

**AGENDA
COUNCIL MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK
November 4, 2014
1:00 pm**

- A. ADOPTION OF AGENDA
- B. DELEGATIONS
- C. MINUTES
- (1) Council Meeting Minutes
- Minutes of October 28, 2014
- D. UNFINISHED BUSINESS
- E. CHIEF ADMINISTRATOR'S REPORTS
- (1) **Operations**
- a) Operations Report
- Report from Director of Operations, dated October 29, 2014
- (2) **Planning and Development**
- Nil
- (3) **Finance and Administration**
- a) Budget to Actual as of September 30
- Report as of September 30, 2014
- b) Request to Cancel Uncollectable Mobile Home Taxes
- Report from Director of Finance and Administration, dated October 30, 2014
- c) Bylaw No. 1250-14, Tax Installment Payment Plan
- Bylaw No. 1250-14 presented for consideration for first and second reading
- (4) **Municipal**
- a) Appointment to Economic Development Committee
- b) CAO Report
- Report from CAO, dated October 30, 2014
- F. CORRESPONDENCE
- (1) **Action Required**
- a) Crestview Lodge Christmas Stocking Gift Program
- Letter from Crestview Lodge, dated October 16, 2014
- (2) **For Information**
- G. COMMITTEE REPORTS / DIVISIONAL CONCERNS
- Councillor Grant McNab – Division 1
- Councillor Fred Schoening – Division 2
- Councillor Garry Marchuk – Division 3
- Reeve Brian Hammond - Division 4
- Councillor Terry Yagos – Division 5

- H. IN-CAMERA
 - (1) Land
 - (2) Personnel
 - (3) Personnel
- I. NEW BUSINESS
- J. ADJOURNMENT

**MINUTES
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
ORGANIZATIONAL MEETING
OCTOBER 28, 2014**

The Organizational Meeting of the Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, October 28, 2014 at 1:00 pm in the Council Chambers of the Municipal District Building, Pincher Creek, Alberta.

PRESENT Councillors Brian Hammond, Terry Yagos, Garry Marchuk, Grant McNab, and Fred Schoening

STAFF CAO Wendy Kay, Director of Operations Leo Reedyk, Director of Finance Mat Bonertz, Director of Development and Community Services Roland Milligan and Executive Assistant Tara Cryderman

A. CALL TO ORDER

CAO Wendy Kay called the meeting to order at 1:00 pm.

B. ELECTION OF REEVE

CAO Wendy Kay asked each Councillor if they were willing to let their name stand for the position of Reeve

Councillor Garry Marchuk and Councillor Brian Hammond both indicated that they would let their names stand for the position of Reeve.

An election by secret ballot was held.

Councillor Brian Hammond was declared elected as Reeve by majority vote.

Councillor Fred Schoening 14/422

Moved that the ballots be destroyed.

Carried

C. ELECTION OF DEPUTY REEVE

CAO Wendy Kay asked each Councillor if they were willing to let their name stand for the position of Deputy Reeve.

Councillor Terry Yagos indicated that he would let his name stand for the position of Deputy Reeve.

Councillor Terry Yagos was declared Deputy Reeve by acclamation

D. APPROVAL OF AGENDA

Councillor Terry Yagos 14/423

Moved that the Organizational Agenda of October 28, 2014, be approved as presented.

Carried

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E. APPOINTMENT OF SIGNING AUTHORITIES

Councillor Fred Schoening 14/424

Moved that Reeve Brian Hammond and Deputy Reeve Terry Yagos and the CAO and the Director of Finance and Administration are authorized signing authorities for general cheques of the Municipal District of Pincher Creek No. 9;

And that only one Elected Official and one Management Employee be authorized to sign any one cheque at any one time.

Carried

F. APPOINTMENT OF AUDITORS

Councillor Terry Yagos 14/425

Moved that Young, Parkin, McNab LLP be appointed as the Municipal District of Pincher Creek No. 9 Auditors for 2014-2015.

Carried

G. MEETING TIMES AND DATES

Councillor Garry Marchuk 14/426

Moved that:

- Subdivision Authority Meetings be held the first Tuesday of each month at 6:00 pm
- Municipal Planning Commission Meetings be held the first Tuesday of each month at 6:30 pm
- Council Meetings be held the second and fourth Tuesday of each month at 1:00 pm

Carried

All of Council are sitting Members of the following Committees, Boards and Commissions.

