

**AGENDA
COUNCIL MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK
DECEMBER 12, 2017
1:00 pm**

A. ADOPTION OF AGENDA

B. DELEGATIONS

1. Communication and Club Root
 - Email from Diana Reed, dated December 4, 2017
2. Tax Arrears Charge
 - Letter from Deanna Haslam, dated December 5, 2017
3. Friends of Castle River Petition
 - Email from Megan Metheral, dated December 6, 2017

C. MINUTES

1. Public Hearing Minutes – Bylaw 1280-17
 - November 28, 2017
2. Public Hearing Minutes – Bylaw 1282-17
 - November 28, 2017
3. Council Meeting Minutes
 - November 28, 2017

D. UNFINISHED BUSINESS

1. Livingstone Ski Academy Society – Update / Request for Sponsorship
 - Letter from Livingstone Ski Academy Society and Pincher Creek Minor Hockey, dated November 8, 2017
2. Postponed Resolution – Call for Public Review of Kenow Fire
 - Resolution No. 17/428
3. Coalition of Residents, Ranchers and Ratepayers of the Twin Butte Area Delegation
 - Delegation presentation, dated September 26, 2017

E. CHIEF ADMINISTRATOR OFFICER'S (CAO) REPORTS

1. Operations
 - a) New Texas Gate Installation
 - Report from Director of Operations, dated December 6, 2017
 - b) Temporary Transfer of Water from the Town of Pincher Creek
 - Report from Director of Operations, dated December 5, 2017
 - c) Highway 3 Planning Study
 - Report from Director of Operations, dated December 6, 2017
 - d) Beaver Mines Water and Wastewater Project Briefing
 - Briefing Notes dated December 6, 2017
 - e) Operations Report
 - Report from Director of Operations, dated December 7, 2017
 - Public Works Call Log
2. Planning and Development

Nil
3. Finance
 - a) Public Auction – Conditions and Reserve Bids
 - Report from Director of Finance, dated December 4, 2017
 - b) Uncollectable Property Tax for Oil and Gas Properties
 - Report from Director of Finance, dated December 5, 2017
 - c) Statement of Cash Position
 - For Month Ending November 2017

4. Municipal

a) Chief Administrative Officer's Report

- Report from Chief Administrative Officer, dated December 7, 2017
- Administration Call Log
- MD of Pincher Creek Enhanced Policing Report, November 2017

F. CORRESPONDENCE

1. For Action

a) Letter of Reference to TransAlta Corporation

- Email from TransAlta Corporation, dated November 23, 2017

b) Camp Impesa Property Tax Penalty

- Email from Camp Impesa, dated November 30, 2017

c) Letter to Council – Odour

- Email from Cornell Van Ryk, dated November December 1, 2017

2. For Information

a) Congratulations and Introduction to Seniors Housing in Alberta

- Email from Alberta Seniors Communities & Housing Association, dated November 28, 2017

b) Donation of Used Vehicle to Crestview Lodge

- Letter from Pincher Creek Foundation, dated December 4, 2017

G. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Reeve Quentin Stevick – Division 1

EOEP Training – Munis 101(requested by Reeve Stevick)

Councillor Rick Lemire – Division 2

Facilities Committee

- Minutes of November 7, 2017

Councillor Bev Everts– Division 3

Invitation from MP Rachael Harder (requested by Councillor Everts)

- Email from Mayors and Reeves, dated November 28, 2017

Councillor Brian Hammond - Division 4

Councillor Terry Yagos – Division 5

H. IN-CAMERA

1. Legal – Service Agreement – FOIP Section 16
2. Labour – Committee Appointments – FOIP Section 17
3. Labour – CAO Evaluation and Contract – FOIP Section 19

I. NEW BUSINESS

J. ADJOURNMENT

Tara Cryderman

From: Diana Reed >
Sent: Monday, December 4, 2017 10:52 AM
To: Tara Cryderman

Council of MD. Pincher Creek,

I am requesting to meet with you at your next council meeting to discuss communication with your ratepayers and secondly to discuss club root in canola.

Thank you.

Diana Reed

Sent from [Mail](#) for Windows 10

RECEIVED Dec 5/2017
 DEC -7 2017
 M.D. OF PINCHER CREEK

Pincher Creek. M.D. #9

This is to dispute the Office charge
 of \$325⁰⁰.

I had a notice of intent for your
 office, that you were going to steal
 my trailer due to Back-TAXES.
 Your office had strong intent to seize
 my trailer. Linda from 4 Winds
 realtor, came to me on Good Friday Last
 Easter. Linda, came here to tell me of
 your intent to seize my trailer for
 Back-taxes. I contacted your office to
 make payment arrangements. Your decision
 to stake a claim against me. I was at
 your office within 2 weeks and made a
 payment of 300⁰⁰ then a payment of 700⁰⁰.
 I have been co-operative with your office
 I demand that the service fee of
 \$325⁰⁰. No one contacted me and payments
 were made. Delete this charge from my
 account. You tried to repossess my home.
 I have been paying off my taxes. ~~Delete~~
 Delete that service charge! This charge was
 from you, they chose to proceed in repossessing
 my trailer. Why should I pay you to sue me
 clear up this manner and I will continue
 to keep my account kept up.

It was your officers intent to Seize
my home. Delete this charge from my
account. I will continue to keep my account
to date.

Deanna Haslam

Deanna Haslam

Tara Cryderman

From: Wendy Kay
Sent: Wednesday, December 6, 2017 3:56 PM
To: Tara Cryderman
Subject: FW: Letter Submission to include in December 12, 2017 MD Council Agenda Package.
Attachments: Petition Letter Submission.docx

From: Megan Metheral [mailto:]
Sent: December 6, 2017 3:47 PM
To: Wendy Kay <wkay@mdpincercreek.ab.ca>; councildiv3@pincercreek.ab.ca
Subject: Letter Submission to include in December 12, 2017 MD Council Agenda Package.

Good Afternoon Wendy,

My name is Megan Metheral and I represent the Friends of Castle River group. My father is a resident directly downstream of the proposed Mill Creek Sewage Lagoon site, and the group was established to represent the concerns of downstream residents, and concerned citizens within Pincher Creek and beyond of the potential impacts to this valuable freshwater source.

The petition was included in the last Agenda but was not submitted for action. I would like to bring forward an update on the Petition at the next scheduled MD Council Meeting. I ask that you include my letter submission in the council package for December 12, 2017 meeting, and I would also like to appear as a delegation to present the letter.

Thank you for your time,

Megan Metheral

December 6th, 2017

Attn: Wendy Kay, Reeve and MD Council, Director of Operations Leo Reedyk

Re: Friends of Castle River Petition to Stop Work on Mill Creek Sewage Lagoon Project to evaluate other alternatives to wastewater component of the Beaver Mines Water and Wastewater Project.

This letter is a submission to update the CAO and MD Council on the status of the Friends of Castle River Petition. We understand that this is an informal petition and is not guided by the Municipal Government Act. The Friends of Castle River represents an evolving group of concerned landowners and citizens with a common interest to protect the integrity of the Castle River and Mill Creek for current, and future generations.

As the petition stands today, we have received 143 signatures from people within Pincher Creek area and beyond. Those who have taken the time to sign the petition represent an increasing public audience with significant concerns regarding the proposed Mill Creek Sewage lagoon project. A summary of the concerns includes;

- All options need to be assessed
- Better and cheaper alternatives
- Please stop these ignorant, poorly engineered projects in and around my home
- Beautiful area, lets keep the ecosystem balanced
- Serious technical, environmental concerns with this location – better options are available
- Engineering debacle and should be abandoned – price tag does not demonstrate fiscal responsibility by the MD
- Environmentally irresponsible
 - Concern for environmental impacts to water quality
 - Negative impact to recreational activities
 - Extremes in climate variation
 - Drought years – increased concentration of effluent entering water course
 - Protection of a freshwater source and species at risk (Bull Trout spawning grounds)
 - Downstream impact
 - Town of Pincher Creek water source
 - Negative impact at river confluence – flooding and subsequent contamination potential
 - Increased concentration of inorganic substances (pharmaceuticals, household products, run-off pollutants, etc.)
- Utilize existing facilities
- Disturbance to neighboring residents (devalued land)

You can continue to disregard this information as purely “opinions”, however, this petition signifies a continued public support to re-evaluate the viability, and truly, consider the validity of the recommendations of MPE to construct this project at the Mill Creek site.

Our concerns have been directed to the Oldman Watershed Council, Environmental Law Center of Alberta, and Trout Unlimited. We will continue to engage with all organizations that have a vested interest in protecting the integrity of this freshwater system.

Through correspondence with Shannon Frank, the executive Director of the Oldman Watershed Council (OWC), they have offered to give a presentation to MD Council and staff about the environmental and regulatory issues associated to building infrastructure in floodplains. There is a program through Alberta Environment and Parks called the Alberta Community Resilience Program (ACRP) that supports development of long-term resilience to flood and drought events, while supporting integrated planning and healthy functioning watersheds. OWC is available to discuss this grant with the MD of Pincher Creek.

<http://aep.alberta.ca/water/programs-and-services/alberta-community-resilience-program/default.aspx>

MD Council and Staff should review the three main goals established through the Water for Life strategy that the government of Alberta and its partners will follow for the next 10 years. Does this project comply with those goals?

- Healthy aquatic ecosystems
- Reliable, quality water supplies for a sustainable economy
- Safe, secure drinking water.

<http://aep.alberta.ca/water/programs-and-services/water-for-life/default.aspx>

We would like to ask the MD Council to put forward the following action items for consideration.

1. Have the Director of Operations (DOO) Leo Reedyk forward all correspondence received to date to MPE engineering from concerned citizens for consideration and comment.
2. Request a one-hour meeting with Council, Leo, MPE, and members of the Friends of Castle River organization to discuss alternatives that are cost-effective, environmentally and socially conscious.
3. Request the Oldman Watershed Council to present information on environmental and regulatory issues associated to building on a floodplain, and discuss the ACRP grant.

Respectfully submitted,

Friends of Castle River

**MINUTES
PUBLIC HEARING
Bylaw No. 1280-17 – Road Closure Bylaw
Tuesday, November 28, 2017
MD of Pincher Creek Council Chambers**

In order to receive public input on proposed Bylaw No. 1280-17, a Public Hearing was held on Tuesday, November 28, 2017, in the Council Chambers of the Administration Building. A Public Hearing was previously held on September 26, 2017, however, due to the election held on October 16, 2017, it was necessary to hold another Public Hearing.

In attendance:

Council: Reeve Quentin Stevick, Councillor Bev Everts, Rick Lemire, Brian Hammond and Terry Yagos

Staff: Chief Administrative Officer Wendy Kay, Director of Operations Leo Reedyk, Director of Development and Community Services Roland Milligan, Director of Finance Janene Felker, and Executive Assistant Tara Cryderman

1. Call Public Hearing to Order

The Public Hearing was called to order, the time being 1:00 pm.

2. Advertising Requirement

This Public Hearing has been advertised in accordance with Section 606 of the MGA. This Public Hearing was advertised in the *Pincher Creek Echo* on November 15 and November 22, 2017.

3. Purpose of Public Hearing

The purpose of this Public Hearing is to receive public input on proposed Bylaw No. 1280-17.

The purpose of Bylaw No. 1280-17 is to close to public travel and creating title to and disposing of land described as:

All that portion of Government Road Allowance forming part of Lot 1, Block 1, Plan _____, containing 0.245 hectares (0.61 acres) more or less.

4. Overview of Bylaw No. 1280-17

Director of Development and Community Services, Roland Milligan, presented an overview of Bylaw No. 1280-17. The Site Photos were shown on the overhead screen.

The email from Environment and Parks, dated November 28, 2017, was read into the minutes.

Councillor Rick Lemire declared a potential conflict of interest, as he is an employee of the Alberta Government, and left the Public Hearing, the time being 1:07 pm.

5. Correspondence and Presentations

a. Verbal

The following indicated that they wished to make a presentation:

1) Val Dennis

Mr. Dennis spoke at this time:

- Spoke against the closure of the road allowance.
- His family have rented the road allowance in the past to move their cattle.
- This is the public's legal access to the river.
- The purpose of the closure was questioned.
- The current owner of the land bought the land as is.
- New development in the area is opposed.

No one else indicated their desire to speak at this time.

b. Written

The following were part of the Agenda Package:

- 1) Public Hearing Minutes, dated September 26, 2017
- 2) Letter from Ida Dennis, received September 18, 2017

The following were submitted at the Public Hearing:

- 1) An email from Environment and Parks, dated November 28, 2017
- 2) Road Closure Bylaw No. 1280-17 – W of SW 25-10-3 W5M Site Photos

6. Closing Comments / Further Questions

There were no further questions.

7. Adjournment

Councillor Terry Yagos moved to adjourn the Public Hearing, the time being 1:13 pm.

Quentin Stevick
Reeve

Wendy Kay
Chief Administrative Officer

DRAFT

MINUTES
PUBLIC HEARING
Bylaw No. 1282-17 – Road Closure Bylaw
Tuesday, November 28, 2017
MD of Pincher Creek Council Chambers

In order to receive public input on proposed Bylaw No. 1282-17, a Public Hearing conducted by the Council of the Municipal District of Pincher Creek No. 9, was held on Tuesday, November 28, 2017, in the Council Chambers of the Administration Building.

In attendance:

Council: Reeve Quentin Stevick, Councillors Rick Lemire, Bev Everts, Brian Hammond and Terry Yagos

Staff: Chief Administrative Officer Wendy Kay, Director of Operations Leo Reedyk, Director of Development and Community Services Roland Milligan, Director of Finance Janene Felker, and Executive Assistant Tara Cryderman

1. Call Public Hearing to Order

The Public Hearing was called to order, the time being 1:15 pm.

2. Advertising Requirement

This Public Hearing has been advertised in accordance with Section 606 of the MGA. This Public Hearing was advertised in the *Pincher Creek Echo* on November 15 and November 22, 2017.

Councillor Rick Lemire declared a potential conflict of interest, as he is an employee of the Alberta Government, and left the meeting, the time being 1:16 pm.

3. Purpose of Public Hearing

The purpose of this Public Hearing is to receive public input on proposed Bylaw No. 1282-17.

The purpose of Bylaw No. 1282-17 is to close to public travel and creating title to and disposing of land described as:

Area 'A'; Plan _____
Containing 0.015 hectares (0.04 acres) more or less
Excepting thereout all mines and minerals

4. Overview of Bylaw No. 1282-17

Director of Development and Community Services Roland Milligan provided an overview of Bylaw No. 1282-17.

5. Correspondence and Presentations

a. Verbal
No one indicated their desire to speak to this bylaw.

b. Written
There were no written submissions presented.

6. Closing Comments / Further Questions

There was no further discussion.

7. Adjournment

Councillor Bev Everts moved to adjourn the Public Hearing, the time being 1:17 pm.

Quentin Stevick
Reeve

Wendy Kay
Chief Administrative Officer

DRAFT

MINUTES
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
COUNCIL MEETING
NOVEMBER 28, 2017

8888

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, November 28, 2017, in the Council Chambers of the Municipal District Building, Pincher Creek, Alberta.

PRESENT Reeve Quentin Stevick, Councillors Brian Hammond, Terry Yagos, Rick Lemire and Bev Everts

STAFF Chief Administrative Officer Wendy Kay, Director of Finance Janene Felker, Director of Operations Leo Reedyk, Director of Development and Community Services Roland Milligan, and Executive Assistant Tara Cryderman

Reeve Quentin Stevick called the Council Meeting to order, the time being 1:18 pm.

A. ADOPTION OF AGENDA

Councillor Terry Yagos 17/532

Moved that the Council Agenda for November 28, 2017, be approved as presented.

Carried

B. DELEGATIONS

1. Livingstone Ski Academy Society – Update / Request for Sponsorship

Jason Clifton, with the Livingstone Ski Academy Society, attended the Council Meeting to provide an update on the Ski Academy and to request sponsorship for the upcoming fundraiser scheduled for December 31, 2017.

There are currently 50 students registered in the Ski Academy program, up 25 from last year, with an increased student registration predicted for next year. Several international students attend the Ski Academy as well.

The different levels of sponsorship were explained.

The funding structure of the Academy, and where the funds raised will be utilized, was provided.

There has been an increase in enrollment at Livingstone School as well.

C. MINUTES

1. Council Meeting Minutes

Councillor Rick Lemire 17/533

Moved that the Council Meeting Minutes of November 7, 2017, be approved as presented.

Carried

D. UNFINISHED BUSINESS

1. Request for Area Structure Plan / Municipal Development Plan

Councillor Terry Yagos 17/534

Moved that the email from Oldman River Regional Services Commission, dated November 10, 2017 and the email from Beaver Mines Community Association, dated October 31, 2017, be received as information.

Carried

2. Appointment to the Chamber of Commerce

Councillor Brian Hammond 17/535

Moved that the email, dated November 7, 2017, regarding the appointment of a Councillor to the Chamber of Commerce Board, be received as information.

Carried

E. CHIEF ADMINISTRATOR OFFICER'S (CAO) REPORTS

1. Operations

a) Beaver Mines Water and Wastewater Project Briefing

Councillor Rick Lemire declared a potential conflict of interest as he is an employee of the Alberta Government, and left the meeting, the time being 1:43 pm.

Councillor Terry Yagos 17/536

Moved that a letter be forwarded to the Minister of Transportation requesting clarification of the funding structure for the Wastewater portion of the Beaver Mines Water and Wastewater Project, specifically related to the Province's mandate to fund the least expensive option.

Carried

Councillor Brian Hammond 17/537

Moved that the briefing report for the Beaver Mines Water and Wastewater Project Briefing, dated November 7, 2017, be received as information;

Carried

Councillor Rick Lemire returned to the meeting, the time being 1:55 pm.

b) Operations Report

Councillor Brian Hammond 17/538

Moved that the Operations report from the Director of Operations, dated November 2, 2017 to November 22, 2017, as well as the Public Works Call Log, be received as information.

Carried

2. Planning and Development

Nil

3. Finance

a) Over-Expenditure on Fire Costs

Councillor Terry Yagos 17/539

Moved that the report from the Director of Finance, dated November 22, 2017, regarding over-expenditure on fire costs, be received;

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And that a transfer of \$40,000 from the Mill Rate Stabilization Reserve (Account No. 6-12-0-735-6735) be approved.

Carried

b) Future Penalties on Lexin Resource Tax Accounts

Councillor Rick Lemire 17/540

Moved that the report from the Director of Finance, dated November 22, 2017, regarding future penalties on Lexin Resource tax accounts, be received;

And that the tax accounts: 3428.020, 3491.030, 3513.010, 3560.020, 4626.010, 4768.020, 4900.010, 4921.010, 6151.000, 6152.000, 7290.000, continue to have penalties imposed as necessary.

