

PUBLIC HEARING  
Municipal District of Pincher Creek No. 9  
Bylaw No. 1340-22  
Tuesday, October 11, 2022  
6:00 pm

A

1. Call Public Hearing to Order
2. Advertising requirement
3. Purpose of the hearing

The purpose of Bylaw No. 1340-22 being the bylaw to amend Bylaw 1289-18 (being the Land Use Bylaw) to change the land use designation of lands legally described Portion of SW 16 3-29 W4M , from “Agriculture - A” to “Rural Recreation 2 – RR-2” with the proposed amendment to allow for the development of a recreational accommodation.

4. Presentations:

VERBAL:

WRITTEN:

5. Closing Comments
6. Adjournment from Public Hearing

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9**  
**BYLAW NO. 1340-22**

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to amend Bylaw No. 1289-18, being the Land Use Bylaw.

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**WHEREAS** Section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw; and

**WHEREAS** The Municipal District of Pincher Creek No. 9 is in receipt of a request to change the land use designation of lands legally described as:

Portion of SW16 3-29 W4M

And as shown on Schedule ‘A’ attached hereto, from “Agriculture - A” to “Rural Recreation 2 – RR-2”; and

**WHEREAS** The purpose of the proposed amendments is to allow for the development of recreational accommodation;

**NOW THEREFORE**, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as “Land Use Bylaw Amendment No. 1340-22”.
2. Amendments to Land Use Bylaw No. 1289-18 as per “Schedule A” attached.
3. Revise Part IX Districts Rural Recreation 2 – RR2 subsection 1 as follows:

**INTENT**

The intent of the Rural Recreation 2 - RR-2 district is to facilitate the development of single-detached residence or similar fixed roofed structures providing for recreational or seasonal accommodation ~~on leased lands~~.

4. Revise Part IX Districts Rural Recreation 2 – RR2 subsection 3.1 as follows:
  - 3.1 Residential development, including replacement dwellings or manufactured homes, shall not be allowed unless:
    - (a) the Development Authority is satisfied that satisfactory arrangements have been made for sewage disposal and water supply; and
    - (b) a near surface water table test and a percolation test are provided to the satisfaction of the Development Authority; and

- (c) a detailed site plan is submitted providing: lot size, number of lots, configuration of the lots, road system, the provision of water supply, treatment of sewer; and
- (d) that all refuse and garbage shall be kept in suitably-sized containers and it shall be effectively screened until such time as collection or disposal is possible; and
- (e) any other information the Development Authority considers appropriate.

5. Revise Part IX Districts Rural Recreation 2 – RR2 subsection 7 as follows:

~~7. REFUSE SCREENING AND STORAGE~~

~~Refuse and garbage shall be kept in suitably sized containers and it shall be effectively screened until such time as collection or disposal is possible.~~

**USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS – The Silos being a portion of the SW16 3-29 W4M**

**7.1 Permitted Uses**

- Three grain bins converted as accommodation to a campground use
- One grain bin converted as a gazebo/barbeque accessory to a campground use

**7.2 Lot Coverage, Setback Requirements, Maximum Building Height, and Parking**

As required by the Development Authority

6. This bylaw shall come into force and effect upon third and final passing thereof.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

A PUBLIC HEARING was held this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

READ a third time and finally PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

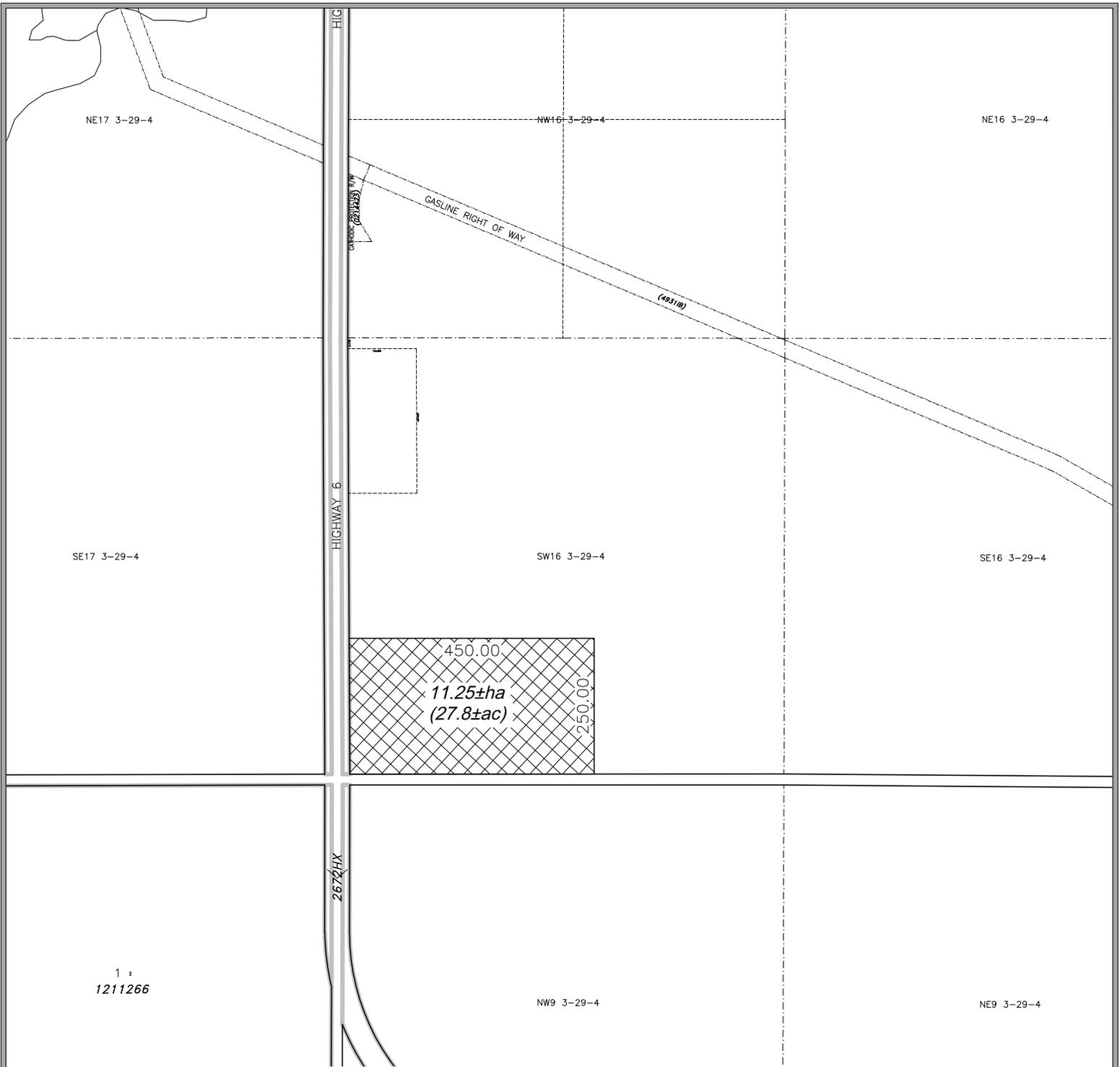
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*Reeve*  
*Rick Lemire*

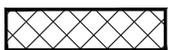
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*Chief Administrative Officer*  
*Roland Milligan*

Attachment  
- “Schedule A”



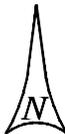
## LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: AGRICULTURE - A  
TO: RURAL RECREATIONAL - RR-1

PORTION OF SW 1/4 SEC 16, TWP 3, RGE 29, W 4 M  
MUNICIPALITY: MD OF PINCHER CREEK  
DATE: AUGUST 30, 2022

Bylaw #: 1340-22  
Date: \_\_\_\_\_



MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344  
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



\* Image from <https://www.clorkformsilos.com/>

# THE SILOS

Spearpoint Cattle Company Ltd. ("Spearpoint")  
Prepared for: M.D. of Pincher Creek No. 9 Council  
Valid as of August 15, 2022

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## The Silos Proposal

### Objective

The Silos is a business located where the mountains meet the prairies, situated below the Rocky Mountains and bordering Hwy 6 on the way to Waterton National Park. The peaceful and natural beauty of the land makes the location an ideal place to hold The Silos.

The additional accomodation in the area will encourage people to stay and contribute to the local economy. Additionally, we will provide our guests with pamphlets highlighting the many attractions, food joints and shindigs this area has to offer.

### Re-zoning

To complete this project we require the rezoning of the parcel legally described as SW-16-03-29-W4 (150 acres, more or less) to Rural Recreation. Rezoning the entire parcel enables us to offer our guests space to explore the local area.

### Project Outline

Our goal is to build 3 accommodations out of repurposed grain bins, with an additional grain bin to be used as a common space gazebo. Our use of repurposed grain bins allows us to build on the land without taking away from the rustic scenery. With the mountain viewscape and unique attractions, the area sees a multitude of local and non-local visitors year round. We wish to use the traffic that we already see and turn it into an experience people won't forget.

The Silos will be constructed from repurposed grain bins. They will be approximately 20ft wide x 20ft tall. Each bin will have 2 levels, the top being the bed room with a king-sized bed and amenities. The bottom level will consist of a small living room with a couch and chairs. The kitchen will consist of a countertop, sink, fridge, and microwave. The washroom will include a sink, shower, and toilet. Each bin will be fully insulated and suitable for 4 season living. The bins will be anchored to concrete pads as a foundation. Each bin will have its own electrical panel with full 120v service. Heat will be provided by small electric baseboard heaters, and AC will be provided by small window mounted units. There will be hot and cold water, with the hot water being supplied by on demand water heaters. Each silo will have a firepit and outdoor seating area.

## THE SILOS

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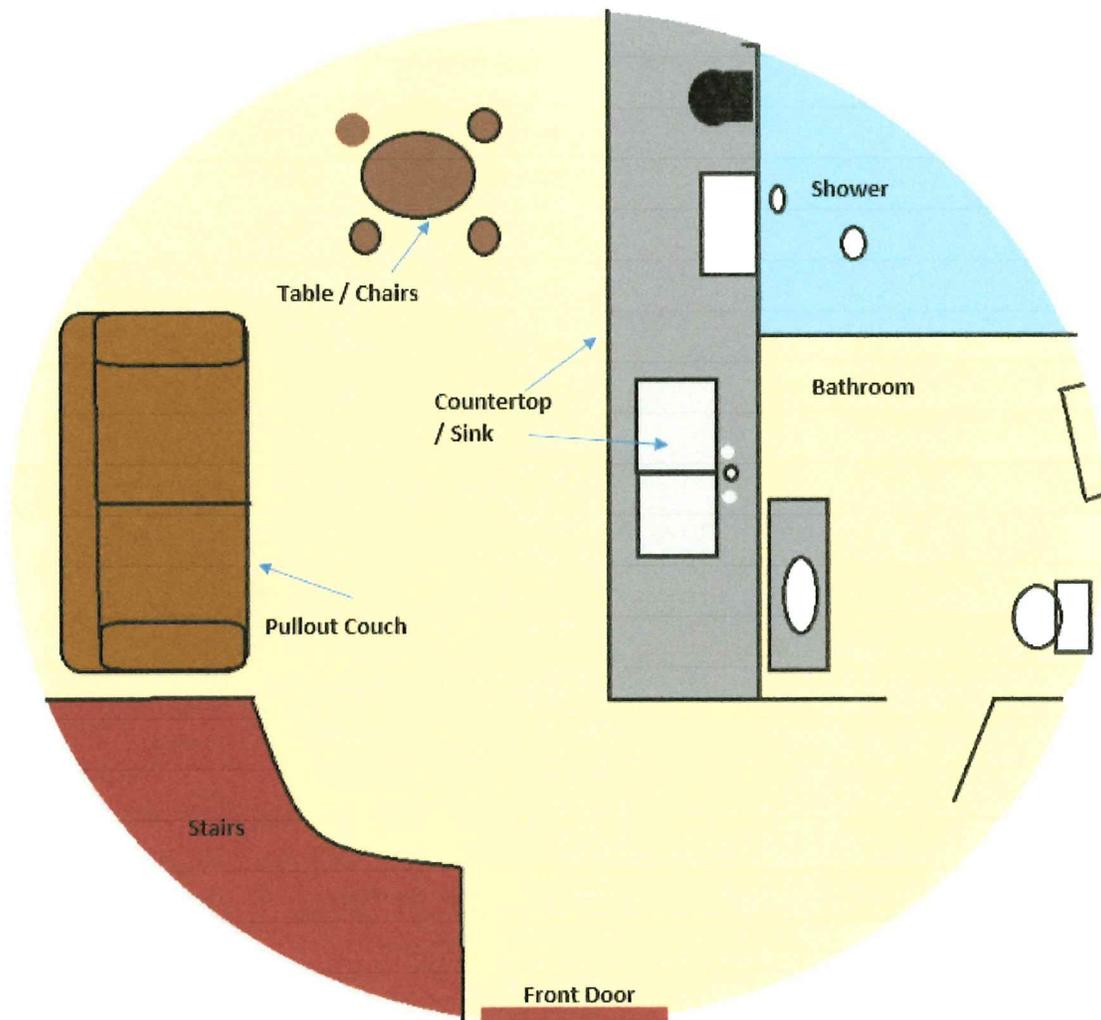
Additionally, the fourth bin will be converted into a community gazebo and barbequing area.

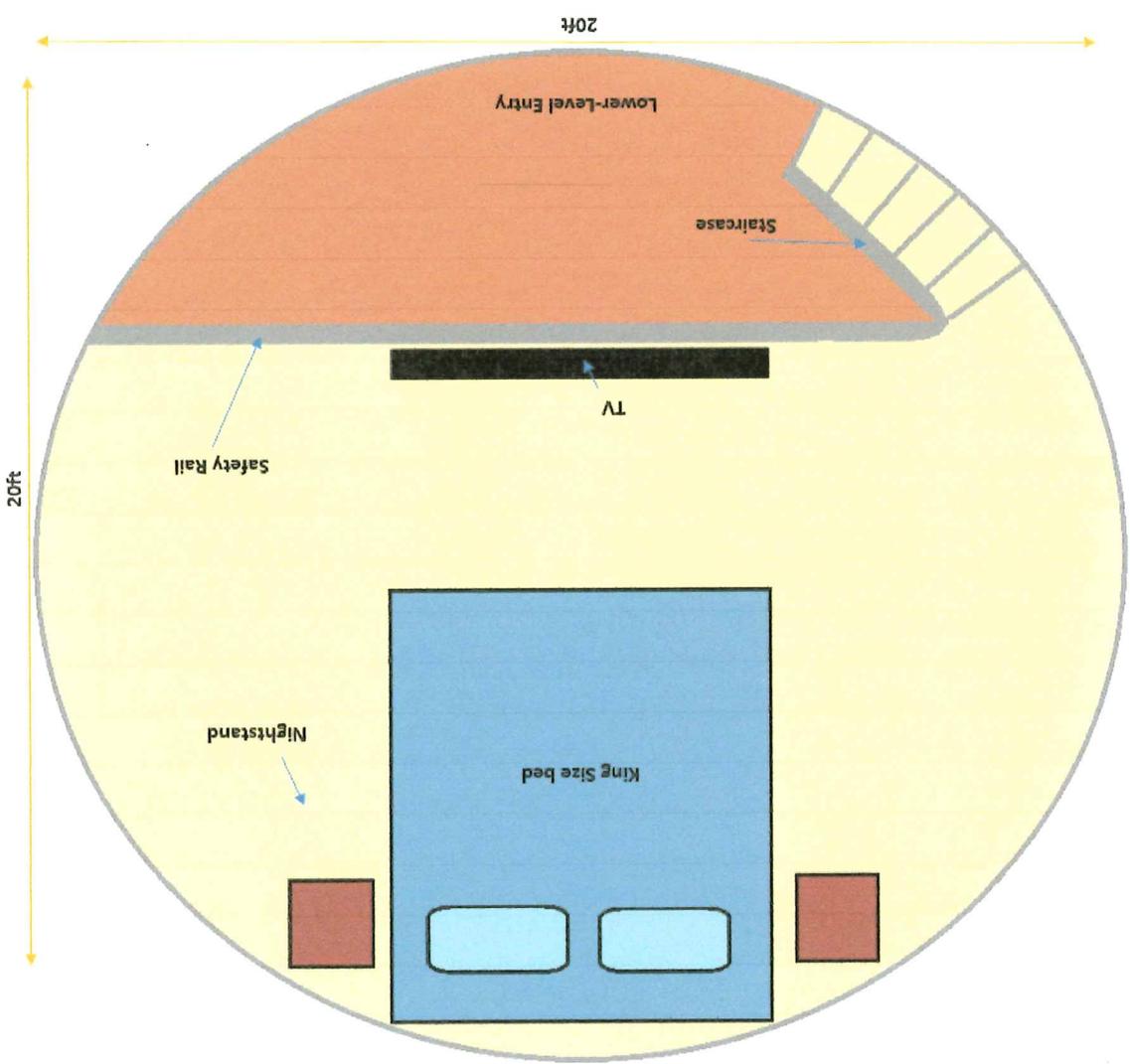
All structures will be built to meet the full effect of the *Alberta Building Code Requirements*.

At full capacity, there could be a maximum of 12 people occupying the property based on a 4 person per bin average.