- AAMDC
- Mayors and Reeves
- Finance and Budget Committee
- Foothills Little Bow
- Joint Town and MD Council Meetings
- Joint Council Funding
- Municipal Planning Commission
- Regional Council Meetings
- Regional Water Joint Council – MD / Village of Cowley
- Statutes, Bylaws and Plans Committee
- Subdivision Authority

H. APPOINTMENTS TO COMMITTEES

Councillor Garry Marchuk 14/427

Moved that the following Councillors be appointed to the Agricultural Service Board:

Councillor Fred Schoening as Member
Councillor Terry Yagos as Member
Councillor Grant McNab as Alternate

Carried

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Councillor Garry Marchuk 14/428

Moved that all Councillors be appointed to the Municipal Planning Commission.

Carried

Councillor Terry Yagos 14/429

Moved that the following Councillors be appointed to the Oldman River Regional Services Commission – ORRSC:

Councillor Garry Marchuk as Member
Councillor Fred Schoening as Alternate

Carried

Councillor Terry Yagos 14/430

Moved that the following Councillors be appointed to the Pincher Creek Foundation:

Councillor Garry Marchuk as Member
Reeve Brian Hammond as Member
Councillor Grant McNab as Alternate
Councillor Fred Schoening as Alternate

Carried

Councillor Garry Marchuk 14/431

Moved that the following Councillors be appointed to the Emergency Services Committee (Fire and Ambulance):

Reeve Brian Hammond as Member
Councillor Terry Yagos as Member
Councillor Fred Schoening as Alternate

Carried

Councillor Garry Marchuk 14/432

Moved that the following Councillors be appointed to FCSS (Family and Community Support Services):

Councillor Fred Schoening as Member
Reeve Brian Hammond as Alternate

Carried

Councillor Terry Yagos 14/433

Moved that the following Councillors be appointed to the Library Board / Chinook Arch Regional Library Board:

Councillor Fred Schoening as Member
Councillor Grant McNab as Alternate

Carried

Councillor Fred Schoening 14/434

Moved that the following Councillors be appointed to Alberta Southwest Regional Alliance:

Councillor Garry Marchuk as Member
Councillor Grant McNab as Alternate

Carried

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Councillor Fred Schoening 14/435

Moved that the following Councillors be appointed to Crowsnest / Pincher Creek Landfill Association:

Councillor Terry Yagos as Member
Councillor Fred Schoening as Alternate
Carried

Councillor Fred Schoening 14/436

Moved that the following Councillors be appointed to the Intermunicipal Development Committee:

Councillor Terry Yagos as Member
Councillor Grant McNab as Member
Councillor Garry Marchuk as Alternate
Carried

Councillor Grant McNab 14/437

Moved that the following Councillors be appointed to Castle Mountain Resort:

Councillor Garry Marchuk as Member
Councillor Fred Schoening as Alternate
Carried

Councillor Garry Marchuk 14/438

Moved that the following Councillors be appointed to the Cemetery Committee:

Reeve Brian Hammond as Member
Councillor Grant McNab as Alternate
Carried

Councillor Grant McNab 14/439

Moved that the following Councillors be appointed to the Recycling Management and Solid Waste Committee:

Councillor Terry Yagos as Member
Reeve Brian Hammond as Alternate
Carried

Councillor Grant McNab 14/440

Moved that the following Councillors be appointed to the Community Advisory Committee (Pincher Creek RCMP):

Councillor Garry Marchuk as Member
Councillor Fred Schoening as Alternate
Carried

Councillor Terry Yagos 14/441

Moved that the Rural Community Policing Officer be appointed to the Community Advisory Committee (Crowsnest Pass RCMP).

Carried

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Councillor Fred Schoening 14/442

Moved that the following Councillor be appointed to the Lundbreck Citizens Council:

Councillor Terry Yagos as Member
Carried

Councillor Fred Schoening 14/443

Moved that the following Councillor be appointed to the Beaver Mines Community Association:

Councillor Garry Marchuk as Member
Carried

Councillor Terry Yagos 14/444

Moved that the appointments to the Transportation Committee be tabled pending further information regarding this committee.

Carried

Councillor Grant McNab 14/445

Moved that the following Councillor be appointed to the Headwaters Action Team:

Councillor Terry Yagos as Member
Carried

I. MINUTES

(1) Council Meeting Minutes

Councillor Fred Schoening 14/446

Moved that the Council Meeting Minutes of October 14, 2014, be approved as presented.

Carried

J. UNFINISHED BUSINESS

(1) Policy 303 Winter Maintenance of Municipality Directed, Controlled and Managed Roads and Airport Surfaces and 2014/2015 Snow Plow Map

Councillor Fred Schoening 14/447

Moved that the report from the Director of Operations, dated October 9, 2014, regarding the Policy 303 Winter Maintenance of Municipality Directed, Controlled and Managed Roads and Airport Surfaces and 2014/2015 Snow Plow Map, be received;

And that Council approve the snow plow map for the 2014 /2015 snow plowing season.