Carried

c) Statement of Cash Position

Councillor Brian Hammond 17/541

Moved that the Statement of Cash Position, for the month ending October 2017, be received as information.

Carried

4. Municipal

a) Foothills Little Bow Municipal Association – Regular Meeting of the Association

Councillor Terry Yagos 17/542

Moved that the letter from Foothills Little Bow Municipal Association, dated November 20, 2017, regarding the regular meeting of the Association, be received as information.

Carried

b) Appointments to Committees – Facility Committee

Councillor Brian Hammond 17/543

Moved that Councillor Bev Everts be removed from the Facilities Committee;

And that Councillor Rick Lemire be appointed as Member and Councillor Terry Yagos be appointed as Alternate, to the Facilities Committee.

Carried

c) Council Committee Meetings

Councillor Terry Yagos 17/544

Moved that that report from Chief Administrative Officer, dated November 23, 2017, regarding Council Committee Meetings, be received;

And that Council agree to hold “Council Committee Meetings”, the second and fourth Tuesday of each month, when required, commencing at 9:00 am.

Carried

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d) Scheduled Council Meeting – December 26, 2017

Councillor Bev Everts 17/545

Moved that the report from Chief Administrative Officer, dated November 23, 2017, regarding Scheduled Council Meeting – December 26, 2017, be received;

And that the regularly scheduled Council Meeting of December 26, 2017, be cancelled.

Carried

e) Emergency Management

Councillor Brian Hammond 17/546

Moved that the report from Chief Administrative Officer, dated November 21, 2017, regarding Emergency Management, be received as information.

Carried

f) Security Solutions

Councillor Bev Everts 17/547

Moved that the information from Pinnacle Security Limited, regarding security solutions, be received;

And that Administration be directed to investigate the costs associated for a complete security system, including cameras, for the Administration Building.

Carried

g) Chief Administrative Officer's Report

Councillor Brian Hammond 17/548

Moved that Council receive for information, the Chief Administrative Officer's report for November 3, 2017 to November 23, 2017, as well as the Administration Call Log.

Carried

F. CORRESPONDENCE

1. Action

a) Request for Penalty Forgiveness

Councillor Rick Lemire 17/549

Moved that the letter from Dennis Lastuka, dated November 22, 2017, requesting penalty forgiveness, be received;

And the request for forgiveness be denied.

Carried

b) Hamlet of Beaver Mines Fire Hall

Councillor Terry Yagos 17/550

Moved that the letter from Beaver Mines Brigade, dated November 21, 2017, regarding the Hamlet of Beaver Mines Fire Hall, be received,

And that this letter be tabled to the In-Camera session, under FOIP Section 17.

Carried

c) Beaver Mines Lagoon Project

Councillor Rick Lemire declared a potential conflict of interest as he is an employee of the Alberta Government, and left the meeting, the time being 2:58 pm.

1) Letter from Welke, et al

Councillor Bev Everts 17/551

Moved that the letter from Welke, et al, dated November 20, 2017, be received;

And that this letter be forwarded to the Minister of Transportation.

Carried

2) Email from Beaver Mines Community Association

Councillor Terry Yagos 17/552

Moved that the email from the Beaver Mines Community Association, dated November 22, 2017, as well as the verbal answers provided, be received as information.

Carried

3) Email from Cornell Van Ryk

Councillor Terry Yagos 17/553

Moved that the email from Cornell Van Ryk, dated November 13, 2017, be received as information.

Carried

4) Letter from McRae, et al

Councillor Terry Yagos 17/554

Moved that the letter from McRae, et al, dated November 20, 2017, be received as information.

Carried

Councillor Rick Lemire returned to the meeting, the time being 3:29 pm.

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2. For Information

Councillor Terry Yagos 17/555

Moved that the following be received as information:

- a) Requisition of Payments from Delinquent Oil and Gas Properties
 - Letter from Municipal Affairs, dated October 26, 2017
- b) Nomination for the 2017 Stars of Alberta Volunteer Awards
 - Letter from Alberta Government, dated November 10, 2017
- c) Friends of Castle River Petition
 - Petition Information
- d) Negotiated Settlement between AltaLink and Customers
 - Email from AltaLink, dated November 20, 2017
- e) Letter to Council BM Development Plan
 - Email from Cornell Van Ryk, dated November 19, 2017
- f) Road Surfacing and Dust Control Pilot
 - Email from Kevin May, dated November 17, 2017
- g) Thank You Card
 - Thank You Card from Beaver Mines Community Association

Carried

G. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Reeve Quentin Stevick – Division 1
 Pincher Creek Municipal Library
 Chinook Arch Regional Library Building Committee
 Chinook Arch Regional Library Executive Committee Appointment

Councillor Terry Yagos 17/556

Moved that Reeve Stevick be authorized to let his name stand for the appointment to the Executive Committee for the Chinook Arch Regional Library.

Carried

Santa Clause Parade – Fort Macleod
 Remembrance Day Ceremony – Twin Butte

Councillor Rick Lemire – Division 2
 Pincher Creek Foundation – Crestview Lodge
 Family and Community Support Services Meeting

Councillor Bev Everts – Division 3
 Facilities Committee

- Minutes of October 3, 2017

 Family and Community Support Services

- Minutes of October 2, 2017

 Oldman River Regional Services Commission

- Minutes of May 11, 2017
- Minutes of September 7, 2017

 Beaver Mines Community Association

- Minutes of October 21, 2017

 AAMDC Convention

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Councillor Brian Hammond - Division 4
 Pincher Creek Foundation – Crestview Lodge
 AAMDC

Councillor Terry Yagos – Division 5
 Crowsnest / Pincher Creek Landfill Association
 - Minutes of September 20, 2017

Councillor Brian Hammond 17/557

Moved that the committee reports be received as information.

Carried

Councillor Terry Yagos 17/558

Moved that Council recess the meeting, the time being 3:55 pm.

Carried

Councillor Terry Yagos 17/559

Moved that the Council Meeting reconvene, the time being 4:06 pm.

Carried

H. IN CAMERA

Councillor Brian Hammond 17/560

Moved that Council and Staff move In-Camera, the time being 4:07 pm, to discuss the following issues:

1. Legal – Kenow Fire – FOIP Section 27
2. Land – Road Closure – FOIP, Section 17
3. Land – Easement Agreements FOIP Section 17
4. Legal – Fire Bill – FOIP Section 17
5. Legal – Regional Emergency Management Agency – FOIP Section 19
6. Legal – Advice from Officials – FOIP Section 24
7. Labour – CAO Evaluation – FOIP Section 19
8. Labour – CAO Contract – FOIP Section 19
9. Legal – Beaver Mines Fire Hall – Section 17.

Carried

Councillor Rick Lemire 17/561

Moved that Council and Staff move out of In-Camera, the time being 6:40 pm.

Carried

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 Regular Council Meeting
 Municipal District of Pincher Creek
 November 28, 2017

I. NEW BUSINESS

1. Kenow Fire

a. Legal – Kenow Fire – Firefighting Invoices

Councillor Terry Yagos 17/562

Moved that Council acknowledges invoices received from Shoderee Ranch, and Spearpoint Cattle Company;

And that Council empathizes with those residents who were affected in one way or another by the Kenow Fire, we regret that we are unable to pay the submitted invoices.

Carried

b. Legal – Kenow Fire – Municipal District of Pincher Creek Kenow Fire Debrief

Councillor Bev Everts 17/563

Moved that the Municipal District of Pincher Creek Kenow Fire Debrief, dated November 6, 2017, be received;

And that the Debriefing Report be made available to the public, by means of hard copies available at the front desk and on our website.

Carried

c. Legal - Kenow Fire Response by MD of Pincher Creek

Councillor Rick Lemire 17/564

Moved that the letter from Betty Gamble, dated September 18, 2017, regarding the Kenow Fire Response by the MD of Pincher Creek, be received;

And that a copy of the Municipal District of Pincher Creek Kenow Fire Debrief, dated November 6, 2017, be provided, in the hopes that some questions proposed by Mrs. Gamble will be answered;

And that should Mrs. Gamble have additional questions, she be encouraged to approach Council at that time.

Carried

2. Land – Road Closure – Portion of Road Plan No. 1789BM; NW 20-5-2 W5M

Councillor Rick Lemire declared a potential conflict of interest as he is an employee of the Alberta Government, and left the meeting, the time being 6:52 pm.

Councillor Bev Everts 17/565

Moved that the report from the Director of Development and Community Services, dated November 22, 2017, be received;

And that the Road Closure Request for a portion of Road Plan No. 1789BM, within the NW 20-5-2 W5M be approved;

And that the applicants be responsible for all costs associated with this closure.

Carried

Councillor Rick Lemire returned to the meeting, the time being 6:53 pm.

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3. Land – Easement Agreements

Councillor Brian Hammond 17/566

Moved that the documentation regarding Easements be received as information.

Carried

4. Legal – Fire Bill

Councillor Terry Yagos 17/567

Moved that the report from the Director of Finance, dated November 22, 2017, be received;

And that Council direct Administration to invoice the landowner for the costs associated with the fire.

Carried

Councillor Rick Lemire 17/568

Moved that the following In-Camera items, be postponed to a Special Council Meeting scheduled for Tuesday, December 5, 2017, at 2:00 pm:

5. Legal – Regional Emergency Management Agency – FOIP Section 19
6. Legal – Advice from Officials – FOIP Section 24
7. Labour – CAO Evaluation – FOIP Section 19
8. Labour – CAO Contract – FOIP Section 19
9. Labour – CAO Contract – FOIP Section 19
10. Labour – Beaver Mines Fire Hall – FOIP Section 17.

Carried

11. ADJOURNMENT

Councillor Terry Yagos 17/569

Moved that Council adjourn the meeting, the time being 6:57 pm.

Carried

REEVE

CHIEF ADMINISTRATIVE OFFICER

Addition
C4

MINUTES
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
SPECIAL COUNCIL MEETING
DECEMBER 5, 2017

8897

The Special Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, December 5, 2017, in the Council Chambers of the Municipal District Building, Pincher Creek, Alberta.

PRESENT Reeve Quentin Stevick, Councillors Brian Hammond, Terry Yagos, Rick Lemire and Bev Everts

STAFF Chief Administrative Officer Wendy Kay

Reeve Quentin Stevick called the Special Council Meeting to order, the time being 2:00 pm.

A. ADOPTION OF AGENDA

Councillor Brian Hammond 17/570

Moved that the Special Council Agenda for December 5, 2017, be approved as presented.

Carried

B. IN CAMERA

Councillor Rick Lemire 17/571

Moved that Council and CAO move In-Camera, the time being 2:01 pm, to discuss the following issues:

- 1. Labour – Beaver Mines Fire Hall – FOIP Section 17
- 2. Legal – Regional Emergency Management Agency – FOIP Section 19
- 3. Legal – Advice from Officials – FOIP Section 24
- 4. Labour – CAO Evaluation – FOIP Section 19
- 5. Labour – CAO Contract – FOIP Section 19
- 6. Labour – CAO Evaluation – FOIP Section 19

Carried

Councillor Terry Yagos 17/572

Moved that Council and CAO move out of In-Camera, the time being 5:45 pm.

Carried

C. NEW BUSINESS

1. Labour – Beaver Mines Fire Hall

Councillor Brian Hammond 17/573

Moved that the letter from the Beaver Mines Fire Brigade be received;

And that this letter be forwarded to the Pincher Creek Emergency Services Commission;

And further that Council direct Administration to forward a letter to Captain Tapay, explaining the rationale for this decision.

Carried

2. Legal – Advice from Officials

Councillor Brian Hammond 17/574

Moved that at this time the discussion on advice from officials, be received as information.

Carried

Minutes
Regular Council Meeting
Municipal District of Pincher Creek
December 5, 2017

3. Kenow Fire

Councillor Rick Lemire 17/575

Moved that the Chief Administrative Officer be directed to explore the gaps identified within the Kenow Fire Debrief, dated November 6, 2017, to move forward with a process;

And that feedback from Councillors also be included.

Carried

4. Labour – CAO Contract and Evaluation

Councillor Bev Everts 17/576

Moved that the Chief Administrative Officer Contract and Evaluation be postponed to the December 12, 2017 Council Meeting as an In-Camera item.

Carried

D. ADJOURNMENT

Councillor Terry Yagos 17/577

Moved that Council adjourn the meeting, the time being 5:58 pm.

Carried

REEVE

CHIEF ADMINISTRATIVE OFFICER



November 8, 2017

Dear Sponsors,

The Livingstone Ski Academy Society (LSAS) and Pincher Creek Minor Hockey (PCMH) are pleased to announce a joint collaboration to host a very exciting fundraising event on December 31, 2017.

Bring in the New Year and support young ski and hockey athletes at the same time! This is a Funny Money Casino and it will be held at the Pincher Creek Community Hall on New Years' Eve. See attached poster for more details. We are certain that this is going to be the party that you won't want to miss.

This event will reach out to the greater community to gather support for both Minor Hockey and Livingstone Ski Academy. And it is going to be FUN! LSAS and PCMH both have an ambitious goal to increase funds available to support their programs. Funds raised by the Livingstone Ski Academy Society and Pincher Creek Minor Hockey are used to keep registration costs down, as well as purchase necessary equipment and services required for their respective sports. The money raised at this event will directly benefit many young athletes in our community.

Thank you for taking the time to consider the sponsorship options we have outlined in this package. We are truly grateful for your support and the enthusiasm shown for our New Years' Eve Casino. Looking forward to seeing you there!

Yours truly,

Kim Gelber & Traci Carlson-Deley,
on behalf of Livingstone Ski Academy Society & Pincher Creek Minor Hockey



Pincher Creek New Years Eve Casino
Hosted by Livingstone Ski Academy & Pincher Creek Minor Hockey

[Facebook.com/events/1929991607260330](https://www.facebook.com/events/1929991607260330)





New Year Eve Casino

Diamond Sponsorship

\$1000, Includes:

- Opportunity to sponsor with "product or cash"
- 4 tickets to the event
- Reserved VIP table for the night
- Premium table sponsorship
- Top row on the sponsorship wall
- Social media shout outs
- Special mentions throughout the evening

Gold Sponsorship

\$500, Includes:

- Opportunity to sponsor with "product or cash"
- 2 tickets to the event
- Table sponsorship
- Social media shout outs
- Second row on the sponsorship wall
- Special mentions throughout the evening

Silver Sponsorship

\$300, Includes:

- 1 tickets to the event
- Drink cart sponsorship
- Social media shout outs
- 3rd row on Sponsorship Wall
- Special mentions throughout the evening

Bronze Sponsorship

\$150, Includes:

- Sponsorship Wall
- Social media shout outs

Other Sponsorship Opportunities:

- Venue Sponsor, sponsor the cost of the Community Hall
- Band Sponsor, sponsor the cost of the entertainment

***Please include a business card and/or electronic copy of your logo for sponsorship recognition.**

Pincher Creek New Years Eve Casino

Hosted by Livingstone Ski Academy & Pincher Creek Minor Hockey

[Facebook.com/events/1929991607260330](https://www.facebook.com/events/1929991607260330)



LIVINGSTONE SKI ACADEMY & PINCHER CREEK MINOR HOCKEY PRESENT



New Year's Eve
CASINO
Pincher Creek

FUNNY MONEY CASINO FUNDRAISING EVENT

Sunday **31** December

Pincher Creek Community Hall

TICKETS \$70 INCLUDES:
GLASS OF BUBBLY ON ARRIVAL
LIVE MUSIC BY FAST TIMES
CHEF PREPARED APPETIZER DINNER
DESSERT & LATE NIGHT SNACK



TICKETS AT LIVINGSTONE SCHOOL
& ATB FINANCIAL
CASH BAR | SEMI FORMAL | 18 PLUS

Minutes
 Regular Council Meeting
 Municipal District of Pincher Creek
 September 26, 2017; 1:07 pm

b) CAO Report

Councillor Terry Yagos 17/425

Moved that Council receive for information, the Chief Administrative Officer's report for September 9, 2017 to September 21, 2017, as well as the Administration Call Log.

Carried

F. CORRESPONDENCE

1. Action

a) Evacuation Contact Information

Councillor Fred Schoening 17/426

Moved that the email from Kimberly Pearson, received September 12, 2017, be received as information.

Carried

2. For Information

Councillor Quentin Stevick 17/427

Moved that the following be received as information:

a) Pipeline Information

- Letter from TransCanada, received September 14, 2017

Carried

G. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Councillor Quentin Stevick – Division 1

- Oldman River Regional Services Commission
- Minutes of June 1, 2017
- Chinook Arch Regional Library

Councillor Quentin Stevick 17/428

Moved that the MD of Pincher Creek Council call for a public review of the Kenow Fire, regarding the events leading up to, and including when the local state of emergency was lifted.

Councillor Quentin Stevick requested a recorded vote.

Councillor Terry Yagos 17/429

Moved that this item be postponed until the October 10, 2017 Council Meeting.

Carried

Councillor Fred Schoening – Division 2

- Nothing to discuss

Councillor Garry Marchuk – Division 3

- Nothing to discuss

Reeve Brian Hammond - Division 4

- Nothing to discuss

Good Afternoon, Members of the Pincher Creek Municipal District Council and Administration. My name is Kathy Flundra and I would like to thank you for providing this opportunity to come before you as the representative of a coalition of ranchers, residents and ratepayers of the Twin Butte Area, on the south side of Pine Ridge, who were directly and adversely impacted by the Kenow Fire.

The damage caused by the Kenow Fire when it exited Waterton Lakes National Park on September 11 was significant. Five homes were lost in the Pincher Creek MD, together with numerous out buildings, machinery and critical ranching infrastructure, dozens of miles of fences, supplies of hay and feed, and acre upon acre of grassland and forest in the UNESCO-designated Waterton Biosphere Reserve, much of which is preserved by the Nature Conservancy and local ranchers and residents.

This is a fraction of the damage that this fire could have caused were it not for the defensive and offensive efforts of private citizens to prevent and combat it with every resource they had to hand. It is also, however, more damage than should ever have occurred had optimized government-led resources been fully prepared and deployed before, during and after the moment of crisis. What is more, the extreme risk faced by some residents of the region on the night of September 11th could have been significantly reduced with appropriate warning and preparation.

The Coalition I represent, many of whom are with me today, is here to request the MD of Pincher Creek Council conduct a formal inquiry into the management of the Kenow Fire, in particular as it impacted that area south of Pine Ridge.

The Coalition specifically seeks answers to the questions which you will find in our submission package. Our questions are divided into two parts.

