

AGENDA
COUNCIL MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
October 10, 2023 6:00 pm
Council Chambers

A

A. ADOPTION OF AGENDA

B. DELEGATIONS

C. MINUTES/NOTES

1. Committee Meeting Minutes
 - September 26, 2023
2. Council Meeting Minutes
 - September 26, 2023

D. UNFINISHED BUSINESS

E. BUSINESS ARISING FROM THE MINUTES

F. COMMITTEE REPORTS / DIVISIONAL CONCERNS

1. Councillor Tony Bruder – Division 1
 - ORRSC – Liquor and Land Use
 - Waterton Biosphere Newsletter September
2. Reeve Rick Lemire – Division 2
3. Councillor Dave Cox– Division 3
4. Councillor Harold Hollingshead - Division 4
5. Councillor John MacGarva – Division 5

G. ADMINISTRATION REPORTS

1. Operations
 - a) Public Works Operations Report
 - Report from Public Works dated October 4, 2023
 - Public Works Call Log
 - b) Utilities & Infrastructure Report
 - Report from Public Works/Administration dated October 4, 2023
2. Finance
 - a) Asset Retirement Obligation (ARO)
 - Report from Finance dated October 5, 2023
3. Planning and Community Services
4. Municipal
 - a) Chief Administrative Officer Report
 - Report from CAO, dated October 5, 2023

H. CORRESPONDENCE

1. For Action
 - a) Regional District of East Kootenay/SW Alberta Elected Officials Meeting
 - Meeting Scheduled for October 25, 2023
 - b) RMA Request for Meeting - RCMP
2. For Information

I. NEW BUSINESS

J. CLOSED MEETING SESSION

- a) Eco Centre Funding – FOIP Sec. 16.1.a.ii
- b) Upper Rock Creek Road Re-Alignment – FOIP Sec. 24.1.a

K. ADJOURNMENT

MINUTES
REGULAR COUNCIL COMMITTEE MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
Tuesday, September 26, 2023 2:00 pm
Council Chambers

C1

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

Staff: CAO Roland Milligan, Director of Finance Meghan Dobie, Utilities & Infrastructure Manager David Desabrais, and Executive Assistant Jessica McClelland.

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

1. Approval of Agenda

Councillor Dave Cox

Moved that the agenda for the September 26, 2023 Council Committee Meeting, amended to include:

- Closed Session:
 - Proposed Amendments to Funding Model – FOIP Sec. 23.1.a
 - Strategic Plan – FOIP Sec. 23.1.a
- Round Table:
 - Special Meeting Dates – Capital Budget

AND THAT the agenda be approved as amended.

Carried

2. Delegations

a) Village of Cowley Water Discussion

Mayor Burnett and CAO Dewart attended the meeting at this time to discuss the current water issues for the MD and Village Cowley. They were requesting what the costs to date are for hauling the water, at this time the MD does not have the total amount of costs for this issue. They also requested what grants the MD have applied for, at present time there are not grants available for the emergency situation but possibly for the solution. Council assured them that Cowley is a stakeholder in this event and will be kept apprised and the situation continues. The MD is diligently working towards both a short term, and a long term solution.

3. Water Situation Update

Utilities & Infrastructure Manager David Desabrais presented to Council the current situation update regarding the water situation in the MD. The MD continues to haul daily, but is working towards a more permanent solution.

REGULAR COUNCIL COMMITTEE MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
TUESDAY, SEPTEMBER 26, 2023

Utilities & Infrastructure Manager presented options for Councils consideration and request for further information. He will return more information, and costs, to the next Council meeting.

Mayor Burnett and CAO Dewart left the meeting at this time, the time being 3:24 pm.

3. Closed Session

Councillor John MacGarva

Moved that Council move into closed session to discuss the following, the time being 3:32 pm.

- a) Draft Policy A-ADMIN-00# – FOIP Sec. 23.1.a
- b) Draft Policy C-CO-001 – FOIP Sec. 23.1.a
- c) Draft Policy C-CO-005 – FOIP Sec. 23.1.a
- d) Draft Southern Alberta Going Forward – FOIP Sec. 23.1.a
- e) Proposed Amendments to Funding Model – FOIP Sec. 23.1.a
- f) Strategic Plan – FOIP Sec. 23.1.a

Councillor Dave Cox

Moved that Council move out of closed session, the time being 4:31 pm.

Carried

4. Discussion on RMA 2023 Fall Convention and Tradeshow - November 6 – 9, 2023

Council agreed that Reeve Rick Lemire, and Councillors Tony Bruder, Dave Cox and John MacGarva will attend the RMA 2023 Fall Convention, November 6 through 9, 2023.

5. Round Table

- a) Special Meeting Date – Capital Budget

Council agreed to have a special meeting for the Capital Budget for October 12, 2023 at 1:30 pm.

6. Adjournment

Councillor Dave Cox

Moved that the Committee Meeting adjourn, the time being 5:10 pm.

Carried

REGULAR COUNCIL COMMITTEE MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
TUESDAY, SEPTEMBER 26, 2023

REEVE

CHIEF ADMINISTRATIVE OFFICER

MINUTES
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
REGULAR COUNCIL MEETING
SEPTEMBER 26, 2023

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, September 26, 2023 at 6:00 pm, in the Council Chambers of the Municipal District Administration Building, Pincher Creek, Alberta.

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

STAFF CAO Roland Milligan, Director of Finance Meghan Dobie, Utilities & Infrastructure Manager David Desabrais, Public Works Manager Patrick Gauvreau, Development Officer Laura McKinnon, and Executive Assistant Jessica McClelland.

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

A. ADOPTION OF AGENDA

Councillor Tony Bruder 23/370

Moved that the Council Agenda for September 26, 2023 be amended to include:

Finance:

- a) 2023 Land Acquisition
- b) 2023 Mileage Rate Change
- c) Policy C-CO-001 Councillors and Members at Large Remuneration

Municipal:

- d) Policy A-ADMIN-005 Video Surveillance
- e) Policy C-CO-005 Municipal Boards, Committees and Appointments
- f) Letter to Town – Funding Model for Pincher Creek Emergency Services Commission
- g) Letter to Ministers - Water Situation

Action:

- a) Application 1948547 Northback Holdings Corporation Public Notice of Application

AND THAT the agenda be approved as amended.

Carried

B. PUBLIC HEARING 1348-23

1. Call Public Hearing to Order

Reeve Rick Lemire called the Public Hearing to Order at 6:02 pm.

2. Advertising requirement

This Public Hearing has been advertised in accordance with Section 606 of the Municipal Government Act. This Public Hearing was advertised in Shootin the Breeze on September 13 and 20, 2023, as well as the MD website and MD Social Media pages.

3. Purpose of the hearing

The purpose of Bylaw No. 1348-23 being the bylaw for the purpose of closing to Public Travel and creating title to and disposing of the following described highways, subject to rights of access granted by other legislation.

PLAN 6507GX

ALL THOSE PORTIONS OF UNNAMED ROADS AND LANES
FORMING A PART OF LOT 4, BLOCK 1, PLAN _____
CONTAINING 0.234 HECTARES (0.58 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

Minutes
 Council Meeting
 Municipal District of Pincher Creek No. 9
 September 26, 2023

4. Presentations:

Development Officer, Laura McKinnon, provided an overview of the proposed Bylaw.

VERBAL:

No members of the public were in attendance wishing to speak.

WRITTEN:

No written responses were received.

5. Closing Comments

6. Adjournment from Public Hearing

Reeve Rick Lemire closed the Public Hearing, the time being 6:06 pm.

C. DELEGATIONS

D. MINUTES

1) Council Committee Meeting Minutes - September 12, 2023

Councillor Harold Hollingshead 23/371

Moved that the minutes of the Council Committee Meeting of September 12, 2023 be approved as presented.

Carried

2) Special Council Meeting Minutes - September 7, 2023

Councillor John MacGarva 23/372

Moved that the minutes of the Special Council Meeting of September 7, 2023 be approved as presented.

Carried

3) Council Meeting Minutes - September 12, 2023

Councillor Dave Cox 23/373

Moved that the minutes of the Council Meeting of September 12, 2023 be approved as presented.

Carried

4) Special Council Meeting Minutes - September 18, 2023

Councillor Tony Bruder 23/374

Moved that the minutes of the Special Council Meeting of September 18, 2023 be approved as presented.

Carried

E. UNFINISHED BUSINESS

F. BUSINESS ARISING FROM THE MINUTES

Minutes
 Council Meeting
 Municipal District of Pincher Creek No. 9
 September 26, 2023

a) Delegations – September 12, 2023

- 1) Castle Mountain Resort
- 2) Municipal Energy Project

Councillor Tony Bruder 23/375

Moved that the presentations from Castle Mountain Resort and the Municipal Energy Project, from Council Committee on September 12, 2023, be received as information.

Carried

G. COMMITTEE REPORTS / DIVISIONAL CONCERNS

1. Councillor Tony Bruder – Division 1
 - Crowsnest Pincher Creek Landfill Association
2. Reeve Rick Lemire – Division 2
3. Councillor Dave Cox – Division 3
 - Pincher Creek and District Library Board
 - Pincher Creek Foundation
 - Foothills Little Bow
 - Pincher Creek Regional Emergency Management Agency
 - Pincher Creek Emergency Services Commission
4. Councillor Harold Hollingshead - Division 4
 - Concern regarding where bins were at Pincher station, Seed Plant would like fence removed
5. Councillor John MacGarva – Division 5
 - Joint Health and Safety Committee
 - Pincher Creek Regional Emergency Management Agency
 - Foothills Little Bow

Councillor Dave Cox 23/376

Moved to accept the Committee Reports as information.

Carried

H. ADMINISTRATION REPORTS

1. Operations
 - a) Public Works Operations Report

Councillor Tony Bruder 23/377

Moved that Council receive the Public Works Operations Report, including the call log, for the period September 7, 2023 to September 21, 2023 as information.

Carried

- b) Utilities & Infrastructure Report

Councillor John MacGarva 23/378

Moved that Council receive the Utilities & Infrastructure Report for the period September 7, 2023 to September 20, 2023 as information.

Carried

Minutes
 Council Meeting
 Municipal District of Pincher Creek No. 9
 September 26, 2023

c) Maycroft Road

Councillor John MacGarva would like the Maycroft Road to continue to be a discussion with Ministers, possibly during RMA.

d) Castle View Ridge Estate Snow Removal

Council discussed snow removal at Castle View Ridge Estates.

Public Works Manager left the meeting at this time, the time being 7:34 pm.

2. Finance

a) 2023 Land Acquisition

Councillor Harold Hollingshead 23/379

Moved that Council rescind resolution 23/272,

AND THAT Council authorize the purchase of the land at NE-07-09-01 W5M, up to a maximum of \$1.2M, with said funds coming from the tax rate stabilization reserve,

AND FINALLY THAT Council restrict \$1.2M from the unrestricted surplus into the tax rate stabilization reserve.