**Please see below sketches of the accommodations.**

### LOWER LEVEL

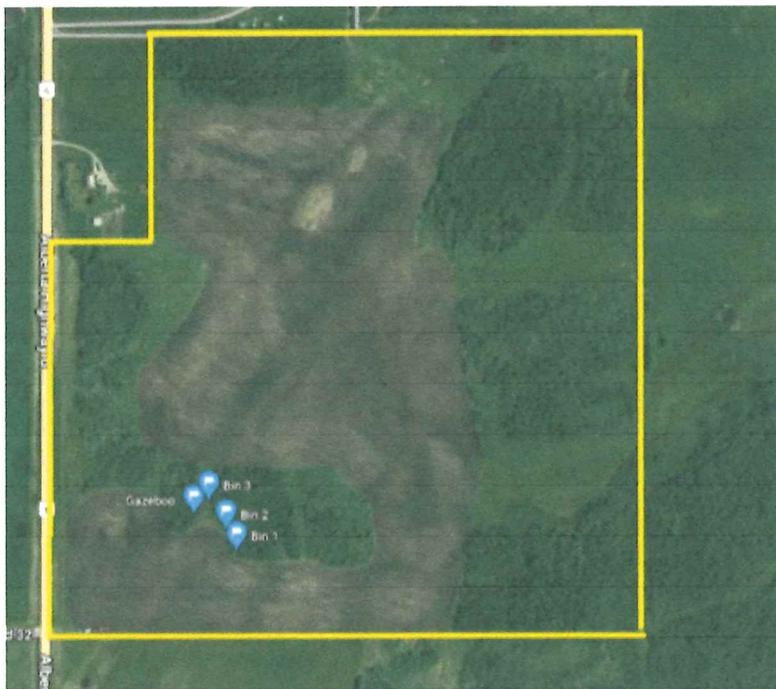




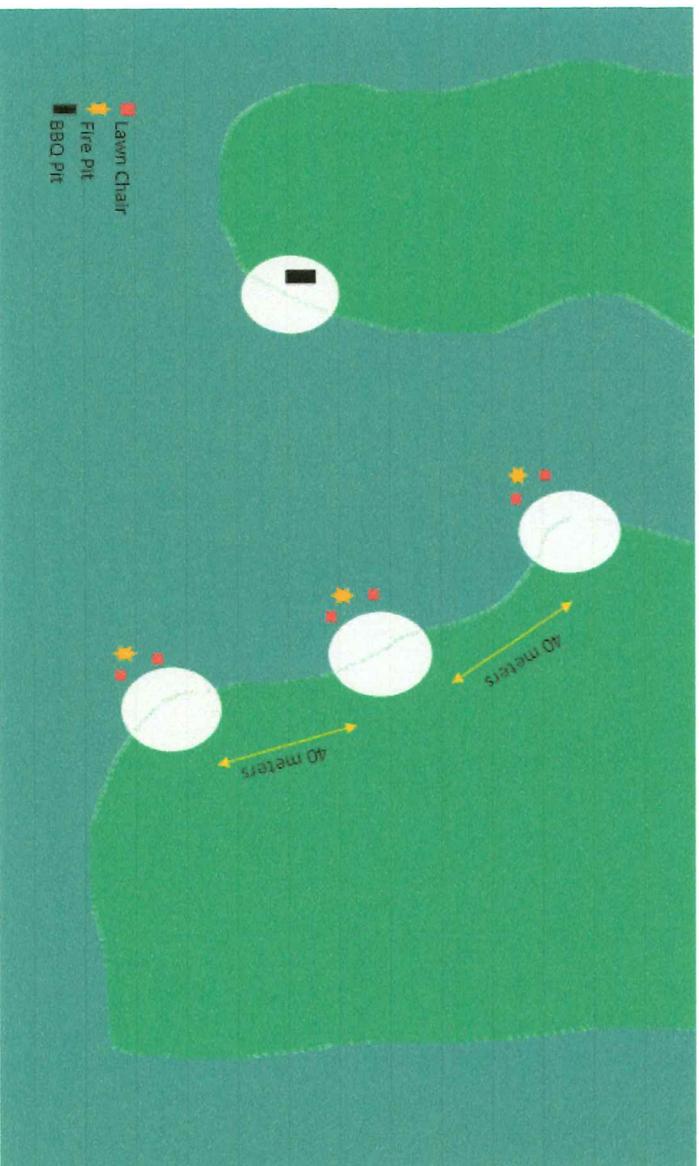
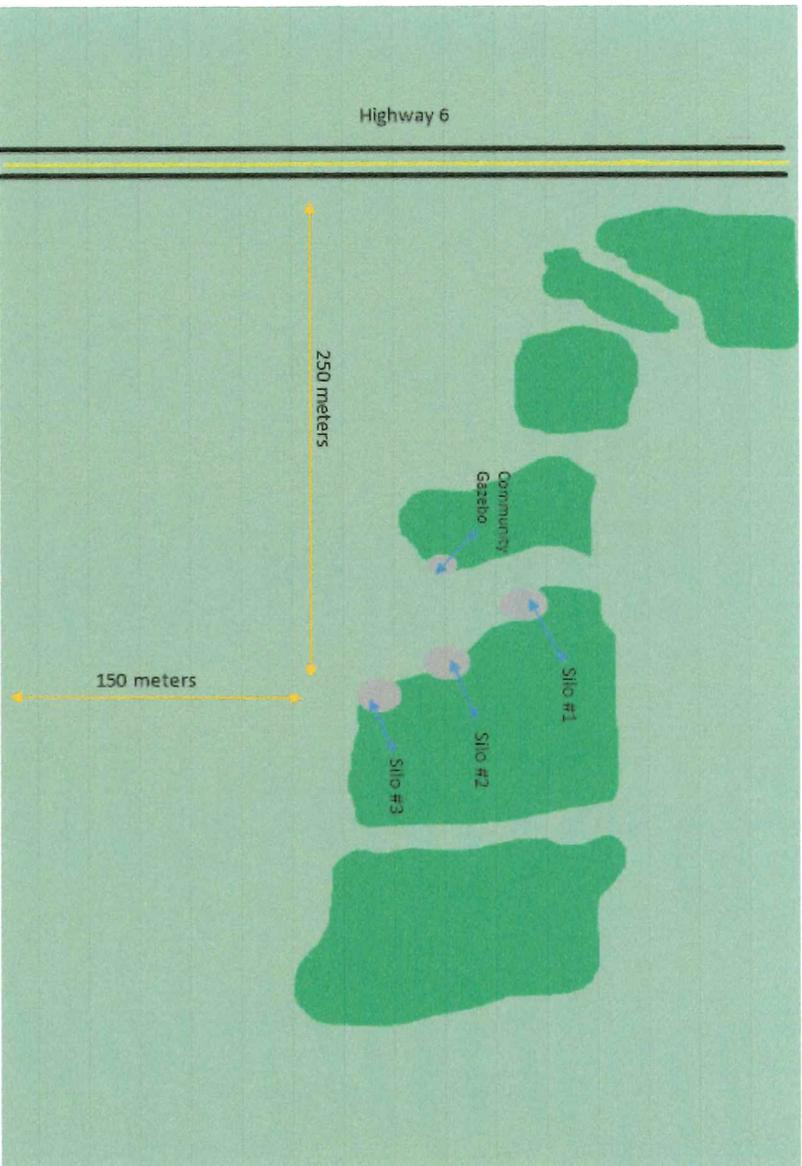
## Site Plans

### Site

Please see below the birds-eye view of The Silos location at SW-16-03-29-W4.



THE SILOS



### Roads and Parking

The location is easily accessible as the property runs parallel to Highway 6. The roadway for access will be the Highway 6 existing approach at the southwest corner of the property. The parking will consist of a small gravel pad.

### Land Use

The land is currently a hay field consisting of alfalfa and timothy grass. The majority of the remaining untouched acres will remain a producing hay field. The bins will be inset to the landscape so that there is minimal change to the viewscape.

### Safety

#### Fire Safe

We will be utilizing Alberta FireSmart resources. This information will be emailed to our guests upon booking. Additionally, FireSmart resources will be provided within each accommodation and at the community gazebo.

Our fire pits will be situated 15 ft away from our accommodations and we will ensure that our guests abide by the local fire regulations.

#### Bear Safe

Having shared this land with bears for many years, we understand the importance of bear knowledge and safety. Upon booking, we will be providing guests with the Alberta BearSmart Guide to Playing Safely in Bear and Cougar Country. An additional guide will also be provided in each accommodation.

#### Other

Spearpoint Cattle Company. Ltd. and The Silos are committed to following all regional and local regulations and will also make a point to review all new legislations.

### Water, Waste and Utilities

#### Water

We plan to excavate an area 20' ft x 20 ft x 10 ft deep to put in a large fresh water cistern. This cistern will supply each silo with fresh water for showers and washroom use. The water system will supply water to the silos via a demand water pump. The cistern will be filled with well water transported from Spearpoint's main well. This well water has been tested and is of good quality in compliance with the *Domestic Water Act*.

## THE SILOS

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### Sewage

Each bin will be tied into a common sewage header that will lead to an underground tank. This tank will be equipped with a level alarm and sump pump for an open discharge style system.

### Garbage

Garbage will be stored on-site in animal proof bins. The garbage will then be hauled off site to be disposed of as needed.

### Utilities

Power will be brought onto the property from a paralleling line. One pole with the transformer feeding our underground services.

Each bin will have its own electrical panel with full 120v service. Heat will be provided by small electric baseboard heaters, and AC will be provided by small window mounted units. There will be hot and cold water, with the hot water being supplied by on demand water heaters.

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We thank you for your consideration and look forward to hearing from you in due course.

Sincerely,

Spearpoint Cattle Co. Ltd.,  
Per: Clint and Cindy Marr

**AGENDA  
COUNCIL MEETING  
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
October 11, 2022 6:00 pm  
Council Chambers**

- A. PUBLIC HEARING BYLAW 1340-22
  - a) Agenda
  - b) Bylaw 1340-22
  - c) Proposal
- B. ADOPTION OF AGENDA
- C. DELEGATION
- D. MINUTES/NOTES
  - 1. Committee Meeting Minutes  
- September 27, 2022
  - 2. Council Meeting Minutes  
- September 27, 2022
- E. BUSINESS ARISING FROM THE MINUTES
- F. UNFINISHED BUSINESS
  - a) Clean Energy Improvement Program (CEIP) Bylaw 1343-22  
- For 2<sup>nd</sup> and 3<sup>rd</sup> Reading
- G. COMMITTEE REPORTS / DIVISIONAL CONCERNS
  - 1. Councillor Tony Bruder – Division 1
  - 2. Reeve Rick Lemire – Division 2
  - 3. Councillor Dave Cox – Division 3
  - 4. Councillor Harold Hollingshead - Division 4
  - 5. Councillor John MacGarva – Division 5
- H. ADMINISTRATION REPORTS
  - 1. Operations
    - a) Operations Report
      - Report from Public Works dated October 5, 2022
      - Public Works Call Log
  - 2. Finance
    - a) Intermediate Asset Management Cohort Application
      - Report from Finance, dated October 5, 2022
  - 3. Planning and Community Services
    - a) AES Report
      - Report for October
    - b) Bylaw 1341-22 LUB Amendment - GRC to A (Ron Sekella) - 2<sup>nd</sup> & 3<sup>rd</sup> Reading
    - c) Bylaw 1345-22 LUB Amendment- A - RR2 (River Bend Ranch Houses)
      - Report from Development, dated October 6, 2022
    - d) Livestock Water Concerns Discussion
    - e) Agricultural Service Board Terms of Reference
      - Updated ToR for approval
  - 4. Municipal
    - a) Chief Administrative Officer Report
      - Report from CAO, dated October 6, 2022
- I. POLICY REVIEW

J. CORRESPONDENCE

1. For Action

- a) Royal Canadian Legion Pincher Creek
  - Requested Permission Related to Remembrance Day Services

2. For Information

- a) Chinook Arch Board Report
- b) RCMP Town Hall Meeting – October 13, 2022

K. NEW BUSINESS

L. CLOSED MEETING SESSION

- a) Municipal Energy Project Lead – FOIP Sec. 24
- b) FCSS – FOIP Sec. 24

M. ADJOURNMENT

MINUTES  
 REGULAR COUNCIL COMMITTEE MEETING  
 MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
 Tuesday, September 27, 2022 2:00 pm  
 Council Chambers

Present: Reeve Rick Lemire, Deputy Reeve Tony Bruder, and Councillors Dave Cox, Harold Hollingshead, and John MacGarva.

Staff: CAO Roland Milligan, Director of Finance Meghan Dobie, Utilities & Infrastructure Supervisor David Desabrais, Public Works Superintendent Eric Blanchard, Financial Services & Asset Management Specialist Brendan Schlossberger, and Executive Assistant Jessica McClelland.

Reeve Rick Lemire called the meeting to order, the time being 2:00 pm.

1. Approval of Agenda

Councillor Dave Cox

Moved that the agenda for Council Committee Meeting on September 27, 2022 be approved as presented.

Carried

2. Delegations

3. Round Table

4. RMA

Council discussed meeting with the following Ministers during RMA:

- Council requested to meet with Darren Davidson, Regional Director at Alberta Transportation, at a future Council meeting
- Minister Ric McIver, Municipal Affairs – Fire Training Program, AIMES, RCMP Building in Pincher Creek
- Minister Jason Copping, Health – Rural Ambulance
- Administration to request which Ministers the Town of Pincher Creek met with at ARMA

5. Coffee with Council

Council discussed, now that COVID has allowed for in person gatherings, that the MD resume Coffee with Council. The first one to be planned for November 3 in Twin Butte. Administration to organize and advertise.

6. Closed Session

Councillor Harold Hollingshead

REGULAR COUNCIL COMMITTEE MEETING  
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
TUESDAY, SEPTEMBER 27, 2022

Moved that Council move into closed session to discuss the following, the time being 2:36 pm:

- a) 2023 Capital Budget – FOIP Sec. 24
- b) Personnel – FOIP Sec. 17

Carried

Councillor Tony Bruder

Moved that Council move out of closed session, the time being 5:50 pm.

Carried

6. Adjournment

Councillor Harold Hollingshead

Moved that the Committee Meeting adjourn, the time being 5:50 pm.

Carried

**MINUTES**  
**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9**  
**REGULAR COUNCIL MEETING**  
**SEPTEMBER 27, 2022**

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, September 27, 2022, at 6:00 pm, in the Council Chambers of the Municipal District Administration Building, Pincher Creek, Alberta.

**PRESENT** Reeve Rick Lemire, Deputy Reeve Tony Bruder, Councillors Dave Cox, Harold Hollingshead and John MacGarva.

**STAFF** CAO Roland Milligan, Director of Finance Meghan Dobie, Public Works Superintendent Eric Blanchard, Utilities & Infrastructure Supervisor David Desabrais, Municipal Energy Project Lead Tristan Walker, and Executive Assistant Jessica McClelland.

Reeve Rick Lemire called the meeting to order at 6:00 pm.

**A. PUBLIC HEARING BYLAW 1341-22**

In order to receive public input on proposed Bylaw No. 1341-22, a Public Hearing, conducted by the Council of the Municipal District of Pincher Creek No. 9, was held on Tuesday, September 27, 2022.

**1. Call Public Hearing to Order**

Reeve Rick Lemire recessed the Council meeting and called the Public Hearing to order, the time being 6:00 pm.

**2. Advertising requirement**

Reeve Rick Lemire stated that this Public Hearing has been advertised in accordance with Section 606 of the Municipal Government Act. This Public Hearing was advertised in the Shootin the Breeze and Pincher Creek Echo on September 14 and 21, 2022, as well as the MD website and MD Social Media pages.

**3. Purpose of the hearing**

The purpose of this Public Hearing is to receive public input on proposed Bylaw No. 1341-22.

CAO Roland Milligan gave an overview of Bylaw 1341-22.

The purpose of Bylaw No. 1341-22 being the bylaw to amend Bylaw 1289-18 (being the Land Use Bylaw) to change the land use designation of lands legally described as Block P, Plan 9210672 within W1/2 34-7-30-W4M, from "Grouped Country Residential – GCR" to "Agriculture – A.

**4. Presentations:**

**VERBAL:**

Reeve Rick Lemire asked if anyone wanted to present a verbal submission, no one requested to speak.

**WRITTEN:**

Reeve Rick Lemire asked if any written submissions were received, none were received.

**5. Closing Comments**

Reeve Rick Lemire asked if Council had any further questions, no further questions were asked.

**6. Adjournment from Public Hearing**

Councillor Tony Bruder adjourned the Public Hearing, the time being 6:04 pm.

**B. ADOPTION OF AGENDA**

Councillor John MacGarva

22/367

Moved that the Council Agenda for September 27, 2022 be amended to include:

Minutes  
 Council Meeting  
 Municipal District of Pincher Creek No. 9  
 September 27, 2022

Correspondence Action:

- EOEP Council's Role in Strategic Planning Course

And that the agenda be approved as amended.

Carried

C. DELEGATION

D. MINUTES

1. Committee Meeting Minutes – September 13, 2022

Councillor Dave Cox 22/368

Moved that the Council Meeting Minutes of September 13, 2022 be approved as presented.

Carried

2. Council Meeting Minutes – September 13, 2022

Councillor Dave Cox 22/369

Moved that the Council Meeting Minutes of September 13, 2022 be approved as presented.

Carried

E. BUSINESS ARISING FROM THE MINUTES

F. UNFINISHED BUSINESS

a) Clean Energy Improvement Program (CEIP) Bylaw

Councillor Dave Cox 22/370

Moved that Council move first reading of Bylaw 1343-22, being the Clean Energy Improvement Program Bylaw, and partner with the Town for funding to take advantage of the grant from the Federation of Canadian Municipalities.