First, we have questions about how information about the fire was communicated to stakeholders. Examples of these questions include:

- Why did residents have so little time to evacuate, in some cases with absolutely no warning?
- Why was a sufficient communications plan not in place or fully operational at the time of the crisis?
- Why was information about where the fire was and where it was going not available to residents in the fire's path?
- Why was a permitting process put in place for residents to access their properties which left ratepayers without clear direction on what to do and where to go to secure such permits on September 12? and
- What will the MD do to ensure a level of performance ratepayers and residents need and deserve in future?

Our second set of questions regard the management of the fire itself. These questions include:

- Why were preventative measures not put in place to protect the MD in the likely event the fire exited the Waterton Lakes National Park, such as berms, fire breaks, and long-term retardant?
- Where were the MD fire resources on the night of September 11 and thereafter, and why were they so improperly prepared and outfitted to combat grassland and bushfires?
- Why, when evidence suggests that the fire had already begun to threaten the MD directly on the afternoon of September 11, were residents not advised until late that night under emergency conditions of its presence, if they were warned to evacuate all?
- Will the MD investigate whether an alleged backburn was conducted on the night of September 11, which directly jeopardized MD ranchers, residents and ratepayers, and hold accountable any and all involved if proven to be the case?
- Will the MD seek appropriate compensation for local private citizen-driven fire fighting efforts which were both significant and impactful in halting the fire's progression to other parts of the MD? and
- Why were ranchers, residents and ratepayers required to sign a document releasing, and I quote, "the Municipal District of Pincher Creek No. 9 or its councillors, officers, employees, agents, invitees, or representatives of any kind" from responsibility for the MD's "actions or negligence"?

We request that, in the event the questions laid out in our submission package are not answerable by the MD, the MD will actively pursue answers and accountability from other key stakeholders, including other levels of government and their departments and law enforcement and fire protection services involved. We also hope the MD will take this opportunity to ask questions of its own regarding the management of this crisis.

Ladies and Gentlemen, fire is a constant consideration for ranchers and residents in this region. It is a fact of our arid climate, our hot and dry summers, and our high winds. Living in such a region with a threat so constant, we know the MD Council will agree that being prepared to combat fires and keep people, livestock and properties safe, is among the highest of priorities. The inquiry we are requesting of you today will inform your citizens of what worked and what went wrong in fighting the Kenow Fire; it will hold accountable those issues and people who must be held accountable; and it will provide us all with a shared understanding of what must be done to improve... to rebuild... and to grow - stronger and better and safer.

The Coalition sincerely believes that the pursuit of a formal inquiry into the Kenow Fire, which takes into account the questions in our submission, will support the Council's stated mission and vision – to preserve and enhance our Western Canadian lifestyles through sound decision-making and good governance for the community.

Thank you for your time.

Submission to the MD of Pincher Creek Council:

**Request for Inquiry: MD of Pincher Creek Kenow Fire
Management**

Tuesday, September 26, 2017

Prepared by:

The Coalition of Residents, Ranchers and Ratepayers of the Twin Butte Area on the South Side
of Pine Ridge Directly and Adversely Impacted by the Kenow Fire

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Introduction

This document is submitted to the Municipal District (MD) of Pincher Creek Council in concert with a presentation made by Ms. Kathy Flundra to the Council Meeting of Tuesday, September 26, 2017. At this Council meeting, Ms. Flundra is serving as representative of the Coalition of Residents, Ranchers and Ratepayers of the Twin Butte Area, on the South Side of Pine Ridge, Directly and Adversely Impacted by the Kenow Fire (hereafter, “the Coalition”) whose membership is as follows at the time of submission:

Mr. Dave Cassidy
Mrs. Theresa Cassidy
Mr. Mike Cassidy

Mr. Doug Ekelund
Mrs. Nancy Ekelund

Mr. Dustin Flundra

Ms. Kathy Flundra
Mr. Ken Leman

Ms. Jenny Jenkins

Ms. Val Johnson

Mr. Clint Marr

Mr. Gerry Muza
Mrs. Leslie Muza

Mr. Chris Rickard

Dr. Greg Stone
Mrs. Jennifer Stone (née Muza)

Mr. Cal Wellman

This document details the Coalition’s request for a formal inquiry into the events surrounding the Kenow fire as it relates to the MD of Pincher Creek: the responsibilities of the MD in its response to this crisis, and the actions undertaken or not undertaken on behalf of ranchers, residents and ratepayers. It provides a series of questions raised by the Coalition members which the Coalition hopes the MD will either answer or commit to actively seeking answers to as appropriate. It is also the ambition of the Coalition that the questions asked herein will serve to guide the MD in further developing and expanding its emergency preparedness, management and response capacity to better engage, inform and protect Pincher Creek MD residents, livestock and property in times of crisis.

The Coalition sincerely appreciates the MD of Pincher Creek Council’s attention to this submission and the care which that attention represents for the MD’s residents. The members of the Coalition would welcome engaging with the Council directly as it considers these questions to provide evidence or clarification as needed. Contact information for each of the Coalition’s members is provided in Appendix I.

Working together, the MD and the Coalition can ensure appropriate accountability for the management of the Kenow fire as it impacted the MD; ascertain gaps in service delivery and communication; develop key lessons; and better prepare the MD for the future.

Request for a Formal Inquiry

The Coalition requests the MD of Pincher Creek Council conduct a formal inquiry into the management of the Kenow Fire, in particular as it impacted that area south of Pine Ridge where Pincher Creek ranchers, residents and ratepayers were directly and adversely impacted.

The Coalition specifically seeks answers to the questions which follow in this submission.

The Coalition welcomes the addition of further questions which MD Councillors may have and wish to contribute to the list provided herewith.

The Coalition requests that, in the event questions are not answerable by the MD, the MD will actively pursue answers and accountability from other key stakeholders, including but not limited to:

- Other levels of government and their corresponding departments responsible for emergency preparedness, management and response to this fire (e.g. Parks Canada; Alberta Agriculture and Forestry; Alberta Emergency Management, etc.)
- Law enforcement bodies involved; and
- Fire protection services involved.

Specific Questions

Part I

Communication

The following questions concern communication challenges experienced during the Kenow Fire and its progression into the MD of Pincher Creek, in particular in the Twin Butte area south of Pine Ridge.

1. **Whereas**, Jed Cochrane, Parks Canada Incident Commander of the Kenow Wildfire, together with Rick Moore, Incident Commander for Alberta Agriculture and Forestry, acting in unified Command with Parks Canada and the MDs of Pincher Creek and Cardston, noted in a press conference held on September 20 that, “Waterton Lakes National Park fire staff recognized very early that the [Kenow] fire represented a threat to not only to the Waterton Lakes National Park but also to surrounding lands” on August 31st, a day after the fire was first discovered;¹

Whereas, the size and threat profile of the Kenow fire represented an acknowledged and significant risk to the Pincher Creek MD and its residents, ranchers and ratepayers;

Whereas, a 7:15 pm press release from Communications Officer John Stoesser on September 11 (reported on by *Shootin’ the Breeze* at 7:28 pm on September 11) stated that “We are concerned about the fire moving down the Akamina drainage, or the Blakiston or Red Rock drainage;”²

Whereas, Jed Cochrane, Parks Canada Incident Commander of the Kenow Wildfire, together with Rick Moore, Incident Commander for Alberta Agriculture and Forestry, acting in unified Command with Parks Canada and the MDs of Pincher Creek and Cardston, noted in a press conference held on September 20 that a spot fire was discovered on the afternoon of September 11 in the Tamarack Basin which was 50 hectares in size and “already growing quite quickly,” adding that “through the afternoon and evening that fire moved very quickly, down two locations, the Akamina Parkway and the Red Rock Parkway...”³

Whereas, Pincher Creek MD Chief Administrative Officer, Ms. Wendy Kay, said on September 11 at 7:30 pm at the Beaver Mines Town Hall that the MD had an emergency management plan in place, developed over the past two years and involving many table top exercises, and expressed that, “my team are ready to go at a moment’s notice... we will be up and ready to go to ensure your safety,” but noted that the MD did not have

¹ Footage of this Press Conference is available online care of the “Shootin’ the Breeze” Facebook page.

<https://www.facebook.com/ShootinTheBreeze/>.

² Update, “Waterton Update,” in *Shootin’ the Breeze* – Facebook Page (11 September, 2017, 7:28 pm); available online at: https://www.facebook.com/pg/ShootinTheBreeze/posts/?ref=page_internal.

³ Footage of this Press Conference is available online care of the “Shootin’ the Breeze” Facebook page.

<https://www.facebook.com/ShootinTheBreeze/>.

everyone's phone numbers and would instead rely on the Alberta Emergency Management System alerts;⁴

Whereas, the Alberta Emergency Management System had (and continues to have) a fault which caused delays of up to 30 minutes before subscribers would be alerted (a pre-existing problem acknowledged by Tim Tritt, Team Leader for the Alberta Emergency Alert Program, in a CBC interview on September 20 referencing the Kenow Fire);⁵

Whereas, Pincher Creek MD Chief Administrative Officer, Ms. Wendy Kay, said on September 18 that an MD Communications Plan was in place but time had not been sufficient to implement it at the time of the fire on September 11;⁶

- i. **Why, with significant time to prepare, were residents not canvassed for contact information (phone, email, address, physical address etc.) and property-resident details on the part of the MD to facilitate multiple points of contact in the event of an impending and likely emergency?**
- ii. **Why was the MD communications plan not in place prior to the point of emergency and fully operationalized at the point of emergency, despite promises that it had been in place and had been trialed successfully for two years prior?**
- iii. **Why were residents not warned of the advancing fire through the Akamina drainage or the Blakiston or Red Rock parkways immediately upon discovery and report that this was occurring (at 7:15 pm on September 11), even after ranchers, residents and ratepayers had repeatedly noted the significant threat this represented to the Twin Butte area south of Pine Ridge at the Twin Butte Townhall of September 8? Why was a voluntary evacuation not issued until 10:15 pm?**
- iv. **Why were residents told to rely upon the Alberta Emergency Management System as their primary source of information by the MD when a fault known to provincial authorities existed which would delay notifications on the part of users?**
- v. **Was the MD aware of the limitations of the Alberta Emergency Management System prior to advocating reliance upon it for ranchers, residents and ratepayers without noting its deficiency?**
- vi. **Why were residents not notified of the fire's presence in the Tamarack Basin and its rapid spread therefrom on the afternoon of September 11 as this was occurring?**

⁴ Footage of this Press Conference is available online care of the "Shootin' the Breeze" Facebook page. <https://www.facebook.com/ShootinTheBreeze/videos/vb.205622372841234/1538504632886328/?type=2&theater>.

⁵ David Gray, "Waterton Emergency Alert System Complaints," in *Calgary Eyeopener* (radio program; aired September 20, 2017); available online at: <http://www.cbc.ca/player/play/1050933315576/>.

⁶ Shannon Robison, "MD Responds to Communication Questions" in *Shootin' the Breeze* (20 September, 2017); available online at: <http://www.shootinthebreeze.ca/index.php/item/md-responds-to-communication-questions>.

- vii. Why were some residents among the Coalition provided with no notice of the need to evacuate (e.g. the Flundra, Ekelund and Cassidy families) while others were provided with less than ten minutes notice on the night of September 11 (e.g. the Muza family)?
 - viii. What have been the MD's key learnings from the Kenow Fire incident and the challenges and failures faced by its crisis communications strategy?
 - ix. What does the MD intend to do to be better positioned for crisis communications needs in the future?
2. **Whereas**, modeling work of the Kenow fire's current location and projected paths were referenced at the Twin Butte Town Hall of September 8;
- i. Were said models shared with the MD?
 - ii. If said models were shared, why were they not shared with residents, ranchers, and ratepayers directly in the path of the Kenow fire?
 - iii. If said models were not shared with the MD, did the MD advocate for securing them?
 - iv. What reasons was the MD provided with on the part of those creating and keeping said models for not sharing them with the MD, were that the case?
 - v. Was local knowledge consulted in the creation of said models?
3. **Whereas**, Coalition members sought access to their properties on September 12 to aid in fire fighting activity on their lands and to provide expertise, trained fire-fighting and emergency management experience, and to leverage and provide access to significant private available flow⁷ capacity and were detained by RCMP, in some cases for hours of valuable fire suppression time;
- Whereas**, detained residents were asked to secure and produce entrance permits from the MD office;
- Whereas**, residents seeking permits at the MD office were sent to other offices only to be returned to the MD office;
- i. What was the permitting process and where were permits to be secured?
 - ii. Why was the permitting process not clearly and directly communicated to impacted ranchers, residents and ratepayers and to the RCMP?
 - iii. Why was the MD not monitoring and quality controlling information being provided by their offices to serve residents?
 - iv. Why were the RCMP left without clear direction from the MD with which to assist and direct impacted ranchers, residents and ratepayers?
 - v. What steps will the MD undertake to better communicate with ranchers, residents, and ratepayers as well as the RCMP to better facilitate informed and rapid action in the event of future crises?

⁷ Available flow: the total amount of water and retardant that can be put on a fire through water supply, pump and hose supply and size relative to the distance to the fire.

4. **Whereas**, incident command officials from various departments and governments outside of the MD demonstrated a distinct lack of knowledge of regional climate, weather and wind patterns, for example in suggesting that some fire suppression activities were awaiting evening conditions when the wind could be expected to recede (which is not a standard in this region);

Whereas, ranchers, residents and ratepayers sharing their expertise and concerns regarding what the fire would do given prevailing winds should it exit the Waterton Lakes Park at particular points of egress and enter grasslands south of Pine Ridge, were told not to be concerned and that these scenarios would not occur (as happened at the Town Hall in Twin Butte on September 8);

- i. **Did the MD make a concerted effort to share local knowledge and expertise with other levels of government and government departments, out-of-MD fire fighters, incident commanders and the Alberta Emergency Management Agency to actively shape their strategic and operational responses to the fire beyond the Waterton Lakes National Park Boundaries?**
5. **Whereas**, Pincher Creek MD Chief Administrative Officer, Ms. Wendy Kay, said on September 18 that the MD Council is "...trying to come up with other alternatives and tools," for communicating with stakeholders in times of emergency;
 - i. **What are the tools being investigated?**
 - ii. **What is the current status of this initiative?**
 - iii. **When does the MD expect to report to citizens on the outcome of this investigation and implement its findings/conclusions.**
 6. **Whereas**, a press conference was held on September 20th covering in detail the timeline of the Kenow fire and firefighting efforts undertaken in the National Park;⁸
 - i. **Will a similar press conference be provided to specifically address the spread of the fire into MD lands, the efforts undertaken by MD and other firefighting bodies to combat said fire, and the impact of the fire on the region south of Pine Ridge?**

⁸ Footage of this Press Conference is available online care of the "Shootin' the Breeze" Facebook page. <https://www.facebook.com/ShootinTheBreeze/>.

Specific Questions

Part II

Fire Preparedness and Response

The following questions concern the MD's emergency/fire planning, preparedness and response in relation to the Kenow Fire and its progression into the MD of Pincher Creek, in particular in the Twin Butte area south of Pine Ridge.

1. **Whereas**, Pincher Creek MD fire fighting resources had been deployed in the area south of Pine Ridge to assist with the Kenow Fire and to respond on behalf of MD ranchers, residents and ratepayers, in the advent of the fire's entry into MD territory;

Whereas, the aforementioned MD resources were provided to support and to be supported by federal, provincial and other local Municipal District fire fighting resources present in a conjoined fire suppression effort under unified command;

Whereas, members of the Coalition did not receive fire suppression or prevention support on September 11;

Whereas, a Local State of Emergency had been declared as of 11:00 am on Tuesday, September 12;

Whereas, fire suppression support (MD or otherwise) was not forthcoming even after the declaration of a Local State of Emergency on September 12;

Whereas, MD fire fighters, when present along Township Road 30 and Range Road 292 on September 12 in response to private citizen requests for support responded that MD fire trucks did not have sufficient clearance to drive to where the fires were (many of which were grass fires which are generally fought on foot with pack sprayers and which were accessible by standard civilian vehicles being employed by private citizens for that purpose);

Whereas, MD firefighters, when present along Township Road 30 and Range Road 292 on September 12 in response to private citizen requests for support responded that they were only to engage in structure fire operations;

Whereas, MD firefighters refused to fight fires along Township Road 30 and Range Road 292 which had not crossed the fence line (that is, refused to fight fires which remained on private land until such time as it crossed to the road-side of the fence);

- i. **Where were the MD fire resources at the time of the fire's approach to, and consumption of, property south of Pine Ridge on the night of September 11 and the morning of September 12?**

- ii. **Why did MD fire fighters refuse to fight fires on private land, most pertinently, when it is private citizens who pay for MD fire fighting infrastructure through their taxes?**
 - iii. **Why were other fire resources not made available to actively support/supplement MD resources in suppressing fires affecting residents, ranchers and ratepayers on the night of September 11 and in the days following, especially if, as MD firefighters claimed, MD resources were unfit for the service asked of them?**
 - iv. **Why did the MD fail to provide appropriate fire fighting resources with acceptable clearance and capability for southern Alberta prairie terrain?**
 - v. **Will the MD address the fitness of its vehicles for fire fighting needs in the Twin Butte region?**
 - vi. **Will the MD assume the associated costs of private citizen fire fighting efforts given MD firefighting assets refused deployment on behalf of said private citizens?**
2. **Whereas**, the size and threat profile of the Kenow fire represented an acknowledged and significant risk to the Pincher Creek MD and its residents, ranchers and ratepayers well in advance of its reaching MD lines on September 11;
- Whereas**, MD firefighting resources were in place to support fire suppression in Waterton Park well in advance of the fire reaching MD lines on September 11;
- Whereas**, the high potential for a rapidly moving grassland fire was noted by local residents, in particular should the fire move through the Cameron Valley and the Blakiston or Akamina or Red Rock Parkways, to MD authorities, Alberta Agriculture and Forestry representatives, Parks Canada representatives, and the RCMP and firefighting personnel at the Twin Butte town hall of September 8;
- i. **Why were prevention measures not put in place to prepare for and prevent the eventuality of the fire entering the MD (e.g. the creation of a buffer zone which can involve fire breaks and berms, long term retardant; back burning during periods of favourable conditions, etc.)?**
 - ii. **Why were MD firefighting assets not onsite and prepared or capable of addressing grassland and bushfire scenarios prior to and during the fire's entrance into MD territory?**
3. **Whereas**, Jed Cochrane, Parks Canada Incident Commander of the Kenow Wildfire, together with Rick Moore, Incident Commander for Alberta Agriculture and Forestry, acting in unified Command with Parks Canada and the MDs of Pincher Creek and Cardston, noted in a press conference held on September 20 that MD firefighting resources were an integral part of fire fighting efforts to protect structures within the Waterton Lakes National Park on the night of September 11;⁹

⁹ Footage of this Press Conference is available online care of the "Shootin' the Breeze" Facebook page. <https://www.facebook.com/ShootinTheBreeze/>.