Carried

K. CHIEF ADMINISTRATOR'S REPORTS

(1) Operations

a) Purchase of Off Stream Watering System

Councillor Fred Schoening 14/448

Moved that the report from the Director of Operations, dated October 22, 2014, regarding the purchase of Off Stream Watering System, be received;

And that Council approve the purchase of an off stream watering system, to a maximum of \$10,000, for demonstration within the municipality with funding coming from Environmental Projects, Account No. 2-62-0-773-2765.

Carried

b) Operations Report

Councillor Terry Yagos 14/449

Moved that the Operations Report for the period of October 9, 2014 to October 22, 2014 be received as information.

Carried

2) Planning and Development

a) Bylaw No 1256-14 – Noise Bylaw

Councillor Garry Marchuk 14/450

Moved that Bylaw No. 1256-14, being the Noise Bylaw, be given first reading.

Carried

Councillor Terry Yagos 14/451

Moved that Bylaw No. 1256-14, being the Noise Bylaw, be given second reading.

Carried

A public meeting for the Noise Bylaw No. 1256-14 is scheduled for November 24, 2014 at 7:00 pm in the Council Chambers.

3) Finance and Administration

a) 2015 FCSS Funding Agreement with Province

Councillor Terry Yagos 14/452

Moved that the report from the Director of Finance and Administration dated October 15, 2014, regarding the 2015 FCSS Funding Agreement with the Province be received;

And that Council participate in the 2015 FCSS program and approve the Reeve signing the 2015 FCSS contract on behalf of the municipality.

Carried

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4) Municipal

a) Chief Administrative Officer (CAO) Report

Councillor Garry Marchuk 14/453

Moved that the CAO report for the period of October 10, 2014 to October 23, 2014, be received as information.

Carried

L. CORRESPONDENCE

(1) Action Required

a) Request for Permanent Snow Fence – Gun Club

Councillor Terry Yagos 14/454

Moved that the letter from Hugh Bonertz with the Gun Club, dated October 22, 2014, regarding a request for permanent snow fence be received;

And that a temporary snow fence be installed adjacent to Range Road 1-5 across from the Gun Club.

Carried

b) Facilities Planning Study Steering Committee

Councillor Terry Yagos 14/455

Moved that the letter from the Town of Pincher Creek, dated October 10, 2014, regarding the Facilities Planning Study Steering Committee, be received as information.

Carried

(2) For Information Only

Councillor Fred Schoening 14/456

Moved that the following be received as information:

a) Update on Southern Alberta Transmission Projects

- Letter from AESO, dated October 22, 2014

b) Public Meeting – Livingstone Landowners

- Email from Bruce Mowat, dated October 23, 2014

Carried

Councillor Garry Marchuk 14/457

Moved that Administration be directed to contact Municipal Dispute Resolution Services and investigate the possibility of having workshops hosted in southwest Alberta.

Carried

M. COMMITTEE REPORTS

Councillor Grant McNab – Division 1

- Bruder Bridge Tender

Councillor Fred Schoening – Division 2

- Nothing to report

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- Councillor Garry Marchuk – Division 3
- Oldman River Regional Services Commission
 - Minutes of August 14, 2014

- Reeve Brian Hammond - Division 4
- Noting to report

- Councillor Terry Yagos – Division 5
- Landfill
 - Patton Park Committee

Councillor Terry Yagos 14/458

Moved that the Crowsnest / Pincher Creek Landfill be authorized to proceed with the Regional Waste and Recycling Initiative.

Carried

Councillor Fred Schoening 14/459

Moved that the committee reports be received as information.

Carried

N. IN CAMERA

Councillor Fred Schoening 14/460

Moved that Council and Staff move In-Camera, the time being 2:55 pm.

Carried

Councillor Terry Yagos 14/461

Moved that Council and Staff move out of In-Camera, the time being 4:05 pm.

Carried

O. FACILITIES PLANNING STUDY STEERING COMMITTEE

Councillor Terry Yagos 14/462

Moved that Councillor Fred Schoening be appointed to the Town of Pincher Creek Facilities Planning Study Steering Committee.

Carried

P. ADJOURNMENT

Councillor Grant McNab 14/463

Moved that Council adjourn the meeting, the time being 4:08 pm.

Carried

REEVE

CHIEF ADMINISTRATIVE OFFICER

Director of Operations Report October 29, 2014

Operations Activity Includes:

- October 27, Lundbreck lagoon discharge landowner meeting;
- October 28, Council meeting;
- October 30, Staff meeting;
- October 30, Operational Budget meeting;
- October 30, Waldron Grazing Coop Gravel Pit meeting.

