

CLEARWATER COUNTY COUNCIL AGENDA
November 7, 2017
9:00 am
Council Chambers
4340 – 47 Avenue, Rocky Mountain House, AB

A. CALL TO ORDER

B. AGENDA ADOPTION

C. CONFIRMATION OF MINUTES

1. October 24, 2017 Organizational Meeting Minutes
2. October 24, 2017 Regular Meeting Minutes
3. November 02, 2017 Special Meeting of Council Minutes

D. MUNICIPAL

1. Hiring/Promotion Freeze
2. Alberta Electoral Boundaries Commission Final Report
3. 2017 Municipal Excellence Award – Innovation
4. North Saskatchewan Watershed Alliance – Board of Directors
5. Alberta Association of Municipal Districts and Counties Fall 2017 Resolutions
6. Alberta Urban Municipalities Association 2017 Conference and Resolutions
7. Council Christmas Greeting Advertising 2017

E. COMMUNITY AND PROTECTIVE SERVICES

1. Caroline Chamber of Commerce's Letter of Concern Regarding Caroline Cemetery

F. INFORMATION

1. CAO's Report
2. Public Works Director's Report
3. Councillor's Verbal Report
4. Councillor Remuneration

G. IN CAMERA

1. Legal Opinion – Regional Fire Rescue Services; *FOIP* s.27(1) Privileged information, *FOIP* s.21(1) Disclosure Harmful to Intergovernmental Relations
2. Labour; *FOIP* s.17(1) Disclosure Harmful to Personal Privacy

H. ADJOURNMENT

TABLED ITEMS

<u>Date</u>	<u>Item, Reason and Status</u>
06/13/17	213/17 identification of a three-year budget line for funding charitable/non-profit organizations' operational costs pending review of Charitable Donations and Solicitations policy amendments.
06/13/17	227/17 commenting and/or recommending amendments on the revised preliminary draft Clearwater – North Rocky Major Area Structure Plan pending Councillors individual review.



AGENDA ITEM

PROJECT: Hiring and Promotion Freeze		
PRESENTATION DATE: November 7, 2017		
DEPARTMENT: MUNICIPAL	WRITTEN BY: Ron Leaf	REVIEWED BY: Ron Leaf
BUDGET IMPLICATION: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> N/A		
STRATEGIC PLAN THEME: Well Governed and Leading Organization	PRIORITY AREA: 2.4 Invest in, and support, a skilled, motivated and performing workforce.	STRATEGIES: 2.4.2
ATTACHMENT(S):		
RECOMMENDATION:		
<ol style="list-style-type: none"> 1. That in advance of 2018 budget deliberations, Council authorizes the hiring of seasonal or term employees in the Ag Services, Planning and Public Works departments, in order to continue with current levels of service. 2. That in advance of 2018 budget deliberations, Council authorizes the filling of vacant permanent positions, including one Community Peace Officer, one Assistant Fire Chief, one Information Technology (IT) and one Surfaced Roads Supervisor. 3. That in advance of 2018 budget deliberations, Council authorizes the renewal of contracts associated with the County's industrial assessments. 		

BACKGROUND:

At their October 24, 2017 meeting, Council provided the following motion:

404/17 **COUNCILLOR LAIRD:** *That a hiring and promotion freeze be implemented effective immediately, until Council concludes its 2018 budget discussions.*

CARRIED 5/2

As this motion is broad reaching and will impact current service levels and County programs, Administration wishes to identify the potential impacts on County operations.

Agricultural Services and Landcare

Ag Services currently has two vacant seasonal term positions (sightline trimming for intersections/hamlets, wind storm cleanup) – most other roadside brushing projects are completed by contractors. As well, Ag Services has various summer seasonal positions (typically advertised in December/January) in order to secure summer staff to fulfill legislative requirements related to the Weed and Pests Acts, and to complete summer mowing and spraying programs.