Carried

b) Heritage Acres – Invitation to sit on board

Council directed administration to invite Heritage Acres to attend a future Council meeting to discuss ways to improve the exchange of information from the board to Council.

F. COMMITTEE REPORTS / DIVISIONAL CONCERNS

a) Councillor Tony Bruder – Division 1

- Short Term Rentals, provided by ORRSC
- Co-op 100 Year Anniversary BBQ
- Cows and Fish Tour

b) Reeve Rick Lemire – Division 2

- Foothills Little Bow

c) Councillor Dave Cox – Division 3

- Castle Mountain Resort Shareholders Meeting October 1, 2022
- Highway 3 Twinning
- Pincher Creek Foundation
- FCSS
- Queens Memorial Ceremony

d) Councillor Harold Hollingshead - Division 4

- Pincher Creek Foundation
- Provincial Police

e) Councillor John MacGarva – Division 5

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 Council Meeting  
 Municipal District of Pincher Creek No. 9  
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- Crowsnest Pincher Creek Landfill Association Minutes August 17, 2022
- Police Webinar – Future of Provincial Policing
- Queens Memorial Ceremony

Councillor Harold Hollingshead 22/371

Moved to accept the Committee Reports as information.

Carried

## H. ADMINISTRATION REPORTS

### 1. Operations

#### a) Operations Report

Councillor John MacGarva 22/372

Moved that Council receive the Operations report, which includes the call log, for the period September 2, 2022 to September 20, 2022 as information.

Carried

### 2. Finance

### 3. Development and Community Services

#### a) AES September Activity Report

Councillor Tony Bruder 22/373

Moved that Council accept for information AES September and October Activity Report.

Carried

#### b) Request to MD to Survey and Take Ownership of Unregistered Road Plan in NE 7-7-2 W5M

Councillor John MacGarva 22/374

Moved that Council enter into an agreement with the landowners of the NE 7-7-2 W5M to have the existing roadway registered and placed under a road plan.

Carried

#### c) Bylaw 1337-22 (Blak Star)

Councillor Tony Bruder 22/375

Moved that based on information received from the Public Hearing, Bylaw 1337-22, being the Bylaw to change the land use designation of lands legally described as portion of SE 15-4-30 W4M from "Agriculture - A" to "Rural Recreation 2 - RR2", be revised;

AND THAT an additional public hearing be scheduled for November 22, 2022 at 6:00 pm.

Carried

### 4. Municipal

#### a) Chief Administrative Officer Report

Councillor John MacGarva 22/376

Moved that Council receive for information, the Chief Administrative Officer's report for the period of September 9, 2022 to September 26, 2022.

Carried

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b) Proclaim October 5th 2022 Energy Efficiency Day

Councillor Dave Cox

22/377

WHEREAS, the Municipal District 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 Municipal District 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 Municipal District 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 Municipal District of Pincher Creek can continue to contribute to our energy efficiency efforts by learning about and participating in our the Canada Greener Homes Grant program, and continued energy efficiency projects throughout the Municipal District.

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 Council does hereby recognize October 5, 2022 as "Energy Efficiency Day" in the Municipal District of Pincher Creek.

Carried

c) Electric Vehicle Charger Donation and Development

Municipal Energy Project Lead Tristan Walker presented to Council that Enel Green Power, who operates the Castle Rock wind farms, has shown a commitment to shared value opportunities and desire for community investment. They have agreed to provide grant funding towards the expansion of electric vehicle (EV) charging infrastructure within the Municipal District and Town of Pincher Creek with commitment to fund further projects in the future.

With this funding and the Southgrow grant initiative that provides the remaining 46% of the cost, the MD will be able to install 4 new Level 2 EV charging stations for a total of 7 plugs between the MD Administration building, MD Public Works office, Multipurpose facility and Castle Mountain Resort.

d) Cancelling of Council Meeting

Councillor Tony Bruder

22/378

Moved that the regularly scheduled Council Meeting of November 8, 2022 be cancelled to allow for Council and CAO to attend the Rural Municipalities of Alberta Conference.

Carried

I. POLICY REVIEW

J. CORRESPONDENCE

Minutes  
 Council Meeting  
 Municipal District of Pincher Creek No. 9  
 September 27, 2022

1. For Action

- a) Chinook Arch Library System 2023-2026 Budget and Member Levy

Councillor Harold Hollingshead 22/379

Moved that Council for the MD of Pincher Creek accept the proposed Chinook Arch Library System 2023-2026 Budget and Member Levy.

Carried

- b) EOEP Council's Role in Strategic Planning Course

Councillor Harold Hollingshead 22/380

Moved that all interested Councillors be authorized to attend, and be compensated for, the upcoming EOEP Council's Role in Strategic Planning Course.

Carried

2. For Information

Councillor Tony Bruder 22/381

Moved that the following be received as information:

- a) Call to Action to Government of Alberta (Keep Alberta RCMP)
  - Updated list of stakeholder associations across Alberta
- b) Brine-Hosted Minerals Public Comment Period is Open
  - Summary Report 2022
- c) STARS Thank you
  - Donation in Memory of Irwin Durksen
- d) RMA Letter Re: Victims Services
- e) RMA Letter Re: Provincial Policing Questions

Carried

K. NEW BUSINESS

L. CLOSED SESSION

Councillor John MacGarva 22/382

Moved that Council move into closed session to discuss the following, the time being 8:24 pm:

- a) Joint Funding Contributions for 2023 – FOIP Sec 27
- b) ICF Agreement Discussion – FOIP Sec 23
- c) Appointment of Member to Chinook Regional Subdivision and Development Appeal Board –FOIP Sec 17

Councillor Dave Cox 22/383

Moved that Council move out of closed session, the time being 8:50 pm.

Carried

- a) Joint Funding

Councillor Dave Cox 22/384

That Council approve the 2023 per capita funding, for Joint Funding, from \$32.01 to \$30.46, totaling \$209,000.00;

And that Council agrees to fund the following organizations for 2023:

Adaptable Outdoors \$ 5,000.00

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Allied Arts	\$ 20,000.00
Chamber of Commerce (Pincher Creek)	\$ 5,000.00
Communities In Bloom	\$ 5,000.00
Early Childhood Coalition (Pincher Creek)	\$ 5,000.00
Family Centre (Pincher Creek)	\$ 5,000.00
Group Group Youth	\$ 3,000.00
Handi Bus, Pincher Creek	\$ 15,000.00
Historical Society (Pincher Creek)	\$ 20,000.00
Lundbreck Citizens Council	\$ 3,000.00
Lundbreck Gardeners Association	\$ 1,000.00
Mustangs Football	\$ 3,500.00
Napi Friendship Centre	\$ 5,000.00
Oldman River Antique and Threshing Society	\$ 20,000.00
Pincher Planters	\$ 7,500.00
Rodeo Club (Pincher Creek)	\$ 500.00
South Country Trappers Association	\$ 2,500.00
Southwest Alberta Sustainable Community Initiative	\$80,000.00
Syncline Castle Trails	\$ 1,000.00
Windsor Heritage Centre	\$ 2,000.00

Carried

b) ICF Letter

Councillor Tony Bruder 22/385

Council moved to send a letter to serve as 90 days notice to the Town of Pincher Creek, of the MD of Pincher Creek No. 9's intent to amend the ICF Recreation Agreement as discussed.

Carried

c) Appointment of Member to Chinook Regional Subdivision and Development Appeal Board

Councillor Harold Hollingshead 22/386

Moved that Bjorn Berg be accepted for the appointment of Member to Chinook Regional Subdivision and Development Appeal Board.

Carried

M. ADJOURNMENT

Councillor Dave Cox 22/387

Moved that Council adjourn the meeting, the time being 8:51 pm.

Carried

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REEVE

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CHIEF ADMINISTRATIVE OFFICER

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
BYLAW NO. 1343-22**

A BYLAW TO AUTHORIZE THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9 TO ESTABLISH A CLEAN ENERGY IMPROVEMENT PROGRAM.

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**WHEREAS** the purpose of a municipality is to foster the well-being of the environment and provide services, facilities, and more that, in the opinion of council are necessary or desirable for all, or as part of the municipality;

**WHEREAS** the Clean Energy Improvement Program is a financing program that uses municipal financing to facilitate the implementation of clean energy improvements to residential, non-residential and farmland properties through the use of a local assessment mechanism to provide security for repayment of the financing;

**WHEREAS** Alberta Municipal Services Corporation (operating as Alberta Municipalities) has been designated by the Minister as the Program Administrator responsible for the Clean Energy Improvement Program to support municipalities in Alberta that finance clean energy improvements;

**WHEREAS** the Council of the Municipal District of Pincher Creek No. 9 wishes to enable a Clean Energy Improvement Tax Bylaw to establish a Clean Energy Improvement Program pursuant to section 390.3 of the Municipal Government Act, R.S.A 200, c. M-26;

**WHEREAS** the Council of the Municipal District of Pincher Creek No. 9 wishes to enable financing for clean energy improvements for eligible properties in their municipality; and

**NOW THEREFORE**, under the authority of the Council of the Municipal District of Pincher Creek; duly assembled enacts as follows:

**DEFINITIONS:**

1. In this Bylaw, unless the context otherwise requires:
  - a. “Act” means the Municipal Government Act, R.S.A. 2000, c. M-26 as amended, and any amendment or substitutions thereof;
  - b. “Bylaw” means this Clean Energy Improvement Tax Bylaw;
  - c. “Chief Administrative Officer (CAO)” means the person appointed to the position of the Chief Administrative Officer for the Municipal District of Pincher Creek, within the meaning of the Municipal Government Act.
  - d. “Clean Energy Improvement Agreement” or “Agreement” means the agreement executed between the Municipality and the Owner of an Eligible Property whereby the Owner agrees to pay an amount required to cover the costs of financing each Eligible Clean Energy Improvement approved by the Program Administrator, as drafted in accordance with section 390.4 of the Act;
  - e. Clean Energy Improvement Tax means a tax levied against an Eligible Property pursuant to an Agreement;
  - f. “Eligible Property” means a property located within the Municipality that is designated as residential, non-residential, farmland or not-designated industrial property but does not include designated industrial property or government-owned properties;
  - g. “Municipality” means the Municipal District of Pincher Creek No. 9;
  - h. “Owner” means, collectively, the registered owners of a property;
  - i. “Program” means the Clean Energy Improvement Program as described in the Act and Regulation and defined henceforth;
  - j. “Program Administrator” means the Alberta Municipal Services Corporation (operating as Alberta Municipalities) or provincially designated Program Administrator as defined in the Clean Energy Improvements Regulation;
  - k. “Regulation” means the Clean Energy Improvements Regulation, A.R. 212/2018 and amendments thereto.

**TITLE:**

2. This Bylaw be cited as the “**Clean Energy Improvement Tax Bylaw**” of the Municipal District of Pincher Creek No. 9.

**GENERAL REQUIREMENTS**

3. The property Owner(s) of an Eligible Property within the municipality can apply to the Program Administrator to seek financing for a clean energy improvement to their property.
4. Participation in the Program is limited to eligible properties, defined as a property located within the municipality that is designated as residential, non-residential, or farmland, but does not include designated industrial property, government owned properties, and designated manufactured homes.
5. An applicant of a non-profit property that is tax-exempt would be responsible to pay any principal and interest of the Clean Energy Improvement Program costs as per the Clean Energy Improvement Agreement.
6. The Chief Administrative Officer, or designate, of the municipality is hereby authorized to Impose a Clean Energy Improvement Tax, in respect of each clean energy improvement made to a property, where a municipality has entered into a Clean Energy Improvement Agreement with the property Owner(s) of that property.
7. The Clean Energy Improvement Tax will be voluntarily levied against a property when there is a Clean Energy Improvement Agreement to raise revenue to pay the amount required to recover the costs of those clean energy improvements, including principal and interest, to do so between the municipality and the property Owner.
8. To be eligible to participate in the Clean Energy Improvement Program property Owner(s) must:
  - a. be current on their taxation payment for the property, for a period of five years, prior to the date of the application to the program;
  - b. never have been in collections for a property in the municipality;
  - c. for first time property Owners that have purchased the property within the last five years, may be subject to an enhanced financial eligibility review;
  - d. for property Owners that are new to the municipality and do not have a financial history with the Municipality, submit a record of property tax verification from another municipality, for any property previously owned in a different municipality;
  - e. provide mortgage information. If the mortgage amount exceeds the assessed value of the home, the Municipality reserves the right to deny the applicant;
  - f. be in good standing with the Municipality. The Municipality reserves the right to deny the applicant if the applicant is not in good standing with any Department of the Municipality. The Municipality reserves the right to define what “good standing” entails, and can include but is not limited to any development compliance issues, or any other accounts receivable outstanding or unresolved issues.;
  - g. not be in bankruptcy (or insolvency), the property must not be in foreclosure, and the property Owner(s) will be required to provide a sworn statement confirming this;
  - h. be current on their mortgage payment, current on any other debts secured by the property and have not been late on any such payments. They may be required to submit a letter from their financial institution confirming this; and
  - i. meet any additionally eligibility criteria as identified by the Municipality or the Program Administrator
9. For a clean energy improvement to be eligible, it must be an installation that is permanently affixed to the eligible property which:
  - a. will result in increased energy efficiency or use of renewable energy on that property;
  - b. involves:
    - i. interior and exterior lighting and lighting controls;
    - ii. HVAC (I.e., high efficiency furnace);
    - iii. water heating;
    - iv. Building envelope improvements (i.e., insulation);

- v. Renewable energy upgrades (i.e., photovoltaic solar system);
  - vi. Or such other clean energy improvements as are approved and agreed to in writing by the Municipality within the Agreement, and those improvements provided on the list of eligible upgrades available through the Program Administrator’s website;
  - c. is not less than three thousand (\$3,000) dollars in capital cost; and
  - d. capital costs do not exceed \$50,000 for residential, \$300,000 for farmland or \$500,000 for non-residential
10. The amount of the tax authorized by a bylaw under section 353 (property tax) of the Municipal Government Act most recently, and imposed on the property is greater than or equal to the annual payment calculated in accordance with the following formula:

$$\frac{A + B + C}{D}$$

Where

- A is the capital cost of undertaking the clean energy improvement;
  - B is the total cost of professional services needed for the clean energy improvement;
  - C is the total cost of all incidental costs;
  - D is the lesser of the probable lifetime, calculated in years, of the improvement or the maximum financing term established by the Municipality.
11. The Clean Energy Improvement Agreement will be as set out under section 390.4 of the Municipal Government Act, and as amended.
12. The period over which the cost of each eligible clean energy improvement will be spread will be to a maximum, over the probable lifetime of the improvement, and where the annual repayment amount does not exceed the annual taxation amount for the property in question. For multiple upgrades each improvement will be calculated individually.
13. The property Owner(s) may submit one application per year.
14. The property Owner(s) can apply for the program by:
- a) submitting an application to the Program Administrator for the Clean Energy Improvement Program, including any required supporting documentation, and following all program requirements as outlined by the Program Administrator and the Municipality; and
  - b) paying the required application fee, pursuant to section 8 of the Regulation.
15. That for the purpose of the Clean Energy Improvement Program, the sum of project amounts as they are approved will be borrowed by the Municipality.
16. The annual maximum amount to be borrowed by the Municipality towards the Clean Energy Improvement Program is \$300,000 for residential and \$500,000 for both non-residential and farmland properties.
17. The annual borrowed amount will have a maximum rate of interest of ten percent (10%), and a maximum term of twenty-five (25) years.
18. The amount borrowed by the Owner will have an interest rate calculated at the time of the Agreement, and a maximum term based on the lifespan of the improvement(s).
19. The principal and interest owing under the borrowing will be paid using the proceeds from Clean Energy Improvement Tax and payments made by the approved project recipients through to the Municipality on the annual improvement levy.
20. A Clean Energy Improvement Tax will be imposed on the property that is subject to a Clean Energy Improvement Agreement at any time following the signing of the Clean Energy Improvement Agreement.

21. In the event that a property Owner wishes to repay the Clean Energy Improvement Program financing early, the amount owing will be calculated at the time of the request, based on the principal and interest remaining and the terms of the financing being used for the project(s).
22. Any project(s) that has been approved under the Clean Energy Improvement Program must be completed within the time limit as set out under the Agreement.
23. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of this bylaw and shall not invalidate the whole bylaw.
24. This bylaw comes into force at the beginning of the day that it is passed unless otherwise provided for in the MGA or another enactment or in the bylaw. This bylaw is passed when it received third reading and it is signed in accordance with s.213 of the MGA,

READ a first time this 27 day of September, 2022.

READ a second time this \_\_ day of \_\_\_\_\_, 2022.

READ a third time and PASSED this \_\_ day of \_\_\_\_\_, 2022.