- i. **Can the MD confirm the degree to which this was so and comment on why these MD resources, paid for by MD ratepayers, were not pulled back to directly address MD properties in advance of or at the moment when the fire entered MD lands and threatened and consumed MD private citizen/ratepayer property?**

4. **Whereas**, Coalition member Mr. David Cassidy was on a drilling location east of Cardston with a truck hired by his company from Summit Safety Inc. onsite to provide fire protection during drilling operations on September 12, at which time he sought and secured release of the truck to support fire fighting efforts in the MD of Pincher Creek;

Whereas, upon seeking permission to employ said service truck, it was turned away at the Hillspring road block and Mr. Cassidy's party was told to discuss the truck's possible employment with the Cardston Fire Department;

Whereas, upon doing so, Mr. Cassidy's party was informed the truck would require certification and subsequent permitting to cross the road block before entering the fire suppression area; and

Whereas, Mr. Cassidy's party was subsequently informed permits were not being issued at the time of the request and, as such, the truck could not be employed to support firefighting efforts;

- i. **Had the equipment (pictured below, Fig. 1, and representing a significant benefit to flow capacity for fighting the Kenow Fire) managed to arrive at the Pincher Creek MD, would it have been allowed to participate in vital fire suppression activities, or would the vehicle have been subject to further permitting, despite the emergent need for fire suppression equipment and capacity, in particular as expressed by Coalition members, in their experience of the fire without MD firefighting resources to aid them?**
- ii. **What is the standard process during a local state of emergency for enabling private industry to support local fire fighting efforts in the MD of Pincher Creek?**
- iii. **Can this process be streamlined to better enable the protection of MD residents and property?**
- iv. **Will the MD undertake improvements to the rapid permitting of private and corporate vehicles capable of addressing crisis situations with suitably trained operators?**



Figure 1: Summit Safety Inc. fire truck offered in support of fire suppression activities but refused permitting by the MD of Cardston.

5. **Whereas**, ranchers, residents and ratepayers of the Twin Butte area south of Pine Ridge were required by the RCMP to sign a legal document (“Release of Liability, Waiver of Claims, Assumption of Risks and Indemnity Agreement”) which warns signatories that “by signing this document you may give up certain legal rights, including the right to sue, claim damages, or seek compensation” (a copy of this document is supplied as Appendix II);
 - i. **Why were ranchers, residents and ratepayers required to sign a document releasing the “Municipal District of Pincher Creek No. 9 or its councillors, officers, employees, agents, invitees, or representatives of any kind” from responsibility for the MD’s “actions or negligence”?**
 - ii. **Why was the same accord mentioned above in “question i” also to be signed for on behalf of the “Regional Emergency Management Organization?”**
 - iii. **Why were ranchers, residents and ratepayers to, “waive all claims of every nature and kind at law or equity or under any statute that I [the signatory] have or may have in future against...” the Regional Emergency Management Organization and/or the Municipality?**
 - iv. **Who was responsible for producing this document and demanding/enforcing the signing of this document? From where did it originate?**

6. **Whereas**, local (ranch and private citizen-driven) firefighting efforts significantly extinguished grass, bush and forest fires, primarily along the land immediately south of Township Road 30 and Range Road 292, and at private ranches and residences in the area

during the week of September 10 (photographs of some private equipment deployed are provided as Appendix III);¹⁰

Whereas, local (ranch and private citizen-driven) firefighting efforts prevented the expansion of the fire to thousands of acres of grassland, homes and ranch buildings as well as persons and livestock, and also inhibited the further destruction of the high ecological-value UNESCO Waterton Biosphere Reserve and Nature Conservancy lands of the region (photographs showing the line at which the fire was stopped by private citizen firefighters along Township Road 30 and Range Road 292 are provided as Appendix IV);

Whereas, local (ranch and private citizen-driven) firefighting efforts potentially saved the expenditure of significant public dollars in disaster assistance costs, both before and after a Local State of Emergency was declared by the MD;

Whereas, local (ranch and private citizen-driven) firefighting efforts were not supported by MD, provincial or federal firefighting assistance, even upon direct request;

Whereas, local (ranch and private citizen-driven) firefighting efforts continued to fight spot fires and hotspots and remove risks for fire creep, flare ups, and fire access to accelerants and high value fuels throughout the weeks beginning September 10 and September 17 (with some hotspots being discovered and fought into the week beginning September 24);

Whereas, local (ranch and private citizen-driven) firefighting efforts contributed significantly to the available flow¹¹ capacity of the MD and other firefighting resources;

i. **Will the MD seek appropriate compensation for local (ranch and private-citizen driven) fire fighting efforts?**

7. **Whereas,** a Coalition member witnessed a conversation on a Parks Canada radio which had been left with him for the purpose of keeping him informed at his workplace on the night of September 11 clearly stating that a backburn had been lit on Knight's Hill by Parks Canada (this Coalition member's statement regarding the events of the night of September 11 are provided as Appendix V);

Whereas, reports of a backburn being undertaken the night of September 11 are circulating on social media and have been communicated to Coalition members by other eyewitness sources (un-named in this document);

¹⁰ By way of example, the Flundra Effort deployed approximately 50,000 gallons of water on September 12, stopping the fire from spreading north of Township Road 30, and expended approximately 20,000 gallons of water on September 13 putting out spot fires and hot spots. Further resources were used in the days following to conduct more work of the same nature, though upon a smaller scale given improved conditions.

¹¹ Available flow: the total amount of water and retardant that can be put on a fire through water supply, pump and hose supply and size relative to the distance to the fire.

- i. Will the MD investigate and determine whether a backburn was lit, serving as the cause, in part or total, of the fire which directly and adversely impacted MD residents, ranchers and ratepayers?
- ii. Why were MD ranchers, residents and ratepayers not informed and warned of backburn activity so close to their properties in conditions overtly adverse to such an undertaking, in particular given their repeated expressions of concern for the region given its prevailing winds and current conditions?
- iii. In the event the MD was not informed of the backburn, why were they not informed of this crucial information so that the MD and residents could be ready with fire suppression infrastructure and resources and be prepared for stewarding evacuation appropriately?
- iv. Will the MD investigate, discover and hold accountable the authorities and persons responsible for undertaking a backburn in dangerous conditions (in the face of three fire fronts, high wind speeds (70-100 km/hr by Alberta Agriculture and Forestry Incident Commander Rick Moore's estimation), relative humidities down to single digits, the exceptional dryness of conditions) should an investigation prove this to have been done?¹²

¹² Conditions the afternoon, evening and night of September 11 have been commented upon by Parks Canada and Alberta Agriculture and Forestry authorities and may be reviewed at: the "Shootin' the Breeze" Facebook page. <https://www.facebook.com/ShootinTheBreeze/>.

Conclusion

The material facts and corresponding questions provided in this submission are intended to, if engaged by the MD of Pincher Creek in a formal inquiry, provide ranchers, residents and ratepayers of the Coalition with answers and outcomes that will accomplish four primary objectives:

1. To apprise the aforementioned stakeholders of the decisions made and actions taken during the Kenow Fire; the reasoning behind those decisions and actions; and the acknowledgement, where appropriate, of what worked and what failed to work in the MD's treatment of this crisis situation and in its service to its citizens;
2. To hold accountable those who made decisions or failed to consistently act in the best interests of the aforementioned stakeholders, whether within the MD administration and Council, or beyond it;
3. To begin to assess who is responsible to pay for damages and significant private citizen efforts to replace, supplement and buttress MD fire responses where they were found to be lacking or nonexistent; and
4. To better position the MD to respond to crisis situations in the future for the protection and preservation of their lives, livestock, and property.

The Coalition looks forward to working with the MD of Pincher Creek to answer these questions and to seek answers where they are not readily available within the MD's purview. What is more, the Coalition recognizes the MD's commitment, corporately and through our elected representatives, to improving the MD's performance and service on behalf of its ranchers, residents and ratepayers – in times of crises, and in times of concord.

The Coalition sincerely believes that the pursuit of a formal inquiry into the Kenow Fire, which takes into account the questions stated herein, will support the Council's stated mission and vision – to preserve and enhance our Western Canadian lifestyles through sound decision-making and good governance for the community.

Appendix I

Coalition Contact Information

Please note that Ms. Kathy Flundra is serving as the Coalition's Information Officer. Information which is to be communicated to the entire membership of the Coalition may be provided through her if desired. Ms. Flundra's phone number is below and her email address is: kflundra@jrtwave.com.

Name	Phone Number
Cassidy, David and Theresa	
Cassidy, Michael	
Ekelund, Doug and Nancy	
Flundra, Dustin	
Flundra, Kathy	
Jenkins, Jenny	
Johnson, Val	
Leman, Ken	
Mar, Clint	
Muza, Gerry and Leslie	
Rickard, Chris	
Stone, Greg and Jennifer	
Wellman, Cal	

Appendix II

Legal Disclaimer – Release of Liability



Kathryn FLUNDRA.

RELEASE OF LIABILITY, WAIVER OF CLAIMS, ASSUMPTION OF RISKS AND INDEMNITY AGREEMENT

**WARNING: BY SIGNING THIS DOCUMENT YOU MAY GIVE UP CERTAIN LEGAL RIGHTS,
INCLUDING THE RIGHT TO SUE, CLAIM DAMAGES, OR SEEK COMPENSATION.**

This document is to be signed by the property owner/tenant in order to participate in the following:
Two (2) hour access into the mandatory evacuation area, resulting from the Kenow Mountain Wildfire in the Municipal District of Pincher Creek No. 9, to enable the land owner to take care of livestock and related activities (collectively referred to as the "Event").

I, (*print name*) _____ (the "Participant"), am 18 years of age or older, and I am aware that the **Event** involves inherent risks, dangers and hazards, involving all manner of injury or loss, including potentially serious or life-threatening injury and death, including, but not limited to:

- (a) the use of equipment, materials or facilities related to the **Event**;
- (b) the actions or negligence of myself or other participants in of the **Event**;
- (c) the actions or negligence of the **Regional Emergency Management Organization** or its directors, officers, employees, volunteers, agents, invitees, or representatives of any kind (collectively referred to as the "**Organization**");
- (d) the actions or negligence of the **Municipal District of Pincher Creek No. 9** or its councillors, officers, employees, agents or representatives of any kind (collectively referred to as the "**Municipality**"); and
- (e) additional risks arising out of the **Event** and related events and activities.

I, the undersigned Participant, freely accept and assume all such risks, dangers and hazards and the possibility of injury, death, property damage, property loss or any other loss or expense resulting to myself or those to which I am a guardian(s).

I, the undersigned Participant, hereby agree as follows:

- (a) **TO WAIVE ANY AND ALL CLAIMS** of every nature and kind at law or equity or under any statute that I have or may have in the future against the **Organization** and/or the **Municipality**;
- (b) **TO RELEASE THE ORGANIZATION AND THE MUNICIPALITY** from any and all liability for injury, death, property damage, property loss or any other loss or expense that I may suffer or that my next of kin or legal representatives may suffer as a result of participation in or use of the **Event**, due to any cause whatsoever, including negligence on the part of the **Organization** and/or the **Municipality**;
- (c) **TO HOLD HARMLESS AND INDEMNIFY THE ORGANIZATION AND THE MUNICIPALITY** from any and all liability for injury, death, property damage, property loss or any other loss or expense to any party, including myself, as a result of participation in or use of the **Event**, or other financial loss or expense including, without restriction, legal expenses and costs on a solicitor-and-his-own-client full indemnity basis in defending against such claims or enforcing the terms contained within this document; and
- (d) **THAT THIS AGREEMENT WILL BE EFFECTIVE AND BINDING UPON** myself, and my heirs, next of kin, executors, administrators and assigns.

Justified by Sgt. HIMMELMAN

I, the undersigned Participant, hereby acknowledge that I have read the foregoing, and have had the opportunity to ask questions and clarifications before signing. I acknowledge that I understand its content, import and meaning and hereby do agree, approve and consent to the above. I understand that should **Event** conditions change, I am responsible for my own safety within the mandatory evacuation area as **Event** personnel will not be dispatched to retrieve me.

Date: _____ Legal Land Location / Approach Sign Number: _____

Participant Name (print): _____ Participant Signature: _____

Witness Name (print): _____ Witness Signature: _____

FOR FURTHER INFORMATION PLEASE CONTACT 403-904-8016

Appendix III

Private Citizen Fire Fighting Efforts – Some Supporting Photographs

Equipment Deployed









Appendix IV

Private Citizen Fire Fighting Efforts – Some Supporting Photographs

Field Activity Primarily along Township Road 30 and Range Road 292
(Where the Fire was Stopped on the east side of Highway 2 by Private Citizen Efforts)











Appendix V

Coalition Member Account of Backburn

The following account is submitted on behalf of a Coalition member. Authorship and names mentioned in the account are left out for the purpose of this submission, but may be requested in the event the MD Council decides to proceed with a formal inquiry.

“My recollections from the evening of Sept 11, 2017 as I remembered it on Sept 12, 2017.

At 8:56 pm I spoke to my wife for 15 minutes. Then I cooked dinner and while eating dinner I heard over the radio [a Parks Canada radio provided to the Coalition member to ensure his safety on the night of September 11] the park discussing “doing a burn” with “Ignition Ryan” giving orders. There was one point when they asked Ignition Ryan if he wanted (forgotten name?) there and he said, “give me Jasper, I’ve worked with Jasper before”. It said they were meeting near Knight’s lake day use area. They said “ignition had started” over the radio and I went outside to see the flames and was able to see them glowing from my cabin. Then there was someone who asked about lighting near a propane tank, then someone said, “no just wet it down”. The whole conversation’s tone seemed like they were doing a planned burn, not fighting a fire, until it got out of control. The impression I got was that there was a sprinkler system near the bison paddocks they hoped the fire would go towards and extinguish. At 10:07pm my mom called to say -name removed for purpose of submission- saw flames and didn’t know what was happening. At this point the radio talk seemed to have the fire under control and I told her not to worry, that they were doing a controlled burn. She called -name removed for purpose of submission-, and then I called her back at 10:08pm to let her know it was out of control when I heard them say, “oh no, oh no, it’s out of control. It has breached the road and is moving north. Retreat, retreat, retreat to Pine Ridge.” At this point I quickly evacuated with my cats. -Name removed for purpose of submission- called at 10:15pm to make sure I was evacuating because they had been advised to do so by an RCMP officer knocking on their door. Then I heard Ignition Ryan ask if the MD had been notified and if the nearby residents had been notified and nobody on the radio had an answer. Once I heard them get to Pine Ridge I heard them say “let’s take a minute to get situated”. I left and talked to -name removed for purpose of submission- who was also evacuating. Then I talked to the RCMP at the roadblock to let them know they had missed informing people at my property and the -name removed for purpose of submission- property. They seemed surprised that anyone lived there and had me point it out on a map. The alert App (AEA) on my phone went off at 10:24pm. I was already making my way down the highway.”

MD OF PINCHER CREEK

DECEMBER 6, 2017

TO: Wendy Kay, Chief Administrative Officer

FROM: Leo Reedyk, Director of Operations

SUBJECT: New Texas Gate Installation

1. Origin

Administration received a request from Jenkins Lazy U Ranching Ltd to install two new Texas gates on RR 29-5A. The Municipal District's Development and Engineering Standards, (attached) allow for new Texas gates on minor roads at a new location on a Municipal District road allowance, when application is made to Council.

2. Background:

On December 6, 2017, Mr. Jenkins provided a letter to Council (attached) and requested information on the process. He was provided with copies of the standards as well as information on the process moving forward.

Given the road is an undeveloped road, Mr. Jenkins letter serves as application, for the installation of two proposed Texas gates. The adjacent land owner would typically apply for a Licence of Occupation to obtain permission to graze the right of way. As Mr. Jenkins is renting the land, it would be appropriate for the adjacent landowner to request the Licence of Occupation.

3. Recommendation:

THAT the report from the Director of Operations, dated December 6, 2017, regarding New Texas Gate Installation be received;

AND THAT Council authorize the installation of the New Texas Gates once the landowner has received a License of Occupation for the road right of way.

Respectfully Submitted,



Leo Reedyk

Attachments

Reviewed by: Wendy Kay, Chief Administrative Officer



Date: Dec 7, 2017

JENKINS LAZY U RANCHING LTD.

December 6, 2017

Frank Jenkins

Jenkins Lazy U Ranching Ltd.

To: MD #9 Council,

I am writing this letter to ask for council's permission to install two cattle guards on Range Road 29-5A, an undeveloped road allowance that passes through **NE 31 4 29 W4**. The land is owned by Stewart & Kelly McRae, and is currently leased by Jenkins Lazy U Ranching Ltd. The road is currently fenced on both sides, and with the installation of cattle guards, it would allow the elimination of the east fence, which is in need of removal, as it is in poor state of repair. The west fence is currently being replaced with all brand new materials.

I would propose the cattle guard on the North end be set back off the township line approximately 50 yards so as to not be installed on a slope. The cattle guard on the South end of the McRae property would be set back into the McRae land, an agreeable distance as the property line is on a bend in the road and would not be a suitable place for a cattle guard.

I have had discussions with the McRae's and Bob Peters (the land holder to the South), and both agree with the project. I would be willing to obtain written permission from both parties, should council require such for the approval of this project. McRae's and Jenkins Lazy U would be willing to purchase or build cattle guards to M.D standards and as per M.D policy, pay the M.D for installation.

As well, Jenkins Lazy U would be responsible for all the fencing and provide gates for oversized machinery as well as livestock to pass through the road allowance at anytime, uninhibited.

I believe the project could be a benefit to the M.D, with a reduced fire hazard, due to the grass being grazed. It would also be a great benefit to the land owner, as water in the field east of the road can be sparse in dryer years. Having the ability to use the property west of 29-5A will allow better access to water. This will result in better over all use of the grass.