Community and Protective Services

The Community Peace Officer program currently has one vacancy, which impacts administration capacity (by 20%), shift rotation and the ability to meet current service levels. With Council's recent discussions and priorities of crime/public safety, Administration recommends allowing the advertising of this position to ensure a full compliment of CPOs prior to the implementation of road bans.

Clearwater Regional Fire and Rescue Services – Regional Deputy Chief

The Clearwater Regional Fire and Rescue Services (CRFRS) Headquarters (HQ) senior staffing is comprised of a Regional Fire Chief, a Deputy Regional Fire Chief and a Regional Assistant Chief. The Deputy Regional Chief position is vacant with staff planning on interviewing November 9 and 10. This position is critical to the operations of the regional fire service, both in terms of administrative functions, training, planning and infrastructure/equipment maintenance. The position is also key to provide day time incident command capacity. Currently, CRFRS HQ staff are responding to 60% of daytime calls due to lack of paid-on-call command capacity. Suspending this position is reducing CRFRS command capacity by 30%.

Corporate Services

The County will need to renew the contract for industrial assessment - once a draft contract for Centralized Assessment is received from the Province. Staffing is already below the provincial ration of 1:3500 parcels and the position is required. Corporate Services currently has one vacancy in IT which impacts internal service levels.

Planning and Development

Planning also advertises for various summer seasonal positions in December/January, for the Nordegg mine site. Summer tours and maintenance in Nordegg (grass mowing, rock picking, painting, etc.) would not be possible without these seasonal hires.

Public Works

Public Works require temporary/term staff (typically 2-3) to implement the winter gravel program. As well, the Surfaced Roads Supervisor retires in December and a replacement will be required to maintain service levels with respect to all aspects of summer and winter road maintenance (e.g. snowplowing, gravelling, patch asphalt).



AGENDA ITEM

PROJECT: Alberta Electoral Boundaries Commission – Final Report		
PRESENTATION DATE: November 7, 2017		
DEPARTMENT: MUNICIPAL	WRITTEN BY: Christine Heggart	REVIEWED BY: Ron Leaf
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation: County Bylaw/Policy (cite) Bylaw: _____ Policy: _____		
STRATEGIC PLAN THEME: Well Governed and Leading Organization	PRIORITY AREA: 2.5 Advocacy, in the best interest of community & region	STRATEGIES: 2.5.5/2.5.7
ATTACHMENT(S): Rocky Mountain House- Sundre Riding Map; Alberta Ridings Map; AEBC – Final Report		
RECOMMENDATION: 1. That Council reviews and accepts the Alberta Electoral Boundaries Commission final report as information.		

BACKGROUND:

On October 19, the Alberta Electoral Boundaries Commission (AEBC) released its final report on the “*Proposed Electoral Division Areas, Boundaries, and Names for Alberta.*” The maps attached to this agenda item depict the newly-named *Rocky Mountain House-Sundre* riding, which Clearwater County falls within.

Council previously reviewed electoral boundaries and provided input at the AEBC’s public hearings on January 25, and again on July 24 following the interim report release. At the time, Council was concerned with the realignment of electoral ridings to “account for population growth rates below provincial averages” – which would have meant a significant geographic area increase in riding for this region and what would have been the largest population in any riding in the province.

The Town of Rocky Mountain House, Village of Caroline and Clearwater County met on June 15 and discussed the interim report with MLA Jason Nixon. Collectively the sentiment to the AEBC was that keeping the three municipalities together in one riding was of primary importance, and suggestions included considerations allowed for within

the *Electoral Boundaries Commission Act* such as effective representation, common community interests, along with the importance of voter parity and rural representation.