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Reeve

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Chief Administrative Officer



## M.D. OF PINCHER CREEK NO. 9 OPERATIONS REPORT

### Current Public Works Activity

- Road Maintenance – Public Works has Six (6) graders out on the roads doing road maintenance. Operator starting getting their road ready for winter.
- Spot Graveling in progress Throughout the MD with our own gravel trucks.
- Reclamation on-going at the old drain pit in Division 5. Ground work has been completed. Seeding to be done before winter.
- Road side mowing in progress with 2 crews (4 mowers). Mowing started in division 2. Division 2,3,4 and 5 100% completed. Division 1 +- 80% Completed.
- Texas gate and ditching has been completed at the Hengerer Pit.
- More drainage improvement required along Breckenridge Avenue in Lundbreck in the next few weeks. (Mid-October)
- Texas gate and road alignment to be change at the end of the Chalet Road. Start date October 6, 2022.
- Bathrooms and Gardening clubs' water have been turned off in Lundbreck. Scenic Landscaping has been schedule to winterized the sprinkler system.
- Permanent snow fence repair and installation in progress.
- Planning and First call are starting to be send out for the Temporary snow fence installation. T rail installation started September 19, 2022. T rail installation for temporary snow fence +- 60% completed.
- Gravel crushing started October 3, 2022 at the summerview pit. Will be moving to Livingstone Pit and Vantol Pit afterward. Stripping and crusher pad has been completed at Livingstone pit and Stripping in progress at the Vantol pit.
- Boat Club Road survey to be completed Monday September 19, 2022 and environmental assessment has been Schedule for September 27, 2022.
- MD has retained the service of CPP to provide environmental and engineering services for the reclamation of Carbondale pit and Castle fall pit within the park boundaries. Pit assessment has been completed. Reclamation plan for Castle falls pit has been received October 4, 2022
- Working on Budget preparation for Capital equipment purchase/upgrade and Capital Road improvement.
- Traffic counters are out and collecting data on Maycroft and Christie Mine Road. Traffic counters to be remove October 6-7, 2022
- Garbage, Recycling, water to the airport... being done weekly by PW crew.
- Working on call log items daily.

## Capital Projects Update - Bridges

- **Bridge File 75377 – Local Road over Screwdriver Creek, NW-08-06-02-W5M**
  - Construction awarded to 2<sup>nd</sup> lowest bidder
    - East Butte: **\$306,011 (Eng. Est./Don Boyce \$309,044)**
    - Option Excavating Inc. \$287,675.00
    - Elite Site Services \$320,605.00
    - DeGraaf Excavating Ltd.: \$378,125
    - JA Building Services \$407,046.89
    - Usurpassable Construction Ltd. \$567,625.00
    - Low bidder did not have a history of completing culvert projects. Disqualified due to lack of relevant work.
  - Project has gone back to Council and is deferred until Aug. of 2022. MD has issued payment to Armttec for the culvert. The culvert will stay in the PW yard until installed in the Summer of '22.
  - Culvert was damaged in 2022, needs to be replaced
  - Replacement culvert ordered, in PW yard.
  - Don Boyce chose to retire prior to contract award. Project re-tendered, bids received Aug 9<sup>th</sup>
  - Anticipating construction start by mid-October, 2022. Kickoff anticipated by Council Meeting first week of October. Waiting on traffic accommodation & ECO plan
  
- **Bridge File 75265 – Local Road over Heath Creek, NE-11-10-01-W5M**
  - Tender awarded for engineering in 2021
    - Roseke Engineering at **\$52,162.00 (Budget \$53,000.00)**
  - Tender cancelled for construction in 2022
    - Low Bid at **\$491,297 (Eng. Estimate \$384,700)**
  - Construction set to commence in 2022
  - Roseke Engineering has been instructed to complete the bridge design detail as well as provide engineering and construction estimates for an adjacent stream bank protection work.
  - Survey has determined that the whole bridge and road is off the road right of way. Roseke Engineering will provide the MD with a survey plan to use for land negotiations.
  - The Historical Resources Application for this project has been approved.
  - Land is purchased and agreements are signed. Title registration may take a few months
  - Tender opening on the 26<sup>th</sup>/27<sup>th</sup> was significantly over budget & STIP funding has not been received. Tender cancelled, to be retendered this Winter for 2023 construction, apply for STIP

- **Bridge File 7743 – Local Road over Gladstone Creek, SW-23-05-02-W5M**
  - Tender awarded for engineering in 2021
    - Roseke Engineering at **\$45,015.00 (Budget \$46,000.00)**
  - Tender awarded for construction in 2022
    - Volker Stevin at **\$267,700 (Budget \$280,500)**
  - Coring has been scheduled following changes to Alberta Transportation changes to inspector ratings.
    - Coring has been completed with favourable results.
  - A tender package is to be completed by the end of November for Budgeting and allocation of Gas Tax Funds. AT has confirmed this bridge is not eligible for STIP-LRB funding given its current condition rating.
    - Preliminary report & design review received December 6.
    - Council approval of increased scope January 11, 2022.
    - All affected landowners/stakeholders contacted regarding anticipated 3 day closure.
    - Council approved \$79,000 in additional 2022 funds for full strip-deck replacement on this bridge April 21, 2022.
  - Tender released April 29<sup>th</sup>, 2022. Tenders opened May 26<sup>th</sup>, 2022. Tender awarded to low bidder
  - Contractor planning to start work mid-October with staged construction approach, minimizing closure to less than an hour. **Waiting for traffic accommodation plan. ECO Plan received. 3<sup>rd</sup> week of October construction start likely**
  - Calls completed & letters sent to effected landowners & businesses Sep 1<sup>st</sup> indicating change in schedule and closure plan
  
- **Bridge File 2488 – Fisher Bridge, NW-26-07-02-W5M**
  - Construction Bids:
    - **Sure-Seal: \$330,954**
    - Volker Stevin: \$384,700
    - DeGraaf Excavating Ltd.: \$497,750
  - Engineering to be completed in 2021 due to change in rating since first inspected
  - Construction/replacement/removal options to be presented to Council for action in 2022
  - The STIP-LRB grant application for this project has been submitted.
  - Pending AT Grant and Council approval this bridge can be built outside of the Restricted Activity Period (RAP) as no contact with the water is needed
  - STIP funding has been approved (was submitted by ISL Engineering). Revised proposal, schedule, & estimate received from ISL. Within budget & STIP grant funding allotment
  - ISL awarded Supply-Build Engineering contract
    - Design, Supply, & Fabrication of Prefabricated Bridge awarded to Algonquin Bridge **(Cost: \$458,040. Eng. Est: \$638,000).**
    - RFPQ (Request for Contractor Pre-Qualification) for Installation has been sent out and closed July 26<sup>th</sup>. Installation RFQ bids received September 14<sup>th</sup>, 2022. Awarded to low bidder **(Cost: \$330,954. Eng. Est: \$349,000)**
  - **Sure-Seal beginning document submission & starting review of site conditions by Council meeting**

- **Bridge File 74260– Tributary to Foothills Creek, SW 13-05-029-W4M**
  - Budgeted for engineering completion in 2022 with construction in 2023
  - Proposal received from Roseke Engineering June 21<sup>st</sup>, 2022 to complete initial design services. Preliminary Engineering & Design Awarded to Roseke July 14, 2022.
  - Preliminary survey & drafting complete, Preliminary Engineering Report completed September 13<sup>th</sup>. Recommendation is replacement with an upsized 2m diameter x 25m L single culvert (existing structure is 1.9 m x 1.7m x 15.2m L). Total Anticipated Project Cost: **\$330,000**. **Moving forward with design & land acquisition.**
  
- **Bridge File 76294– 2<sup>nd</sup> Tributary to Castle River, SW 32-006-01 W5M**
  - Approved for engineering completion in 2022 with expected construction in 2023 by council July 12<sup>th</sup>, 2022
  - Preliminary Engineering & Design awarded to Roseke July 14, 2022.
  - Preliminary survey & drafting complete, Preliminary Engineering & Design **75%** complete as of Sep 28. QAES Complete, fish passage likely not a concern. **Prelim eng. report expected by end of September,**
  - **Recommendation is replacement with an upsized 1.6m diameter x 27m L single culvert (existing structure is 1.5m diameter x 18.3m L). Total Anticipated Cost: \$385,000**
  - **Liner is not recommended as conservative flows result in unacceptable freeboard and cost would be similar or more than replacement as excavation requirements are minimal. Channel realignment downstream is also necessary**
  
- **Watercourse Crossing Inspection & Remediation Project – 100% Grant funded**
  - **\$150,000** in grant funding awarded for Year 1 of this program
  - **Fintegrate** awarded initial contract to assess all MD crossings, prioritize for remediation, & perform detailed regulatory authorizations
  - Alignment with 10 year bridge study to be completed where feasible
  - Work has begun on prioritization & initial assessment, 175+ crossings reviewed
  - 4-5 crossings have been identified to date that are in poor structural condition and have serious fish passage concerns
  - Contractor has completed initial assessments for priority areas. Awaiting Alberta Environment input prior to completing one or two detailed assessments to feed into additional funding asks
  - Meeting held Sep. 1<sup>st</sup> with AEP and Fintegrate to discuss prioritization & path forward for full assessment. Final prioritization discussed with Roseke, working on budget estimates. **Path forward for submission of future year funding to be complete week of council meeting**
  - Application deadline for next AB fiscal year funding is **Sep 30, 2022** extended to **October 14<sup>th</sup>**. Application to be submitted for additional \$114,000, mostly to **complete engineering & design for remediation of crossings**

## **Roads**

- **Range Road 1-2 (Bitango Road) - Engineering 2022 – Budget \$40,000 - Const. 2023**

*Replace 64m of culvert 24" culverts with a 36" diameters culvert. Repair slides and sink holes on side slope.*

- Engineering Proposals have been submitted by 3 different firms and is under review by Public Work. Engineering contract will be awarded in 2022.
- Service agreement for professional service has been signed with ISL Engineering and Land Services LTD on February 23rd 2022.
- Geotechnical Boring scheduled for April 05, 2022.
- Site Visit was held April 21<sup>st</sup> 2022.
- Environmental Scientist was on site June 29, 2022 to begin the environmental review.
- Design Brief meeting was held August 23, 2022

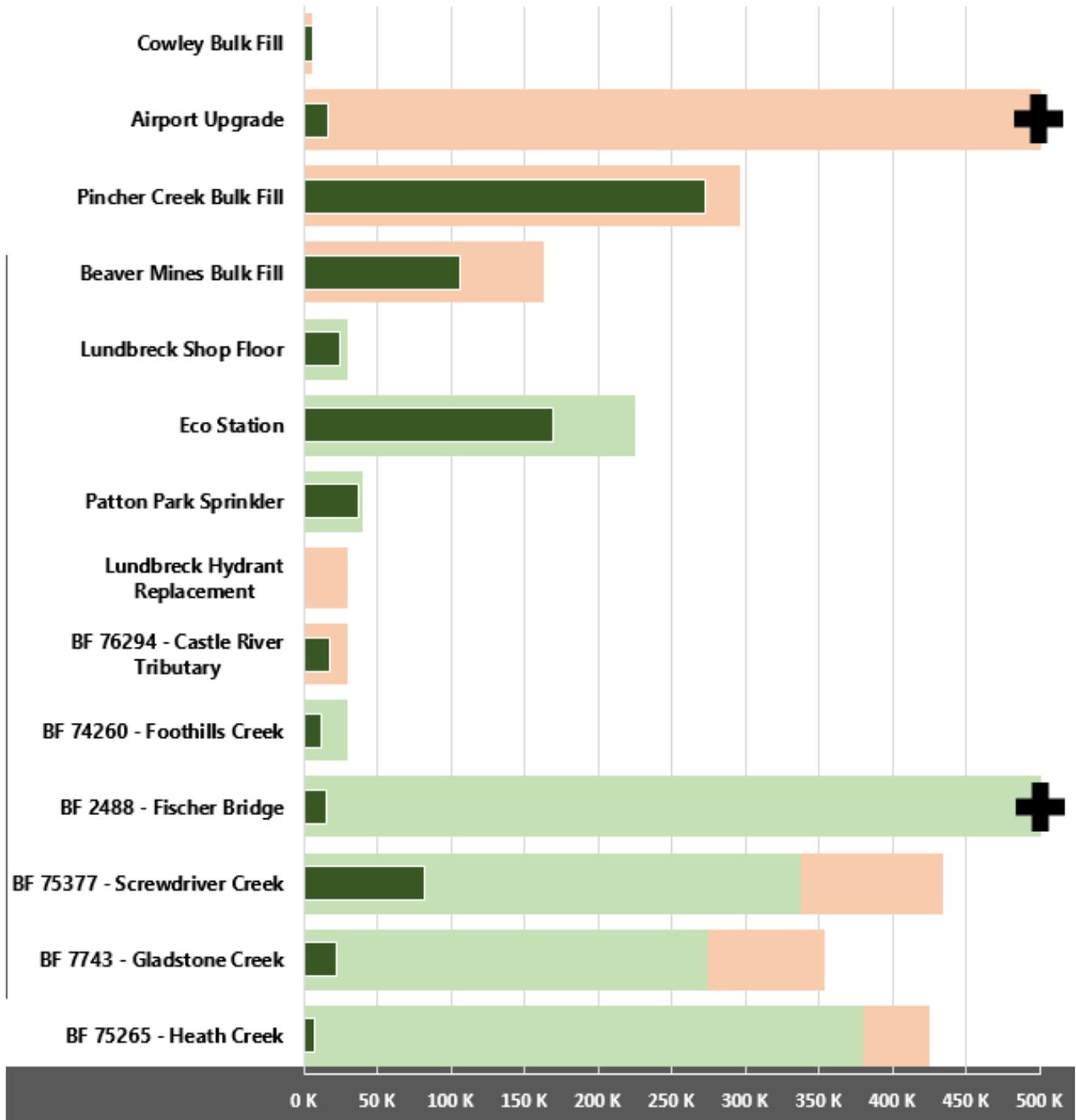
- **Station Street (Pincher Station) - Engineering 2022 – Budget \$40,000 - Const. 2023**

*Repair subgrade and install new asphalt on approximately 70m on intersection of 3rd avenue and Station Street and approximately 360m on Station Street going east to seed cleaning plant. Install culvert across 3rd avenue to drain water from North side of Station Street.*

- Engineering Proposals have been submitted by 3 different firms and is under review by Public Work. Engineering contract will be awarded in 2022.
- Service agreement for professional service has been signed with ISL Engineering and Land Services LTD on February 23<sup>rd</sup> 2022.
- Geotechnical Boring scheduled for April 05, 2022.
- Site Visit was held April 21<sup>st</sup> 2022
- Scope Change 1 (Utilities coordination, Hydrovac and Processing) has been approved July 18, 2022.
- Utility Crossing agreements signed Aug 03, 2022.
- Utility locating and surveying has been completed August 22, 2022
- Preliminary and Construction estimates have been received September 16, 2022 for review.

## Large Capital and Other Projects

Total Approved Budget: \$4,300,800. Spend as of Sep 20: **\$765,903**  
**721,518**



## Airport Lighting – Construction 2022 - Budget \$917,000

*Install Airport Airfield Lighting Replacement, with portion of funds from STIP*

- Design-build contract awarded to Black & McDonald (**Cost: \$979,600, Original Budget: \$867,000**)
- Contractor (Leo Reedyk) engaged to manage tendering, project award, construction, commissioning, etc.
- Tendered, site visit complete with prospective bidders. Bids due back June 30<sup>th</sup>. Recommendation expected by July 8<sup>th</sup>
- Tenders received and qualification completed. Tender higher than original budget. Council approved \$125,000 in additional funding during July 12<sup>th</sup> meeting

Tristar Electric Inc	Mississauga, ON	\$1,577,136.00
Signal Electric Ltd.	Sidney, BC	\$1,412,133.60
Western Pacific Enterprises Ltd.	Nisku, AB	\$1,648,590.09
Black and McDonald Ltd.	Ottawa, ON	\$979,600.00
SVEMY Construction Ltd.	Calgary, AB	\$1,983,600.00

- Planning underway. Awaiting recommendation on full length runway, draft report received Aug 26<sup>th</sup>. Comments on draft report sent back and under finalization in consultation with charting prior to proceeding with recommendation for Engineered Design. Anticipate receipt of Final report received and recommendation prior to council meeting October 3<sup>rd</sup>, 2022. Expect to be able to increase runway length by ~1000 ft (increasing landing weight by 15-20% in typical conditions). Finalizing decision and proceeding with construction path forward before council meeting.
- It is expected that increasing the runway length will provide benefit in terms of classes of aircraft the airport can support
- **Lundbreck Shop Floor - Construction 2022 – Budget \$30,000**

*Install concrete floor and sumps into the Lundbreck shop.*

- Quotes and estimates from local contractor are being requested, and review for construction to begin Spring of 2022.
- Work has been completed August 14, 2022

- **Patton Park Sprinkler System - Construction 2022 – Budget \$40,000**

*Connect the Patton Park Sprinkler and drip system to the Municipal Water distribution line.*

- Construction awarded to Scenic Landscaping at **\$37,105 (Budget \$40,000)**
- Construction to begin Summer of 2022.
- Construction completed early September, 2022

- **Eco Centre**

- IMDP Committee passed a resolution stating they have no concerns with this development.
- Continued work with AEP for approval process and issuing of MD Development Permit
- September 17, 2021, project information sent to Alberta Health Services for comment.
- September 22, 2021, letters requesting consent to vary the *Subdivision and Development Regulation's* 300m setback requirement from a Storage Site were sent via registered mail to all landowners within the 300m radius of the site. Many have been returned with positive endorsement of this project and agreement to the waiver.
- AEP information circulation process completed.
- Direction from MDPC to submit to AEP for variance on development permit on Dec 08. Submission currently being worked on by Director Milligan. Construction in Spring 2022
- Pronghorn standpipe operational as of May 2<sup>nd</sup>, 2022. Construction underway
- Concrete work delayed due to contamination found at site. Testing & excavation of contamination complete per direction by Environmental Consultant. Final clearance report received
- Site office purchased, delivered, & landed
- Grading, Fencing & Electrical work complete with exception of lighting and camera installations.
- Site has been operating since August 18<sup>th</sup>. Minor work remaining (solar, as-built engineering). Lighting complete, camera work **complete, upgrading camera model to be completed prior to council meeting**