Agricultural and Environmental Services Activity Includes:

- Weed Program
 - 2013 Weed Program ended on October 28th with temperatures of -15C overnight;
 - Fall Sprayed about 60% of MD roads for Canada Thistle and Perennial Sow Thistle ;
- Personnel (October 23, 24)
 - Clean and winterize all equipment ;
 - Final look at records, mapping and safety;
 - Exit interviews for Travis & Mike (the last two summer students) who were done October 24th
- Lindsey at AMHSA Leadership for Safety Excellence Training in Coaldale (October 29, 30);
- ASB Agenda for ASB Meeting November 6th (October 29, 30);
- ASB South Region Conference & Committee Meeting in Nanton (October 24);
- Develop winter work program for Ag & Assistant Ag Fieldman.

Public Works Activity Includes:

- TR 6-1 (Lyle Nobles) Road Repair started Oct. 29;
- Snow fence installation ongoing;
- Seasonal staff are done on Friday October 30;
- Bob Millar is doing his final bridge inspector examination;
- Patched Bonertz and Reners bridge decks;
- Blading the forestry for the last time this year;
- Internal Safety Auditor Certification Audit underway;
- Draining the Lundbreck Septic Lagoon.

Upcoming:

- October 31, Cottonwood Bridge Preconstruction meeting;
- November 4, Council meeting;
- November 6, Agricultural Service Board meeting.

Recommendation:

That the Operations report for the period October 22, 2014 to October 29, 2014 be received as information.

Prepared by: Leo Reedyk



Date: October 29, 2014

Reviewed by: Wendy Kay



Date: October 31, 2014

Submitted to: Council

Date: November 4, 2014

M.D. of Pincher Creek No.9

Budget to Actual Comparisons - Totals

For the Nine Months Ending September 30, 2014

	Budget 2014	Actual 2014	Budget Remaining	Percent of Budget Used
Taxation and Requisitions	9,312,730.00	9,621,206.36	-308,476.36	103.31%
Council	-229,070.00	-121,886.04	-107,183.96	53.21%
Administration	-1,834,980.00	-1,304,987.81	-529,992.19	71.12%
Fire Protection Services	-26,000.00	15,659.60	-41,659.60	-60.23%
By-law Enforcement Services	-171,760.00	-67,167.32	-104,592.68	39.11%
Public Works	-4,533,460.00	-4,403,251.50	-130,208.50	97.13%
Hamlet of Lundbreck	-137,640.00	-79,989.28	-57,650.72	58.11%
Airport	-26,840.00	3,082.34	-29,922.34	-11.48%
General Water	-620.00	-1,599.29	979.29	257.95%
Lundbreck Water	-134,960.00	-103,214.74	-31,745.26	76.48%
Lundbreck Sewer	-38,470.00	-52,037.48	13,567.48	135.27%
Waste Management	-354,720.00	-243,047.80	-111,672.20	68.52%
Regional Water System	-171,130.00	-231,814.79	60,684.79	135.46%
Community Support Services	-114,580.00	-114,419.00	-161.00	99.86%
Cemeteries	-40,500.00	873.54	-41,373.54	-2.16%
Municipal Planning and Zoning	-277,320.00	-160,801.96	-116,518.04	57.98%
Agricultural and Environmental	-369,710.00	-355,164.95	-14,545.05	96.07%
Regional Recreation	-330,010.00	-382,772.50	52,762.50	115.99%
Recreation Services	-102,840.00	-46,416.63	-56,423.37	45.13%
Cultural Services	-391,560.00	-243,467.48	-148,092.52	62.18%
Budget to Actual Totals	26,560.00	1,728,783.27	-1,702,223.27	

Comments

Taxation and Requisitions

Does not include bond interest that is updated after yearend.

Fire Protection Services

Unbudgeted grant revenue remaining \$13,911.00 and unbudgeted miscellaneous revenue of \$3,200.20 was received.

General Water

Standpipe revenue more than expenses because P.W. costs do not get posted until yearend.

Lundbreck Sewer

Lundbreck utility revenue not posted until Oct and Dec but all expenses have been incurred.

Regional Water System

Construction costs still being received. They will be balanced at yearend. Revenue from Village of Cowley has not been billed yet.