Carried

b) 2023 Mileage Rate Change

Councillor John MacGarva 23/380

Moved that as of October 1, 2023, Council approve a mileage rate of \$0.68/km.

Carried

c) Policy C-CO-001 Councillors and Members at Large Remuneration

Councillor John MacGarva 23/381

Moved that Council approve the amendment to Policy C-CO-001 Councillors and Members at Large Remuneration, as presented, effective October 1, 2023.

Carried

3. Development and Community Services

a) Lundbreck Unsightly Yard

Councillor John MacGarva asked for an update on the unsightly yard in Lundbreck. Development Officer Laura McKinnon has served landowner a clean up order with a date of October 11, 2023 to have the clean up completed. After that date the MD can hire a clean up crew, with the cost placed on the taxes for the parcel.

4. Municipal

a) Chief Administrative Officer Report

Councillor Dave Cox 23/382

Moved that Council receive for information, the Chief Administrative Officer's report for the period of September 9, 2023 to September 21, 2023.

Carried

Minutes
 Council Meeting
 Municipal District of Pincher Creek No. 9
 September 26, 2023

b) Council Engagements 2023

Council directed administration to advertise and plan a Coffee with Councils, tentitively as followed:

- Division 4 (Summerview Hall) November 16
- Division 5 (Lundbreck Hall) January 25, 2024
- Division 2 (MD Office) February 22, 2024

c) Land Acknowledgement

Councillor John MacGarva brought forward discussion on land acknowledgement. Further discussion will occur later this fall.

d) Policy A-ADMIN-005 Video Surveillance

Councillor Tony Bruder 23/383

Moved that Council approve Policy A-ADMIN-005 Video Surveillance, as presented.

Carried

e) Policy C-CO-005 Municipal Boards, Committees and Appointments

Councillor Dave Cox 23/384

Moved that Council approve the amendments to Policy C-CO-005 Municipal Boards, Committees and Appointments, as presented.

Carried

f) Letter to Town – Funding Model for Pincher Creek Emergency Services Commission

Councillor Harold Hollingshead 23/385

Moved that administration be directed to write a letter in response to the Town of Pincher Creek regarding their proposed funding model for the Pincher Creek Emergency Services Commission, as discussed.

Carried

g) Letter to Minister of Transportation - Water Situation

Councillor Tony Bruder 23/386

Moved that administration be directed to draft a letter to the Minister of Transportation regarding the severity of the water situation in the MD of Pincher Creek, namely the costs incurred and the lack of grant funding available.

Carried

I. CORRESPONDENCE

1. For Action

- a) Application 1948547 Northback Holdings Corporation Public Notice of Application

Councillor John MacGarva 23/387

Moved that Council receive for information, 1948547 Northback Holdings Corporation Public Notice of Application.

Carried

Minutes
 Council Meeting
 Municipal District of Pincher Creek No. 9
 September 26, 2023

2. For Information

Councillor Tony Bruder 23/388

Moved that the following be received as information:

- a) Reply from Minister and Agriculture and Agri-Food Canada
 - Letter dated September 19, 2023

Carried

J. NEW BUSINESS

K. CLOSED SESSION

Councillor John MacGarva 23/389

Moved that Council move into closed session to discuss the following, the time being 8:12 pm.

- a) Appointment of Member to Committee – FOIP Sec. 19.1
 b) Termination of Peace Officer Sale of Service Agreement – FOIP Sec. 24.1
 c) Beaver Mines Water and Sewer; Request for Exemption – FOIP Sec. 24.1

Development Officer, Laura McKinnon, left the meeting at this time, the time being 8:22 pm.

Utilities and Infrastructure Manager, David Desabrais, left the meeting at this time, the time being 8:29 pm.

- d) Crowsnest Pincher Creek Landfill Association – FOIP Sec. 16.1.a.ii
 e) Joint Contributions – FOIP Sec. 16.1.a.ii

Director of Finance, Meghan Dobie, left the meeting at this time, the time being 8:50 pm.

Carried

Councillor John MacGarva 23/390

Moved that Council move out of closed session, the time being 8:51 pm.

Carried

- a) Appointment of Member to Committee

Councillor Harold Hollingshead 23/391

Moved that as per Council Boards and Committees Policy C-CO-002, Council appoint Debbie Reed to the Pincher Creek Library Board for a two-year term, to a maximum of six years.

Carried

- b) Termination of Peace Officer Sale of Service Agreement

Councillor Tony Bruder 23/392

Moved that as the Town of Pincher Creek employed a Bylaw Officer, which doesn't fit into the parameters of the current agreement, Council grant the termination of the Peace Officer Sale of Service Agreement with the Town of Pincher Creek;

AND THAT Administration be directed to draft a letter to the Town of Pincher Creek to request to retain shared services for a Bylaw Officer.

Carried

Minutes
 Council Meeting
 Municipal District of Pincher Creek No. 9
 September 26, 2023

c) Joint Contributions

Councillor John MacGarva 23/393

Moved that Council approve the 2024 Joint Budget amount at 50% with the Town of Pincher Creek, the MD portion totaling \$219,127.50;

AND THAT Council agrees to fund the following organizations through the 2024 Joint Budget process:

SASCI	\$ 80,000.00
Southwest Alberta Regional Search and Rescue Society	\$ 22,255.00
Pincher Creek Humane Society	\$ 36,000.00
Pincher Creek and District Public Library	\$ 250,000.00
Kootenai Brown Pioneer Village	\$ 25,000.00
Heritage Acres	\$ 25,000.00

AND FURTHER THAT Council approve the 2024 per capita funding, for Joint Funding, at \$19.38, the MD portion totaling \$62,978.02;

AND FINALLY THAT Council agrees to fund the following organizations through Joint Funding for 2024:

Adaptable Outdoors	\$5,000.00
Agricultural Society, Pincher Creek	\$2,000.00
Allied Arts	\$20,000.00
Chamber of Commerce, Pincher Creek	\$7,000.00
Cowboy Show	\$2,000.00
Family Centre, Pincher Creek	\$10,000.00
Group Group Youth	\$5,000.00
Handi Bus	\$28,000.00
Pincher Planters	\$7,500.00
Rodeo Club, Pincher Creek	\$500.00
Royal Canadian Legion	\$27,500.00
SASCI	\$10,000.00
Syncline Trails	\$500.00
Twin Butte Community Society	\$7,500.00
Windsor Heritage Drop-In Centre	\$500.00

Carried

M. ADJOURNMENT

Councillor Dave Cox 23/394

Moved that Council adjourn the meeting, the time being 8:53 pm.

Carried

REEVE

CHIEF ADMINISTRATIVE OFFICER

Liquor and land use

A review of the changing landscape surrounding alcohol and municipal land use planning.

Libations aside, liquor use is an important issue for all levels of government. The municipal role in land use control for developments using liquor is expanding, with changes at the provincial level that offer opportunities and challenges. In parts of southern Alberta, the changing tide of accessibility to liquor is one that has municipalities taking time to thoughtfully address the issue as best suits their particular community.

Introduction

The use of alcohol in society is far reaching and ubiquitous. As commonplace as it is, alcohol is a limited substance, restricted from minors, banned in certain areas of the world, avoided by certain religious associations, and regulated by all levels of government. A long history of controlling alcohol-related land uses exists in Canada, with specific control approaches unique to context and geographic area. This periodical will review the historical and present day environment in southern Alberta surrounding alcohol consumption from a land use perspective, and examine municipal approaches to the regulation of alcohol-related land uses.

An alcoholic beverage is a drink that contains ethanol, a type of alcohol that acts as a drug and is produced by fermentation. The use of alcohol as a recreational drug in Canada is exceedingly common, and here in Alberta, over 76% of Albertans aged 15 or over use alcohol. The topic of alcohol use in society is broad, owing to the fact that humans have been producing and consuming fermented beverages as early as the neolithic period. As the authority on local land use, a municipality is responsible for establishing rules respecting land uses that integrate alcohol as a principal or secondary component of their business model. Alcohol-related land use rules can serve to promote a culture of moderation while facilitating responsible use in locations that make sense for the community.

Historical context

The interwoven histories of liquor trade and liquor regulation were a formative social and political backdrop prior to and during the early days of the Province of Alberta. The bootlegging of liquor across the International Boundary began in the 1860s, when American traders freighted the prized liquid north to the trading posts in Canada. This prompted the North West Mounted Police to develop a number of detachments throughout southern Alberta to police the illegal cross-border liquor trade. One of these detachments was stationed in “Whiskey Gap,” a small settlement near one of the early wagon cart routes.

The *Liquor Licence Ordinance* (1891) governed liquor sales prior to Alberta becoming a province in 1905 and effected the end of a previous temperance period that had existed in the North-West Territories since 1871. Licensed hotels were allowed, with conditions including requirements for lodging and food, as well as limited liquor stores. The push for temperance led to another period of prohibition beginning in 1916. Despite the police presence, smuggling liquor into southern Alberta would become prevalent once again.

In 1924, Alberta’s prohibition was abolished following a plebiscite vote in favour of the same, and with it the introduction of the *Liquor Control Act*. For the remainder of the decade, cross-border flows of liquor would be in the opposite direction in response to the US implementing its own nation-wide

Alcohol by volume (ABV) is the global standard for expressing the percentage of alcohol in a beverage. This metric refers to the number of millilitres of pure ethanol present in 100 mL of solution at 20 degrees Celcius.

While Canadian linguists and brewers are quick to spell the spirit “whisky,” an Alberta heritage marker posted alongside Highway 501 submits that the contemporary place name “Whiskey Gap” is more historically appropriate in view of the American genre of brew being the first to be smuggled across the border. It has been said that atop the Milk River Ridge, bottles from the 19th century remain hidden in the earth in places unknown.

Cover image source:
[Provincial Archives of Alberta](#)



Oldman River Brewing in Lundbreck within the MD of Pincher Creek operating with a Class A (Manufacturer's Tap Room), Class D (Manufacturer's Off Sales) and Class E (Manufacturer - Small) licences. This establishment is one of eight craft breweries involved in the "Highway 3 Ale Trail" initiative.

The City of Red Deer's Entertainment District Bylaw (2022) allows for alcohol consumption along the Ross Street corridor adjacent to the Ross Street Patio—the focal point of the corridor featuring street furniture and live music in partnership with the Downtown Business Association. The district operates between noon and 11 pm, Tuesday through Saturday. Alcoholic beverages must be purchased from licensed vendors within the district and consumed within a disposable, non-glass container—they may not be brought into, or removed from, the district. Public intoxication, underage drinking, cigarette smoking, vaping and cannabis use are not allowed. Despite the use of the term "district," the Entertainment District Bylaw exists outside of the City's land use bylaw. This allows for a more practical enforcement mechanism than the issuance of a Stop Order. Enforcement provisions are contained within the Bylaw, providing for clear guidance on how violations are dealt with as this novel concept matures.

prohibition. During this time, the newly constructed Prince of Wales Hotel in Waterton Lakes National Park became a popular watering hole for thirsty Americans.