- **Standpipes (Cowley, PC and new site in BM)**

- BM standpipe coin & credit is fully operational.
  - Work remains to extend/grade corners and install bollards
- PC standpipe coin & credit is fully operational.
- Cowley interface upgrade has been completed. Coin and credit/debit cards accepted.
- Complaints have been received regarding inaccurate volumes at Pincher fill station. The site has been calibrated various times. Cost effective solution awarded to Flowpoint, awaiting material arrival for installation in PC and BM's
- BM and Cowley sites had multiple operational issues in late July and early August. No complaints received regarding implemented fixes since August 4<sup>th</sup>, 2022.
- August credit/tap revenue exceeded July by ~25%
- Bollards **planned for** installed **early October** at BM, PC. Structural upgrade under MPE review for Cowley
- Flowpoint **completed** install **of** pressure reducing kit upgrade Sep 27<sup>th</sup> at BM, PC
- BM HRIA under review by Province, **indicated to be at "top of pile" Sep 28<sup>th</sup>**

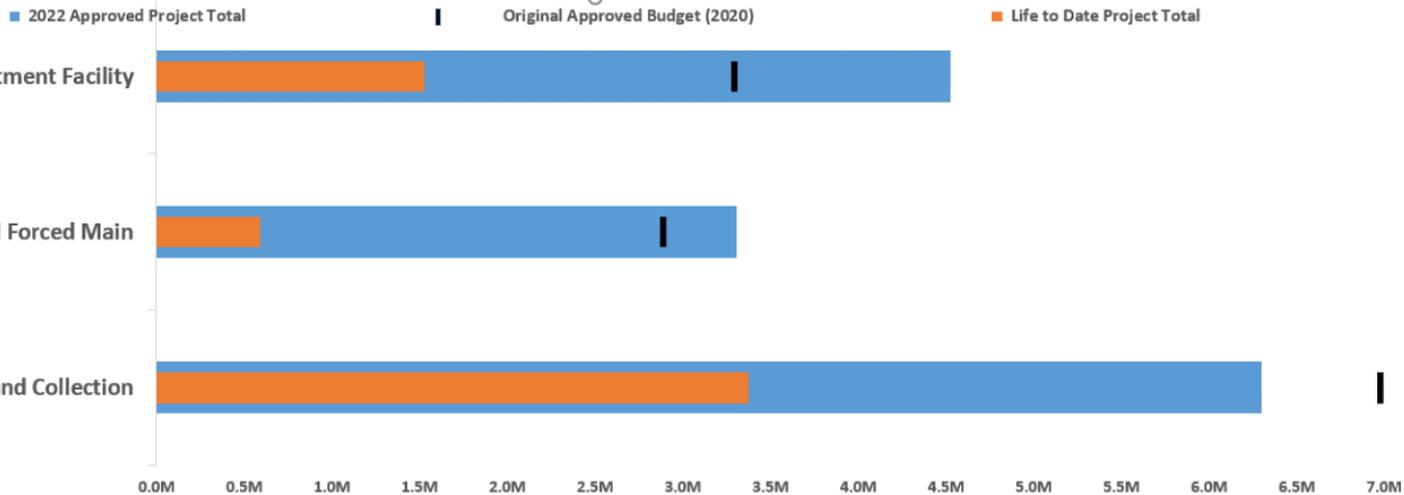
- **Lundbreck Hydrant Replacement Work**

- Construction awarded to low bidder (**Rocky Mountain Bobcat: \$25,266, Budget: \$30,100**)
- Construction anticipated to start October, 2022

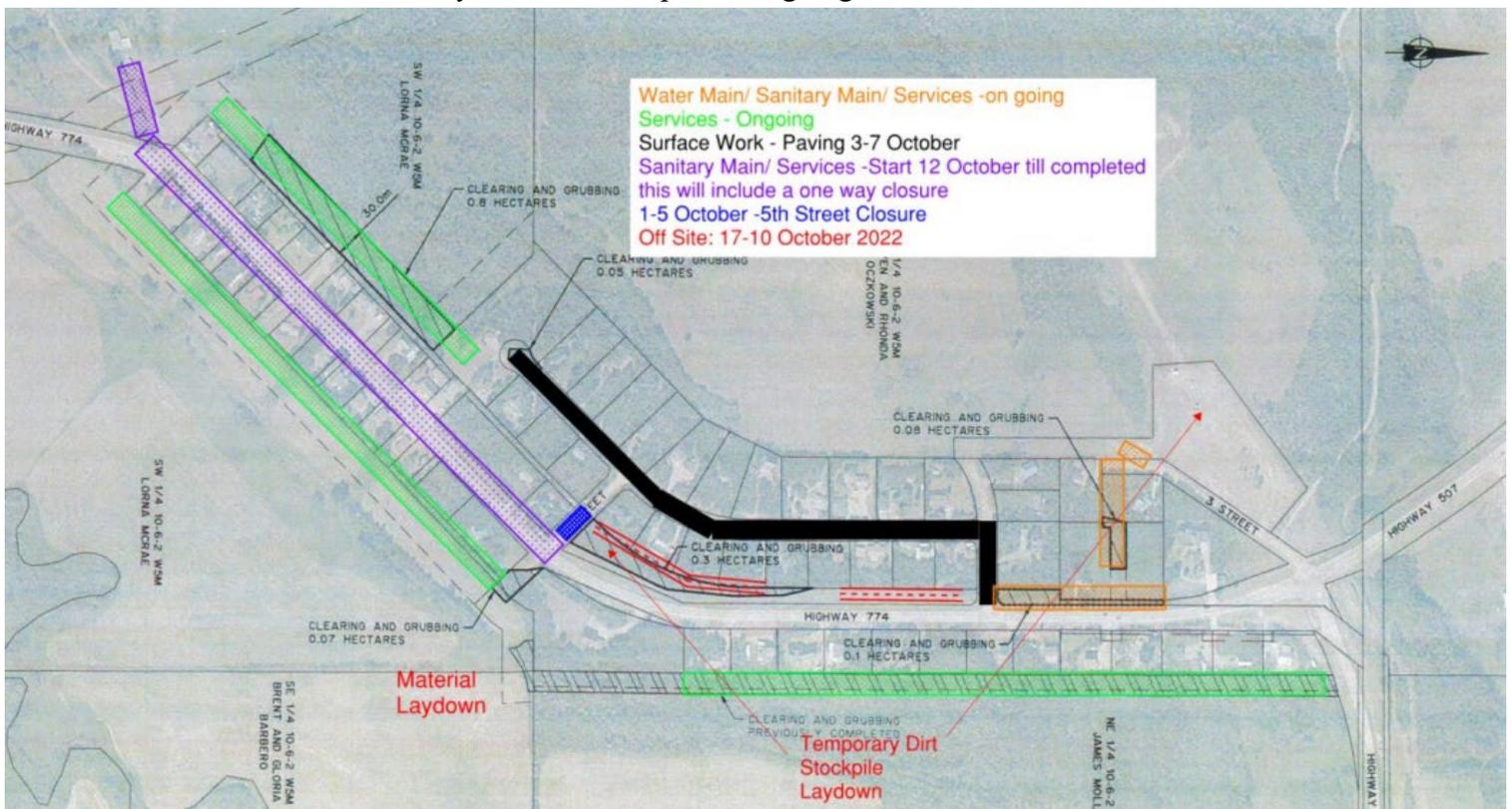
# BEAVER MINES

Total Appr. Budget: \$14,134,455. Spend as of **Oct 3 Sep 20**: \$5,497,993

- **Beaver Mines Water Distribution, Collection System.**



- Tender was awarded to BYZ on July 21, 2021.
  1. BYZ Enterprises Inc. **\$5,468,977.50 (Budget \$6,251,600)**
- Virtual discussion meeting held with BMCA & Beaver Mines residences May 18<sup>th</sup> with good attendance and many takeaways
- Bi-weekly construction updates ongoing



- ATCO gas line strike occurred June 16<sup>th</sup>. Locates were completed and did not identify gas line as the machine did not pickup tracer wire
  - Continued engagement from Beaver Mines Community
  - Servicing work along 2<sup>nd</sup> Avenue completed. BYZ working on highway services through **October** ~~September and anticipate starting paving on 2<sup>nd</sup> Ave.~~ Contractual date for underground completion was September 30<sup>th</sup>, 2022, extension granted to October 31<sup>st</sup>, 2022. **Paving, major HWY bore expected to be complete by Council meeting.**
  - BYZ has continued to indicate fuel prices over the construction season have been a major issue for them and sub-contractors. Informal requests have been made for additional compensation throughout the year and have not been entertained to date. Formal requests expected.
- **Beaver Mines Waste Facility/System**
    - Tender was awarded to BYZ on May 31, 2022  
BYZ Enterprises **\$2,338,309.00 (Original Budget \$2,076,999)**
    - Waste System will not be ready until 2023 at the earliest to allow for the AEP Approval Process to run its course
    - Tender opening and contract signing completed
    - Construction kickoff completed June 17<sup>th</sup> with Banner, BYZ, & Parcon (mechanical contractor). Mobilization delayed due to weather & material
    - Mobilization began week of Aug 29<sup>th</sup> for road and forcemain work. Forcemain installed, hydrotest **complete. expected prior to Council meeting.** Road grade work **expected to be complete by Council meeting**
    - Site expected to be serviced by Fortis by end of October
  - **Beaver Mines Forcemain & Lift Station**
    - Tender was awarded to Parcon for Lift Station June 15<sup>th</sup> **\$2,326,091 (Original Budget: \$2,220,000)**
    - Construction awarded to low bidder for forcemain work:
      - TA Excavating: **\$386,925 (Eng. Est. \$600,000)**
    - Pre-construction kickoff completed June 23<sup>rd</sup>, 2022 for Lift Station
    - Site mobilization for lift station expected mid July. Long lead generator could be of concern, working with contractor on solution
    - Lift Station excavation complete, dry/wet well & foundation complete
      - Scope change approved to ensure wet well is not filling with groundwater & additional contingency added to ensure storm water drainage not added to neighboring properties
      - Manhole & backfill construction **complete. Wet well benching and pile installation underway, beam work upcoming**
    - **Forcemain work expected to begin mid-October**

*24 August, 2021 – Appellants withdraw their request for “a stay” in regards to our construction based upon the proposed build schedule. Where the Force Main and Waste Water Facility will be later in 2022 and 2023, it is felt that there is enough time for the Appeal to run its natural course without impacting our proposed construction schedule. This approach by the Appellants was very much appreciated by the MD.*

*Our first pre-meeting with the Board was Dec 8<sup>th</sup>, 2021*

*Our first Mediated Meeting with the Board and the Appellants is Dec 15<sup>th</sup>, 2021. (Calgary)*

*First meeting was held and follow up meeting is slated for February 23, 2022. Meeting with the Board was on Feb 23<sup>rd</sup>*

*Second mediation took place August 10th, 2022. Legal/MD response complete, meeting with mediator on path forward to be held September 23<sup>rd</sup>, 2022. Additional response requested by Board by Oct 18th*

This is a multi-month process, so it is hoped our Appeal process will conclude within this timeframe and any direction by the Appeal Board in the manner of additions to our project, can be treated as change orders.

**Recommendation:**

That the Operations report for the period September 21<sup>st</sup> – October 5<sup>th</sup> is received as information.

---

Prepared by: Roland/Eric/David

Date: October 5<sup>th</sup>, 2022

Submitted to: Council

Date: October 11<sup>th</sup>, 2022

	DIVISION	CONCERN/REQUEST	ASSIGNED TO	ACTION TAKEN	REQUEST DATE	FOLLOW UPDATE	COMPLETION DATE
3138	Div 1	Re wanting to clean ditch for drainage to direct water from his property to drain into the culvert	Jonathan	-	August 30, 2021	Meeting schedule on site Tuesday October 11, 2022	-
2022-58	Div 1	Old Snow Fence falling/inquiring about rebuild	Don J	-	January 26, 2022	Old snow fence have been cleaned up. First call has been submitted for the rebuild. Will be looked after when gravel program is completed.	-
2022-156	Div 1	North end of snow fence broken	Tony N	Complete	May 25, 2022	Will be look after when Gravel program is completed	October 6, 2022
2022-231	Div 2	Snow Fence put up by MD is down, needs replacing or removal	Tony N	-	July 20, 2022	-	-
2022-242	Div 1	Wind Fence Down at property and needs fixing. Few hundred feet on top of hill.	Tony N	-	July 29, 2022	-	-
2022-256	Div 3	Would like 30 yards of crush gravel when we are loading and hopes we could deliver or suggest a private truck to deliver. I don't know when or if we will be in that vantol or mcRae pit. Please call ahead to advise of hauling costs. He knows gravel is \$11. 50 / yd. (Mike K)	Jon/Tony	-	August 16, 2022	Will contact when we are at the vantol pit	-
2022-280	Div 1	Sharp edge on side of bridge was hit by grader a couple of years ago. Requesting repair.	Bob M	-	September 7, 2022	Taper down section of Guard Rail to be replace	-
2022-287	Div4/5	TWP 9 grading request & private request.	Tony T	Complete	September 20, 2022	-	September 26, 2022
2022-288	Div 5	Requesting road grading	Tony T	Complete	September 21, 2022	-	September 27, 2022
2022-289		Would like some gravel, please call.	Tony N	Complete	September 21, 2022	Called and made arrangements	September 22, 2022
2022-290	Div 5	Requesting road grading	Tony T	Complete	September 26, 2022	Left message and is appreciative of work done	September 27, 2022
2022-291	Div 5	Potholes in coldmix	Jon G	-	September 27, 2022	Will be completed by October 14, 2022	-
2022-292	Div 2	Washboard on road	Kent Z	-	September 28, 2022	-	October 1, 2022
2022-293	Div 2	Wind fence on either side of house / property blown down and needs repair or removal. Would also like some gravel on the hill. Possibly over the dust control as it's gotten very muddy and has concerns of it turning into an ice patch in winter.	Tony N.	Complete	September 29, 2022	Tony N spoke with Darren and came up with a plan.	October 4, 2022
2022-294	Div 3	Very unhappy with Division 3 roads since Shawn left (pitted, washboard etc) esp Christie Mines, AB Ranch, 5-4, SW of Beauvais.	Eric	-	October 3, 2022	-	-
2022-295	Div 2	Road leading south of town past postoffice creates a massive amount of dust making backyards unusable for residents next to golf course. Requesting solution / some sort of dust control.	Eric	-	October 3, 2022	Eric to call, Will need to be directed to the town for resolution or path forward.	-
2022-296	Div 5	Road up to her approach not graded completely, requesting the remainder to be graded.	Tony T.	Complete	October 3, 2022	Road graded today.	October 3, 2022
2022-297	Div 5	RR 2-3A Bottom of hill, Grader driver pulled up culvert that is sticking out of road.	John G.	-	October 3, 2022	First call submitted. Bob to look at it Tuesday October 11, 2022	-
2022-298	Div 5	Requested Wind Fence	Tony N.	Complete	October 3, 2022	Tony N spoke with her and all are good to try without for a year.	October 3, 2022
2022-299	Div 3	Beavermines watermeter coin recepticle is jammed with something and not accepting coins.	Randy	Complete	October 3, 2022	Randy checked it out and there is no jam.	October 3, 2022
2022-300	Div 5	Cold mix on 2 km of road leading up to Mr. Gouseau's place has multiple potholes and he's wondering about having them filled before winter. (South of tracks, Wof 507)	John G.	-	October 5, 2022	Will be completed by October 14, 2022	-
			Indicates Completed				
			Indicates Defered to Spring				
			indicates On the To Do List				

## Recommendation to Council

<b>TITLE: Intermediate Asset Management Cohort Application</b>			
<b>PREPARED BY: Brendan Schlossberger</b>		<b>DATE: October 5, 2022</b>	
<b>DEPARTMENT: ADMINISTRATION</b>			
<b>Department Supervisor</b>		<b>Date</b>	<b>ATTACHMENTS:</b> 1. Nil
<b>APPROVALS:</b>			
<b>Meghan Dobie</b> 	October 5, 2022		2022/10/05
<b>Department Director</b>	<b>Date</b>	<b>CAO</b>	<b>Date</b>

### RECOMMENDATION:

**That Council direct Administration to apply for the Intermediate Asset Management Cohort program through RMA, ABmunis, and IAMA; and further**

**That the MD of Pincher Creek commits staff and other personnel to participating in the Intermediate Asset Management Cohort with both in-person and online meetings; and further**

**That the MD of Pincher Creek commits financial support from its budget to the costs of this initiative relating to staff travel and accommodation.**

### BACKGROUND:

In 2020 the MD of Pincher Creek renewed their interest in adopting Asset Management as a key business practice. One of the first steps was applying to be part of the Introductory Asset Management Cohort. This Cohort consisted of other Southern Alberta rural municipalities and required a council resolution to apply in order to affirm councils support.

Council passed a resolution in 2020 to support the participation of staff in the Introductory Asset Management Cohort. That program was completed in 2021 and resulted in the creation of the MD's Asset Management Team and subsequent Asset Management Policy.