Regional Recreation

Zamboni purchase with Town of Pincher Creek

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Revenue and Expenditures - Totals

For the Nine Months Ending September 30, 2014

	Budget 2014	Actual 2014	Budget Remaining	Percent of Budget Used
Revenue - Operating and Capital				
Own Source Revenue	429,850.00	122,899.37	306,950.63	28.59%
Council	4,500.00	4,636.00	-136.00	103.02%
Administration	339,040.00	449,797.97	-110,757.97	132.67%
Fire Protection Services	0.00	85,075.20	-85,075.20	0.00%
By-law Enforcement Services	225,650.00	213,703.00	11,947.00	94.71%
Public Works	2,597,990.00	500,362.05	2,097,627.95	19.26%
Hamlet of Lundbreck	367,000.00	408,958.47	-41,958.47	111.43%
Airport	43,400.00	32,883.89	10,516.11	75.77%
General Water	188,500.00	21,423.75	167,076.25	11.37%
Lundbreck Water	64,300.00	150,452.73	-86,152.73	233.99%
Lundbreck Sewer	35,900.00	24,955.08	10,944.92	69.51%
Waste Management	81,820.00	5,139.91	76,680.09	6.28%
Regional Water System	1,712,920.00	1,527,105.33	185,814.67	89.15%
Community Support Services	0.00	42,680.51	-42,680.51	0.00%
Municipal Planning and Zoning	39,800.00	15,265.34	24,534.66	38.36%
Agricultural and Environmental	381,270.00	234,143.68	147,126.32	61.41%
Recreation Services	7,500.00	56,430.86	-48,930.86	752.41%
Cultural Services	125,290.00	129,240.00	-3,950.00	103.15%
Total Revenue	6,644,730.00	4,025,153.14	2,619,576.86	60.58%
Expenses - Operating and Capital				
Requisitions	-3,119,480.00	-2,470,745.44	-648,734.56	79.20%
Council	-233,570.00	-126,522.04	-107,047.96	54.17%
Administration	-2,174,020.00	-1,754,785.78	-419,234.22	80.72%
Fire Protection Services	-26,000.00	-69,415.60	43,415.60	266.98%
By-law Enforcement Services	-397,410.00	-280,870.32	-116,539.68	70.68%
Public Works	-7,131,450.00	-4,903,613.55	-2,227,836.45	68.76%
Hamlet of Lundbreck	-504,640.00	-488,947.75	-15,692.25	96.89%
Airport	-70,240.00	-29,801.55	-40,438.45	42.43%
General Water	-189,120.00	-23,023.04	-166,096.96	12.17%
Lundbreck Water	-199,260.00	-253,667.47	54,407.47	127.30%
Lundbreck Sewer	-74,370.00	-76,992.56	2,622.56	103.53%
Waste Management	-436,540.00	-248,187.71	-188,352.29	56.85%
Regional Water System	-1,884,050.00	-1,758,920.12	-125,129.88	93.36%
Community Support Services	-114,580.00	-179,931.23	65,351.23	157.04%
Cemeteries	-40,500.00	873.54	-41,373.54	-2.16%
Municipal Planning and Zoning	-317,120.00	-176,067.30	-141,052.70	55.52%
Agricultural and Environmental	-750,980.00	-589,308.63	-161,671.37	78.47%
Recreation Services	-440,350.00	-485,619.99	45,269.99	110.28%
Cultural Services	-516,850.00	-372,707.48	-144,142.52	72.11%
Total Expenses	-18,620,530.00	-14,288,254.02	-4,332,275.98	76.73%
Taxation Support				
Tax Revenue	12,002,360.00	11,969,052.43	33,307.57	99.72%
Total Taxation Support	12,002,360.00	11,969,052.43	33,307.57	99.72%
Revenue and Expenses Total	26,560.00	1,705,951.55	-1,679,391.55	

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Revenue and Expenditures - Totals

For the Nine Months Ending September 30, 2014

	Budget 2014	Actual 2014	Budget Remaining	Percent of Budget Used
Revenue - Operating and Capital				
Sales of Goods and Services	983,710.00	361,712.42	621,997.58	36.77%
Miscellaneous Revenues	446,200.00	486,079.44	-39,879.44	108.94%
Grants - Operating	89,010.00	109,437.51	-20,427.51	122.95%
Grants - Capital	2,517,310.00	2,173,693.13	343,616.87	86.35%
Reserves - Operating	230,250.00	321,129.41	-90,879.41	139.47%
Reserves - Capital	2,378,250.00	573,101.23	1,805,148.77	24.10%
Total Revenue	6,644,730.00	4,025,153.14	2,619,576.86	60.58%
Expenses - Operating and Capital				
Salaries, Wages and Benefits	-3,802,010.00	-2,605,336.06	-1,196,673.94	68.54%
Staff Development and Safety	-85,500.00	-43,696.33	-41,803.67	51.11%
Fees Paid	-185,840.00	-163,028.08	-22,811.92	87.72%
Travel and Subsistence	-66,200.00	-41,173.41	-25,026.59	62.20%
Administration Costs	-445,000.00	-360,363.51	-84,636.49	80.98%
Repairs	-109,320.00	-91,200.01	-18,119.99	83.42%
Contracted Services	-1,871,340.00	-1,301,332.48	-570,007.52	69.54%
Insurance	-118,400.00	-26,887.24	-91,512.76	22.71%
Supplies	-1,404,280.00	-1,279,657.49	-124,622.51	91.13%
Utilities	-90,360.00	-80,011.37	-10,348.63	88.55%
Miscellaneous Expenses	-53,430.00	-21,635.79	-31,794.21	40.49%
Flood Repair Expenses	0.00	-772,862.24	772,862.24	0.00%
Contributions to Other Agencies	-924,690.00	-1,086,714.24	162,024.24	117.52%
Debt Payments	-727,790.00	-555,292.76	-172,497.24	76.30%
Transferred to Operating Reserves	-261,310.00	0.00	-261,310.00	0.00%
Transferred to Capital Reserves	-1,049,330.00	-803,070.00	-246,260.00	76.53%
Requisitions	-3,145,480.00	-2,511,650.44	-633,829.56	79.85%
Capital - General Revenue Funded	-50,000.00	-19,840.04	-30,159.96	39.68%
Capital - Grant Funded	-2,002,000.00	-1,932,228.40	-69,771.60	96.51%
Capital - Reserve Funded	-2,228,250.00	-592,274.13	-1,635,975.87	26.58%
Total Expenses	-18,620,530.00	-14,288,254.02	-4,332,275.98	76.73%
Taxation Support				
Tax Revenue	12,002,360.00	11,969,052.43	33,307.57	99.72%
Total Taxation Support	12,002,360.00	11,969,052.43	33,307.57	99.72%
Revenue and Expenses Total	26,560.00	1,705,951.55	-1,679,391.55	