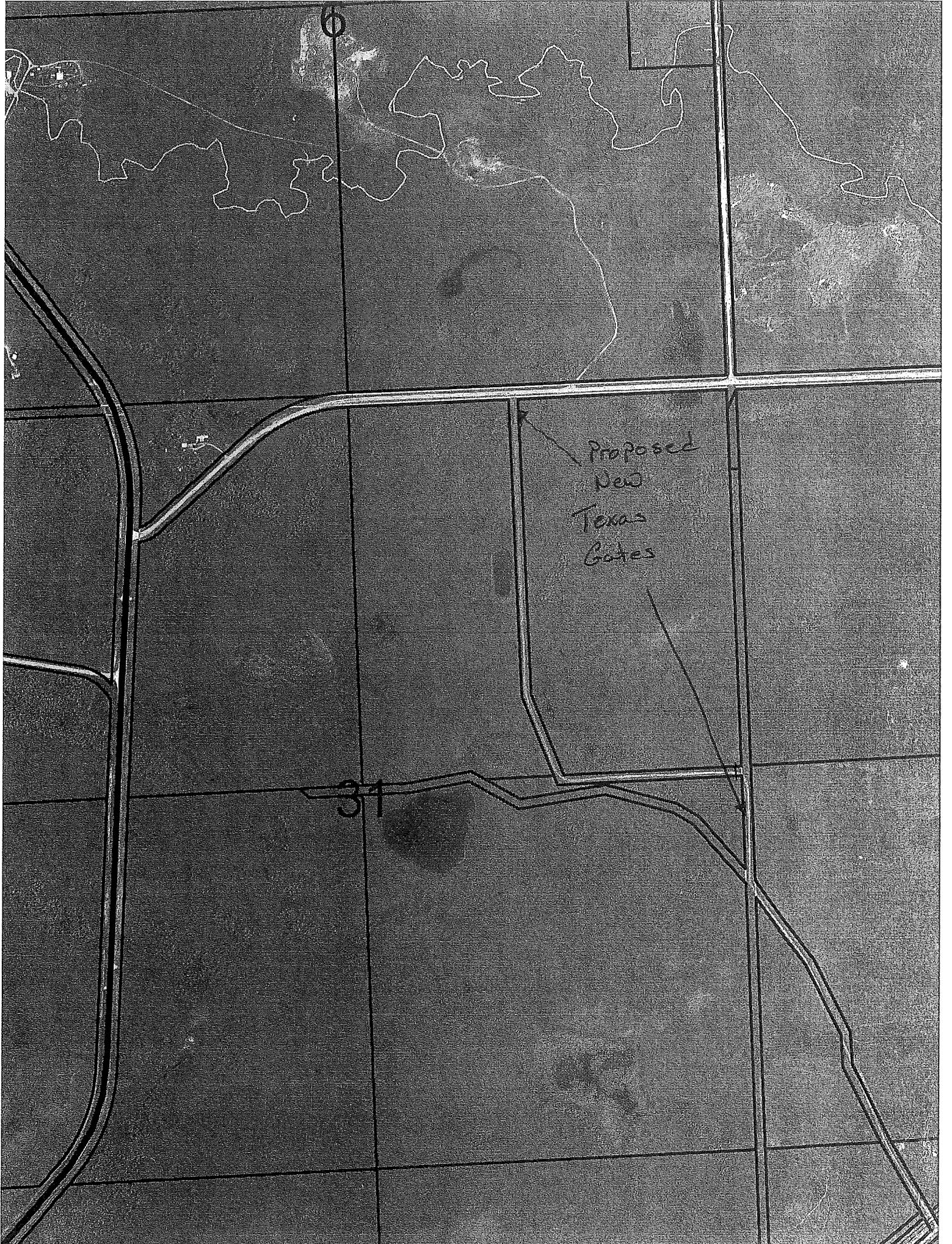
We are willing to work with the M.D Council as well as neighbours to complete this project to everyones satisfaction. Thank you for your consideration in this matter.

Sincerely yours,

Jenkins Lazy U Ranching Ltd.

A handwritten signature in blue ink, appearing to read 'Frank Jenkins', with a stylized flourish extending to the right.

Frank Jenkins President



6

Proposed
New
Texas
Gages

31



9. TEXAS GATES

9.1 GENERAL

The municipal District has authority and responsibility for all Texas gates installed within municipal road allowances. All Texas gates shall conform to current Alberta Transportation and Infrastructure standards and specifications unless amended herein.

Texas gates installed in a municipal right-of-way within the Municipal District may become obsolete because of land ownership changes or changes in land use. Council encourages the removal of Texas gates, especially in those cases where they are no longer required or do not conform with the land use adjacent to the roadways. At the time the need for a Texas gate at a certain location is questionable, or from time to time, the M.D. may undertake a survey of landowners with property adjacent to the existing Texas gates, to determine whether the need for the Texas gate is current.

When the need for a Texas gate can no longer be substantiated or when the landowner is in agreement, the M.D. will pay the cost of materials for the initial fence installation, to the landowner adjacent to a municipal roadway where an agreement has been reached to remove an existing Texas gate. The Municipal District will pay the price of materials to the current Alberta Transportation specification for a four (4) barbed wire fence, per linear metre, for fence on one or both sides of the roadway. Payment will be made on the completion of the fencing project at which time the fence ownership shall revert to the landowner.

9.2 CLASSIFICATION

The existing Texas gates within the Municipal District have been classified into three categories;

- 1 Arterial/Collector "Major" Roads where there are more than three land owners who access parcels beyond the Texas gate or the road is a major thoroughfare;
- 2 Local/Unimproved "Minor" Road where three or less resident access parcels across a Texas gate; and
- 3 "Private Texas gate" where the gate accesses private property. All private Texas gates are to be placed on private property.

Texas gates that provide residents access to their properties from a municipal road allowance will be considered private Texas gates and will not be considered part of this standard. They must be adequate for Municipal District equipment to travel over to be considered for snow removal and the owner will be responsible for all repairs. Where a private Texas gate is currently positioned within the public road allowance it



will be relocated to private property by the land owner at the time it is identified or by the Municipal District at the time of significant road improvements.

No new Texas gates will be installed on "Major Roads" except in exceptional circumstances and approved by council.

Land owners wishing to install a Texas gate on minor roads at a new location on a Municipal District Road allowance will be required to:

- Make an application to Council;
- Purchase and engineered Texas gate, minimum 7.32mx2.54m (pending road surface dimension) similar to Alberta Infrastructure and Transportation drawing number CB6-2.13M7 or CB6-2.13M11; and
- Pay for the Municipal District to install the Texas gate.

9.3 INSTALLATION

All Texas gates shall be installed as per current Alberta Transportation Civil Works Master Specification, Section 02843. Once installed within the Municipal District's road a Texas gates will be the responsibility of the Municipal District. The gate will receive a minimum, one inspection per year, by the municipality, preferably in spring, to determine the condition of the Texas gate and appurtenances. Repairs or cleaning identified during inspections will be the responsibility of the Municipal District.

The Municipal District shall be responsible for purchasing, installing and maintaining "Texas Gate Ahead" and "Cattle at Large" signs.

END OF SECTION

MD OF PINCHER CREEK

DECEMBER 5, 2017

TO: Wendy Kay, Chief Administrative Officer

FROM: Leo Reedyk, Director of Operations

SUBJECT: Temporary Transfer of Water from the Town of Pincher Creek

1. Origin

Water for Licenses for the Village of Cowley and the Hamlet of Lundbreck are drawn from the Castle River in the SE 2-7-1-W5M. On July 25, 2017 Alberta Environment notified the municipality that the instream objectives for our water license were not being met and we would need to find an alternate source of water.

2. Background:

Public Works staff ran an emergency water pump or hauled water to the Regional Water Treatment Plant as necessary over summer and fall as a means of supplying water to Cowley and Lundbreck.

At their September 26, 2017 meeting Council passed Resolution 17/420 that reads:

THAT the report from the Director of Operations, dated September 20, 2017, regarding Water Emergency be received;

AND THAT Council direct Administration to draft a letter to the Town of Pincher Creek for the Reeve's signature, requesting a temporary water transfer from the Town of Pincher Creek.

A letter was forwarded to the Town requesting the temporary transfer. On November 9, 2017, Councils of the Town of Pincher Creek and the Municipal District met with Alberta Environment and Parks to discuss the specifics of a temporary transfer.

On November 30, 2017, the Town of Pincher Creek forwarded a Draft Temporary Transfer Agreement for Councils consideration.

On December 1st, the Alberta Environment and Parks monitoring stations on waterways are removed from service for the winter. This year, the flow rate was above the water conservation objectives in the Village of Cowley's License and the Municipal Districts License for Lundbreck. The stations are checked on a monthly basis over winter, and the resulting measurements could result in the municipality being forced to find an alternative water source.

3. Recommendation:

THAT the report from the Director of Operations, dated December 5, 2017, regarding a Temporary Transfer of Water from the Town of Pincher Creek be received;

AND THAT Council authorize the Reeve and Chief Administrative Officer to sign the temporary transfer agreement with the Town of Pincher Creek.

Respectfully Submitted,



Leo Reedyk

Attachments

Reviewed by: Wendy Kay, Chief Administrative Officer



Date: December 6, 2017

MEMORANDUM OF UNDERSTANDING



BETWEEN

the



TOWN OF PINCHER CREEK
Hereinafter called the “Grantor”

and the

MUNICIPAL DISTRICT OF PINCHER CREEK NO.9
Hereinafter called the “Grantee”

WHEREAS the Grantee owns and operates a regional water system with the Village of Cowley and has requested the transfer of its diversion point for water destined for Lundbreck to be moved to the Castle River at the raw water intake in the SE 2-7-1-W5M;

AND WHEREAS the Province of Alberta, Environment and Parks Department has identified that the flow within the Castle River is not adequate to provide the additional water to meet the needs of the Hamlet of Lundbreck during low water conditions given the Instream Objectives and Water Conservation Objectives in the Village’s and Grantee’s Licences;

AND WHEREAS the Grantor has water licence (Licence #13814) on the Castle River upstream of the Grantee’s point of diversion that is currently surplus to its needs;

AND WHEREAS the Grantee requests of the Grantor a Temporary Transfer of water licence from its allocation on the Castle River to a maximum of (24 acre feet).

THEREFORE the Grantor is willing to grant a Temporary Transfer of the aforesated water licence to the Grantee on the following conditions:

1. Any allocation of water pursuant to the Temporary Transfer shall only be operative when the Castle River flow is below the limits identified in the water licences of the Village of Cowley and the Grantee.
2. The volume amount of water allocated to the Grantee under the Temporary Transfer shall be reported to the Grantor on a monthly basis.
3. The Grantee shall, as part of its application process with Alberta Environment and Sustainable Resource Development, request of the Director, Water Resources that the holdback of up to 10% of water allocated under a licence transfer pursuant to s 83 of the *Water Act* (RSA 2000, c W-3) not apply in this instance in view of the fact that all three municipalities involved in this agreement have water conservation initiatives in place. Should the holdback as aforesaid be deemed to apply in this instance, the Temporary Transfer contemplated herein shall be null and void.

4. The Grantee shall assign the water back to the Grantor when requested for the Grantor's use throughout the duration of the temporary transfer agreement. The Grantee understands that the Grantor has water allocation from multiple sources and that the Grantor may be required to draw from the Castle River exclusively therefore eliminating the ability of the Grantor to transfer the water to the Grantee. During these conditions the Grantee shall implement water conservation initiatives within the regional water system to minimize consumption such as residential water metering and find alternate sources of water.
5. This agreement shall remain in place for a term of two (2) years (the "Term") or until the Grantee has acquired an alternate source of raw water to meet the needs of the regional water system users.
6. The allocation pursuant to the Temporary Transfer shall revert back to the Grantor upon the expiration of the Term.
7. If at any time during the Term the Temporary Transfer of water licence is no longer required, the Grantee shall initiate the conclusion of the agreement and file the required notice with Alberta Environment and Parks.
8. The Grantee shall ensure that the Grantor's water needs are considered and prioritized in relation to its own from this day forward.
9. All costs associated with this temporary water license transfer will be borne by the Municipal District of Pincher Creek # 9.

NOW THEREFORE the Councils of the Town of Pincher Creek and the Municipal District of Pincher Creek No. 9 do hereby enact resolutions to formalize this agreement as of the ____ day of _____, 2017.

For the Town of Pincher Creek:

Mayor

CAO

For the Municipal District of Pincher Creek No. 9

Reeve

CAO

MD OF PINCHER CREEK

DECEMBER 6, 2017

TO: Wendy Kay, Chief Administrative Officer

FROM: Leo Reedyk, Director of Operations

SUBJECT: Highway 3 Planning Study

1. Origin

Alberta Transportation is conducting a planning study of Highway 3 from Sintinel industrial park in the Crowsnest Pass to Pincher Station.

2. Background:

As part of the study, at open house # 1 in June 2017, it was noted that 4 open houses would be held. Two open houses were held in the Crowsnest Pass to allow Councils and Residents an opportunity to provide input on the work done to date, exclusively in the Crowsnest Pass. Additional open houses have been removed from the work plan.

Information on the intersections of Highway 3 and Highways 507, 22 and 510 has not been brought forward. Council and residents have not had the opportunity to provide comments on access to the Hamlets of Lundbreck and Pincher Station, the Village of Cowley, the Landfill access, or impediments to agricultural producers who have land on both sides of the proposed highway. The study of the area from the Crowsnest Pass to Pincher Station is ongoing, and will impact residents and travellers in the area.

3. Recommendation:

THAT the report from the Director of Operations, dated December 6, 2017, regarding the Highway 3 Planning Study be received;

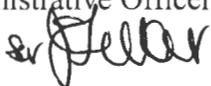
AND THAT Council send a letter to the Minister of Transportation requesting an additional open house, when information is available for the portion of Highway 3 within the municipality, to brief Council and the residents of the Municipal District, as well as to provide an opportunity for input.

Respectfully Submitted,

Leo Reedyk



Reviewed by: Wendy Kay, Chief Administrative Officer



Date: Dec 7, 2017

Beaver Mines Water and Wastewater Project Briefing

December 6, 2017 updates in Bold

The Beaver Mines Water and Wastewater project is broken into three components for tracking and discussion purposes, water supply, water distribution and wastewater collection, and wastewater treatment.

Further capacity study was required following the Provincial Governments announcement of supplying water for Castle Parks and Castle Mountain Resort through the Regional Water System.

A project information meeting was held September 27, 2017 in the Coalfields Hall from 4:00 to 7:00 pm.

- 1) The water supply project includes water treatment plant upgrades, piping to the Hamlet including a booster pump station along the route, and a reservoir and re-chlorination unit.
 - a. Council has commissioned MPE Engineering to do the detailed design and tender of this project.
 - b. The project is in the detailed design phase in order to prepare a tender to go out in the spring of 2017. A prequalification tender for contractors has been initiated, and will close on June 26, 2017, to be followed by a tender for the pipeline and mechanical components. 15 pipeline contractors and 7 mechanical contractors responded to the prequalification processes.
 - c. MPE Engineering is doing a detailed survey of the Hamlet to confirm elevations of homes. A letter of introduction from the MD is being supplied to residents requesting the surveyors be allowed onto private property. Ongoing.
 - d. Negotiations with landowners is continuing and we will know in June the pipeline route. Legal documents are being prepared for signatures. Completed.
 - e. Confirmation of the reservoir site layout has been finalized.
 - f. Construction for this component of the project is tentatively scheduled for completion in the spring of 2018.
 - g. Location of Booster Pump Station is finalized.
 - h. Capacity issues with the Regional Water System infrastructure from the Oldman dam reservoir to Beaver Mines resulting from the Castle Area Servicing were identified and have now been incorporated into the systems design.
 - i. Prequalification of Pipeline and Mechanical contractors is complete. The pipeline contract tender documents have been distributed to pipeline contractors. The mechanical tender documents will be distributed in September/October.
 - j. The Pipeline Tender closed on August 30, 2017 with 6 tenders being submitted. The low tender was L.W. Dennis Contracting Ltd with a tender of \$2,384,110.58.
 - k. A pre-construction meeting was held with LW Dennis Contracting Ltd to go over project issues that had been identified. They will be mobilizing on October 30th, starting to fuse pipe on October 31, and starting pipeline boring soon after that.
 - l. Prequalified Mechanical Contractors received copies of the Mechanical Tender for review. A pre-tender site meeting was held on November 1, 2017 to give contractors an opportunity to see the site conditions for the mechanical portion of the contract. The tender close date for the Mechanical contract is November 21, 2017. The tender close date was extended by 2 days to accommodate contractor requests for more time to prepare.

Beaver Mines Water and Wastewater Project Briefing

- m. The Mechanical Tender closed on November 23, 2107 with 4 tenders being submitted. DMT Mechanical Ltd was the low tender with a tender of \$4,816,322.70.**
- 2) The water distribution and wastewater collection component of the project includes the installation of pipes in the Hamlet to connect residents to the water reservoir and to connect to the wastewater treatment force main.
- Council has commissioned MPE Engineering to do the detailed design and tender of this project.
 - At project start up meeting with MPE Engineering, options that provided fire flow water capacity and gravity waste water collection for all sites were chosen. These options were also noted as preferred at meetings held with local residents.
 - The detailed design phase of the project is expected to take most of 2017 with the tender happening sometime in the winter of 2017/2018.
 - It is not expected to be constructed until 2018 or later, as in addition to being able to tie into the reservoir, connection to a wastewater system for residents requires, that a wastewater treatment system is operational as well.
 - Where required, easements for utility crossings on private land are being identified. Consultation with land owners has been initiated.
 - Piping options that provide full fire flow and a fire smart community are being reviewed.**
- 3) The wastewater treatment system component of the project includes a force main to the wastewater treatment lagoon system from the Hamlet.
- The Municipal District is awaiting word in the spring of 2017 on a grant application for this component of the project. On May 29, 2017 the Province announced the AMWWP grant funded projects, no grant was received for this project in 2017.
 - Land negotiations for an easement for a wastewater force main are ongoing.
 - Council has commissioned MPE Engineering to do a detailed design of this component of the project.
 - Council has requested additional information on the Mill Creek site access.
 - Meetings with area residents were held to discuss preliminary details of the project and to listen to their concerns.
 - A meeting to discuss access to the Mill Creek site was held with the local landowner and MPE engineering. Options on access have been developed and are awaiting review and comment.
 - A Historical Resources Assessment of the site will be initiated in October 2017. An informal walkabout with local landowners and Arrow Archaeology Ltd. occurred on the proposed site on Saturday October 21, 2107.
 - Boreholes and test pits to accommodate Historical Resource Impact Assessment and Geotechnical investigation are completed. **Awaiting reports before determining next steps.**
- 4) The Castle Servicing component of the project integrates the Castle requirements into the Beaver Mines Servicing and Beaver Mines Water Distribution components of the project. As well the pipeline from Beaver Mines to the Castle Parks and Castle Mountain Resort.

Beaver Mines Water and Wastewater Project Briefing

- a. A meeting was held with Alberta Environment and Parks, Alberta Tourism, Alberta Transportation, MPE Engineering and the MD to discuss some of the technical issues associated with supplying water to Castle Parks and Castle Mountain Resort. A meeting with Castle Mountain Resort staff identified historical use and provided insight into the long term development requirements for water, excluding water for making snow. Note: The water line to the Castle Mountain Resort is not intended to supply water for snow making. The final report of the Castle Area Servicing Study was provided on August 4, 2017.
- b. MPE was commissioned to do the detailed design of the Castle Servicing project.
- c. On November 1, 2017, the pipeline route to Castle Mountain Resort was toured to determine the best route and any impediments to the project.
- d. Castle Mountain Staff provided a tour of their facilities to familiarize MPE Engineering with their equipment as the pipeline termination will need to be coordinated.
- e. On November 22, 2017 a meeting with Alberta Transportation, Alberta Environment and Parks, MPE Engineering and Municipal District staff identified project requirements for dispositions, regulatory reporting, routing, plan review and probable timelines.