Contemporary frameworks

Public alcohol rules vary widely around the world. Across most of Europe, permissive approaches prevail. In Germany for example, drinking in public is generally legal and socially normal. Many areas do not require any "closing hours"—meaning that liquor service in establishments is not regulated—while other areas prohibit service between 3 am to 6 am. In contrast, alcohol use is illegal in much of the Middle East, with strict penalties and varying degrees of enforcement.

In Canada, the regulatory framework for controlling the production, distribution, sale and possession of alcohol is shared between the federal and provincial governments. At the federal level, legal blood alcohol levels for the operation of a motor vehicle are established in the Criminal Code, while authority is delegated to the provinces (and territories) for determining the legal drinking age, which ranges from 18 (AB, MB, QC) to 19 (elsewhere). The provincial and territorial governments maintain wholesale monopolies on the distribution of alcohol, and are typically the leaders in the retail market. Alberta is the lone exception in terms of retail, where liquor stores have been privatized since 1993.

Alberta Gaming, Liquor and Cannabis (AGLC) is the Crown commercial enterprise and agency who oversees the liquor industry in Alberta. The AGLC administers the *Gaming, Liquor and Cannabis Act* and controls liquor licensing through a class system. Section 1(1)(q) of the Act defines liquor as a product intended for human consumption in which the percentage of alcohol by volume exceeds 1% (hence the appearance in grocery stores of non-alcoholic beer containing 0.5% alcohol). Retail liquor stores are restricted from selling non-liquor products pursuant to Section 49 of the *Gaming, Liquor & Cannabis Regulation*. Still, there is some ability to advance a business concept that houses liquor retail sales and other uses under the same roof provided a physical 5 m separation distance is in place (with more information outlined in Section 3.1.1 of the AGLC's Retail Liquor Store Handbook). Similarly, Section 5.12 of the Handbook requires a physical separation between Class A Minors Prohibited premises, which is why many restaurants in Alberta contain a separate lounge area.

Recent regulatory changes

In 2013, the AGLC eliminated its minimum production capacity requirement of 500,00 litres for producers in the province. The lifting of this cap opened the door for smaller brewers and distillers to compete with the industrial-scale brewing giants, and in turn facilitated opportunity and innovation in the industry. The opening of this industry has resulted in the proliferation

of microbreweries, wineries and distilleries, and the introduction of these land uses (including associated beverage rooms and entertainment establishments) to municipalities in southern Alberta.

Recent changes (2020) to the *Gaming, Liquor and Cannabis Act* are symbolic of a tolerance to alcohol use shared by most Albertans. Alcohol consumption at campsites in provincial parks is now formally allowed. Select day use area picnic sites in provincial parks and recreation areas—including a variety of southern Alberta parks like Beauvais Lake and Police Outpost—are now open to alcohol consumption between 11am and 9pm. This amendment also opened up the opportunity for municipalities to allow, by posting signage, public park users to bring their own liquor into parks without the requirement to consume food—a move that municipalities have been slow to adopt, but for which opportunity exists to parlay the responsible enjoyment of alcohol in public with nightlife or recreational corridors. Section 89(4) of the *Gaming, Liquor and Cannabis Act* likewise permits the consumption of alcohol in a public place designated by a municipality (pursuant to a bylaw) as an entertainment district. Furthermore, whereas it is otherwise illegal to remove liquor purchased from licensed premises from said premises (except for a partially consumed bottle of wine), Section 91.1(3) of the *Gaming, Liquor and Cannabis Regulation* empowers a municipality to include a provision in its entertainment district bylaw that permits an alcoholic beverage purchased from a licensed establishment within an entertainment district to be carried anywhere within the boundary of the district.

Changing face of prohibition

For certain municipalities in southern Alberta who have always been subject to a prohibition on the use of alcohol, the biggest change coming from Bill 2 was what in effect serves to potentially end a long period of prohibition. While most of Alberta emerged from Prohibition in 1924, all areas within Cardston County and a portion of the County of Warner remained prohibited from obtaining a liquor licence under the then-in-force *Liquor Control Act*. In 2020, the province amended the *Gaming, Liquor and Cannabis Act*, effectively repealing prohibition in favour of a process whereby a formerly dry municipality can choose whether or not to open the community to liquor licensing. This process is specified in Section 56 of the amended Act, whereby a municipality has 90 days to respond to an initial application for a licence. If successful, additional licences can be applied for, as is the case anywhere else in the province. If the Council of the municipality denies approving the licence, a 3 year moratorium is to follow. It's important to note that this does not apply to special event licensing, which authorizes the use of liquor for a limited duration.

The provincial change is especially significant to urban centres in the former prohibition areas, including the towns of Cardston, Magrath, Raymond and the Village of Stirling. Historic restrictive covenants are registered against many of the land title certificates in these communities, expressing

Part 5 of the former Liquor Control Act prohibited the establishment of a liquor store as well as the issuance of a liquor licence for a beverage room, club or dining lounge on lands located within the MD of Sugar City No. 5 or the MD of Cochrane No. 6—two former rural municipalities that would ultimately be dissolved, and whose lands today are within the County of Warner and Cardston County.

In March of 2022 the Town of Raymond asked residents if they supported providing licensed restaurants the ability to sell alcohol. A narrow majority of 52% of residents voted against changing local regulations on liquor, which was followed by a 6-1 vote by town Council to keep in place its 120 year old ban on alcohol sales. In June 2023 the Town of Cardston queried residents with respect to prospective Bylaw 1647K, which would facilitate the opportunity for Class A liquor licences in restaurants and Class B liquor licences at recreational facilities. 53% percent of residents voted in support of ending prohibition.

Number of Existing Retail Liquor Stores in Select Towns within the ORRSC Region:

- Bassano (pop. 1216) - 1
- Claresholm (pop. 3804) - 4
- Coalhurst (pop. 2869) - 1
- Fort Macleod (pop. 3297) - 4
- Milk River (pop. 824) - 1
- Nanton (pop. 2167) - 3
- Nobleford (pop. 1438) - 1
- Picture Butte (pop. 1930) - 1
- Pincher Creek (pop. 3622) - 4
- Stavelly (pop. 544) - 1
- Vulcan (pop. 1769) - 3
- Vauxhall (pop. 1286) - 2

restrictions on the establishment of liquor-related businesses among other unwanted activities. Instruments like this loom large and alongside the faith-based history of these communities. Each community has gone through, or is currently in the process of determining, the best regulatory approach to serve its respective environment. Of course the notion of “opening” a previously dry community to liquor is hugely symbolic—so much so that thoughtful public consultation processes have been employed prior to decision making, as it is a door that once opened is unlikely to ever be reversed.

As of today, the Town of Magrath and the Town of Cardston have allowed for limited opportunity for liquor use through their land use bylaws, while a broader expanse of liquor-related uses is accommodated in Cardston County’s land use bylaw. The Town of Raymond voted against allowing liquor use in the community, continuing to uphold the decades-old prohibition, while the Village of Stirling has yet to consider the matter.

Municipal approaches

The sale of liquor can generally be divided into two categories for municipal planning purposes: retail sale of packaged product for consumption off-site, and the sale of open beverages, bottled or prepared, for consumption on the premises. This simple binary can be further broken down into types of establishments based on provision of food sales, hours of operation, hard liquor versus beer and wine, if live entertainment is provided, if accommodations are provided, if minors are allowed, and so on. It’s for this reason that many municipalities choose to tie their land use bylaw definitions to the AGLC’s liquor licence classifications—a recognition of the multi-jurisdictional nature of the land use.

The AGLC has a liquor licence class system spanning Classes A to F, as well as other use-specific and special event licences. For municipalities wanting to regulate liquor-related land uses, reference to a specific licence class—like a Class A licence where food is the main source of business—can be an effective approach that precludes the need to create custom definitions. For example, where late night, alcohol primary land uses like nightclubs are not desired, a land use definition can be drafted that limits a use to a “Class A Minors Allowed” liquor licence. The Towns of Magrath and Cardston use this approach to limit both restaurants and establishments falling under “facility, licensed” to the parameters established in Class A Minors Allowed and Class B liquor licences respectively (as well as a Class C licence in Magrath). In Cardston County, a district specific to liquor was introduced that provides for a range of licensed facilities spanning Classes A–F.

A municipality wanting to limit the ready availability and visibility of liquor stores can introduce a separation buffer into its land use bylaw, provided that a retail liquor store is defined separately from other retail uses. The City of Edmonton, for example, requires a 500-m buffer between liquor stores. Separation distances are likely to be upheld where it’s clear that



The Imperial Hunter Hotel in the Town of Bassano, which operates under Class A (Minors Prohibited) and Class D (General Off Sales, Hotel) licences.

the underlying rationale goes beyond business competition, and is instead a true planning objective. In the City of Spruce Grove, a 100-m buffer is required from liquor stores to public/community land uses—mirroring the requirement established in Section 105(3) of the *Gaming, Liquor and Cannabis Regulation* for minimum separation distances between cannabis stores and health care facilities, schools, and parcels of land designated as “school reserve” or “municipal and school reserve.”

Separation distances are one of many of the recommendations found in the Alcohol Policy for Community Safety, Vibrancy, Health and Well-Being - A Practical Guide for Alberta Municipalities (Alberta Health Services, 2022). The document contains a comprehensive review of options and opportunities for municipalities with the aim of reducing alcohol abuse and crime, in an effort to create safer communities. One tool used by the City of Wetaskiwin is a provision in its Business Hours Bylaw that limits the business hours for liquor stores (including off sales) from 10 am to 10 pm - less than the AGLC’s allowable range of 10 am to 2 am. Ultimately, a municipality can establish its own rules applicable to liquor land uses provided they don’t reduce the regulatory requirements established by the AGLC.

Crime Prevention Through Environmental Design (CPTED) is an approach that aims to manage built and natural environments through purposeful design measures (lighting, landscaping, visibility requirements etc.). Liquor-related uses are often associated with increased crime and illicit activity. CPTED can help mitigate the opportunity for these types of activities—something recognized by the Downtown Lethbridge Business Revitalization Zone who offers grants up to \$5000 for CPTED-related improvements. The City of Brooks promotes “natural surveillance” through required CPTED elements for retail liquor stores stipulated in its land use bylaw. However, it is noted that Section 21 of the *Matters Related to Subdivision and Development Regulation* provides that a Development Authority can impose CPTED features as a condition of development permit, regardless of whether these provisions are expressly authorized in the land use bylaw.

Concluding remarks

In recognition of the influence alcohol can have on the social, health, religious and recreational aspects of a community, it’s important that municipalities consider thoughtfully approaching the topic. The interplay of liquor and land use can be complex and a municipality is advised to broach this sensitive issue with the benefit of a public consultation campaign. The municipal development plan is one vehicle through which public opinion on this matter can be solicited and conveyed, wherein an alcohol-related questionnaire might be attached as an appendix to the plan. Presented alongside policing statistics on alcohol-related infractions and crimes, survey information can serve as baseline data to measure change as land uses come and go, and with it the needle of public opinion.