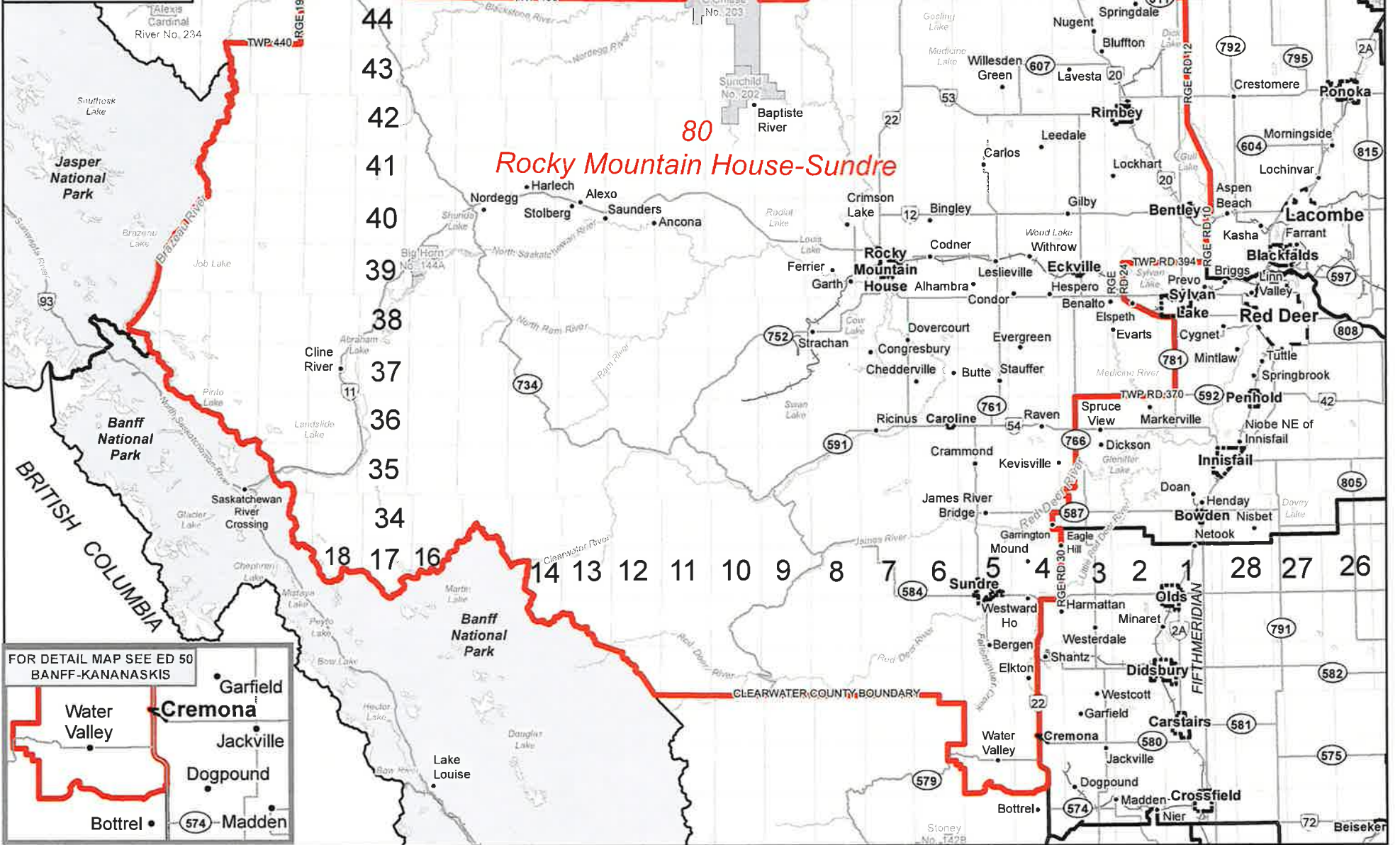
Specifically, Clearwater County recommended the AEBC reduce the population size of the proposed riding (population now reduced from 54,609 to 45,138), reduce the geographic size of the proposed riding and to move the northern boundary of the riding south to Brazeau County's municipal border along Brazeau County's south-eastern boundary (geographic size now reduced) and better include geographic boundaries that better represented the existing trade and travel patterns.

The AEBC indicated that as a direct result of "helpful public submissions", they modified a number of their interim recommendations. The AEBC's final report can also be viewed online by clicking the [hyperlink](#) attached to this agenda item.