Awaiting Response
Application Not Complete
Amendments Required
Complete
Cancelled

Project: Beaver Mines Regional Water Supply
 Job Number: 1770-010
 Prepared By: GN
 Reviewed By: -
 Date: 07/12/2017

Description	Submitted By	Attention To	Response Received	Reference Drawing(s)	Current Status	Approving Authority Document Number	Comments
WTP Operating Certificate Amendments	MPE	AEP	--	--	AEP requires updated information.	--	
Utility R/W and Access Agreements	Bridge Land/MPE	--	--	--	Complete	--	Agreements to be signed by the MD and cheques issued to Landowners
First Nations Consultation (Castle River)	Bridge Land/MPE	ACD	--	--	Complete	FNC201705822	No consultation with any specific Bands required.
Utility Crossing Agreements	MPE	Various Utility Companies	--	--	Complete	--	Copy of all agreements has been given to LW Dennis Contracting to keep on-site
Highway 507 Crossing and Paralleling	MPE	AT	--	--	Complete	Permit 33-41-17	
AEP Disposition (shoreline and riverbed of Castle River)	Bridge Land/MPE	AEP	--	--	Awaiting Response from AEP	--	AEP has indicated this project will undergo a 90 day review period. Do not expect to receive approval until end of Feb 2018.
DFO Authorization	Bear Tracks/MPE	Department of Fisheries and Oceans	--	--	Complete	--	Species at risk identified (Westslope Cutthroat Trout) DFO has stated the proposed work will not result in serious harm to the species A permit is not required
Transport Canada	MPE	Transport Canada - Navigable Waters	--	--	Complete - No action required	--	No legal requirement for submittal as the Castle River is not in Schedule of Navigable Waters.
Historical Resources	Arrow Archeology/MPE	Alberta Culture and Tourism	11-Jul-16	N/A	Additional field work completed in Nov	4970-17-0024-001	Arrow Archeology preparing report following the additional field work
14 Day Water Act Notification - Wetlands		AEP	--	--	--	--	Application for all wetland crossings submitted.
14 Day Water Act Notification - Castle River Crossing		AEP	--	--	--	--	Application to be submitted 14 days prior to completing the Castle River crossing

Addition to
 E1



Awaiting Response
Application Not Complete
Amendments Required
Complete
Cancelled

Project: Beaver Mines Regional Water Supply - Raw Water Intake
Job Number: 1770-010
Prepared By: GN
Reviewed By: --
Date: 07/12/2017

Description	Submitted By	Attention To	Response Received	Reference Drawing(s)	Current Status	Approving Authority Document Number	Comments
Historical Resources	MPE	Alberta Culture and Tourism	27-Oct-17	N/A	Arrow Archaeology submitted amended application.	4970-16-0009-001	Project submitted for HRIA.
Temporary Field Authority	MPE	Environment and Parks	22-Nov-17	--	Complete	--	--
Use of Works Agreement (AEP Operations)	--	Susanna Lamplier	26-Oct-17	--	Complete/Amended Existing Agreement.	--	Amendment issued for existing agreement for permanent works.
DFO Authorization	MPE	Department of Fisheries and Oceans	06-Nov-17	C1.1-1.4 Intake For Regulatory Approval	Authorization or permit not required	17-HCAA-01337	Based on information submitted, determined project will not result in serious harm to fish.
Transport Canada	MPE	Transport Canada - Navigable Waters	21-Sep-17	C1.1-1.4 Intake For Regulatory Approval	MD Decision required.	N/A	No legal requirement for submittal as Oldman Reservoir not in Schedule of Navigable Waters. MD has decision to opt-in and have project reviewed by Nav Canada (90 Days).
Beaver Mines Water License	MD	--	--	--	Drawings required include: transmission mains, meter vault and reservoir, distribution system. Require ROW agreements.	--	AEP requires finalized documentation and operational system.
Lundbreck/Cowley Water License Transfers	MD	--	--	--	Pending operational intake system from the Oldman Reservoir. Requires submission of use of Works Agreement and revised water shortage response plan.	--	AEP requires finalized documentation and operational system.
Water Act Approval for Constructing Works	MPE	RAC/Jason Cayford	25-Oct-17	C1.1-1.4 Intake For Regulatory Approval, Survey Plan	Awaiting Response.	--	Awaiting Response from ACO.
Environment and Parks Disposition	MPE	Deborah Johnstone	25-Oct-17	C1.1-1.4 Intake For Regulatory Approval, Survey Plan	Awaiting Response.	--	First Nations Consultation not triggered. In review process. Awaiting Water Act Approval.
First Nations Consultation	MPE	ACO	--	--	--	--	Water Act awaiting response from ACO.
Alberta Transportation Roadside Development	MPE	AT	21-Sep-17	C1.1-1.4 Intake For Regulatory Approval	Complete	5113-17/33-29-16	Development permit expires September 21, 2018

Director of Operations Report December 7, 2017

Operations Activity Includes:

- November 23, Beaver Mines Water Supply – Mechanical Tender Close
- November 28, Council meetings;
- November 30, Staff meeting;
- November 30, Contaminated Sites review;
- December 1, Beaver Mines residents meeting;
- December 4-8, Safety Audit.

Agricultural and Environmental Services Activity Includes:

- November 22, Next year's herbicide use chart, Safety Data Sheet's for new herbicides;
- November 23, Administration Building safety meeting;
- November 24, Gravel Pit invoicing and charting for next year;
- November 27, ASB agenda items preparation;
- November 28, Meeting with Safety Officer;
- November 29, Inventory;
- November 30, Last day for seasonal staff;
- December 1, Prep to drive to Grande Prairie, things ready for week away;
- December 4 – 8, In Service Training, Grande Prairie.

Public Works Activity Includes:

- Permanent snow fence repair;
- Texas gate construction;
- Clean up complete for emergency water pumping;
- Pothole repairs on Christie Mines as weather permits;
- Sign repair and replacement;
- Cleanup work at Heritage pit;
- Safety Audit;
- Road maintenance as required.

Upcoming:

- December 4, Public Works Level of Service meeting;
- December 12, Council meeting;
- December 13, Joint Worksite Health and Safety meeting;

Project Update:

- Community Resilience Program
 - Regional Water System Intake Relocation – Tender Closed November 23, 2017.

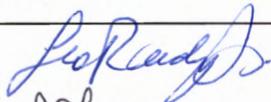
- Capital Projects
 - Bridge File 75737 Construction completed, DFO report submitted, BF 468 Construction complete, awaiting final inspection;
 - Beaver Mines Water Supply, Pipeline - L.W. Dennis Contracting Ltd. Pipe installation ongoing, Mechanical portion of the contract low tender DMT Mechanical Ltd.;
 - Beaver Mines Water Distribution and Waste Water Collection, detailed design and land negotiation ongoing;
 - Beaver Mines Wastewater Treatment, Historical Resource Impact Assessment, boreholes and excavations completed awaiting reports;
 - Castle Servicing, Geotechnical permits acquired from Alberta Transportation;
 - Patton Park Playground CSA Certification ongoing;
 - Public Works Office Renovation complete, minor deficiencies identified and being completed.

Call Logs – attached.

Recommendation:

That the Operations report for the period November 22, 2017 to December 7, 2017 and the call log be received as information.

Prepared by: Leo Reedyk



Date: December 7, 2017

Reviewed by: Wendy Kay



Date: Dec 7, 2017

Submitted to: Council

Date: December 12, 2017

PUBLIC WORKS

WORK ORDER	DIVISION	LOCATION	CONCERN/REQUEST	ASSIGNED TO	ACTION TAKEN	REQUEST DATE	COMPLETION DATE
538	Division 2	RR29-5	Through the wetland/Settlement of soil on the westside has resulted in riprap subsiding and exposed soil will be subject to wave action	Stu Weber	Scheduled for Dec 12	2016-10-04	
670	Division 3	SW16 T6 R30 W4	RQ to have approach widened	Stu Weber	Deferred to 2018	2016-12-14	
939	Division 4	SW15 T7 R29 W4	RQ to have cattle guard cleaned out #29218 TWP 7-2	Bob Millar	Deferred to 2018	2017-07-13	
965	Division 1	SE4 T4 R29 W4 SE34 T3 R29 W4	RQ Approach information	Stu Weber	Land Owner to consent	2017-08-31	
978	Division 3	SW12 - T6 R1 W5	Christie Mines Road Pot Holes in coldmix needs repair	Jared Pitcher	In the process Weather Permitting	2017-10-13	
979	Division 3	NE18 T5 R2 W5	Buckhorn Road trees need to be cut on blind corners	Jared Pitcher	2018 Brushing Plan	2017-10-18	
980	Division 3	NE12 T6 R1 W5	Pot Holes in the coldmix #1016 TWP 6-2A	Jared Pitcher	See W/O 978	2017-10-12	
988	Lundbreck		2 street lights out on Breckenridge	Mike Killoran	Checked and all working Completed	2017-10-31	2017-11-22
989	Division 3	SE&SW 35/36	Snow fence blown down between SE&SW 35/36 RR2-5, limits pasture use	Tony Naumczyk	On the list	2017-10-31	
1133	Division 4	NW3 T7 R29 W4	RQ to have driveway graded	Tim Oczkowski	Completed	2017-11-23	2017-11-27
1134	Division 2	SE28 T5 R28 W4	TWP 5-4 needs repairing	Tony Tuckwood	Completed	2017-11-27	2017-11-27
1135	Division 1	NE17T4 R28 W4	RQ 10' extension to culvert that crosses RR28-4 re cattle issues	Jared Pitcher	In contact	2017-11-16	
1136	Division 2	NW20 T5 R28 W4	Small depression of cold mis that holds water To have a look and perhaps patch it next year	Stu Weber	Being looked at	2017-11-23	
1137	Division 4		RR30-2 on west side of the road between the RR and Hwy RQ Approach	Stu Weber	Looking into it	2017-11-30	
1138	Lundbreck		Re winter storage for the speed trailer	Jared Pitcher	In progress	2017-12-05	

Addition
EIF

MD OF PINCHER CREEK

DECEMBER 11, 2017

TO: Wendy Kay, CAO
FROM: Leo Reedyk, Director of Operations
SUBJECT: Beaver Mines Water and Wastewater Service Funding Report

1. Origin:

The Beaver Mines Water and Wastewater Servicing project is underway and now that tenders have been received for the first component of the project, ensuring that funding is in place for the various segments is critical to the project's success.

2. Background:

The Tender for the Beaver Mines Water Servicing – Mechanical Contract closed on November 23, 2017. Attached is a recommendation from MPE Engineering to award the contract to DMT Mechanical Ltd. in the amount of \$4,816,322.70. Also attached, is a series of spreadsheets identifying servicing project costs as well as funding sources.

The major project is broken down to a number of components:

- The new intake into the Oldman Dam Reservoir is funded by the Alberta Community Resilience Program grant at 90% of the project cost to \$1,627,880. An additional \$229,388.20 is available through the 2013 Disaster Recovery program for the repair to the Castle River Intake. As part of the bathymetric survey of the Oldman Dam Reservoir, it was confirmed that the length of the intake into the reservoir was going to have to be longer than was identified in the initial study. As a result, the remaining funding required for the Intake Relocation portion of the project, from the Municipal District is \$797,724.89. An application can be made to the Alberta Community Resilience Program for additional funding as the full scope of the project was not initially known.
- The Beaver Mines Servicing project for pipeline and mechanical components is funded at 88.26% from the Federal Clean Water Wastewater Fund and Provincial Water for Life programs. Additionally, any increases to the scope of the project associated with the Provincial Castle Servicing is funded at 100% by the Province of Alberta. Also embedded within this project is an increase to the size of the reservoir at Beaver Mines to accommodate the necessary capacity for full fire flow within the Hamlet. As the increase is not grant fundable, the full cost of \$284,400 is a cost associated with the Municipal District. The upset cost to the Municipal District, including the increase in size of the reservoir is estimated to be \$910,768.92.

- The Beaver Mines Water Distribution and Wastewater Collection project is in the detailed design phase. Administration and MPE Engineering are working toward finalizing the design to allow for full fire flow, gravity drain of the wastewater system, minimize the impact on residents through construction, and allow for tendering the project early in 2018. The Federal/Provincial Building Canada Fund Small Communities Fund grant of \$9,000,000 is a major funding component of this project. This grant would require a 33% contribution from the Municipal District up to \$3,000,000. The 2014 Beaver Mines Water and Sanitary Service Study estimated the cost in 2014 dollars to be \$5,380,000. At that amount, the Municipal District would be responsible to fund \$1,793,333.33 of the project. The remaining amounts of this grant can be used to offset other components of the project up to the \$9,000,000, so long as the Federal contribution to the component of the project does not exceed 50%.
- The Beaver Mines Wastewater Treatment project is awaiting reports on the Historical Resources Assessment and Geotechnical investigations at the SE19-6-1-W5M location. A 2016 application to the Alberta Water Wastewater Partnership program for a grant has yet to be answered. The November 2016 Beaver Mines Wastewater Options Study identified probable cost of the project at \$3,740,000. At their September 26, 2017 meeting Council's resolution to debenture \$4,000,000 for the wastewater portion only of the project was carried.

Within the project are various components that require Council funding including:

- Intake relocation - \$797,724.89;
- Water servicing - \$910,768.92;
- Distribution and collection estimated \$1,793,333.33;
- Wastewater treatment estimated \$3,740,000.00;
- Totaling \$7,241,827.14.

Given that Council has directed administration to pursue a \$4,000,000 debenture for the wastewater treatment portion of the project, Council consideration is requested for funding of the remaining portion of the project. Administration has applied for approval to use Municipal Sustainability Initiative funds up to \$4,691,000.

3. Recommendation:

Option # 1:

THAT the report from the Director of Operations, dated December 11, 2017, regarding the Beaver Mines Regional Water and Sanitary Service Funding Report, be received for information;

AND THAT Council rescinds Resolution 17/398 and applies for a further \$3,500,000 in debenture funding, totaling \$7,500,000 to cover the municipality's portion of the whole project;

AND FURTHER THAT Council authorize the Reeve and Chief Administrative Officer to sign the Beaver Mines Servicing – Mechanical contract with DMT Mechanical Ltd.

Option # 2:

THAT the report from the Director of Operations, dated December 11, 2017, regarding the Beaver Mines Regional Water and Sanitary Service Funding Report, be received for information;

AND THAT Council applies for a further \$1,500,000 in debenture funding to cover the municipality's portion of the whole project, as well as using up to \$2,000,000 in MSI funding;

AND FURTHER THAT Council authorize the Reeve and Chief Administrative Officer to sign the Beaver Mines Servicing – Mechanical contract with DMT Mechanical Ltd.

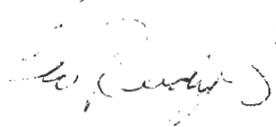
Option # 3:

THAT the report from the Director of Operations, dated December 11, 2017, regarding the Beaver Mines Regional Water and Sanitary Service Funding Report, be received for information;

AND THAT Council uses up to \$4,691,000 in MSI funding to cover the municipality's portion of the project, including funding the wastewater treatment component after the existing \$4,000,000 debenture is used;

AND FURTHER THAT Council authorize the Reeve and Chief Administrative Officer to sign the Beaver Mines Servicing – Mechanical contract with DMT Mechanical Ltd.

Respectfully Submitted,



Leo Reedyk

Attachments

Reviewed by: Wendy Kay, Chief Administrative Officer *Leo Kay* Date: *December 11, 2017*

Suite 300, 714 5 Avenue South
Lethbridge, AB T1J 0V1
Phone: 403-329-3442
1-866-329-3442
Fax: 403-329-9354



Municipal District of Pincher Creek No. 9
1037 Herron Avenue
Pincher Creek, AB
TOK 1W0

November 24, 2017
File: N: 1770\010\L07

Attention: Leo Reedyk
Director of Operations

Dear Mr. Reedyk

**RE: Municipal District of Pincher Creek
Beaver Mines Regional Water Supply Contract 2 - Mechanical
Tender Summary & Recommendation**

The tender opening for the above mentioned project took place at 2:00 p.m. on Thursday November 23, 2017 in the Municipal District of Pincher Creek Administration Office. We have reviewed the tenders for arithmetic errors. The following summarizes the corrected tenders received from lowest to highest.

<u>Tender</u>	<u>Tender Amount</u>
1. DMT Mechanical Ltd.	\$4,816,322.70
2. Porter Tanner Assoc. Inc.	\$5,645,720.41
3. BYZ Enterprises Inc.	\$5,654,691.00
4. SITE Resource Group Inc.	\$6,627,438.16

All prices include contingency allowance and 5% G.S.T.

MPE has previously worked successfully with the low bidder DMT Mechanical Ltd. on projects with items of similar scope. Based on this and review of the qualification package submitted, DMT Mechanical Ltd. should have the capability to perform the work required. We therefore recommend the acceptance of the low tender submitted by DMT Mechanical Ltd.

Funding for the project was received based on three studies, the "Cowley-Lundbreck Regional Raw Water Supply Study" completed in July 2014, the "Beaver Mines Water and Sanitary Service Study" completed in November 2014, and the "Castle Area Servicing Study" completed in August 2017. All of the costs shown below exclude G.S.T., engineering, geotechnical, land acquisition, surveying, regulatory and all other costs not included within the scope of work of the tender documents.

The total tender amount received for the Beaver Mines Regional Water Supply Project, including Contract 1 – Pipeline and portions of Contract 2 – Mechanical, is \$4,674,787,50. The budget tender amount for the Beaver Mines Regional Water Supply project was \$6,260,380.00.

The total tender amount received for the Raw Water Intake Upgrades is \$2,182,768.00. The budget tender amount for the Raw Water Intake Upgrades was \$1,340,774.91. Reasons for the tender price coming in above the budgeted amount include an increased length of directional drill/casing pipe required, and cost increases for winter construction. An increased amount of directional drill/casing pipe was required because the location of the intake screens could not be finalized until a bathymetric survey of the Oldman Reservoir was completed.

Please inform our office if you wish to proceed with this project. Once approval to proceed with the project is given, MPE Engineering Ltd. will prepare the necessary Contract documents for execution by the Municipal District of Pincher Creek and the successful General Contractor. A construction start-up meeting would also be arranged for in the near future.

If you have any questions regarding this correspondence, please contact the undersigned at (403) 317-3658.