This Intermediate Asset Management Cohort requires a new resolution and is designed to build off of the Introductory program. It will focus on service level approaches which will assist in developing an

## **Recommendation to Council**

understanding of the components of service delivery, building AM practices into operations and decision making, and overcoming barriers to implementation.

### **FINANCIAL IMPLICATIONS:**

TBD.

### AES, October, 2022

- October 1 – 14, Roadside (weather permitting will go to 31<sup>st</sup>), all Divisions (Canada Thistle [CT] & Perennial Sow Thistle control)
- October 1 – 14, spot spraying crew (weather permitting will go to 31<sup>st</sup>), Blueweed (BW) regrowth, Hoary Cress (HC), fall spraying on watercourses for Common Mullein (CM) and BW regrowth, Spotted Knapweed (SKW) germination and regrowth, Canada Thistle patches around Reservoir
- October 1 – 31, rentals are usually busy
- October 1 – 31, MRF mapping & records, final billings
- October 3, sending in crop inspections samples and data
- October 4, Crop Report, parts ordering, safety documentation (Bistrainer)
- October 5, PW Safety Meeting, ASB Meeting
- October 6, Asset Management meeting, roadside spraying, airport runway lights repair
- October 7, AES Safety Meeting, fire extinguisher, shop & first aid kit inspections, flush Admin sprinkler system
- October 10, Thanksgiving STAT
- October 11, 12, formal and field hazard assessments review, safety binder review and compilation, mapping verification
- October 13, JHS meeting, billing and verification, roadside spraying, spot spraying (gravel pits)
- October 14, winterize old roadside, one spot sprayer
- October 17, 18, Downy Brome/Blueweed spraying with Esplanade/Navius mix, formal hazard assessments
- October 17 – 21, if needed (did early this year) dams releases for winter (weather related), incinerate weeds (first snowy day)
- October 24 – 28, reporting, mapping, billing, license of occupation
- **October 25, South Region ASB Conference, Crowsnest Pass Golf Club**
- October 26, ASB Package, equipment and parts ordering for next year, SWIM meeting, shop and yard organization and cleaning for winter
- October 27, winterize and park all spot spray trucks for season, exit interviews for remaining seasonal staff
- October 28, last day for seasonal staff (no summer or seasonal staff left at AES after this)
- October 31, day off

Sincerely,

Shane Poulsen,  
Agricultural Services Manager

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
BYLAW NO. 1341-22**

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to amend Bylaw No. 1289-18, being the Land Use Bylaw.

---

**WHEREAS** Section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw; and

**WHEREAS** The Municipal District of Pincher Creek No. 9 is in receipt of a request to change the land use designation of lands legally described as:

Block P, Plan 9210672 within W1/2 34-7-30-W4M

And as shown on Schedule ‘A’ attached hereto, from “Grouped Country Residential – GCR” to “Agriculture - A”; and

**WHEREAS** The purpose of the proposed amendment is to allow for agricultural uses;

**NOW THEREFORE**, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as “Land Use Bylaw Amendment No. 1341-22”.
2. Amendments to Land Use Bylaw No. 1289-18 as per “Schedule A” attached.
3. This bylaw shall come into force and effect upon third and final passing thereof.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

A PUBLIC HEARING was held this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

READ a third time and finally PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

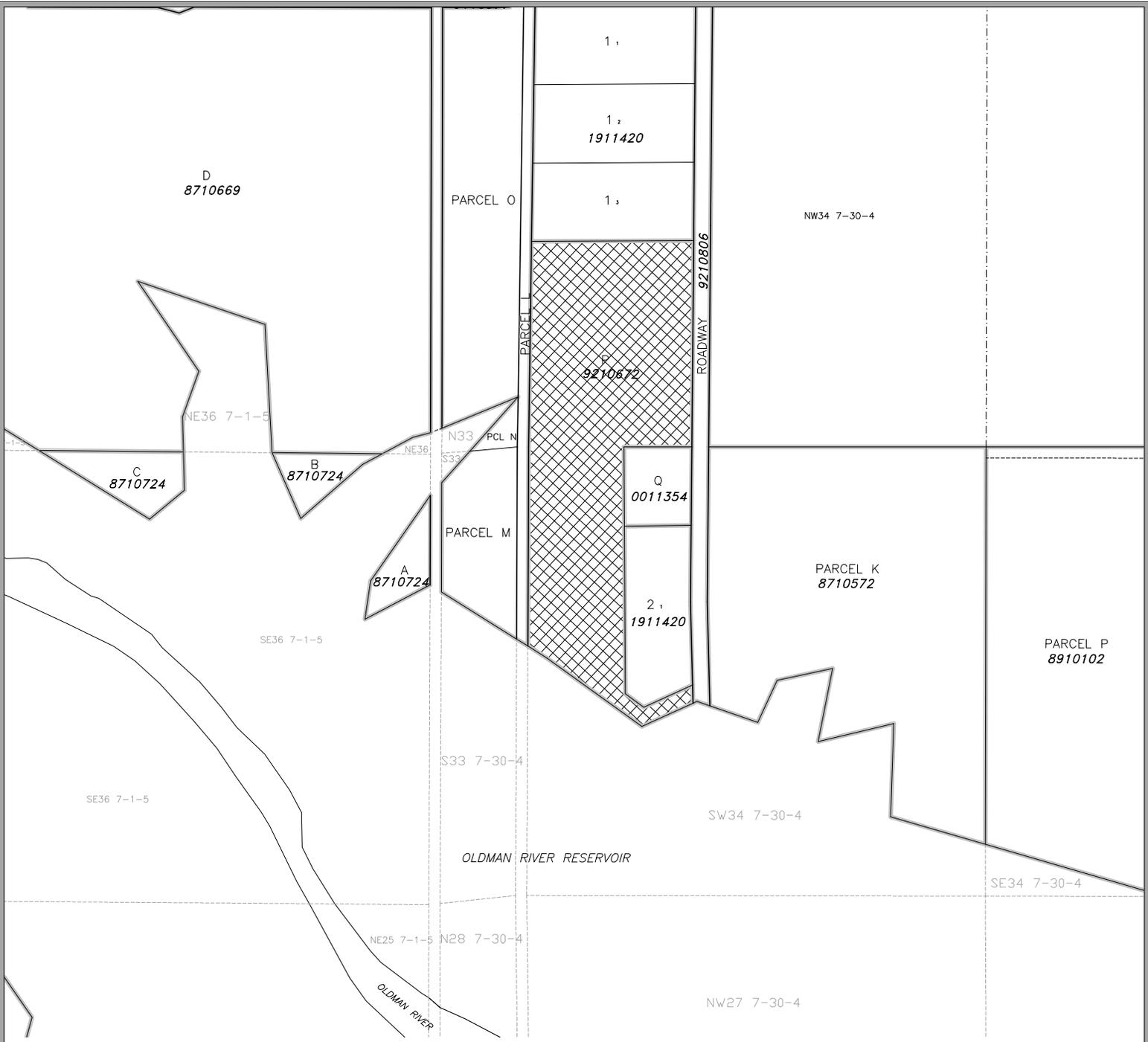
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*Reeve*  
*Rick Lemire*

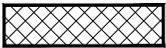
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*Chief Administrative Officer*  
*Roland Milligan*

Attachment  
- “Schedule A”



**LAND USE DISTRICT REDESIGNATION  
SCHEDULE 'A'**



**FROM: Grouped Country Residential 'GCR'  
TO: Agriculture 'A'**

**BLOCK P, PLAN 9210672  
WITHIN THE W.1/2 SEC 34, TWP 7, RGE 30, W 4 M**

**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
DATE: AUGUST 15, 2022**

**Bylaw #: 1341-22  
Date: \_\_\_\_\_**



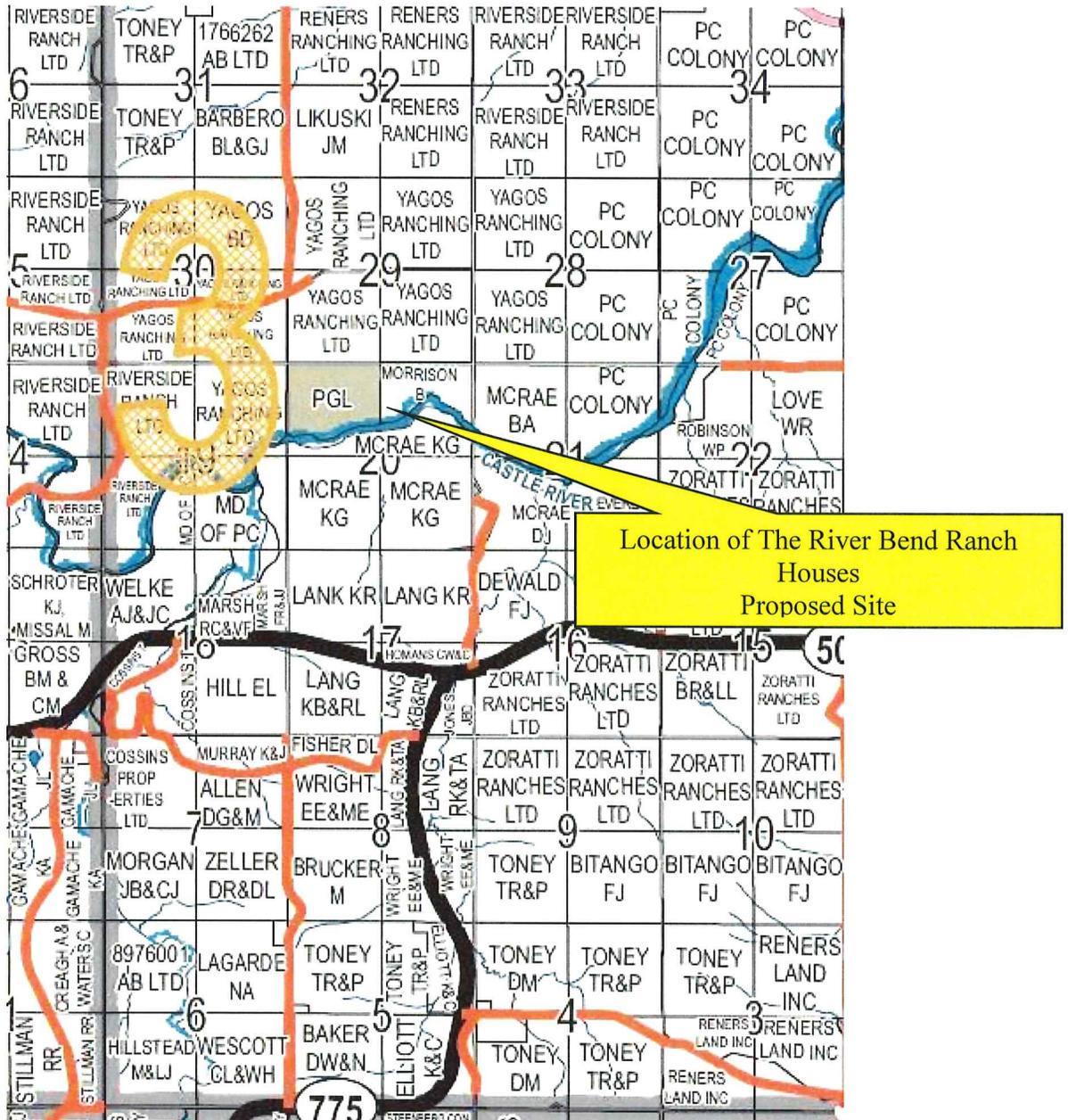


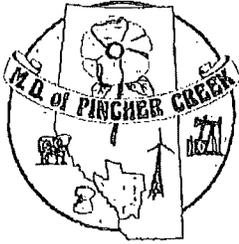
# Recommendation to Council

## FINANCIAL IMPLICATIONS:

None at this time.

### Figure 1 Location





MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

**APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW**

APPLICATION FEE \$600

RECEIPT NO. \_\_\_\_\_

I/We hereby make application to amend the Land Use Bylaw.

Applicant: Breanna Morrison

Address: Box [REDACTED] Pincher Creek, AB T0K 1W0

Telephone: [REDACTED]

Owner of Land (if different from above): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Lot 1 Block 1 Registered Plan 1911330

Pt NE-20-6-1W5

or Certificate of Title \_\_\_\_\_

Quarter \_\_\_\_\_ Township \_\_\_\_\_

Range \_\_\_\_\_

Meridian \_\_\_\_\_

**AMENDMENT PROPOSED:**

From: Agriculture

To: Rural Recreation (20 acres)

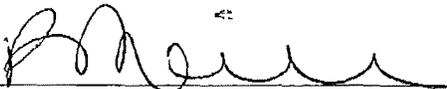
**REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT:**

20 acres to be rezoned for purpose of 'silo cabins' to be constructed and rented out

as per attached M.D. proposal

I/We enclose \$ 600 being the application fee.

DATE: September 26, 2022

  
Applicant Breanna Morrison

Registered Owner Breanna Morrison

Information on this application form will become part of a file which will be considered at a public meeting.

**IMPORTANT NOTES:**

1. Every application for an amendment to the Land Use Bylaw shall be completed in every part and signed.
2. If the amendment involves a change of land use district, the applicant shall also supply:
  - (a) a site plan at a scale to the satisfaction of the Development Officer showing the size and shape of the lands affected, the location and extent of existing developments, waterbodies and treed areas and the location and form of any new development intended, fully dimensioned and explicit to the satisfaction of the Development Officer;
  - (b) at the discretion of the Development Officer, a Real Property Report as proof of location of existing development; and
  - (c) a Certificate of Title indicating ownership and encumbrances.
3. An application fee shall be required.
4. If the amendment involves a revision to the wording of the Land Use Bylaw, including the addition to or the deletion from the permitted or discretionary uses listed for a district, the desired change shall be explicit and reasons given.
5. Failure to complete the application form fully and supply the required information, plans, and fee may cause delays in processing the application.
6. The Development Officer may refuse to accept an application for amendment to the Land Use Bylaw where the information required has not been supplied or where the quality of such information is inadequate to properly evaluate the application.
7. Upon receipt of an application for amendment, the Development Officer shall determine when the application will be placed before the Council and shall issue not less than 10 days' notice to the applicant that he may appear and speak to the application.
8. A decision of the Council in regard to an application to amend the Land Use Bylaw is final but, if refused, the applicant may reapply at any time that the Council agrees to accept another application for the same or similar amendment.



# *River Bend Ranch Houses*

Located NE-20-6-1 W5  
Prepared for M.D. of Pincher Creek No. 9 Council  
September 07, 2022



*"A unique vacation experience in beautiful Southern Alberta"*

## Business Concept:

The purpose of this business plan is to identify the opportunity and potential rewards with a relaxing, unique vacation possibility. Secluded in the country, mountain views and private access to Castle River.

## Market Summary:

The location (NE 20-6-1 W5) is approximately 20 minutes outside of Pincher Creek. Pincher Creek is a central sweet spot for tourism year-round, close to Waterton National Park, Castle Mountain Ski Resort and the Crowsnest Pass. The adventure and outdoor activities are limitless year round from hiking to skiing to having private access to Castle River where you can kayak, fish, swim and tube.

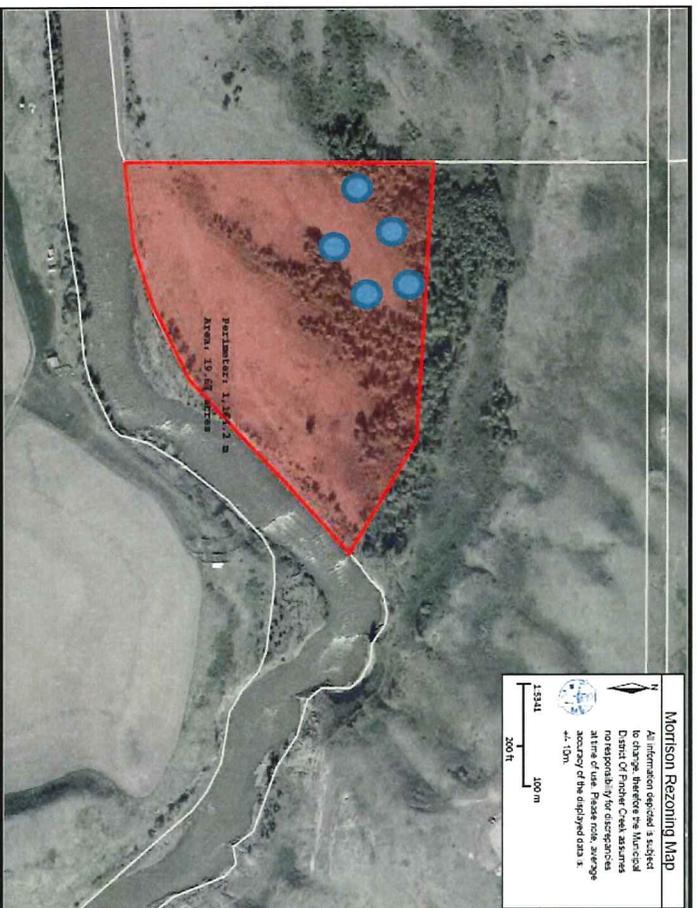
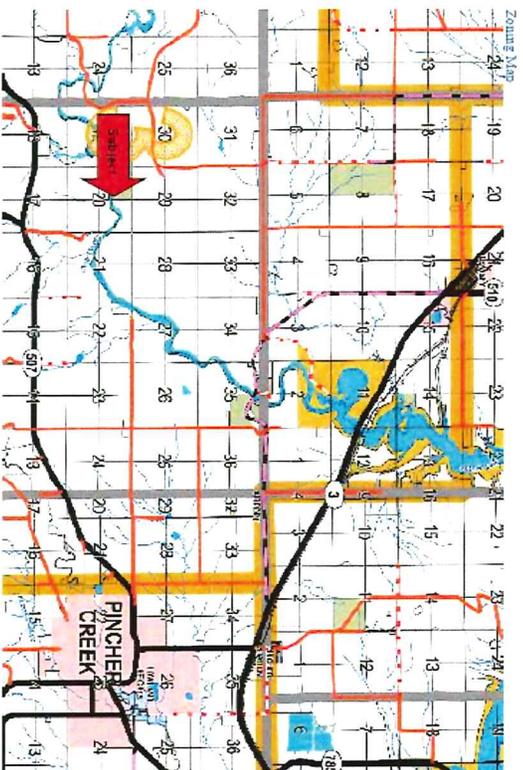


## Purpose:

The purpose of this proposal is to re-zone the parcel of land (NE-2 0-6-1 W5) from agriculture to rural recreation. The land has been subdivided and the parcel is approx. 83 acres, however we are proposing 20 acres to be re-zoned as rural recreational for the purpose of the silo cabins.