Source: visitparkcity.com

High West Distillery, established in 2006, is the first legally licensed distillery in Utah since the end of (American) Prohibition in 1933. This Park City-based business establishment operates out of a repurposed livery stable (aka “the National Garage”), and the property includes an accompanying saloon. High West bills itself as the world’s first and only “ski-in gastro-distillery.”

For more information on this topic contact admin@orrsc.com or visit our website at orrsc.com.

This document is protected by Copyright and Trademark and may not be reproduced or modified in any manner, or for any purpose, except by written permission of the Oldman River Regional Services Commission.

ORRSC
3105 16 Ave N
Lethbridge AB T1H 5E8

phone: 403.329.1344
toll-free: 844.279.8760
e-mail: admin@orrsc.com



From: Tony Bruder
Sent: October 1, 2023 4:01 PM
To: Jessica McClelland
Subject: FW: WBRA September Update

Please ad to the next council agenda as information.

Thank you

Tony

From: Waterton Biosphere Reserve Association <info+watertonbiosphere.com@ccsend.com>
Sent: September 28, 2023 10:26 AM
To: Tony Bruder <CouncilDiv1@mdpincercreek.ab.ca>
Subject: WBRA September Update

Thursday, September 28, 2023



What's new with WBRA

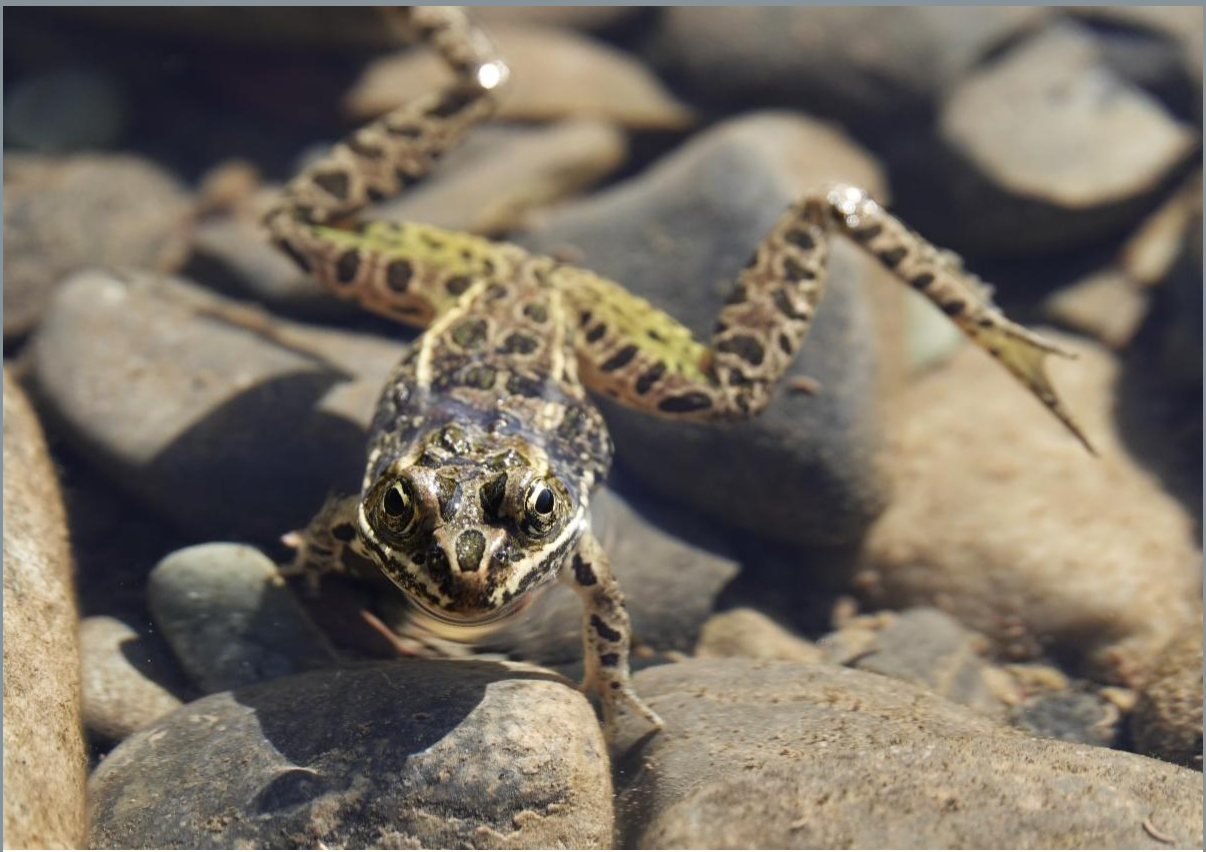


Photo by Mackenzie Brown

Wetland Field Day



Photo by Thomas Porter

How can you tell if a bear is nearby and what can you do to keep yourself safe while sharing the land with large carnivores? Why do deer have eyes on either side of their head? How does a food web work within a wetland ecosystem and are mosquitos really that important?

The curious and intrepid grade 5 students from southwestern Alberta who participated in this year's Wetland Field Day events at Police Outpost Provincial Park can answer these questions and more.

With great support from [Waterton Lakes National Park](#), and [Oldman Watershed Council](#), students were able to build deeper connections to the lands, waters, and life in the region while learning about wetlands through curriculum-founded activities. From observing aquatic invertebrates firsthand to inspecting the iron-fortified teeth of a beaver, students were able to explore the reasons they should value and appreciate wetlands and the life these areas support.

We would like to take a moment to thank everyone who has contributed to Wetland Field Day past and present, and those who are interested in seeing it continue. Because of you, the event has now passed its 10th year of offering students the chance to experience this special place and learn more about how they fit within it.

The events this year were made possible by our funders from [Waterton Lakes National Park](#), [Environment and Climate Change Canada](#), and the [Government of Alberta](#).

A sincere thank you to the teachers and leaders of [Cardston Elementary School](#), [Spring Glen Elementary School](#), and [Aahsaopi Elementary School](#) for your interest and support in this year's Wetland Field Day events.

We cannot wait to be out once again next year with the muskrats and cattails!

Learn more about Wetland Field Day



Carnivores and Communities Program Coordinator Jeff Bectell sharing some bear safety tips with students.

Photo by Thomas Porter

Supporting Landowners in Conservation and Stewardship



Completed Beaver Dam Analogue

Members of our staff ventured out to the Porcupine Hills this September to support the ongoing stream habitat restoration efforts of [Trout Unlimited Canada](#) (TUC) in Waterton Biosphere Region (WBR).

Along the shores of Trout Creek and its tributaries, TUC has been constructing beaver dam analogues and planting native vegetation to improve habitat quality for the life that depends on these streams, such as the Westslope Cutthroat Trout, a [species at risk](#) in Alberta. There is little connectivity between the single-thread stream channels and some riverbeds lose all surface waterflow during parts of the year. Riparian vegetation conditions have also decreased, leading to further habitat loss.

The TUC staff and volunteers have been mimicking the beavers' influence within the watershed in areas where populations have declined by shapeshifting into semi-aquatic, buck-toothed ecosystem engineers. Beavers are so capable of changing the landscape around them that they have earned a reputation as friend, foe, or somewhere in-between.



Beaver dam analogues are human-made structures that function as a naturally occurring dam. The dams saturate soil, harbour water, regulate stream flow and temperature in fish-bearing streams, and provide the foundation for surrounding riparian habitats to form and flourish.

WBR Conservation Technician Mackenzie Brown seen shoveling soil onto the beaver dam analogue. A mixture of soil and woody brush are combined to create the base of the dam. An incredible feat considering the beaver builds with only their teeth, feet, and tail.

Beaver dam analogues will continue to be a useful tool to support the resilience of our landscape as drought conditions persist and increase in the region.

We have funding to contribute to habitat stewardship projects like building beaver dam analogues on private land within WBR. Projects are typically on a cost-share basis; the landowner portion can include cash or in-kind contributions (in-kind materials, planning time, equipment, and/or labour) or can include partner funding.

Please reach out to us at eanderson@watertonbiosphere.com or 403-563-0058 if you have a project idea in mind.

[Learn more about SLICS](#)

Carnivores and Communities Program



Thermal image by National Geographic as seen in 'Animals Up Close', see more below*

A flock's best friend.

Livestock guardian dogs (LGDs) are used around the world as a conflict mitigation tool. Unlike herding dogs, LGDs watch for predators and confront them with barking, vocal intimidations, and aggressive behaviour.

Where electric fencing is unrealistic, LGDs can be utilized to protect sheep, goats, cattle and a variety of other species from depredation. There are several different breeds of LGDs, and each breed will come with their own unique skillset. Producers must determine the best fit for their family and operation.

The capabilities of these animals make them a flexible conflict mitigation option. With the proper breed and training, LGDs can be used to guard diverse livestock species over large areas with a wide variety of terrain.

The cost of these dogs is not insignificant and requires a thoughtful approach. If you are interested in LGDs we recommend talking with breeders and other producers that are using dogs in similar situations to ensure you get the right fit for you. Please reach out to Jeff Bectell, our [Carnivores and Communities Program](#) Coordinator if you have any questions about LGDs.

A recent [video](#)* captured by National Geographic reveal a scene where LGDs sabotage a puma's mid-night predation attempt on a flock of unsuspecting sheep. The dogs sense the puma, alert the flock, and confront the incoming intruder before it can make a kill.

Learn more about LGDs

Welcome Aboard

The Waterton Biosphere Reserve Association is pleased to welcome Thomas Porter to the team as Communications Coordinator.

Thomas is a longtime storyteller, outdoorsman and motorcyclist. He has been hiking, fly-fishing and back country camping throughout Waterton Biosphere Region for 40 years.

While pursuing his studies in earth system science, Thomas also cultivated skills in New Media Arts including cinematography, lighting and documentary film making.

Prior to his academic tenure, Thomas spent 20 years in print media. His writing and photography have been published in daily newspapers and magazines across North America.



Photo by Holly Dalton

When he's not out in the wild he can be found in his art studio doing custom
woodwork and leather pieces.

Happy to have you, Thomas!

Meet our Team

Thank you for reading our eNewsletter. Please feel free to follow us on social
media and visit our website to learn more about the Waterton Biosphere Reserve
Association and our projects.