Yours truly,

MPE Engineering Ltd



Gavin Nummi, E.I.T.
Project Engineer

:gn



Municipal District of Pincher Creek

Cowley/Lundbreck Raw Water Intake Upgrades
COST PROJECTION

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	COST
Construction Costs				
1 Contract 2 - Mechanical, Schedule A	1	LS	\$ 2,182,768.00	\$ 2,182,768.00
2 Raw Water Station Power Service	1	LS	\$ 16,961.72	\$ 16,961.72
3 Raw Water Supply Line (Completed)	1	LS	\$ 164,263.37	\$ 164,263.37
4 Hydrogeological Survey	1	LS	\$ 18,000.00	\$ 18,000.00
5 Bathymetric Survey	1	LS	\$ 12,000.00	\$ 12,000.00
6 Legal Survey	1	LS	\$ 18,000.00	\$ 18,000.00
7 Regulatory Approvals	1	LS	\$ 6,000.00	\$ 6,000.00
8 Land Acquisition	1	LS	\$ 18,000.00	\$ 18,000.00
9 Geotechnical	1	LS	\$ 25,000.00	\$ 25,000.00
10 Engineering	1	LS	\$ 194,000.00	\$ 194,000.00
Total Projected Cost				\$2,654,993.09

Projected Cost Breakdown		
Projected Fundable Amount		\$1,857,268.20
Projected Municipal District of Pincher Creek Contribution		\$797,724.89
Total Projected Cost		\$2,654,993.09

Budget Breakdown		
Original Raw Water Intake Upgrades Budget (Funded at 90%)		\$1,808,755.56
Budget Amount for Raw Water Intake Upgrades Project		\$1,808,755.56

Funding Breakdown		
Original Funding through Alberta Community Resilience Program (ACRP)		\$1,627,880.00
Funding available via Disaster Relief Program (DRP)		\$229,388.20
Municipal District of Pincher Creek Contribution		\$797,724.89
Total Projected Cost		\$2,654,993.09

Expenses to Date				
1 Raw Water Supply Pipeline	1	LS	\$ 164,263.37	\$ 164,263.37
2 Pincher Plumbing and Heating	1	LS	\$ 18,152.53	\$ 18,152.53
3 Deep Hole Lockey Bell	1	LS	\$ 2,860.00	\$ 2,860.00
4 Waskasoo Enterprises	1	LS	\$ 275.00	\$ 275.00
5 Engineering	1	LS	\$ 146,061.49	\$ 159,453.89
Total Expenditures to Date				\$345,004.79



Municipal District of Pincher Creek

Beaver Mines Regional Supply System

COST PROJECTION

Beaver Mines Regional Supply System - Updated for Additional Demand

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	COST
Project Costs				
1 Contract 1 - Pipeline Construction	1	LS	\$ 2,270,581.50	\$ 2,270,581.50
2 Contract 2 - Mechanical (Sum of Schedule B, C, and D) Construction	1	LS	\$ 2,404,206.00	\$ 2,404,206.00
3 Booster Station Power Service	1	LS	\$ 185,105.19	\$ 185,105.19
4 Beaver Mines Metering Station and Reservoir Power Service	1	LS	\$ 6,109.80	\$ 6,109.80
5 Allowance for Easements in Private Lands				
a) Land Acquisition (Permanent)	1	LS	\$ 175,000.00	\$ 175,000.00
b) Land Acquisition (Construction)	1	LS	\$ 50,000.00	\$ 50,000.00
c) Easement Preparation and Execution	1	LS	\$ 57,500.00	\$ 57,500.00
d) Landman Requirements	1	LS	\$ 57,500.00	\$ 57,500.00
6 Legal Survey	1	LS	\$ 112,470.00	\$ 112,470.00
7 Geotechnical	1	LS	\$ 50,000.00	\$ 50,000.00
8 Regulatory Approvals, LOC Application, Etc.	1	LS	\$ 15,000.00	\$ 15,000.00
9 Environmental Assessment, Monitoring, ECO Plan	1	LS	\$ 50,000.00	\$ 50,000.00
10 Engineering	1	LS	\$ 673,000.00	\$ 708,000.00
Total Projected Cost				\$6,141,472.49

Projected Cost Breakdown		
Projected Fundable Amount (Construction Less Additional Reservoir Capacity)		\$5,355,707.08
Projected Municipal District of Pincher Creek Contribution		\$785,765.41
Total Projected Cost		\$6,141,472.49

Budget Breakdown		
Original Beaver Mines Regional Water Supply Project Budget (Funded at 88.26%)		\$5,335,340.00
Budget Cost for Upgrades to Service Castle (Funded at 100%)		\$1,874,660.00
Budget for Castle Area Regional Water Supply Work Included in Contract 2 - Mechanical (Funded at 100%)		\$107,950.00
Budget for Additional Reservoir Capacity at Beaver Mines (Funded at 0%)		\$284,400.00
Budget Amount for Beaver Mines Regional Water Supply Project		\$7,602,350.00

Funding Breakdown		
Original Beaver Mines Regional Water Supply Project Funding		\$4,708,971.08
Funding for Upgrades Required due to Castle Area Regional Water Supply		\$1,874,660.00
Funding for Castle Area Regional Water Supply Work Included (WTP Upgrades)		\$107,950.00
Maximum Municipal District of Pincher Creek Contribution		\$910,768.92
Budget Amount for Beaver Mines Regional Water Supply Project		\$7,602,350.00

MD OF PINCHER CREEK

December 4, 2017

TO: Wendy Kay, CAO

FROM: Janene Felker, Director of Finance

SUBJECT: Public Auction – Conditions and Reserve Bids

1. Origin

As required by the *Municipal Government Act*, a municipality must annually prepare a tax arrears list showing the parcels of land on which there are tax arrears for more than one year at March 31st. Any parcel of land that is shown on the 2016 tax arrears list which remains in arrears as of March 31, 2017, must be offered for sale at public auction prior to March 31, 2018. When there is a need for public auction, Council is required to set an auction date and a minimum sale price for the property.

2. Background/Comment

The MD and this property owner had an agreement where the land would be transferred into the MD's possession. Unfortunately, before the paperwork could be completed and filed with Alberta Land Titles the landowner passed away. The estate is not willing to complete the paperwork so this means that the MD must proceed with the tax recovery process.

Administration would like to schedule the auction date for Wednesday, March 7, 2018 at 10:00am in the Administration Building – Small Meeting Room, which will be advertised as per the MGA. It is recommended that Council set a minimum bid price. Our assessor has provided his opinion on the value of this property. Also, the terms and conditions for the public auction must be accepted by council.

3. Recommendation

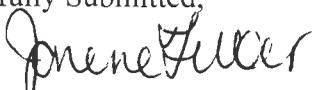
That Council approve the attached Terms and Conditions for the 2018 Public Auction as presented;

And that, Council set Wednesday, March 7, 2018 at 10:00am as the public auction date;

And that, Council establish the following reserve bid for the property currently being offered for sale at the 2018 Public Auction. The bid amount is the opinion of the M.D.'s assessor.

Roll number	Legal Description	Reserve Bid
3489.010	Part of Plan RY 14 (8.10 acres)	\$ 12,000.00

Respectfully Submitted,



Janene Felker, Director of Finance

Reviewed By: Wendy Kay, CAO



Date: December 6, 2017

Public Auction – Terms and Conditions

1. Redemption of a property offered for sale may be effected by payment of all arrears, penalties and costs by guaranteed funds at any time prior to the auction.
2. Each property offered for sale will be subject to a reserve bid and, in the case of land, to the reservations and conditions contained in the existing certificate of title.
3. The properties are being offered for sale on an “as is, where is” basis, and the municipality makes no representation and gives no warranty whatsoever as to the state of the property nor its suitability for any intended use by the successful bidder.
4. The auctioneer, councillors, the chief administrative officer and the designated officers and employees of the municipality must not bid or buy any property offered for sale, unless directed by the municipality to do so on behalf of the municipality.
5. The purchaser of the property will be responsible for property taxes for the current year.
6. The purchaser will be required to execute a sale agreement in form and substance provided by the municipality.
7. The successful purchaser must, at the time of sale, make payment in cash, certified cheque or bank draft payable to the municipality as follows:
 - a. The full purchase price if it is \$10,000 or less; OR
 - b. If the purchase price is greater than \$10,000, the purchaser must provide a non-refundable deposit in the amount of \$10,000 and the balance of the purchase price must be paid within 20 days of the sale.
8. GST will be collected on all properties subject to GST.
9. The risk of the property lies with the purchaser immediately following the auction.
10. The purchaser is responsible for obtaining vacant possession.
11. In the case of land, the purchaser will be responsible for registration of the transfer including registration fees.
12. If no offer is received on a property or if the reserve bid is not met, the property cannot be sold at the public auction.
13. The municipality may, after the public auction, become the owner of any property that is not sold at the public auction.
14. Once the property is declared sold at public auction, the previous owner has no further right to pay the tax arrears.

December 5, 2017

TO: Wendy Kay, CAO

FROM: Janene Felker, Director of Finance

SUBJECT: **Uncollectable Property Taxes for Oil and Gas Properties**

1. Origin

At AAMD&C convention in November, the Minister of Municipal Affairs announced the Provincial Education Requisition Credit (PREC) program. This program was designed to create relief to the municipalities' affected by the bankruptcy of oil and gas companies throughout the province.

2. Background/Comment

Upon a thorough review of the MD's tax accounts, there is really only one account that could qualify under the PREC program. The company is LGX Oil & Gas Inc. The company has been in receivership since 2016 and currently owes the MD \$2,763.88. Due to the small amount owing, Administration would recommend that the account is written off as a bad debt and that the \$368.83 school taxes associated with the outstanding amount be applied for under the PREC program.

Currently, the accounts for assessment changes and tax bad debts is \$14,000 under budget.

3. Recommendation

That the report from the Director of Finance, dated December 5, 2017, regarding Uncollectable Property Taxes for Oil and Gas Properties be received;

And that tax roll associated with LGX Oil & Gas Inc. (7140.000) be written off as a bad debt to account 2-12-0-920-2920 Assessment Adjustments.

Respectfully Submitted,



Janene Felker, Director of Finance

Reviewed By: Wendy Kay, CAO



Date: December 6, 2017

M.D. of Pincher Creek No. 9

Statement of Cash Position

E3c

Month Ending November 30th, 2017

BANK STATEMENT C.I.B.C.	November	October
General Accounts		
Bank Statement Balance	660,467.04	449,532.82
Deposits After Month End	832.72	15,107.50
Cash On Hand	600.00	600.00
Outstanding Cheques	(381,753.80)	(263,706.46)
Month End Cash Available	280,145.96	201,533.86

M.D.'S GENERAL LEDGER	November	October
Balance Forward from Previous Month	201,533.86	(29,211.39)
Revenue for the Month:		
Receipts for the Month	553,950.65	532,509.07
Interest for the Month	1,102.67	675.67
Transferred from Short Term Investments	513,193.62	1,137,870.30
Disbursements for the Month:		
Cheques Written	(644,725.10)	(1,124,362.76)
Payroll Direct Deposits and Withdrawals	(315,818.99)	(298,881.65)
Electronic Withdrawals - Utilities and VISA	(28,419.97)	(15,749.20)
Banking Transaction Fees	(670.78)	(1,316.18)
M.D.'s General Ledger Balance at Month End	280,145.96	201,533.86

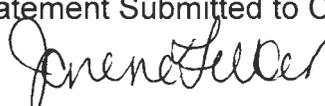
SHORT TERM INVESTMENTS - C.I.B.C.	November	October
General Account Operating Funds	3,831,317.52	4,026,045.45
MSI Capital Grant Advances	4,763,471.03	4,882,007.81
Public Reserve Trust Funds	118,647.10	118,496.16
Tax Forfeiture Land Sales	3,575.45	3,570.90
Recycling Committee	30,826.64	30,787.42
Water Intake Advance	1,543,231.51	1,578,580.67
Water For Life Advance	154,261.34	58,302.92
Clean Water/Wastewater Advance	1,254,151.26	1,499,081.30
11,699,481.85	12,196,872.63	

LONG TERM INVESTMENTS	November	October	Annual Rate	Original	Original
Financial Institution	Market Value	Market Value	of Return	Investment	Investment
			2016	Date	Amount
C.I.B.C. Wood Gundy - Bonds	8,719,750.00	8,704,525.00	3.97%	Nov-88	1,255,915.75

COMMENTS

December Items of Note	Amount
Revenue In - Property Taxes	150,000.00
Expense Out - Debentures	(171,000.00)
Expense Out - School Requisitions	(681,220.00)

This Statement Submitted to Council this 12th Day of December 2017.


Director of Finance

CHIEF ADMINISTRATIVE OFFICER'S REPORT

E4a

November 24, 2017 to December 7, 2017

DISCUSSION:

- November 28, 2017 Policies and Plans
- November 28, 2017 Regular Council
- November 30, 2017 EMS
- December 1, 2017 Workshop – MD Willow Creek
- December 4 – 8, 2017 External Safety Audit
- December 5, 2017 CAO Meeting
- December 5, 2017 Special Council
- December 5, 2017 Municipal Planning Commission

UPCOMING:

- December 12, 2017 Regular Council
- December 13, 2017 EMS
- January 2, 2017 Subdivision Authority
- January 2, 2017 Municipal Planning Commission
- January 9, 2017 Committee Meeting
- January 9, 2017 Regular Council

OTHER

- Preparation for Safety Audit - Inspections

RECOMMENDATION:

That Council receive for information, the Chief Administrative Officer's report for the period of November 24, 2017 to December 7, 2017.

Prepared by: CAO, Wendy Kay

Date: December 7, 2017

Presented to: Council

Date: December 12, 2017

Administration Call Log

	Division	Location	Concern / Request	Assigned To	Action Taken	Request Date	Completion Date
76	3	NW 13-05-01-W5	Inquiring regarding permits for outdoor storage.	Roland	In discussions. Letter being sent to property owner. Registered letter was sent to the landowner. Received a letter from the landowner on February 14, 2017 with some enquiries. In the process of responding to the landowner's enquiries. September 7, 2017 Landowner has contacted the office to inform us that he is actively removing debris and will continue to clean the site further. Had a meeting with the landowner regarding the storage issue. Landowner has agreed to start clean-up on the site. A plan to monitor and confirm clean-up is being prepared.	November 17, 2016	
79	2	NW 35-05-30-W5	Industrial use of building. Blowing Materials	Roland	An email was sent to the President of the company that is utilizing the building, enquiring as to the current use.	May 19, 2017	
80	5	SW 18-07-02-W5	RV's/Trailers Permanently located on PTN. Of SW 18-07-02 W5 Entrance to Villa Vega. Questions on Restrictive and use of Land.	Roland	A letter has been sent to the landowner. Had a meeting with the landowner to outline the requirements of the LUB regarding RV usage and permitting if required. Monitored the site over the summer. No further complaints received.	May 19, 2017	December 1, 2017
82	1		Request from Reeve Stevick for Leo to call Mr. Bruns about water release from the Cridland Dam.	Leo	Explained the requirements to release water and Dam Operations.	November 24, 2017	
83							
84							
85							

**MD OF PINCHER CREEK ENHANCED POLICING
MONTHLY REPORT NOVEMBER 2017**

Cst. Annie Starzynski
RCMP Pincher Creek

Shifts worked: 13

Monthly Traffic Ticket Summary

MD Patrols

Speeding 20

Stop Sign Violations 1

Administrative Violations

Equipment Violations

Other

Warnings Given 26

Beaver mine: 12 patrols

TW RD: 62-60-54-52-50-42-34-32-24A-40-291-41A-44-74-82-75A-85A-101B-101A-90A-94-93-92A-65-63-62 A-

RGRD:302-301-295-45 A-292-290-291-284-283-282-293-293 A-295-300- 15-30-31-30A-84-22-22 A-21A-

HWY: 505-6-785-774-3-22

Snake Trailer

Castle Mountain Area

Beauvais lake

Burmis Mountain Estate

Monthly Total:

Distance Driven: 1876 KM

Number of Violation Tickets Issued: 21

Violation ticket location:

Beaver Mines: 0

Hwy 3/6/507:6

(PC): 5

Hwy 22 :10

Public Meetings/Events/Training:

- Citizen on patrol meeting
- Table top Emergency planning, live stock, at the Md of Pincher Creek and partners.
- Served hot lunch at Lundbreck school
- Pincher Creek Station clean up
- Meeting at the MD, and new counsel with Sgt Harrison.
- Practice firearm x2

Tara Cryderman

From: Roland Milligan
Sent: Thursday, November 30, 2017 4:19 PM
To: Terry Kwas
Cc: Tara Cryderman
Subject: RE: Letter of Reference Request

Hello Terry,
Your letter of request will be on the agenda for our December 12, 2017 Council meeting.
Feel free to contact me with any questions or concerns.

Regards,
Roland Milligan
Director of Development and Community Services
M.D. of Pincher Creek No. 9
PO Box 279, Pincher Creek, AB T0K 1W0
Ph: 403.627.3130 Fx: 403.627.5070
rmilligan@mdpincercreek.ab.ca

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. Attachment to this e-mail may contain viruses that could damage your computer system. Whilst we take reasonable precautions to minimize this risk, we do not accept liability for any damage which may result from software viruses. You should carry out your own virus checks prior to opening any attachment. Please note that errors can occur in electronically transmitted materials. We do not accept liability for any such errors. If verification is required please ask for a hard copy.

From: Terry Kwas [mailto:T
Sent: Thursday, November 23, 2017 1:49 PM
To: Roland Milligan <AdminDirDev@mdpincercreek.ab.ca>
Subject: Letter of Reference Request

Hello Roland
As a follow up to my conversation please find attached a formal request to council to consider providing a Letter of Reference to TransAlta Corporation.
Please call if you have any questions or concerns.

Regards,

Terry Kwas, Renewables Consultant
TRANSALTA CORPORATION
T: +1 (403) 267-4922 | F: +1 (403) 264-2010
[Email](#) | [Web](#) | [Facebook](#) | [Twitter](#)

November 23, 2017

MD of Pincher Creek
Box 279
1037 Herron Avenue
Pincher Creek, AB
T0K 1W0

Dear Municipal District of Pincher Creek Reeve and Council;

RE: LETTER OF REFERENCE REQUEST

On behalf of TransAlta Corporation I wanted to congratulate both incumbents and new council members on their recent municipal election success. We look forward to working with you as part of the business community as wind farm owners, operators and hopefully on future wind energy development projects in the community.

I am writing today to make a formal request of the Municipal District of Pincher Creek to provide a "Letter of Reference" to accompany a bid proposal we are working on in the province of Saskatchewan. Under that procurement process they have asked proponents to provide a letter of reference from municipalities where they have existing operations.