October 30th, 2014

TO: Reeve and Council

FROM: Mat Bonertz, Director of Finance and Administration

SUBJECT: Request to Cancel Uncollectable Mobile Home Taxes

1. Origin

Taxes levied on a mobile home stay with the owner of the mobile home when the tax was levied even after the mobile home is sold. In some instances this makes collection of these taxes difficult and sometimes impossible.

2. Background/Comment

We currently have 3 mobile home tax accounts that we have been unsuccessful in collecting (both ourselves and a collection agency). Two of the accounts are for 2010 taxes and one is for 2011 taxes. Both ourselves and the collection agency have been unable to locate any of the individuals involved. The three accounts with interest amount to \$3,443.09. There is sufficient budget remaining in our 2014 Tax Cancellation Account for these cancellations.

3. Recommendation

That Council direct administration to cancel the following invoices and associated interest as they are deemed uncollectable:

1. Account Number POLL002 Invoice DEBIT00007 in the amount of \$2,454.16 which includes interest.
2. Account Number LEE 001 Invoice DEBIT00015 in the amount of \$423.12 which includes interest.
3. Account Number SHIP001 Invoice DEBIT00011 in the amount of \$565.81 which includes interest.

Respectfully Submitted,

Mat Bonertz, Director of Finance and Administration *MB*

Reviewed By: Wendy Kay, CAO *W. Kay*

Date: October 30th, 2014

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW NO. 1250-14**

**BEING A BYLAW OF THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9, IN
THE PROVINCE OF ALBERTA,
for the purpose of allowing the payment of taxes by installments**

WHEREAS pursuant to Section 339 of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26 allows a Council by bylaw to provide incentives for the payment of taxes;

AND WHEREAS pursuant to Section 340 of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26 allows a Council by bylaw to provide for the payment of taxes by installments;

AND WHEREAS pursuant to Section 346 of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26 specifies penalties applied to outstanding taxes become part of the tax imposed on a property;

AND WHEREAS pursuant to Section 347 of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26 gives Council the authority to cancel taxes imposed on a property;

AND WHEREAS Council desires to establish a tax installment payment plan for the Municipal District of Pincher Creek No. 9;

NOW THEREFORE the Municipal Council of the Municipal District of Pincher Creek No 9 duly assembled ENACTS AS FOLLOWS:

1. **TITLE**

This bylaw may be referred to as the **Tax Installment Payment Plan Bylaw, Bylaw No. 1250-14.**

2. **TAX INSTALLMENT PAYMENT PLAN**

There is hereby established a plan for payment of taxes by installments to be known as the "Tax Installment Payment Plan".

3. **DEFINITIONS**

- a. "Municipality" means the Municipal District of Pincher Creek No. 9;
- b. "CAO" means the person appointed as Chief Administrative Officer pursuant to the provisions of the *Municipal Government Act*, or a designated officer or municipal employee that has been delegated by the Chief Administrative Officer to carry out the administrative functions of the bylaw;
- c. "Plan" means the Tax Installment Payment Plan established pursuant to Section 2 of this bylaw;
- d. "Taxes" means all taxes imposed by the municipality pursuant to the *Municipal Government Act*, or any other statute of the Province of Alberta, including property taxes and local improvement taxes and any other taxes on land or improvements;
- e. "Taxpayer" means a person required to pay taxes;
- f. "Year" means calendar year.