Visit our Website

Waterton Biosphere Reserve Association | BOX 7, PINCHER CREEK, T0K 1W0 Canada

[Unsubscribe councildiv1@mdpincercreek.ab.ca](mailto:councildiv1@mdpincercreek.ab.ca)





[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by info@watertonbiosphere.com powered by



Recommendation to Council

G1a

TITLE: PUBLIC WORK OPERATIONAL REPORT			
PREPARED BY: PATRICK GAUVREAU		DATE: OCTOBER 4, 2023	
DEPARTMENT: PUBLIC WORKS			
 _____ Department Supervisor	_____ October 4, 2023 _____ Date	ATTACHMENTS: 1. Call Log – Updated 10/4/23	
APPROVALS:			
 _____ Department Director	_____ October 4, 2023 _____ Date	 _____ CAO	_____ 2023/10/05 _____ Date

RECOMMENDATION:

THAT Council, accept the Public Works Operational report for the period of September 21, 2023 to October 4, 2023 as information.

BACKGROUND:

PUBLIC WORKS OPERATIONS FROM SEPTEMBER 21, 2023 TO OCTOBER, 2023:

FLEET/MECHANICS SHOP
 Service on 510 pick up
 Service on 63 grader installed snow equipment and repairs on equipment performed also
 Service call to unit 65 grader – flag repair, tire hop issue
 Unit 435 – Water hauling truck – possible ECM issue (Finning dealing with it)
 Unit 57 – grader mower blade change out
 New tires on 509 and 505
 CVIPs for unit 24 (Black low bed trailer)
 Unit 434 – water pump repair
 Unit 430 – water pump repair

IN FIELD OPERATIONS
 2 grader mowers running (currently mowing in Division 4)
 Hauling water to Cowley (down to 1 truck hauling each day)
 Grader operators giving special attention to wash-boarded areas and getting as many roads prepped for winter
 6 graders out on average

Administration Guidance Request

Bollards being installed in Welcome to Lundbreck green space
Maycroft Road was driven by the PW Manager on October 3rd, 2023. The road is currently in good condition.

CAPITAL PROJECTS UPDATE

Bitango Road Culvert Replacement Project – This project is 95% completed. We will internally armor the banks with rip rap, then this project will be fully completed.

Station Street / 3rd Avenue Road Rehab Project – This project is 100% completed.

FINANCIAL IMPLICATIONS:

None

REQUEST ID NUMBER	DIVISION	CONCERN/REQUEST	REQUEST DATE	ACTION TAKEN	FOLLOW UP	COMPLETION DATE
2023-157	Division 1	Would like the road graveled. West section of Mitchell Road. By Island lake. If gated is locked call	July 13, 2023	Scheduled for later date	To be inspected	
2023-167		Access off highway road need to be graded to bottom of hill	July 31, 2023	To be actioned	PW informed	
2023-179	Division 3	Purchased gravel from us, and wasn't home when delivered. would like gravel leveled out , and spread around evenly.	August 15, 2023	To be actioned		
2023-180	Division 2	increased traffic from new arena and bus route, intersection is becoming dangerous and worried about collisions would like yield too a stop sign. PW already came to look at intersection last November and placed markers for signs. Resident under impression that the signs were getting switched?	August 15, 2023	Scheduled for later date	To do traffic count spring 2024	
2023-190	Division 3	SE-32-06-02-W5, spoke with someone last winter about getting bushes cut down as they are creating a large drift. And was told it would be done before next winter. And want to confirm snow fence on lynx creek road.	August 28, 2023	To be actioned	To be inspected	
2023-192	Division 3	Lundbreck Mobile park green space has lots of damage from MD's heavy equipment on the soft ground and now they are unable to mow the grass. Hoping to get it fixed, she will be sending the pictures to PW email.	August 28, 2023	To be actioned	To be inspected	
2023-197	Division 5	Waiting for Driveway Grading. Please call before going over, he has posts in the ground to mark driveway, can remove if needed	September 5, 2023	Completed	To be completed when roads are caught up	September 27, 2023
2023-199	Division 5	Chapel Rock road and North Burmis Road, Trans Canada moving equipment and damaging the road(pounded to bedrock), she would like to know what MD/TC plans on doing to fix the road before the winter.	September 6, 2023	Completed	Road Solid - May need gravel pulled back to driving surface.	September 26, 2023

REQUEST ID NUMBER	DIVISION	CONCERN/REQUEST	REQUEST DATE	ACTION TAKEN	FOLLOW UP	COMPLETION DATE
2023-200		Road Allowance got missed with mowing, hoping to get it done.	September 6, 2023	Completed	Will be done when MD mowers are able	September 19, 2023
2023-205	Division 2	Would like MD roads mowed, wondering why they didn't get it done this year, before calling and who will be coming to do it? (MD or Contractor) would like a phone call to get answers	September 6, 2023	Completed	Mowing behing with shortage of staff	September 12, 2023
2023-208	Division 3	Our grader hit his sign a while back so he called and ordered a sign from us 2-3 months ago. Wondering when it will be in.	September 7, 2023	Scheduled for later date	Sign is to be ordered by Development next round	
2023-214	Division 3	Grader broke 2 posts and a brace off last winter, and was told in June or July that it would be replaced, Just wondering when when it will be done. Cattle has been getting out. Right next to the bridge.	September 11, 2023	To be actioned	First Call in place - Temp Snow Fence Priority	
2023-216	Division 2	Md ditch needs mowing, half a mile south off off 507	September 11, 2023	Completed	Mowing behind with shortage of staff	September 20, 2023
2023-220	Division 5	Monday someone came out to mow the roadside of the Villa Vega Acres subdivision but they forgot the lower part towards the river there are 5 houses on that part and they would greatly appreciate it if we could send someone out to finish it.	September 15, 2023	To be actioned	Mowing in Div 5 now	
2023-221	Division 5	twp 7-2A would like Road graded and ditch mowed	September 18, 2023	To be actioned	Mowing in Div 5 now	
2023-222	Division 5	PW was out and graded the road but forgot the bottom half (last 5 houses) wondering if they can come out an finish it.	September 19, 2023	To be actioned	Next time PW in Area - too dry last time	
2023-225	Division 5	ditches got missed on willow valley road they only mowed tot the school house wondering if it will be finished? If not please give him a call as he'd like to know why.	September 19, 2023	To be actioned	Mowing in Div 5 now	
2023-226	Division 5	Hoping to get the snow fence back up this year, as they tried to remove it last year, but increase of drifts	September 20, 2023	Completed	Posts in	October 5, 2023

REQUEST ID NUMBER	DIVISION	CONCERN/REQUEST	REQUEST DATE	ACTION TAKEN	FOLLOW UP	COMPLETION DATE
2023-228	Division 1	cattle guard filled in and the cattle are getting out. Mile south of twine butte roadsouth on 29-1	September 20, 2023	Not actionable	Not our cattle guard	October 5, 2023
2023-229	Division 1	email said "I wanted to request a Driveway Inspection for some potential grading."	September 20, 2023	Completed		October 3, 2023
2023-230	Division 4	Contractor mowers stopped before getting to ther property and snow drifts really bad, hoping to get it mowed RR30-1A	September 21, 2023	Completed	Mowing behind with shortage of staff	September 26, 2023
2023-231	Division 5	Twp 8-0 Wondering if it will be getting mowed	September 22, 2023	To be actioned	Mowing in Div 5 now	
2023-232	Division 3	Twp6 Driveway Grading	September 25, 2023	Completed		September 28, 2023
2023-233		Wants to thank the MD for cutting the ditces your doing a great job. Shes very happy with the MD	September 26, 2023	Completed		September 26, 2023
2023-234	Division 5	would like MD ditches mowed near there property	September 27, 2023	To be actioned	Mowing in Div 5 now	
2023-235	Division 5	Driveway Grading	September 27, 2023	To be actioned	PW to check	
2023-236	Division 4	North of TWP-8-4. RR 2-0 isnt mowed and wondering if it will get done before the snow worried about drifting	September 28, 2023	Completed		October 3, 2023
2023-237	Division 3	Twp 6-5 would like Road Graded, first mile is bad second mile even worse	October 3, 2023	To be actioned	PW informed	
2023-238	Division 4	Unsafe road North of pincher station towards the damn. Was muddy and her son almost hit the ditch. It badly needs gravel before getting wet again cause it gets to muddy.	October 3, 2023	Completed	To be inspected	October 3, 2023
2023-239	Division 2	Could we please get some gravel on the hill of Range rd 29-3(A) starting at Twp6-4 to the top of the hill. Grading like last time it was called in my another resident isn't enough. There is no gravel left and it's just a muddy rutted up road when we get moisture.	October 3, 2023	To be actioned	Blading to occur Oct 5	

REQUEST ID NUMBER	DIVISION	CONCERN/REQUEST	REQUEST DATE	ACTION TAKEN	FOLLOW UP	COMPLETION DATE
2023-240	Division 4	Dangerous conditions on road north of pincher station all the way north, road needs to be re-built as there is 8" of solid mud	October 3, 2023	Completed		October 3, 2023
2023-241	Division 4	North of cowley near glider strip, on main road, would like the ditches cut. Upset that he cant get his ditches on his driveway done at the same time as hes right next to it and they are wet. Wants his hour of grading replaced with mowing. He said Harold told him to say that.	October 3, 2023	Not actionable	Private Mowing not scheduled for 2023	October 5, 2023
2023-242	Division 2	No Thru Road sign missing	October 4, 2023	To be actioned		
2023-243	Division 4	Wondering about grader and gravel in sub division	October 4, 2023	To be actioned	PW Informed -set to Inspect	



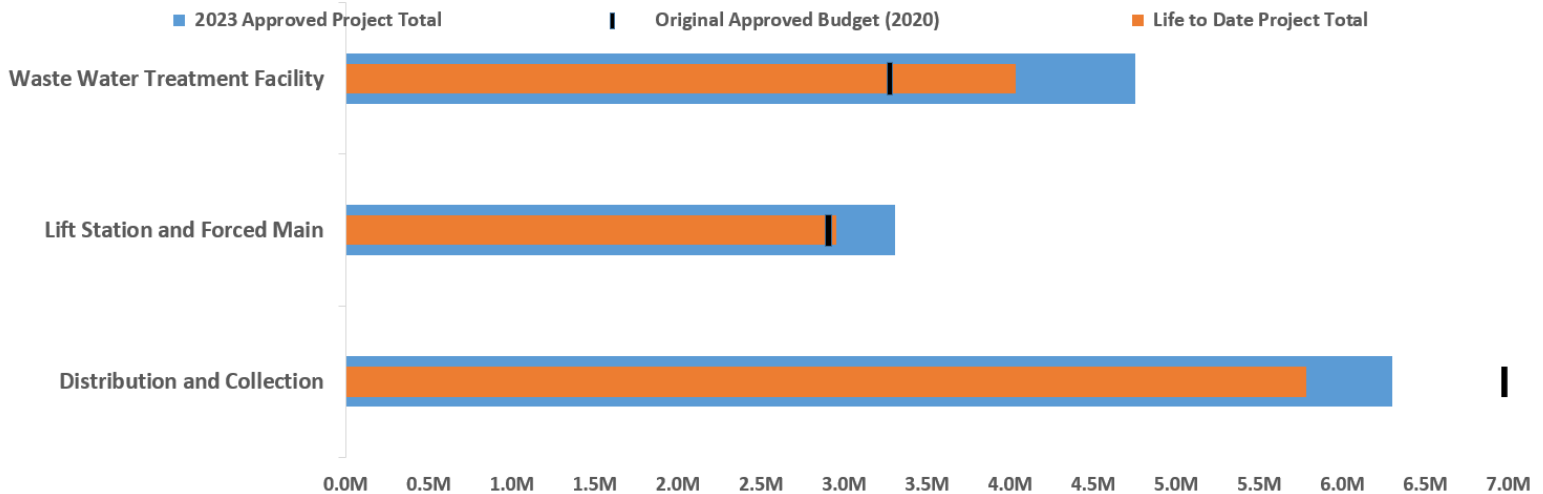
**M.D. OF PINCHER CREEK NO. 9
UTILITIES & INFRASTRUCTURE REPORT**

G1b

BEAVER MINES

Spend as of **October 4th: \$12,773,111 / \$14,359,848 (89%)**

October 4th (No Change from last update):



