council to amend the Committee of the Whole Bylaw #1608-18 to add a standing policy training section to the agenda.

CARRIED

6.2 Winter Street Maintenance Policy 302-13A

NODGE:

That the Policy Review Committee for the Town of Pincher Creek Request administration bring this to Committee of the Whole to define the snow removal philosophy for the community.

CARRIED

7. Bylaws

(None at this time)

8. Adjournment

NODGE:

That this session of the Policy Review Committee be adjourned at 11:59 am

CARRIED

CAO, A. Lucas

Bylaw 1622-18



**BYLAW NO. 1622-18
OF THE TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW OF THE TOWN OF PINCHER CREEK IN THE PROVINCE OF ALBERTA, TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL, COUNCIL COMMITTEES AND OTHER BODIES ESTABLISHED BY THE COUNCIL;

WHEREAS Section 3 of the Municipal Government Act states the purposes of a municipality.

WHEREAS Section 145(b) of the Municipal Government Act states that “A council may pass bylaws in relation to the procedure and conduct of council, council committees and other bodies established by council, the conduct of councilors and the conduct of members of council committees and other bodies established by the council.”

WHEREAS Section 153(b) of the Municipal Government Act states the general duties of councillors.

WHEREAS the Council for the Town of Pincher Creek wishes to enact a bylaw to provide for a Code of Conduct for Members of Council, Council Committees and other Bodies Established by the Council;

NOW THEREFOR the Council for the Town of Pincher Creek in the Province of Alberta enacts as follows:

1. That the Municipal Council Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council, Schedule “A”, attached hereto and forming part of this Bylaw be adopted;
2. That the Procedure for Council Code of Conduct – Breaches and Sanctions, Schedule “B”, attached hereto and forming part of this Bylaw be adopted;
3. This Bylaw may be referred to as the “Council Code of Conduct Bylaw”.
4. This Bylaw comes into full force and effect when it has received third (3rd) reading and has been signed in accordance with the Municipal Government Act.

READ A FIRST TIME THIS 26 DAY OF FEBRUARY, 2018, A.D.

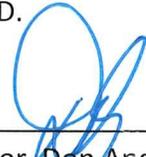


Mayor, Don Anderberg



CAO, Laurie Wilgosh

READ A SECOND TIME THIS 12 DAY OF MARCH, 2018, A.D.

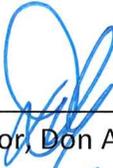


Mayor, Don Anderberg



CAO, Laurie Wilgosh

READ A THIRD TIME THIS 12 DAY OF MARCH, 2018, A.D.



Mayor, Don Anderberg



CAO, Laurie Wilgosh

Schedule A

1. Council Representation:
 - a) Municipal Councilors, which include the Mayor are the elected Officials and governing body of the Town of Pincher Creek, whose role and responsibility is to represent the municipality.
 - b) The Mayor is the official voice of the Municipality and all of Council must recognize that they will be called to communicate on behalf of the Town of Pincher Creek.
 - c) Members of Council must at all times respect the decision making process of the municipality as provided in the Procedural Bylaw # 1596-17 and amendments thereto.
 - d) Members of Council must be mindful of and adhere to the approved Policies, Procedures and Bylaws of the Town of Pincher Creek.
 - e) Council member interactions must be respectful at all times with other councilors, municipal staff, members of the public and others.
 - f) Council members will be provided and privy to confidential information which must remain confidential until such time as Council business requires it to be made public, and must otherwise be vigilant to keep the information confidential permanently.
 - g) Council members must be vigilant to avoid any perception or actual activity which may be seen as a Conflict of Interest, with Council business. As a municipal representative, the municipal organization's best interest must always be a councilor's priority.
 - h) Council members must never use their influence as the elected representative for personal advantage.
 - i) Council members must be responsible stewards of the municipal assets and services, and abstain from seeking personal benefit of same.
 - j) Council members will be offered an orientation within 90 days of being elected to municipal council, and will be expected to avail themselves of that opportunity, in order to gain knowledge about the municipality and their respective roles and responsibilities.
 - k) Council members must recognize the role of administration and respect the position of the Chief Administrative Officer as head of the municipal staff.

Schedule B

Council Code of Conduct – Breaches and Sanctions

Complaint process:

Organizations or individuals (including the public, Council Members or Municipal Employees;

- Who have identified or witnessed any prohibited activity by a Town Council member
- Who have witnessed or experienced discriminatory treatment by a Council member
- Who have witnessed or experienced harassment by a Council member, all under this Code of Conduct, may address the behavior or activity as follows:

Provide a letter outlining the complaint, with any witnesses or proof of allegation to the Mayor of Pincher Creek. If the complaint is regarding the Mayor, the complaint should be provided in confidence to the Deputy Mayor. A review and investigation into the allegation of misconduct must take place within 40 days following the initial complaint. If the complaint is found to be valid, the following sanction(s) may be imposed by a resolution of Council:

- a) A letter of reprimand addressed to the Council member, citing the resolution number of council,
- b) A request to the Council member for a verbal or formal letter of apology to be provided to the complainant
- c) A publication of a letter of reprimand or request for apology from Council to the offending member of Council, with a copy of the written apology
- d) A requirement as directed by Council for the offending member of Council to attend appropriate training
- e) A suspension or removal of the appointment of the Council member as the Chief Elected Official under section 150(2) of the M.G.A.
- f) A suspension or removal of the appointment of a councilor as the deputy chief elected official or acting chief elected official of section 152 of the M.G.A,
- g) A suspension or removal of the chief elected official's presiding duties under section 154 of the M.G.A.
- h) A suspension or removal from some or all Council committees and organizations that Council has a right to be appointed
- i) A reduction or suspension of remuneration as per section 275.1 of the M.G.A. corresponding to the reduction in duties, with the exception of remuneration for Council meeting attendance
- j) In addition, Town Council may choose to report the misconduct to Alberta Municipal Affairs
- k) The complainant may choose to file a complaint with Alberta Human Rights

The sanctions above may not include disqualification of the offending Town Council Member. Retaliation against the complainant will not be tolerated and may be subject to further consequences

Bylaw 1622-18

The Code of Conduct will be reviewed by Town Council at a minimum of every four years, following the municipal election.

I have read and fully understand the contents of the Town of Pincher Creek Council Code of Conduct.

Member's Name Don Anderberg

Members Signature



Date

10 NOV 2021

Member's Name Mark Barber

Members Signature



Date

Nov 8/21

Member's Name Wayne Elliott

Members Signature



Date

9 DEC 21

Member's Name David Green

Members Signature



Date

NOV 8/21

Member's Name Sahra Nodge

Members Signature



Date

Nov. 8/21

Member's Name Wayne Oliver

Members Signature



Date

Nov 30/21

Member's Name Brian Wright

Members Signature



Date

Nov 8/21