4. **APPLICATION**

- a. A Taxpayer may apply to the CAO prior to December 15 of any year to pay the taxes payable by the Taxpayer for the following year, pursuant to the Plan.
- b. An application pursuant to Subsection 4.a. shall be approved by the CAO provided the following conditions have been satisfied:
 - (1) all outstanding taxes, tax arrears and penalties owed to the municipality by the taxpayer for property being included under the Plan have been paid by December 15 of the current year;
 - (2) the Taxpayer shall have completed an application form in a form prescribed by the CAO;
 - (3) the Taxpayer shall have completed such form or forms as may be required, to enable the municipality to collect installment payments pursuant to the Plan by way of pre-authorized transfer of funds, from an account of the Taxpayer at a Bank, Treasury Branch, Trust Company, or Credit Union.

5. **MONTHLY INSTALLMENTS**

- a. For each year during which taxes are paid pursuant to the Plan, taxes shall be paid as follows:
 - (1) by twelve (12) monthly installments calculated pursuant to this section and payable on the fifth (5th) day of each month of the year.
- b. subject to Subsection 5.d. the amount of the monthly installments to be paid pursuant to Subsection 5.a. shall be calculated as follows:
 - (1) subject to Subsection 5.c. for the months January to June the monthly installments shall be equal to one-twelfth (1/12) of the taxes by the Taxpayer for the immediately preceding years' taxes;
 - (2) for the months July to December the monthly installments shall be equal to one-sixth (1/6) of the taxes outstanding June 30th of the current year.
- c. In the event of a change in the assessed value of land or improvements between the date that taxes are levied for the immediately preceding year and the end of the immediately preceding year, the CAO may calculate the monthly installments for January to June as one-twelfth (1/12) of the changed assessment multiplied by the applicable mill rate for the immediately preceding year, plus any applicable local improvement charges or other taxes on the land or improvements.
- d. Upon the written request of a Taxpayer paying taxes pursuant to the Plan, the CAO shall:
 - (1) increase the monthly installments payable by the Taxpayer in equal amounts for the months January to June.
 - (2) in the event that the total amount of the monthly installments payable for the months January to June exceed the taxes payable for the current year, the municipality shall prior to June 30 of the current year refund to the Taxpayer the amount equal to the difference between the total amount of the monthly installments paid for the months January to June of the current year and the taxes payable for the current year.

6. **DISCOUNTS AND PENALTIES**

Provided that a Taxpayer paying taxes under the Plan pays each monthly installment and makes each adjustment payment as provided for in Section 5, penalties shall not be applied to the taxes or any portion thereof nor shall any discount offered for the early payment of taxes be allowed.

7. **WITHDRAWAL FROM PLAN**

- a. A Taxpayer paying taxes pursuant to the Plan may withdraw from the Plan at any time upon at least fourteen (14) days written notice to the CAO.
- b. In the event that a Taxpayer withdraws from the Plan by no later than June 30:
 - (1) the taxes for the current year paid to the date of the withdrawal shall be retained by the municipality and credited towards the balanced of the taxes payable for the current year;
 - (2) the Taxpayer shall be liable to penalties on all amounts of the taxes remaining unpaid after June 30 of the current year.
- c. In the event that a Taxpayer withdraws from the Plan after June 30:
 - (1) the taxes for the current year paid to the date of withdrawal shall be retained by the municipality and credited towards the balance of taxes payable for the current year;
 - (2) the balance of the taxes payable by the Taxpayer for the current year shall immediately become due and payable;
 - (3) the Taxpayer shall be liable to pay penalties on unpaid taxes accruing following withdrawal from the Plan.

8. **DEFAULT**

- a. If a monthly installment of taxes remains unpaid by the twentieth (20th) day of the month for which it is payable pursuant to this bylaw, a penalty equal to 1.5 percent of the monthly installment shall be imposed on the amount of the monthly installment payable to the Taxpayer.
- b. If a monthly installment remains unpaid on the first day of the following month a further penalty of 1.5 percent of the monthly installment shall be imposed on the amount of the monthly installment.
- c. In the event that a monthly installment remains unpaid as provided for in Subsection 8.a. the Taxpayer responsible for payment of the monthly installment shall have the option to either:
 - (1) pay the monthly installment together with all penalties imposed thereon by no later than the end of the month following the month for which the monthly installment is payable; or
 - (2) make a written request to the CAO by no later than the end of the month following the month for which the monthly installment is payable for revision of the amounts of future monthly installments.
- d. Upon written request for revision of future monthly installments pursuant to Subsection 8.c.(2), the CAO shall revise the amounts of future monthly installments to provide for payment of the outstanding monthly installment together with all penalties imposed thereon in addition to the original monthly installments by the end of the year during which the outstanding monthly installment is payable.