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

- Tender was awarded to BYZ on July 21, 2021.
 - 1. BYZ Enterprises Inc. **\$5,468,977.50 (Budget \$6,251,600)**
- U/G Schedule A & B Completion May 31st, 2023 (excluding additional service work)
- Finalizing CO to accommodate additional days request for scope additions for additional gas crossings, manhole wrapping, fencing and ROW cleanup modifications, U/G Telus lines
- Deficiencies walkthrough complete June 22nd, 2023. Anticipate project full construction completion by end of month
- Final walkthrough completed August 1st, 2023. Total completion was requested based on a July 21st completion date, with minor deficiencies to be addressed under holdback
 - Completion date request under review
 - **Awaiting formal sign off for total completion**
- Projecting final costs to be within current budget
- Working to closeout contractual duties related to landowner ROW agreements and remaining related costs

- **Beaver Mines Waste Facility/System**

- Tender was awarded to BYZ on May 31, 2022
 - BYZ Enterprises **\$2,338,309.00 (Original Budget \$2,076,999)**
- Lagoon cells base civil work complete, liner installed. Significant deficiencies related to liner installation have been noted, which is resulting in a delay of initial fill and commissioning of lagoon system

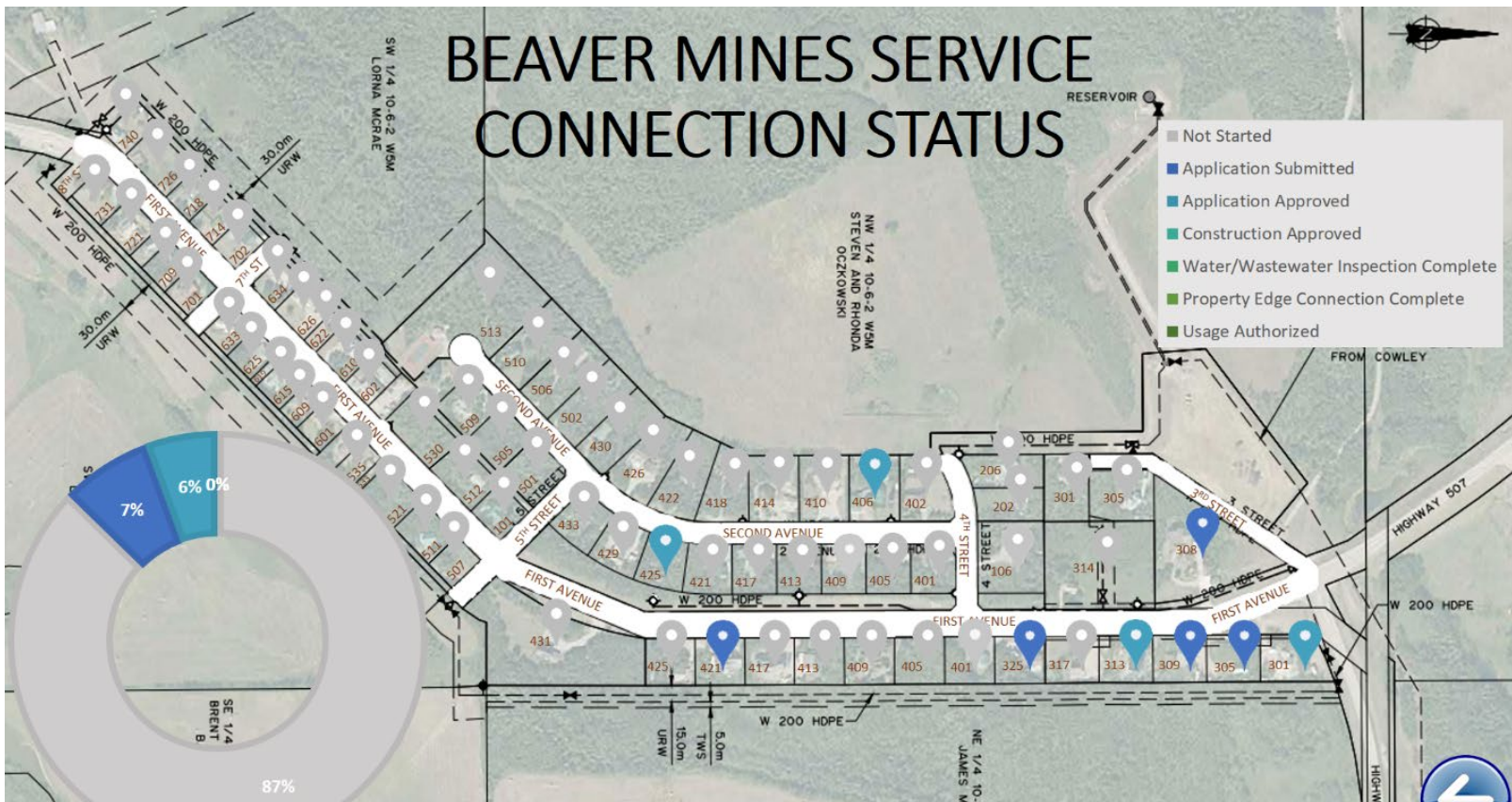
- Site works 95% complete. Commissioning complete, last liner deficiency anticipated to be addressed by Council meeting
 - Collection system is now connected to wastewater site via lift station
 - Fencing and final civil/cleanup work to continue during operation
 - Anticipate substantial completion of construction end of October, 2023
- **Beaver Mines Forcemain & Lift Station**
 - Tender was awarded to Parcon for Lift Station June 15th **\$2,326,091 (Original Budget: \$2,220,000)**
 - Construction awarded to low bidder for forcemain work:
 - TA Excavating: **\$386,925 (Eng. Est. \$600,000)**
 - Long lead generator and electrical control center identified as major point of supply chain delay that has potential for substantial delay. Working with contractor and engineering firm to mitigate this issue.
 - Substantial completion is now June 30th, 2023 (up and running date), total completion (permanent MCC/generator installed) Nov. 30th, 2023
 - Forcemain complete
 - Site is conveying flow to wastewater site. Substantial completion excluding permanent MCC/generator installation complete

Appeal was dropped July 11th, 2023 and the file was officially closed by the Alberta Environmental Appeals Board July 14th, 2023.

Current Water Operations Activity

Ongoing Water Supply Issues

- Issued a Stage 3 water restriction August 16th, 2023
 - Updates being sent weekly to Council regarding temporary and permanent solutions
- Beaver Mines Lot Servicing Utility Services Guidelines released May 30th, 2023. 6 general and 2 plumbing contractor prequalified to date. Application process open to residents
 - 11 applications reviewed, 7 fully approved

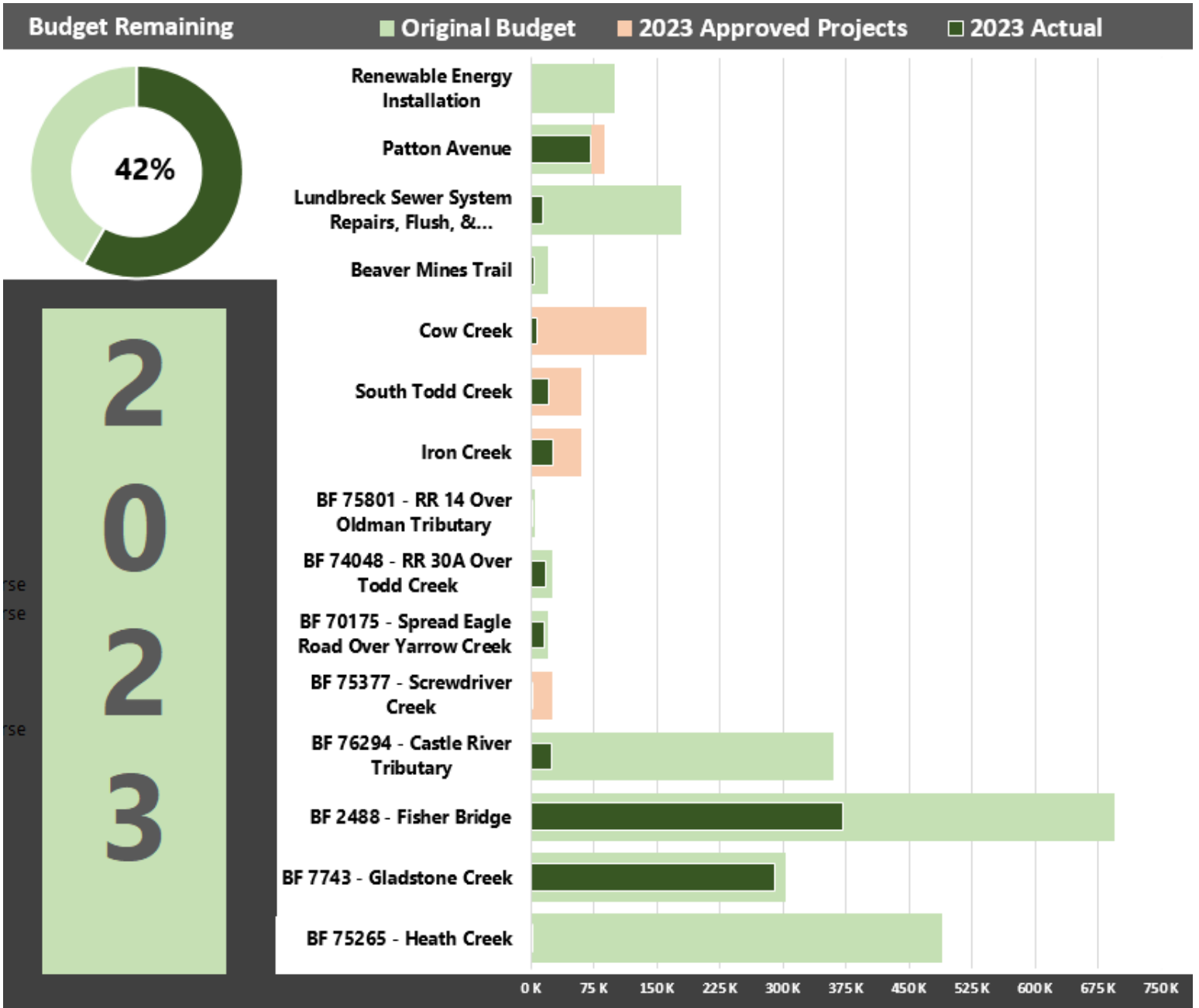


- Official release to tie-in starting October 6th releases to residents with mandatory connection required by Jan 1, 2028.
- Hydrant flow testing in BM was completed by PCES and passed for fire flow. PCES is updating the Fire Underwriters Survey with the MD's assistance
- Standpipes
 - PC Standpipe coin acceptor sent for warranty replacement. BM coin acceptor moved to PC for time being. Fixed part received and installed July 26th, 2023. Spare ordered for coin acceptor
 - Last Known Issue: June 2023