## Location:

The location is 20 minutes outside of Pincher Creek between Lundbreck and Beaver Mines. There is 83 acres and a shop house that was constructed in 2020. The potential location for the silos is approximately 20 acres located near the river. The land is unusable for agriculture, no hay can be planted and the grazing is minimal as grass is fairly bare. The road and area will be fully fenced so cattle can still be grazed on the remainder of the land. The cabins would be using a 'free space' without taking away from the agriculture use of the entire property.



*The above google maps image shows the property line, distance from river and an approximate location of potential silos.  
All silos will be greater than 100m away from water as per development permit requirements with the MD*

## Team Members:

Meet Dylan & Breanna Morrison:

Dylan and Breanna Morrison have been together for nearly 10 years. They have built the business 2127540 Alberta Ltd. from the ground up and are looking to expand into other opportunities that take advantage of their inherited land.

Dylan is a Heavy-Duty Mechanic who contracts to several different companies but currently works at the mines in Elkford, B.C. He is highly proficient, organized and has nearly 18 years of experience. He is a 'handy-man'; growing up building houses with his dad he is capable of doing electrical, plumbing and framing. Therefore the majority of the labor for constructing the silos can be done themselves and therefore much more cost efficient.

Breanna Morrison is a Commercial Bank Manager for CIBC. She holds a Bachelors Degree in Management and has worked in Corporate Finance for nearly 7 years. She is ready to take on a business venture with the necessary leadership, management and financial tools to make it a success. She was gifted 83 acres of land outside Pincher Creek, which is currently utilized for agriculture and where they built their forever home.

The potential location for the guest cabins is down the hill from the house and secluded in its own area surrounded by trees and the river. There would be complete privacy for both areas but still having someone on the property should any problems or situations arise with the guest cabins.

## The Cabins

The guest cabins are to be renovated grain silos. This in itself is a very unique and one of a kind structure. There will be 5 potential cabins. Each cabin will provide the usual amenities, however 2 of the cabins will be able to house more people and be somewhat more upscale. These exclusive cabins will be well suited for larger families or groups.

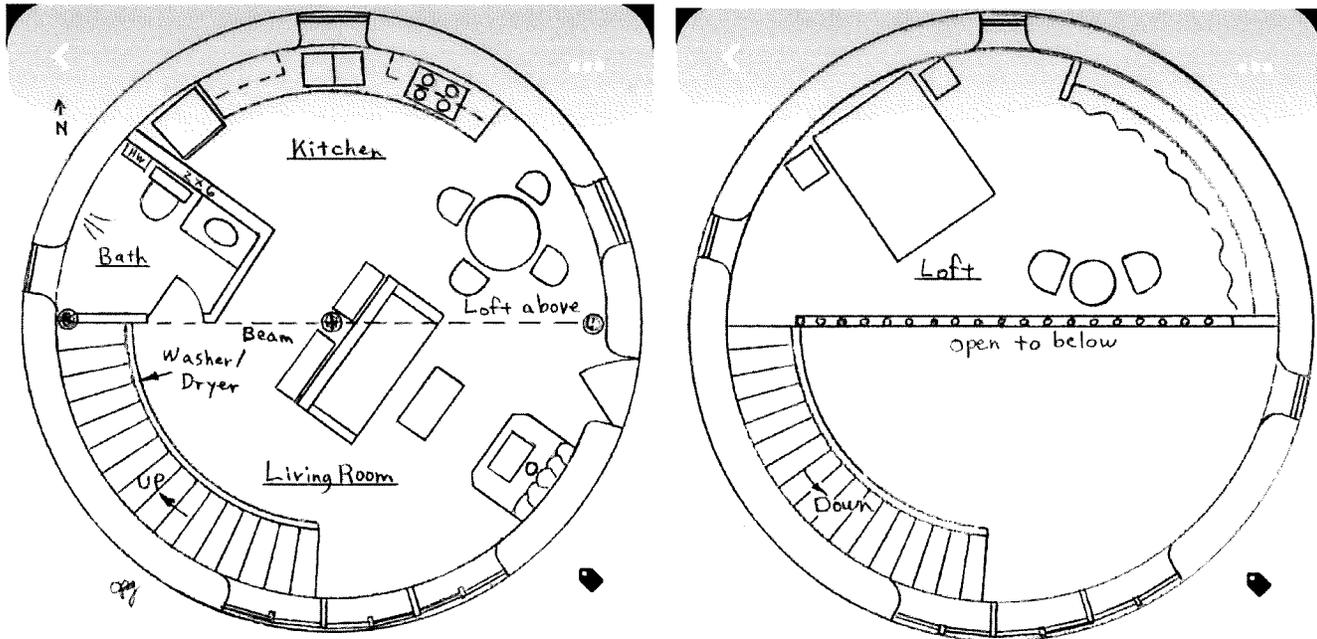
The amenities for the 3 standard cabins will include the following:

- 350 square feet of room (more than a standard hotel room)
- 1 king bed
- 1 bathroom including 1 sink and shower
- 1 kitchen including sink, fridge and microwave
- 1 wood burning stove
- 1 air conditioning unit
- 1 front porch deck that seats 2

The 2 exclusive cabins will include the following:

- 500 square feet of room
- 1 queen bed and 2 single beds
- 1 bathroom including 1 sink and shower

- 1 kitchen including sink, dishwasher, fridge, stove and microwave
- 1 wood burning stove
- 1 air conditioning unit
- 1 wrap around porch with patio and BBQ setup



The property itself will have plenty of availability for parking, as well as a shipping container for storage. This will store river activity equipment including tubes, etc. that can be used by customers should they choose. This will also have 2 washing machines and dryers to be shared between the cabins and will provide more efficiency for the cleaners.

Each cabin will have a wood burning stove and an air conditioning unit to provide hot and cold air making the cabins livable year round. The cabins will be built on rig mats so they can be moved out if necessary but will be anchored into the foundation.

Each cabin will have its own electrical panel with full 120v service, and all the structures will be built to be in code according to the *Alberta Building Code Requirements*.

## Impacts as applicable (Per Recreation and Tourism development according to M.D. of Pincher Creek) *Site*

### *Plannings and Drawings*

As per above there are sketches outlining the blueprints of the silo's. Further detailed sketches will be conducted once re-zoning is approved.

Google maps overview that shows property and approximate silo locations

### *Compliance with all provincial policies*

Potential locations of the silos are greater than 100m from the river. Within guidelines of *STEPPING BACK FROM THE WATER*. The silos are far enough away from the floodways, there is no slope as the land is flat, there is no risk for groundwater contamination or shoreline migration. Since the properties are far enough setback from the floodway the bank stability is not applicable. An environmental report can be conducted to verify the data and ensure all policies are in.

Silos will be constructed by licensed contractors and be up to code according to Superior Safety Codes in Lethbridge, AB.

We will utilize Alberta FireSmart resources and provide the information to our guests when booking. There will also be resources provided in each silo cabin for guests to have access to as well as on our website.

Growing up in the area we understand the importance of safety when it comes to bears for both the guests and the animals. We will provide the guests with the necessary resources from Alberta BearSmart Guide and these will also be provided in each silo cabin as well as on our website.

River Bend Ranch Cabins are fully committed to following all regulations and policies outlined by provincial and municipal legislations

### *Identification of hazards*

As the land borders the river there is risk of flood plains, however the silo cabins will be far enough away that no risks are involved.

As the cabins will be within all guidelines there are no environmental risks to Castle river

Silo cabins will be constructed on rig mats therefore can be transported if necessary off the property

#### *Sewer system*

Each silo cabin will be tied into a common sewage head connected into 1 large underground tank. This tank is equipped with a level alarm and sump pump for an open discharge style system

#### *Domestic water*

The water system will be provided by a well. This well will be drilled near the potential locations and provide fresh water for showers, washroom and kitchen use. There is another well on the property as well where the water has been tested and of good quality. We will ensure that the new well is in compliance with the Domestic Water Act.

#### *Roadways and access points*

The access road is a gravel road between Lundbreck Dump and Blue Bridge. Although it is currently gravel there is potential that it could be paved in the future.

The remaining of the roadway is private land access past the personal home to get down the hill to the location. The road will be built in accordance to the MD requirements that will be constructed by Sorge Contracting Inc.

#### *Provision for other utilities and services*

Power poles will be ran to the location from a paralleling line. There will be approximately 4 poles with a transformer feeding the underground services.

New water well and sewage system in accordance with regulations will also have no impact with adjacent properties or Castle River.

#### *Stormwater surface drainage control*

Each silo cabin will have proper eavestroughs that will drain into water barrels. This water will be emptied and utilized on the property without disrupting the adjacent parcel or Castle River.

#### *Landscaping and appearance*

The silo cabins will match the agricultural aesthetic in the area, they are also located in a secluded area surrounded by trees, therefore have limited impact to the landscape of the area. There is also no impact to the views accessed by adjacent parcels.

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
BYLAW NO. 1345-22**

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to amend Bylaw No. 1289-18, being the Land Use Bylaw.

---

**WHEREAS** Section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw;

**WHEREAS** The Municipal District of Pincher Creek No. 9 is in receipt of a request to change the land use designation of lands legally described as:

A portion of Lot 1 Block 1 Plan 1911330 within the NE 20-6-1 W5M

And as shown on Schedule ‘A’ attached hereto, from “Agriculture - A” to “Rural Recreation 2 – RR2”; and

**WHEREAS** The purpose of the proposed amendment is to allow for the development of recreational accommodation;

**NOW THEREFORE**, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as “Land Use Bylaw Amendment No. 1345-22”.
2. Amendments to Land Use Bylaw No. 1289-18 as per “Schedule A” attached.
3. Revise Part IX Districts Rural Recreation 2 – RR2 by adding the following:

9.USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS – River Bend Ranch Houses being a portion of Lot 1 Block 1 Plan 1911330 within the NE 20-6-1 W5M

9.1 Discretionary Uses

1 Shipping container  
5 grain bins converted as accommodation to a recreational use

9.2 Lot Coverage, Setback Requirements, Maximum Building Height, and Parking

As required by the Development Authority
4. This bylaw shall come into force and effect upon third and final passing thereof.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

A PUBLIC HEARING was held this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

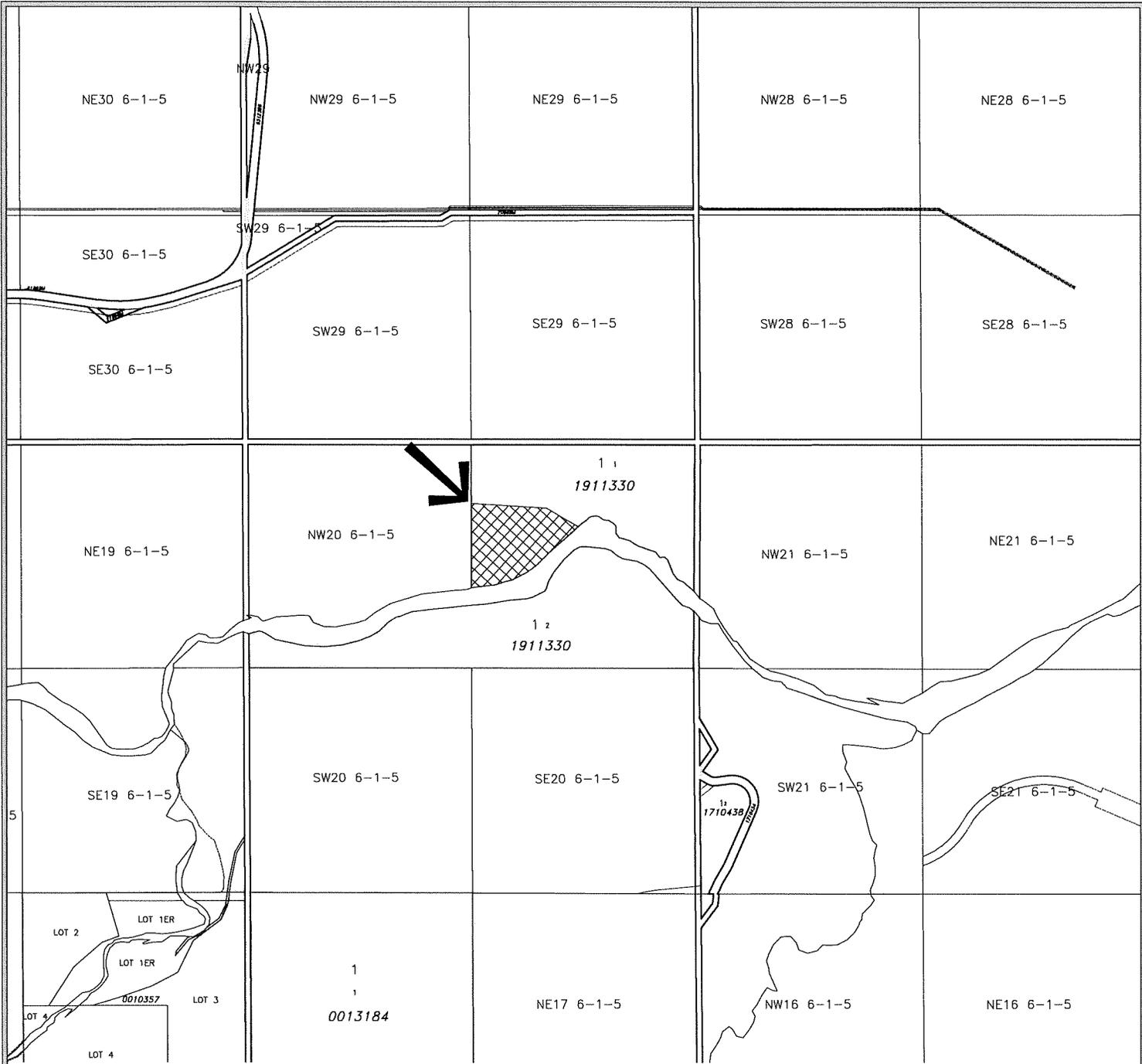
READ a third time and finally PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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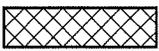
*Reeve*  
*Rick Lemire*

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*Chief Administrative Officer*  
*Roland Milligan*



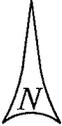
**LAND USE DISTRICT REDESIGNATION  
SCHEDULE 'A'**



**FROM: Agriculture 'A'**  
**TO: Rural Recreation 2 'RR-2'**

PORTION OF LOT 1, BLOCK 1, PLAN 1911330,  
CONSISTING OF 7.96±ha (19.67±ac) MORE OR LESS  
WITHIN NE 1/4 SEC 20, TWP 6, RGE 1, W 5 M  
MUNICIPALITY: MD OF PINCHER CREEK  
DATE: OCTOBER 3, 2022

**Bylaw #:** 1345-22  
**Date:** \_\_\_\_\_



MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344  
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



## Municipal District of Pincher Creek #9 Agricultural Service Board (ASB) Terms of Reference

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### Introduction

Under the authority of the *Agricultural Service Board Act*, the Council of the Municipal District of Pincher Creek #9 (MD) has convened an Agricultural Service Board (ASB). The Board is responsible to Council. Its purpose is to advise Council and the Minister of Agriculture, Forestry and Rural Economic Development on agricultural issues, policy and programs within the municipal district.

The Act reads, in part:

#### **“Agricultural service board duties**

**2** The duties of an agricultural service board are

- (a) to act as an advisory body and to assist the council and the Minister, in matters of mutual concern,
- (b) to advise on and to help organize and direct weed and pest control and soil and water conservation programs,
- (c) to assist in the control of animal disease under the *Animal Health Act*,
- (d) to promote, enhance and protect viable and sustainable agriculture with a view to improving the economic viability of the agricultural producer, and
- (e) to promote and develop agricultural policies to meet the needs of the municipality.

RSA 2000 cA-10 s2;2007 cA-40.2 s74

#### **Boards established**

**3(1)** A council may establish and appoint members to an agricultural service board and provide that the members of the board be paid, out of the funds of the municipality, reasonable allowances for travelling, subsistence and out-of-pocket expenses incurred in attending meetings of the board.

**(2)** The council is to determine the chair, the number of members, the voting status and the term of office of the members of the board.

**(3)** The membership of a board must include persons who are familiar with agricultural concerns and issues and who are qualified to develop policies consistent with this Act.