- e. In the event that:
 - (1) a monthly installment remains unpaid as provided for in Subsection 8.a. and the Taxpayer responsible for payment of the monthly installment fails to either pay the monthly installment and penalties, or make written request for revision of future monthly installments as provided for in Subsection 8.c., or
 - (2) payment of any two monthly installments payable by a Taxpayer during a year are not paid by the dates provided for in Subsection 8.a.;
 The participation of the taxpayer in the Plan shall be automatically cancelled.
- f. In the event that the participation of a Taxpayer in the Plan is cancelled:
 - (1) all taxes paid for the current year pursuant to the Plan shall be retained and credited towards the balance of the taxes payable by the Taxpayer for the current year.
 - (2) subject to Subsection 331 (1) of the *Municipal Government Act*, the Taxpayer shall be liable to pay all penalties:
 - (a) imposed on outstanding monthly installments pursuant to Subsection 8.a. and 8.b. prior to cancellation; and
 - (b) accruing following cancellation on the amount of taxes remaining unpaid.

9. **SALE OF LAND**

- a. A purchaser of property with respect to which payment of taxes is made pursuant to the Plan may apply to the CAO to continue payment of taxes pursuant to the Plan.
- b. An applicant pursuant to Subsection 9.a. shall be approved by the CAO provided the following conditions have been satisfied:
 - (1) the monthly tax payment will be calculated on the outstanding balance at the time of application;
 - (2) the purchaser shall have completed an application form in a form prescribed by the CAO; and
 - (3) the purchaser shall have completed such form or forms provided by the CAO as may be required to enable the municipality to collect installment payments pursuant to the Plan by way of pre-authorized transfer of funds from an account of the purchaser at a Bank, Treasury Branch, Trust Company, or Credit Union.

10. **ADJUSTMENT OF MONTHLY PAYMENTS**

The CAO may revise the amounts of monthly installments payable under the Plan:

- a. to reflect changes to the assessed value of property or businesses;
- b. to reflect the imposition or termination of local improvement charges;
- c. to provide for payment pursuant to the Plan of amounts which in the event of non-payment are deemed at law to be taxes, or to be recoverable as or in the same manner as taxes.

11. **EFFECTIVE DATE**

This bylaw shall come into force upon third reading and final adoption.

READ A FIRST TIME THIS _____ day of _____, 2014

READ A SECOND TIME THIS _____ day of _____, 2014

READ A THIRD TIME
AND FINALLY PASSED THIS _____ day of _____, 2014

Reeve

Chief Administrative Officer

October 24, 2014 TO OCTOBER 31, 2014

DISCUSSION

- October 28, 2014 Policies and Plans
- October 28, 2014 Organizational Meeting
- October 30, 2014 Operational Budget

UPCOMING:

- November 4, 2014 Policies and Plans
- November 4, 2014 Regular Council
- November 4, 2014 Municipal Planning Commission
- November 10, 2014 Alberta Health
- November 10, 2014 Operational Budget
- November 17-20, 2014 AAMDC
- November 25, 2014 Policies and Plans
- November 25, 2014 Regular Council
- November 27, 2014 Emergency Services
- November 27, 2014 Patton Park

OTHER

- Budget Preparation
- CUPE Negotiations
- AAMDC Convention

RECOMMENDATION:

That Council receive for information, the Chief Administrative Officer's report for the period of October 24, 2014 to October 31, 2014.

Prepared by: CAO, Wendy Kay Date: October 31, 2014

Presented to: Council Date: November 4, 2014

October 16, 2014

Council
Corresp - Action

REC'D F1a
OCT 21 2014

Manager,
M D of Pincher Creek
Waterton Ave
Pincher Creek, Alberta

RE R

Dear Sir / Madam,

We sincerely appreciate your consideration of a donation to our annual Crestview Lodge residents Christmas Stocking Gift Program.

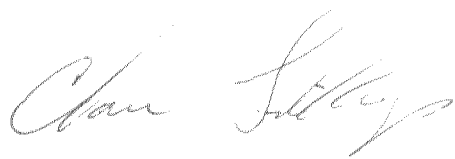
Crestview Lodge is managed by the Pincher Creek Foundation, a not for profit registered society, with seven elected board members. We have thirty six resident seniors.

On behalf of the staff and residents of Crestview Lodge, thank you very much for helping to make this years' Christmas morning just a little bit cheerier.

If you have any questions, please don't hesitate to call me.

Merry Christmas to you and the staff of the MD of Pincher Creek,

Sincerely,



Charmaine Tienkamp
Activities Coordinator
Crestview Lodge
(403) 627-3833 ext.5