Large Capital and Other Projects

Total Approved Budget: \$3,559,000. Spend as of October 4th, 2023:

~~\$1,800,481~~ September 19th, 2023: \$1,796,228



Airport Lighting – Design 2022, Construction 2023

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

- Design-build contract awarded to Black & McDonald (**Cost: \$979,600, Original Budget: \$867,000. Revised Contract: \$1,016,435 + line removal/paint**)
- Generator installation will be completed after Aug 1, 2023 due to long lead delivery
- Deficiency walkthrough complete June 28th, 2023. Partial completion for entire scope excluding generator install has been executed
 - Request for substantial completion (excluding generator) officially received September 5th (June 30th completion). Granted
- Approached by an AI drone company to capture images of our new painting for free as part of their data gathering/algorithm improvement. **Plan to perform work week of October 16th**

Lundbreck Sewer System Repairs – Design/Construction 2023

Repair of 3 sewer main locations within the Hamlet of Lundbreck

- Construction complete. Minor surface deficiencies to be cleaned up prior to issuing total performance. Final walkthrough complete Sep 19, 2023. Awaiting total performance request
- Contractor (Jenex) was able to keep costs under budget and perform additional work upon finding unforeseen subsurface deficiencies despite initial bid being over budget

Lundbreck Lagoon Resiliency Analysis & Regionalization – Engineering 2023

Review Lagoons ability to take on more flow (both regular and high strength). Review Cowley Lagoons ability to do the same, and options for regionalization

- ACP Grant submitted in 2022, will not hear back until March/April 2023. Notice of successful grant received March 21st, 2023. Expanding scope to include Cowley
- Kickoff meeting held March 6th, 2023. Anticipate starting analysis work and investigations throughout April
- Reached out to brewery April 4th to arrange sampling. Sampling complete May 11th at lagoon and brewery 2023.
 - Continued delays with metering device. Plan to draft report with assumed flows and update once flow monitoring device arrives
 - Draft report for Lundbreck phase of project received from MPE with assumed flows, under review. Will not be able to confirm actual flows until Spring 2024
- Sampling results received and sent to brewery for reference

Beaver Mines Trail – Design/Construction 2023

Phase 1 design along HWY between 5th and 4th street and potential construction (if funds are available)

- Construction of pathway complete, with exception of signage and benched area

Therriault Dam – Geotechnical & Misc. Studies – Engineering 2023

Address high priority deficiencies for the Therriault Dam

- Agreement signed with SNC Lavalin for Geotechnical & Hydrotechnical Assessments for the dam Jan 11, 2023
- Kickoff complete Jan 24, 2023. Geotechnical drill complete March 22nd. Piezometers (water pressure measurement tools) placed, will check readings in 2 weeks
- Spillway drone photogram will be complete when weather allows. Complete April 21st
- Draft reports received end of May, initial review complete. Meeting held with SNC Aug 23rd to discuss plan to finalize reports and recommendations. 2 of 2 finalized reports received
 - Therriault Dam has deficiencies that should be monitored and addressed

Energy Projects

MD Estimated Annual Energy Savings: **\$22,667**

MD Achieved Annual Savings*: **\$26,287**

MD Funding Secured (Total): **\$240,094**

**Based on utility bill review adjusted cost savings and the ICF agreement framework. This number is expected to rise as projects completed within the last year haven't seen a full year of savings.*

• General Updates

- Multipurpose facility rooftop unit installation planned for late September 2023
- Lebel mansion windows grant approved July 25, 2023
 - Project on hold until directive received from Town
- Arena and MPF retrofit
 - Community Building Retrofit grant pre-application submitted for 25% of Arena upgrades March 3, 2023
 - Full application submitted August 28, 2023
- High efficiency furnace replacement in Airport
 - Complete
- Received confirmation of \$22,080 for Electrical Tracking System at the Multipurpose facility
 - Install tentatively scheduled for late September
- Grant received from Lethbridge Community Foundation for \$5,000 to install offgrid equipment and remove the electrical service at the Lundbreck Welcome Sign
 - Annual savings projected to be \$980-\$1,100
 - **Equipment ordered, installation scheduled for week of October 12, 2023**
- QUEST net zero accelerator
 - **Official kickoff Meeting September 28, 2023**
- Lebel solar project
 - To include a solar array and display inside to teach residents about the outputs of solar and the process for developing it
 - Received offer of \$2,750 from Old Man 2 Wind Farm pending Council acceptance
 - \$10,000 received from Lethbridge Community Foundation
 - \$7,000 USD from Enel North America has been committed
 - Town has tabled project for review in August
 - Presented project update August 28, 2023 with education sample

- Town has requested to revisit when grant funding news is received
 - Submitted expression of interest for Energy Futures Lab roadshow in 2024. Received letters of support from Matthew Halton high school, Fortis Alberta, Riteline Electric, Southwest Alberta Sustainable Communities Initiative, and Enel North America
 - Decision expected October 2023
 - MCCAC has indicated expected energy efficiency and solar funding is being reviewed at the Provincial level. High probability of efficiency funding, unsure on solar
 - Attended Energy Futures Lab meeting to represent Town and MD in the conversation about Alberta's Electricity Future
 - Pool roof top unit installation complete September 28, 2023
- **EV Chargers**
 - Concrete work complete August 21, 2023
 - Awaiting final invoice to submit funding closeout
 - Town and Castle funding closeout submitted
 - All closeouts submitted September 18, expect payment March 2024 from Federal program
- **Eco-centre Solar Installation**
 - Complete July 20, 2023, producing power into grid
 - 766 kw-hr produced to date
- **Climate Resiliency and Adaptation Plan**
 - Alberta Municipalities has submitted a proposal to present this project at the United Nations Conference of Parties in Abu Dhabi pending Town and MD council approval
 - PC-REMO to take lead on:
 - Firesmart and flooding legislation recommendations
 - Fuel management program
 - Heat and Smoke emergency response plans
 - Flood infrastructure development plans
 - Project brief developed for review by Climate Resilience Team
 - Team met August 30, 2023 to review project briefs. Directed as follows:
 - Request PARC to present wind study to next joint council to discuss seed funding and allow team to approach other stakeholders
 - Develop draft of homeowner assessment toolkit and recommendations for home resiliency
 - Develop draft recommendations to be included in both Town and MD procurement policies based on examples from existing municipalities
 - Develop recommendations for deliverables in future Tourism master plan
 - Review progress on PC-REMO tasks on bi-monthly basis
 - Met with MITACS to investigate funding avenues for wind study
 - Reviewed homeowner assessment toolkits and adaptation guides
- **Clean Energy Improvement Program**
 - Full application submitted June 29, 2023
 - Amendments made based on FCM feedback and resubmitted August 11, 2023
 - Expected launch pending grant approval in Q2 2024

- **Ford Lightning**
 - Tender received from Marlborough Ford with estimated ETA of September 2023
 - Tracking usage to compare vs gas equivalent
 - Distance: 693 km, Energy used: 307 kWh
 - Cost (energy only): \$18.42, Cost (energy+T&D): \$49.12
 - Cost of unit 504 to drive equivalent distance: \$142.2
 - Total Savings: \$93.08
 - Funding closeout submitted September 5, 2023

- **Solar Installation**
 - RFP closed March 31, 2023
 - 5 proposals received
 - Preferred contractors selected, awaiting funding streams before awarding
 - Discussion underway with NavCanada about specific requirements for ensuring glare mitigation
 - A stamped Engineering report on the glare characterises of the selected panels has been provided
 - Transport Canada has reviewed the glare report and declared it sufficient
 - Project Award pending funding release
 - Contractor has indicated August 1st latest launch date to complete project before Winter
 - Beginning microgeneration and Transport Canada application process in preparation for grant launch
 - Discussion with MCCAC indicates grant funding to be available later than expected

Capital Projects Update - Bridges

- **Bridge File 75265 – Local Road over Heath Creek, NE-11-10-01-W5M**
 - Tender awarded for engineering in 2021
 - Roseke Engineering at **\$52,162.00** (Budget: \$53,000.00)
 - Tender awarded for construction in 2023
 - Volker Stevin at **\$367,000** (Estimate: \$475,700)
 - Awarded bidder \$124,000 lower than cancelled Tender May, 2022
 - Land is purchased and agreements are signed. Title registration may take a few months
 - STIP Application submitted, not awarded
 - Construction began August 23rd, anticipate completion around Sep 15th
 - Construction timeline and quality exceeding expectations
 - Final walkthrough and completion issued September 19th, 2023, noted minor deficiencies that must be addressed prior to release of holdback
 - All deficiencies complete excluding fence install (underway)

- **Bridge File 7743 – Local Road over Gladstone Creek, SW-23-05-02-W5M**
 - Project complete

- **Bridge File 75377 – Local Road over Screwdriver Creek, NW-08-06-02-W5M**
 - Project complete

- **Bridge File 2488 – Fisher Bridge, NW-26-07-02-W5M**
 - ISL awarded Supply-Build Engineering contract
 - Design, Supply, & Fabrication of Prefabricated Bridge awarded to Algonquin Bridge (**Cost: \$458,040. Eng. Est: \$638,000**).
 - RFPQ (Request for Contractor Pre-Qualification) for Installation has been sent out and closed July 26th. Installation RFQ bids received September 14th, 2022. Awarded to low bidder (**Cost: \$330,954. Eng. Est: \$349,000**)
 - Existing abutments will have partial depth repairs complete, and cracks will be epoxy injected and sealed. Work falls under new DFO code of practice for clear span bridge
 - Scour identified under existing abutment. **Costed plan to be discussed in 2024 budget**
 - Signage and epoxy crack injection complete. Abutment repair and guardrail work still ongoing. **Guardrail work complete, abutment repair work anticipated completion week of Council meeting**