It therefore seemed natural for us to look to the Municipal District of Pincher Creek where we have the longest history of wind development/operations and to the community that has pioneered wind development in Canada. As some of you may know TransAlta recently decommissioned the Cowley Ridge Wind project, the first wind farm in Canada which was commissioned in 1993. It is our hope to develop the site again with new technology, and if we are successful it would be acknowledged once again, as the first repowered wind project in Canada.

We presently own and operate four utility scale wind farms in the MD of Pincher Creek, (Castle River, Cowley North, Sinnott, Summerview) as well as a single exploratory turbine in the Summerview V80. Our Wind Control Centre is based in the town of Pincher Creek, providing 24/7 monitoring to all TransAlta's wind operations in jurisdictions across Ontario, New Brunswick and Quebec.

Attached we have provided a sample format of the type of letter we believe would be suitable to meet the requirement for the proposal we are working on however, we would leave it up to the municipality to craft the letter to your own sentiment. There has been no explicit guidance provided on what the letter must say but we understand that fundamentally it would serve as a testament to community engagement aspects of the company and our existing operations.

We would also like to reiterate an open offer to meet with or speak to council on any matters relating to our projects or wind energy in general at any time the need or opportunity presents itself. It would be our privilege. Thank you for considering this request and we look forward to your reply.

Yours truly,

TRANSALTA CORPORATION

TERRY KWAS
Business Development

403.267.4922

Encl

SAMPLE

To Whom It May Concern

The MD of Pincher Creek is providing this letter of reference at the request of TransAlta Corporation who we understand will be providing it to you to meet submission criteria under a procurement process.

TransAlta or its former entities have been part of the MD of Pincher Creek business community since 1993 operating five utility scale wind farms (Cowley Ridge, Castle River, Cowley North, Summerview, Sinnott Wind Farm) as well as a single exploratory turbine (Summerview V80). Their operations have contributed to local employment, supporting local services, and playing a role in attracting investment in the community through other wind energy support service providers while contributing to the tax base of the community.

The MD of Pincher Creek regards Community engagement as an integral part of our planning and development process for any industry that we host and as such TransAlta was required to engage our community in their planning ahead of the development of these projects. In approving these projects for development, we were satisfied that they had met with our land use objectives and that community engagement about the project and its impacts was suitably met.

The company has maintained a positive relationship with our municipality and the local community during the operating life of its facilities.

Tara Cryderman

From: Anita Huynh <a |>
Sent: Thursday, November 30, 2017 2:38 PM
To: Tara Cryderman
Subject: Camp Impesa Property Tax Penalty
Attachments: Boy Scouts Tax Statement.pdf

Good afternoon Council, I am writing to request if you can waive the late fee on 2017-2018 property tax invoice for Camp Impesa due to the address on the invoice is incorrect. Mail was returned to the tax office and Joyce have given us a phone call to follow up and to have updated address for future invoice.

I received invoice in early Nov and the tax office has also received our cheque in the same month. I hope you can review the valid reason and waive the penalty for this year.

Thanks

Anita Huynh
 Accounting Clerk - One Scouts Canada – Field Operations
 Prairie Service Centre
 2140 Brownsea Drive NW, Calgary, AB T2N3G9

\$ 76.78

From: Joyce Mackenzie-Grieve [mailto:AdminTaxClerk@mdpincercreek.ab.ca]
Sent: Thursday, November 30, 2017 2:17 PM
To: Anita Huynh <anita.huynh@scouts.ca>
Subject: Camp Impesa

Hi Anita – thanks for speaking with me today.

Attached is a copy of your tax statement showing the penalties, as requested.

If you need any other information, don't hesitate to contact us.

Best regards,

Joyce Mackenzie-Grieve
 Accounting Clerk II
 Municipal District of Pincher Creek No. 9
 Phone: 403.627.3130
 Fax: 403.627.5070
 Email: AdminTaxClerk@mdpincercreek.ab.ca

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. Attachment to this e-mail may contain viruses that could damage your computer system. Whilst we take reasonable precautions to minimize this risk, we do not accept liability for any damage which may result from software viruses. You should carry out your own virus checks prior to opening any attachment. Please note that

Tara Cryderman

From: Wendy Kay
Sent: Saturday, December 2, 2017 2:20 PM
To: Tara Cryderman
Subject: FW: Letter to Council
Attachments: Letter to Council odour.docx

Council Correspondence - Action

From: Cornell Van Ryk [mailto:]
Sent: December 1, 2017 7:08 AM
To: Wendy Kay <wkay@mdpincercreek.ab.ca>
Cc: Bev Everts ; Megan Metheral < >
Subject: Letter to Council

Hello Wendy,

Attached is yet another letter to Council. There always seems to be confusion around these things. This letter is NOT information, it is a request for action. I would request that Council consider my request to commission an odour study on the Mill Creek project, yes or no, but please do not "receive as information".

Cornell Van Ryk

Wendy Kay & M.D. Council

I followed the recommendation given at the Nov. 28 Council Meeting by Councillor Yagos and spent an afternoon on the internet researching the question “do sewage lagoons stink?” In my experience, the internet is a good (not great) source of information. One can get differing *opinions* on ANY issue but if you are after *facts*, the source of the information is of utmost importance. Don't look for too many facts on a Facebook page. There are articles that indicate that sewage lagoons are not an issue, but I could find none published by a technical source and NONE of these involved a system which included a force main.

After slightly less than 4 hours, I came away with the following perspective:

- Most of the odour from a sewage system is caused by anaerobic digestion. Bacteria that do not require oxygen digesting organic materials and generating gasses.
- The amount of gasses produced is determined by the amount of organic material, the temperature at which the digestion occurs, and the amount of time the material is left in an anoxic environment. The key factor appears to be time.
- The gasses produced are hydrogen sulfide, ammonia, carbon dioxide, methane, nitrogen, and hydrogen. Almost always, hydrogen sulfide is the odour culprit, although ammonia may be formed in rare cases.
- Experts can predict, through calculation, how much hydrogen sulfide will be produced in a wastewater piping system.
- People are able to detect VERY low levels of hydrogen sulfide in the air. The oil/gas industry has done a lot of work on plume dispersion and it can be predicted how significantly residents will be affected.
- It seems to be the norm to reduce odours by chemically treating wastewater piping systems that retain wastewater in an anoxic state for longer than 2 hours (the Mill Creek proposal seems to be greater than 2 days and chemical injection is not in the project proposal). The need for chemical treatment, the specific chemical required and the amount and cost can be predicted by calculation. It is often necessary to inject chemical at several locations along a pipeline route. Residual odour can also be estimated.
- Odour issues in a wastewater force main are not limited to the point of discharge. There are many articles documenting odour issues with pipeline vents as well. This should be understood BEFORE engaging landowners in discussion around pipeline easements.
- There are significantly more documented odour issues with a sewage system which contains a pressurized piping component than one where the wastewater flows through an open sewer system to a lagoon.
- The impact of low levels of H₂S on human health is gaining a lot of attention lately.

In conclusion, after reviewing as much scientific information as I could, I would once again recommend a proper odour study be undertaken. Commission an expert in the field to do the work. The study will result in a clearer picture of the odour issues the MD is likely to incur (both at the lagoon and at any piping vents) and how much it will cost (capital \$ and operating \$) to mitigate these issues.

I do not want to mislead anyone as to my expertise in this area. Although I worked with H2S for almost 40 years, my experience is in the oil/gas and pulp/paper industries and I know very little about the technical details of sewer systems. It is critical that a **qualified expert and one not associated with the engineers commissioned to construct the project** completes this assessment. This will not only ensure the quality of the study but also go a long way towards gaining public confidence in the information provided. A scientific understanding of this issue will apply not only to the Mill Creek option but to any other option that involves pipelining wastewater.

I would further recommend the use of independent qualified experts to perform other required assessments of this project. The environmental, health, species at risk, historical, fisheries, hydrological, tourism, legal and other implications of this project are very complex and have a lot of public attention.

Cornell Van Ryk

Tara Cryderman

From: Wendy Kay
Sent: Tuesday, November 28, 2017 1:48 PM
To: Tara Cryderman
Subject: FW: Congratulations and Introduction to Seniors Housing in Alberta
Attachments: Letter to Municipal Councils.pdf

Council Correspondence – For Info

From: Ascha [mailto:ascha@ascha.com]
Sent: November 28, 2017 1:45 PM
To: Ascha <ascha@ascha.com>
Subject: Congratulations and Introduction to Seniors Housing in Alberta

Dear City Manager,

We are sure you and your administrative team have been busy orienting your council after the recent municipal election. We appreciate all the work you do for your municipality and wish to support your efforts.

On behalf of the members of the Alberta Seniors Communities & Housing Association (ASCHA), please find important information attached for your mayor/reeve and council members. We are providing resources to them, offering assistance as they navigate any housing-related roles appointed to them, and wish to keep them informed of provincial seniors housing policies.

If you could distribute this as information, it would be greatly appreciated.



Jenny Grant

Communications & Event Manager

Alberta Seniors Communities & Housing Association (ASCHA)

9711 - 47 Ave., Edmonton, AB T6E 5M7

Ph: 780.439.6473

Fax: 780.433.3717

Follow [@ABSeniorsLiving](#) on Twitter

Like [ASCHA](#) on Facebook

November 28, 2017



Congratulations on your recent victory in the October 2017 municipal elections! Strong local governance is critical to province-wide community services and supports. The Alberta Seniors Communities & Housing Association (ASCHA) and its membership are looking forward to working with you and your council to help Albertans age well in your communities.

We were pleased to participate in both the AAMDC and AUMA events this month and meet some of you face-to-face. As you are aware, the seniors' population in our communities are set to double over the next 20 years, and it will be important to prepare for the housing and community services these residents will require. Seniors housing is also a growing industry offering job opportunities to a wide variety of potential employees.

With both Provincial and Federal Housing Strategies underway, you may have the occasion to govern local housing decision-making as a board member of your local Housing Management Body. Housing Management Bodies have different portfolios under ministerial order, and may offer everything from seniors lodges, seniors self-contained apartments, and community housing programs. ASCHA serves these Housing Management Bodies, along with other voluntary and private sector housing providers, and can offer education and support to your board. Ultimately, ASCHA is committed to its Noble Cause – to empower seniors to have choice and a life of purpose wherein they are honoured, valued and respected. Visit our blog at www.charlieandhazelblog.wordpress.com and our Facebook page at www.facebook.com/ascha.team to see our public engagement.

We provide our members with advocacy toolkits on seniors housing issues, host region meetings to arrive at locally-driven solutions, and support those working within the sector. Resources be accessed in the Member Area of our website at www.ascha.com. We hope that you will visit this site often, and reach out and contact us with any questions you may have. In the interim, we wanted to provide you with the following infographic to acquaint you with the major factors influencing Alberta's seniors housing industry currently:

Key Factors Influencing Seniors Housing in Alberta Infographic

Seniors Housing can be complex, and the terminology and regulations can be difficult to navigate at times. We invite you to [subscribe](#) to the ASCHA Weekly Rollout – an e-newsletter that will keep you apprised of key information and updates in seniors housing.

Thank you for choosing to represent the people of your community and provide leadership to the many programs supported by your municipality. By working collaboratively, we can continue to create and maintain vibrant seniors housing for Albertans.

Sincerely,

A handwritten signature in black ink, appearing to read "Raymond Swonek".

Raymond Swonek, ASCHA President

A handwritten signature in black ink, appearing to read "Irene Martin-Lindsay".

Irene Martin-Lindsay, ASCHA Executive Director

Seniors are empowered to have choice and life of purpose, wherein they are honoured, valued and respected.

9711-47 Ave, Edmonton, AB T6E 5M7
Phone: 780.439.6473 Fax: 780.433.3717
Email: ascha@ascha.com Web: www.ascha.com



*Council Corresp
- For Info*

F2b



Crestview Lodge Canyon Manor Willow Court Cottages
Canyon Cottages Family Social Housing

Pincher Creek Foundation

“Providing Safe & Affordable Housing for Seniors for over 50 years”

RECEIVED

DEC - 6 2017

M.D. OF PINCHER CREEK

December 4, 2017

Municipal District of Pincher Creek No. 9
Box 279
Pincher Creek, Alberta T0K 1W0

Re: Donation of used vehicle to Crestview Lodge

Attention: Wendy Kay, CAO and M.D. Council members

On behalf of the Board of Pincher Creek Foundation, we would like to thank the MD of Pincher Creek No. 9 for the very generous donation of a used vehicle, which was transferred to Crestview Lodge last month.

The truck is new to us and will be a great asset and assistance to our Maintenance Department.

We are very grateful for your continued support over the years and especially during this year in which Crestview Lodge is experiencing many changes !

Sincerely,

Millie Loeffler, Chief Administrative Officer
PINCHER CREEK FOUNDATION

Session Locations

- Munis 101 - Westlock - SOLD OUT! - Dec 07 - Dec 08
- Munis 101 - Manning - Dec 11 - Dec 12
- Munis 101 - Lac La Biche - Dec 14 - Dec 15
- Munis 101 - Peace River - SOLD OUT!!! - Jan 06 - Jan 07
- Munis 101 - Lethbridge - SOLD OUT!! - Jan 08 - Jan 09
- Munis 101 - Stony Plain - Jan 11 - Jan 12

PINCHER CREEK FACILITIES PLANNING STEERING COMMITTEE

MEETING MINUTES

November 7, 2017 - 6:30 pm

TOWN HALL COUNCIL CHAMBERS

Attending: Faith Zachar, Councilor Mark Barber, Councilor Wayne Elliott, Councilor Bev Everts, Mayor Don Anderberg. **Staff:** Diane Burt Stuckey, Adam Grose

1. Call to Order – Meeting was called to order at 6:35pm by Faith Zachar.
2. Adoption of Agenda – **Motion:** Councilor Mark Barber moved that the Agenda for November 7, 2017 Committee meeting be adopted as presented. CARRIED.
3. Approval of Minutes – **Motion:** Councilor Mark Barber moved that the Minutes of the October 3, 2017 Committee meeting be approved as presented. CARRIED.
4. Business
 - a. M.D. Appointment
Welcome to Councilor Bev Everts, the new M.D. representative to the Committee.
 - b. Review of Curling Rink Site Planning Studies/Background
 - i. Golf Course Site
The Gibbs Gage Architect plan for a proposed curling rink at the golf course site was presented for review. Main advantage at this site was that a curling clubhouse could be shared with golf club for year-round usage. However, parking is limited at this location; a new building would encroach onto the course and overall project cost was high. No further discussion on this site.
 - ii. Multi-purpose Facility Site
-Construction of Sobey's building on the previously owned Town land has limited the options for recreation facility re-development on the MPF site.
-Talbera has presented 7 site options and the Committee preferred Option D and E. Revisions of D and E were presented to Committee for comment.
-Usage? During summer months, new curling rink facility could be used for Farmer's Markets, meetings etc.
-Noted that there will be a loss of outdoor event space and green space with a new building at this location (Option E).
-Diane recommended that the Committee members visit the site to visualize the size of building and impacts to site. Discussion on whether building roof would be pitched or flat as this affects wall height.
-Committee wondered about the number of parking stalls shown on the plan – if all required to meet building codes?
-If building and parking lane could slide back to the north, could give more space around the spray park. Perhaps curling rink entrance/viewing area could be consolidated on the south end of building for better access in off season.
-Still not sure if building will be 4 or 6 sheets.

c. Recommendation to Council

i. Curling Club Delegation to Council re: CFEP grant

Club applied for the \$1.0 million grant for a new facility. They will attend next Council meeting to ask for a letter of confirmation for funding and location. Committee wondered who would own building – Curling Club or Town?

ii. Timeline for Recommendation to Council

With delegation and report coming to the November 14th Council meeting, Committee agreed to make a recommendation on the site.

Motion: Councilor Wayne Elliott moved that the Facilities Planning Steering Committee recommend to Council that a new curling rink be located on the Multi-Purpose Facility site as per Option E, pending final review of this site plan option, with revisions as discussed. CARRIED

iii. Public Consultation

Diane recommended that there should be a public consultation process at some point regarding this project. Only plans for the curling rink at the golf course location have been made public to date. Committee felt we should wait until we know details on location, design, costs, grant, if MD participating etc. before proceeding with a public consultation process.

iv. Further information Required

None at this time.

5. Agenda Items for Next Meeting

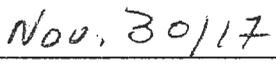
- a. Sport field discussion.

6. Date of Next Meeting

- a. November 30, 2017 at 6:30 pm, Town Council Chambers.



Committee Chair



Date

Tara Cryderman

From: Wendy Kay
Sent: Saturday, December 2, 2017 9:22 AM
To: Tara Cryderman
Subject: Fwd: Invitation from MP Rachael Harder

Sent from my iPhone

Begin forwarded message:

From: Bev Everts <CouncilDiv3@mdpincercreek.ab.ca>
Date: December 2, 2017 at 2:58:26 AM MST
To: Wendy Kay <wkay@mdpincercreek.ab.ca>
Subject: Fwd: Invitation from MP Rachael Harder

Can you please add this to December 12 agenda for brief discussion?

Sent from my iPhone

Begin forwarded message:

From: Quentin Stevick <CouncilDiv1@mdpincercreek.ab.ca>
Date: November 30, 2017 at 4:58:12 PM MST
To: Bev Everts <CouncilDiv3@mdpincercreek.ab.ca>
Subject: RE: Invitation from MP Rachael Harder

Yes!!

From: Bev Everts
Sent: November 30, 2017 9:32 AM
To: Quentin Stevick <CouncilDiv1@mdpincercreek.ab.ca>
Subject: Re: Invitation from MP Rachael Harder

Timely & important - thanks for committing to attend - see u tommorrow @ 6:45 am

Sent from my iPhone

On Nov 30, 2017, at 8:41 AM, Quentin Stevick <CouncilDiv1@mdpincercreek.ab.ca> wrote:

I will attend this.
If you have some input, please let me know.
Quentin

From: Mayors and Reeves [<mailto:mayorsandreevessw@gmail.com>]
Sent: November 28, 2017 1:02 PM

To: Jill Watmough <MayorsandReevesSW@gmail.com>

Subject: Invitation from MP Rachael Harder

Good afternoon,

Rural crime is on the rise in Alberta and Members of Parliament from rural riding's across the province have created a task force to gather information and draft a report that will be submitted to the provincial and federal governments prior to the budget submission deadlines.

MP Rachael Harder is hosting a round table discussion on this important topic and would like to hear from rural municipal leaders in southern Alberta. We would be pleased to have your voice at the table.

Rural Crime Round Table with MP Rachael Harder

Friday, January 5, 2018

11:30am-12:45pm

Moxies Restaurant in Lethbridge

A full menu will be provided. Those in attendance are asked to cover the cost of their meal.

Please RSVP by January 2, 2018: Rachael.Harder.C1@parl.gc.ca

Jill