- (4) A board has and must exercise on behalf of a council all the powers and perform all the duties that are conferred on it by the council, under this or any other enactment, with respect to agricultural matters.
- (5) A person who is a member of a board ceases to be a member of the board if, without being authorized by a resolution of the board, the member is absent from 3 consecutive regular meetings of the board.
- (6) A vacancy on the board does not impair the right of the remaining members to act as long as a majority of the members remain.
- (7) A board constituted under this section with respect to a special area is a corporation consisting of the persons who are members of the board.
- (8) A board that exists immediately before June 18, 1997 continues as a board under this Act.”

## **Functions of the ASB**

The ASB is a critical source of policy and advice for the Council of the MD. The Board requires a high level of understanding of the technology, culture and business of agriculture in the region. Board members will be selected for their knowledge of agriculture. During their term of office, Board members must remain aware of the conditions, challenges and opportunities affecting agriculture in general and their impact on agricultural operations within the MD. The Board will use this expertise to fulfill its mandate.

The Board has four primary roles:

- 1) recommend to Council that it should adopt new policy or provide advice on changes to existing policy as it affects agriculture
- 2) provide direction to projects and programs instituted by the MD's Administration in response to agricultural policies adopted by Council;
- 3) use its initiative in the promotion of viable and sustainable agriculture
- 4) oversee performance with respect to memorandums of agreement that may exist between Council and other cooperating agencies or partnerships that deal with agricultural issues in the MD

## **Meetings**

Meetings will be held bimonthly or as determined by the Chair. An agenda will be circulated one week prior to the meeting, and draft minutes will be available to members and Council within two weeks of the meeting. A quorum of 3 voting members that includes the chair or acting chair of the Board, one councilor and one other member at large is necessary for the meeting to make decisions.

## **Inspections**

From time to time agricultural concerns and situations may be brought to the attention of the Agricultural Services Board. The Board has the necessary legislated authority to act on the information by making a recommendation to Council, or by issuing advice, a notification or a decision in accordance with its mandate. Additionally, an appeal Board has been constituted by Council to ensure due process for those that may be affected by any ASB action.

Information is the key element to effective and equitable actions and decisions by the Board. Accordingly, the Board may request respondents to attend a Board meeting or provide a written statement regarding the agricultural issue. Additionally the Board may request the Agricultural and Environmental Services Department to collect further information by attending meetings, or by conducting field inspections and interviews. All information obtained may be used by the Board to issue an advice or notification in accordance with provincial legislation, or municipal policy.

The Agricultural and Environmental Service Department shall be staffed with personnel trained and authorized by the MD to conduct agricultural inspections. Field inspections will be conducted by the Agricultural Fieldman or his/her designate and the CAO. Inspections may be initiated and scheduled in response to a registered complaint, or on direction of the Board, Council or the CAO. Based on the results of the inspection, the Agricultural Fieldman will report to the ASB on the inspection(s) and provide information on the legislation and an assessment on the need to issue a notice that meets the requirements of the *Weed Control Act*, *Agricultural Pest Act* and or *Soil Conservation Act*. A list of all notices issued since the last ASB meeting will be forwarded to the next ASB Meeting as an agenda item.

## **Policy, Program Direction and Partnerships**

The Agricultural Service Board will establish a set of strategic goals for a 5 year term, to be reviewed annually. The review will include a written assessment of progress, and an assessment of the program's strategic alignment with provincial agricultural policy. The Board will also review Agricultural Policies bi-annually with respect to their currency, relevance and alignment with goals of the MD's agricultural program.

The Board in association with MD Administration will prepare an operational and strategic plan prior to budget deliberations. An ASB recommendation to Council to approve the document will be forwarded to Council and once approved the document may be forwarded to the Minister of Agriculture and Rural Development by the Secretary as required.

Partnerships with non-government organizations will be considered and undertaken by the Board if the partnership advances program goals. A memorandum of understanding

or terms of reference will be developed for each partnership along with a briefing note to Council for approval.

Policy, program direction and partnerships, once approved by Council, that have implications to the Agricultural and Environmental Services program delivery will be attached to this Terms of Reference as Appendix A.

## **Appointment to the Board**

The Agricultural Service Board will consist of 6 members; comprised of 2 Council members and 4 producer members. Appointments will be for a 2 year term to a maximum of 6 years on the board. Member's terms will end on a rotational basis with a goal of no more than 3 members being scheduled to rotate off the Board in one year. Council will nominate producer members to the Board when vacancies occur. Voting members include Council and producer members only. Vacant Board appointments will be made on an annual basis.

An Alberta Agriculture, Forestry and Rural Economic Development, ASB Program, Liaison, the MD's CAO and the Agricultural Fieldman are resource persons to the Board.

## **Members' Responsibilities**

Each Board Member has a responsibility to ensure that the ASB meets its obligation to Council as outlined under Functions of the ASB. Members' responsibilities include:

- Attending and voting at meetings. If a member cannot attend a meeting it is his/her responsibility to inform the secretary prior to the meeting
- Contributing their experience and ideas to Board discussions
- Learning about Agricultural Service Boards
- Listening to producers' concerns or suggestions and bring them to the Board as appropriate
- Participating in program reviews as required
- Providing a briefing to the ASB on workshops, seminars and conventions etc that they have attended
- Participate in the annual review of Policies relevant to the Agricultural and Environmental Services Department of the MD.

## **Chairperson Responsibilities**

One member will be selected by the Board to act as chairperson; the CAO will forward the Board's recommendation to Council for approval. The chairperson position is for a one year term. Chairperson responsibilities include:

- Chair all meetings when present
- Prepare an agenda with the assistance of the Board's Secretary
- Ensuring that agenda items are discussed and conclusions are reached
- Ensuring that the meetings start on time, stay on track and that all members have an opportunity to contribute
- Liaising with the other members when planning meetings
- Reporting to Council as necessary
- Representing the Board at meetings, conferences and other functions

## **Vice-Chairperson Responsibilities**

One member will be nominated and elected to be Vice-Chairperson. The CAO will forward the Board's recommendation to Council for Approval. The Vice-Chairperson's responsibilities include:

- Performing the responsibilities of the Chairperson in the absence of the Chairperson.

## **Secretary Responsibilities**

The MD will provide staff to act as Secretary. Secretary responsibilities include:

- Taking minutes during the ASB, clarifying with members as necessary whatever decisions have been reached
- Preparing the meeting minutes and circulating draft minutes to members within two weeks of the meeting
- Distributing minutes to the CAO and Council
- Compiling an agenda as set by the chairperson, and circulating to members one week prior to the meeting
- Preparing follow-up reports, based on recommendations from the Board to be presented to Council

The Agricultural and Environmental Services Department maintains currency on a wide variety of topics in relation to the needs of agricultural producers and residents. It is the expectation of the Chief Administrative Officer that the ASB will receive the full support of all MD employees. Directors of each department shall ensure that representation is provided as required, and that members of the ASB are given adequate time to fulfill their Board obligations. This is in keeping with our municipality's commitment to provide quality agricultural and environmental services for all.

Approved by Council Resolution # 10/586

Date: November 23, 2010

Policy:

- C-AES-001 License of Occupation, Revised by Council, Dated September 14 2021
- C-AES-002 Landowners Assuming Responsibility for Weed Control on Municipal Right-of-ways Adjacent to Their Property, Revised by Council, Dated September 22, 2020
- C-AES-003 Weed Free Gravel/Aggregate Policy Dated: June 25, 2019
- C-AES-004 Weed Control Policy Dated June 25, 2019
- C-AES-004B Eradicable Weed Control Policy Date: June 25, 2019
- C-AES-005 ASB Appeal Committee Policy Dated October 27, 2020
- C-AES-006 Agricultural Pest Policy Dated January 12, 2021
- C-AES-605 Livestock Industry Policy Dated March 28, 2017

Program:

- ASB Strategic and Operational Plan Dated March, 2019 2020-2024

Partnerships:

- Alternative Land Use Systems (ALUS)
- Alberta Invasive Species Council (AISC)
- Beaver Creek Watershed Group
- Drywood Yarrow Conservation Partnership
- Foothills Forage and Grazing
- Pincher Creek Watershed Group
- SouthWest Invasive's Managers Partnership (SWIM)
- Waterton Biosphere

## CHIEF ADMINISTRATIVE OFFICER'S REPORT

September 27, 2022 to October 6, 2022

### Discussion:

September 27	Council Committee Meeting and Council Meeting
September 28	ICF Meeting with Town of Pincher Creek
September 28	Meeting with Selena McLean-Moore, Regional Industrial Relations - Jobs, Economy, and Innovation Alberta
September 29	CUPE Pre-bargaining Meeting
October 3	Utilities Bylaw Review
October 3	Emergency Advisory Committee Meeting
October 4	Operating Budget Meetings
October 4	AEMA Field Officer Meeting (Meet new Field Officer, Lorne Thompson)
October 4	Planning Meeting
October 4	Municipal Planning Commission Meeting
October 5	Salary Grid and Org Chart Discussions
October 5	Agriculture Service Board Meeting
October 6	Council Package preparation
October 6	Formal Field Inspection (Joint Health and Safety Committee)
October 6	Joint Budget Meeting at Town of Pincher Creek
October 7	Vacation
October 10	Thanksgiving Statutory Holiday

### RECOMMENDATION:

That Council receive for information, the Interim Chief Administrative Officer's report for the period September 27, 2022 – October 6, 2022.

Prepared by:

CAO, Roland Milligan

Date: October 6, 2022

Respectfully presented to:

Council

Date: October 11, 2022

**Administrative Support Activity since last Council Meeting**  
**– prepared by Jessica McClelland, EA**

**Letters from last Council:**

Chinook Regional Subdivision and Development Appeal Board – Bjorn Berg  
CARLS – Approval of Budget

**Advertising/social:**

Energy Efficiency Day posts with Municipal Energy Project Lead  
Public Hearing Bylaw 1337-22 (Blak Star Globes)  
Coffee with Council – November 3 in Twin Butte  
Town Hall Meeting with RCMP – October 13 at MD Office  
ALUS Pincher Creek  
Southwest Alberta Rural Crime Watch Open House – October 6 2022  
Scheduled Maintenance for Water Standpipes  
Tax Deadline Notice – October 31, 2022

**Other Activities:**

Council Package  
ASB Meeting  
Scheduling Meeting with Ministers during RMA

**Upcoming Meetings of Importance:**

Joint Budget with Town – October 6, 2022 at 4:00 pm  
Offices Closed for Thanksgiving – October 10, 2022  
Regular Committee, Council – October 11, 2022  
Town Hall Meeting with RCMP – October 13 at MD Office  
Coffee with Council – November 3 in Twin Butte  
RMA November 6-10, 2022



**ROYAL CANADIAN LEGION PINCHER CREEK BRANCH #43**

P.O. BOX 131, 691 MAIN STREET, PINCHER CREEK, ALBERTA T0K1W0

Tel: 403 627 4024

RECEIVED

OCT - 5 2022

M.D of Pincher Creek

October 2, 2022

Municipal District of Pincher Creek #9  
Box 279  
Pincher Creek, Alberta  
T0K 1W0

During the coming months, the Royal Canadian Legion Pincher Creek Branch #43 will be honoring and remembering our Veterans and their families, through our sale of Poppies and Wreaths and our REMBRANCE DAY SERVICES.

The Royal Canadian Legion Pincher Creek Branch #43 request permission for:

1. Pincher Creek Branch #43 Members and Pincher Creek Branch #43 Ladies Auxiliary Members to canvas businesses, individuals and organizations beginning October 11, 2022 for the sale of wreaths and donations to the Royal Canadian Legion Pincher Creek Branch #43 Poppy Fund.
2. To distribute poppy boxes, as soon as authorized by Dominion Command
3. Youth Groups to canvas the residential areas with poppies on the first Saturday in November
4. Declare the week of November 5 to 11 as "Veterans' Week"

Funds received from donations and the sales of poppies and wreaths are used exclusively to assist Veterans of the Canadian Forces and the RCMP and their families, who need assistance.

Thank you for considering our request and we await your response.

Yours sincerely

Dick Burnham, Poppy Chairman

Royal Canadian Legion Pincher Creek Branch #43

**LEST WE FORGET**

# BOARD REPORT



Chinook Arch Library Board Meeting - August 4, 2022

## Chinook Arch Approves 2023-2026 Plan of Service

Like all Alberta library boards, Chinook Arch is required by law to develop a Plan of Service to guide how it invests its resources. The 2023-2026 Plan of Service was developed in consultation with member library staff and other stakeholders. This exciting plan has five main areas of focus:

- Boosting foot traffic in libraries
- Helping libraries reach out to their communities
- Helping libraries adapt to changing technology
- Providing programming and programming support
- Assisting libraries in extending services to newcomers to Canada

To view the detailed 2023-2026 Plan of Service, please visit the Chinook Arch website at [www.chinookarch.ca](http://www.chinookarch.ca) under “About Us.”

## Proposed 2023-2026 Levy Schedule Forwarded to Member Councils

The Chinook Arch Library Board has approved a proposed member levy schedule for the 2023-2026 budget cycle. The proposed levy includes small annual increases that will help Chinook Arch address inflationary pressures while providing enough resources to accomplish the goals of the 2023-2026 Plan of Service. In order for the new levy schedule to take effect, it must be approved by two thirds of member councils representing two thirds of the population. The proposed levy schedule is now before councils. Here is the proposed per capita levy schedule as approved by the board:

Year	Proposed Municipal Levy	Annual Increase (\$)	Annual Increase (%)
<b>Current</b>	<b>\$7.76</b>		
<b>2023</b>	<b>\$7.93</b>	<b>\$0.17</b>	<b>2.19%</b>
<b>2024</b>	<b>\$8.09</b>	<b>\$0.16</b>	<b>2.02%</b>
<b>2025</b>	<b>\$8.22</b>	<b>\$0.13</b>	<b>1.61%</b>
<b>2026</b>	<b>\$8.32</b>	<b>\$0.10</b>	<b>1.22%</b>

## Board Members Present

Cardston County  
 Carmangay  
 Champion  
 Claresholm  
 Coalhurst  
 Coutts  
 Crowsnest Pass  
 Glenwood  
 Hill Spring  
 Lomond  
 Magrath  
 Picture Butte  
 Pincher Creek  
 Pincher Creek M.D.  
 Raymond  
 Taber MD  
 Vulcan  
 Vulcan County  
 Warner (Village)  
 Warner County  
 ID of Waterton  
 Willow Creek M.D.  
 LPL Resource Centre  
 Ministerial Appointment

Tom Nish  
 Sarah Mitchell  
 Terry Penney  
 Tony Hamlyn  
 Lyndsay Montina  
 Stephen A. Pain  
 Doreen Glavin  
 Linda Allred  
 Suzanne French  
 Marie Logan  
 Darryl Christensen  
 Teresa Feist  
 Mark Barber  
 Dave Cox  
 Kelly Jensen  
 Tamara Miyanaga  
 Liz Hammond  
 Doug Logan  
 Don Toovey  
 Morgan Rockenbach  
 Lesley Little  
 Maryanne Sandberg  
 Wendy Kalkan  
 Vic Mensch (Chair)

### Regrets

Coaldale  
 Fort Macleod  
 Lethbridge (City)  
 Milk River  
 Nanton  
 Nobleford  
 Taber  
 Vauxhall

Jordan Sailer  
 Jim Monteith  
 Robin Harper  
 Anne Michaelis  
 Lise Mayne  
 Melissa Jensen  
 Monica McLean  
 Shelley Deleeuw

### Absent

Arrowwood  
 Barnwell  
 Barons  
 Cardston  
 Lethbridge (County)  
 Milo  
 Stavelly  
 Stirling  
 Kainai Board of Education

Wendy Williams  
 Jane Johnson  
 Ron Gorzitza  
 Marsha Jensen  
 Tory Campbell  
 Christopher Northcott  
 Denise Allerdings  
 Gary Bikman  
 Linda Weasel Head

## Looking good Taber!

Taber Public Library recently renovated their Children and Teen areas of the library. These improvements were made possible by a successful Community Foundation grant application along with local donations.



**Chinook Arch Regional Library System and our member libraries are located on the traditional lands of the Siksikaitstapi, (or the Blackfoot Confederacy). This land is also part of Treaty 7 territory. Treaty 7 was intended to recognize and affirm existing Indigenous rights. It was meant to be an instrument of authentic, genuine relationship between Indigenous peoples and Settler Canadians. As such, Chinook Arch acknowledges our obligation to honor the spirit of Treaty 7. We are committed to advancing the process of reconciliation by decolonizing our practices and procedures to enhance experiences and opportunities for Indigenous peoples.**

## Contact Us

Chinook Arch Regional Library System  
 2902 7th Avenue North  
 Lethbridge, AB T1H 5C6 | 403-380-1500  
[www.chinookarch.ca](http://www.chinookarch.ca) | [arch@chinookarch.ca](mailto:arch@chinookarch.ca)



[facebook.com/  
chinook.arch7](https://facebook.com/chinook.arch7)



[@chinooklibs](https://www.instagram.com/chinooklibs)



[@chinooklibs](https://www.twitter.com/chinooklibs)

**RCMP**



ROYAL CANADIAN MOUNTED POLICE

# Town Hall Meeting With The RCMP

**Learn more about:**

- Crime in your community
- What the RCMP is doing to reduce crime
- How you can keep your community safe
- Where you can get more information on local crime

Date: October 13, 2022 at 7:00pm

Location: MD of Pincher Creek Chambers  
1037 Herron Street, Pincher Creek, AB