- **Bridge File 74048 – Todd Creek Culvert, NW-36-009-03 W5M**
 - Pricing Received for Preliminary Engineering & Design
 - Awarded to Roseke Engineering at **\$18,286** (QAES Assessment scope added)
 - Recommendation is to replace if STIP funding can be obtained, or install timber struts until funding can be obtained (to be discussed in 2024 budget planning)

- **Bridge File 70175 – Yarrow Creek Bridge Rehabilitation, NW-22-003-030 W4M**
 - Pricing Received for Preliminary Engineering & Design from multiple firms.
 - Awarded to Roseke Engineering at **\$17,990 (Budget \$20,000)**
 - Preliminary engineering report complete June 9th, 2023. Proceeding with design and permitting. Scope includes:

- Perform a pile splice repair on two piles in the west abutment, replace the east pile cap, place fill and riprap at the west headslope, minor wheel guard repairs & repairs to east timber span, channel realignment, and west abutment riprap work
- **Bridge File 75801 – Oldman River Tributary Culvert, SW-09-010-01 W5M**
 - Pricing Received for Preliminary Engineering & Design
 - Awarded to Roseke Engineering at **\$4,314.83 (Budget \$5,000)**
 - Preliminary engineering complete. Struts recommended, drawing complete
- **Bridge File 76294– 2nd Tributary to Castle River, SW 32-006-01 W5M**
 - Preliminary Engineering & Design awarded to Roseke July 14, 2022
 - Tender awarded for construction in 2023
 - East Butte at **\$198,407** (Estimate: \$253,500)
 - Recommendation is replacement with an upsized 1.6m diameter x 27m L single culvert (existing structure is 1.5m diameter x 18.3m L)
 - STIP funding confirmed April 17th, 2023
 - Anticipated completion by Nov. 30th, 2023
 - ECO Plan and Traffic plan submitted and sent back with comments. **Anticipate contractor mobilizing week of Council meeting**
 - Awaiting revised traffic and Eco Plan prior to giving the go to construct
- **Watercourse Crossing Inspection & Remediation Project – 100% Grant funded**
 - **\$150,000** in grant funding awarded for Year 1 of this program
 - **Fintegrate** awarded initial contract to assess all MD crossings, prioritize for remediation, & perform detailed regulatory authorizations
 - Work has begun on prioritization & initial assessment, 175+ crossings reviewed
 - Anticipate moving forward with design of 3 crossings. Proposals received for 3 eligible crossings, kicked off preliminary design January 20th, 2023
 - BF 7080 Dungarvan Creek Culvert Replacement, SW-17-003-29 W4M
 - Tapay (Carbondale) Road over Iron Creek Culvert Replacement, SW-15-006-03 W5M
 - TWN Rd. 31A (Chapel Rock) over South Todd Creek Culvert Replacement, SE-023-09-03 W5M
 - Anticipating regulatory Directives making dealing with SAR crossings mandatory
 - Y1 grant extension to November 30th, 2023 received
 - Funding agreement signed March 28th, 2023 for additional \$1.55M to cover additional assessment, and engineering along with replacement of 2 crossings, to be complete by March 2025

- **WCR #1: Iron Creek under Tapay (Carbondale) Road, LSD SE-15-006-03 W5M**
 - Prelim. engineering complete. Design awarded to Roseke Engineering
 - 100% grant funded (excluding potential land costs)
 - Anticipated structure is a 4.7m x 2m corrugated steel box culvert
 - Anticipate 2024 construction

- **WCR #2: South Todd Creek Trib. under Chapel Rock Road, LSD SE-23-009-03 W5M**
 - Prelim. engineering complete. Design awarded to Roseke Engineering
 - 100% grant funded (excluding potential land costs)
 - Anticipated structure is a 1.6m open bottom CSP culvert
 - Anticipate 2024 construction

- **WCR #3: Cow Creek Trib. under North NU Road, LSD NE-35-008-03 W5M**
 - Design & QAES portion awarded to ISL Engineering
 - Engineering and design will be 100% grant funded (excluding potential land costs)
 - QAES report complete
 - Anticipate construction late Summer/Fall 2023 by PW
 - Received design brief from ISL September 1st. Design complete. Permitting work has begun, in discussion regarding feasibility this year (unanticipated lead time issues and permit delays)

Roads

- **Patton Avenue (Lundbreck) - *Engineering and construction 2023***
 - Project complete

Recommendation:

That the Utilities & Infrastructure report for the period September 20th – October 4th is received as information.

Prepared by: Roland/David/Tristan




Date: October 4th, 2023

Submitted to: Council

Date: October 10th, 2023

Recommendation to Council

G2a

TITLE: Asset Retirement Obligation (ARO)			
PREPARED BY: Meghan Dobie		DATE: October 5, 2023	
DEPARTMENT:			
Department Supervisor		ATTACHMENTS: 1. Nil	
APPROVALS:			
	<u>OCT 10, 2023</u>		<u>2023/10/05</u>
Department Director	Date	CAO	Date

RECOMMENDATION:

That Council approve \$30,000 from the tax rate stabilization reserve, to hire a consultant to be responsible for providing the appropriate Asset Retirement Obligation (ARO) estimates to be used at year-end.

BACKGROUND:

- There is a new Asset Retirement Obligation accounting standard that will affect the MD’s 2023 year-end reporting. This standard includes reporting anything from the removal of asbestos, wastewater or sewage treatment facilities, septic fields, etc. We have some of these issues but don’t have the information on them.
- Administration had initially planned on hiring a consulting firm to support the MD in calculating the MD’s Asset Retirement Obligation at arm's length, with staff providing much of the heavy lifting. Unfortunately, with our current water situation and other pressing priorities, our staff does not have the time needed to sort through our Asset Retirement Obligations in time for year-end.
- Council was provided with a straw poll email on September 28, 2023. Administration heard from three Councillors that they were OK with the proposal.

FINANCIAL IMPLICATIONS:
\$30,000 Tax Rate Stabilization Reserve

CHIEF ADMINISTRATIVE OFFICER'S REPORT

September 23, 2023 to October 6, 2023

Discussion:

September 25	Senior Management Meeting
September 26	Council Committee and Council Meetings
September 27	STARS Vigilant Proposal Virtual Meeting
September 29	Field Safe Live Demo
September 29	Aware 360 Lone Worker Demo
September 14	SWOT Analysis Interview – Organizational Assessment Design Workshop
October 2	Day of Truth and Reconciliation Statutory Holiday
October 3	Municipal Planning Commission Meeting
October 4	Planning Session
October 5	Public Works Safety Meeting

Upcoming

October 9	Thanksgiving Statutory Holiday
October 10	Council Committee and Council Meetings
October 11	Joint Health and Safety Committee Meeting
October 12	Special Meeting – Capital Budget

RECOMMENDATION:

That Council receive for information, the Chief Administrative Officer's report for the period September 23, 2023 – October 6, 2023.

Prepared by: CAO, Roland Milligan

Date: October 5, 2023

Respectfully presented to: Council

Date: October 10, 2023

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

Letters from last Council:

- Castle Mountain Resort – Re Solid Waste
- Library – New Board Member Appointed

Advertising/Social:

- Water and wastewater operator job opportunity
- Operator 2 job opportunity
- Reminder of change in operating days for Eco Centre
- National Day for Truth and Reconciliation
- Mobile Mammography Screening ad (via AHS)
- Looking for board members (ASB and MPC)
- Coffee with Councils
- Thanksgiving office closure
- Cattle drive safety (*382 shares – over 26k people viewed*)
- Updated list of Eco Centre bins

Other Activities:

- Council Package/Meeting
- Communications Officer for Water Situation (MD and Town)
- Preparing for Halloween in the Village (October 28, 2023 1 to 4)
- 2 Day Course on Municipal Communications
- Signage for Eco Centre
- Booking for RMA
- Working with Safety/PW for public service announcement for winter

Invitations to Council:

- Lorne Thompson – checking his schedule
- Irrigation District – spoke with Ministers Assistant, meeting will be scheduled following RMA and will be virtual

Upcoming Dates of Importance:

Regular Committee, Council – October 10, 2023
Special Council Meeting, Capital Budget – October 12, 2023
Meeting with MLA – October 17, 2023
Regular Committee, Council – October 24, 2023
Organizational Meeting – October 24, 2023
RMA Edmonton – November 5-9, 2023

From: Bonnie Kawasaki <bonnie.kawasaki@crowsnestpass.com>

Sent: September 28, 2023 4:40 PM

11a

Subject: Regional District of East Kootenay/SW Alberta Elected Officials Meeting

Good Afternoon Everyone!

The Municipality of Crowsnest Pass is pleased to invite your Council members and CAO's to attend the Regional District of East Kootenay/SW Alberta Elected Officials Meeting to be held the evening of October 25, 2023, at the Crowsnest Pass Golf Club.

The dinner will be a Prime Rib Buffet and a cash bar will be open for all attendees.

Please share this information with your Councils and CAO's and kindly RSVP the number of attendees for each community to my attention by October 16th at 4:30.

We will work towards finalizing the rest of the details and will contact everyone once complete. Thank you, we look forward to hearing back from everyone!

Respectfully,



Bonnie Kawasaki

Executive Assistant

Office of the Chief Administrative Officer

Office of Mayor and Council

Municipality of Crowsnest Pass

P.O. Box 600 | Crowsnest Pass, Alberta | TOK OEO

E bonnie.kawasaki@crowsnestpass.com

From: [Roland Milligan](#)
To: [Jessica McClelland](#)
Subject: FW: RMA Request
Date: October 4, 2023 10:50:57 AM

For next Council Meeting.

Regards,

Roland Milligan

Chief Administrative Officer
M.D. of Pincher Creek No. 9
Box 279
1037 Herron Avenue
Pincher Creek, AB T0K1W0
Phone: 403-627-3130
Email: AdminCAO@mdpincercreek.ab.ca

Emails and associated attachments are confidential and intended solely for the individual or entity to whom they have been addressed. In the event you have received this email by mistake, please notify the sender and delete it from your email system. Disclosing, copying, or distributing this information is strictly prohibited. We do not accept any liability from software viruses that may have been transmitted via email, or associated attachments.

From: Amatto, Mark (RCMP/GRC) <mark.amatto@rcmp-grc.gc.ca>
Sent: October 3, 2023 9:42 PM
To: Roland Milligan <AdminCAO@mdpincercreek.ab.ca>
Subject: RMA Request

Good morning Roland,

As the 2023 Alberta Rural Municipalities Association (RMA) Fall Convention and Trade Show is November 6th to November 9th, at the Edmonton Convention Centre, I have been asked to follow up with yourself in regard to the following two questions:

1. Are you, or a delegate of the MD of Pincher Creek, requesting a meeting with the Commanding Officer at the convention?
2. Are there any topics that you anticipate discussing with the Commanding Officer?

Thank you for your time,

-Mark

Cpl M. Amatto
Treaty 7 Territory
Crowsnest Pass Detachment

(p) 403 562 2867
(f) 403 562 7115