80 ROCKY MOUNTAIN HOUSE - SUNDRE

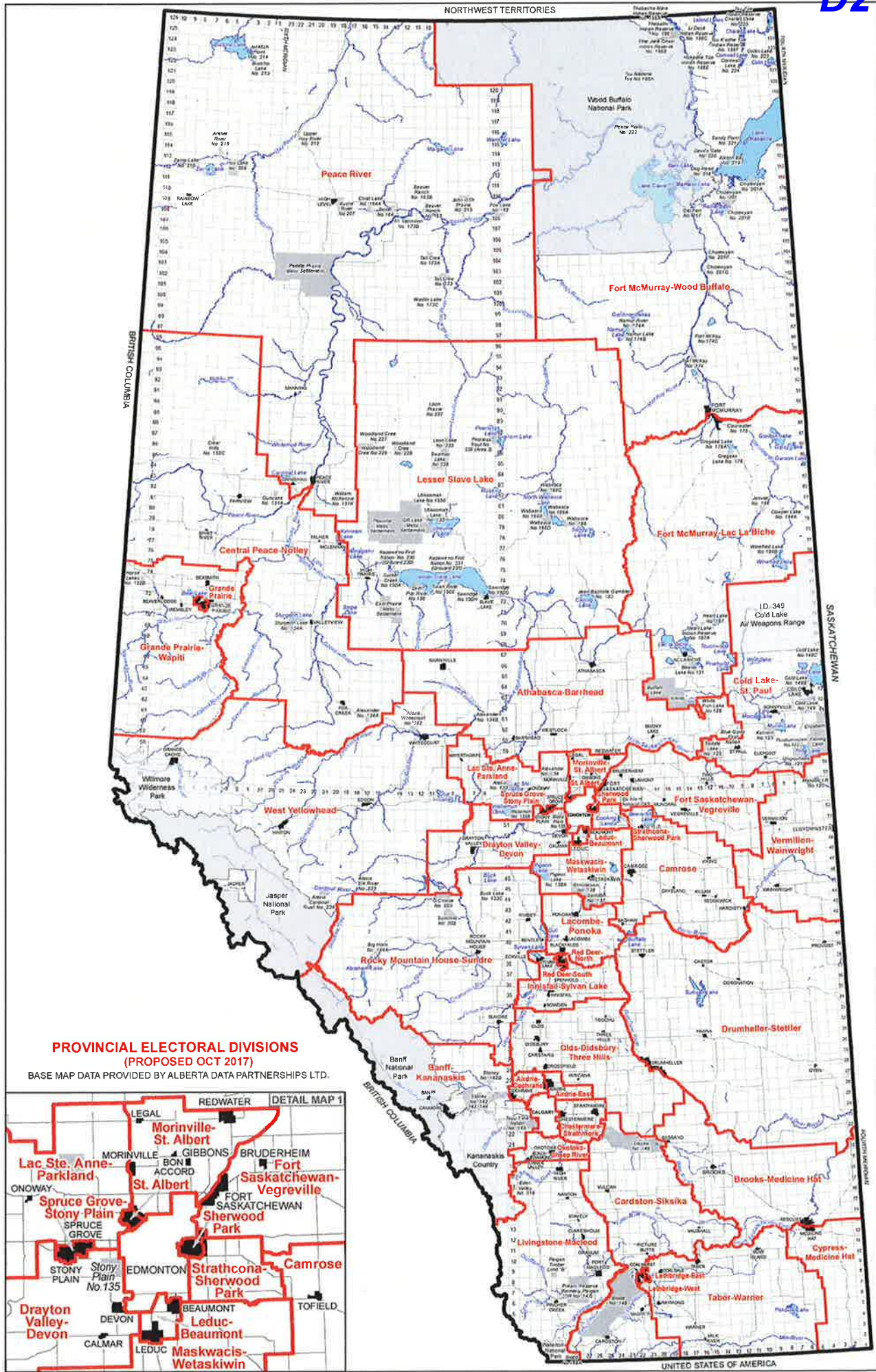
PROPOSED PROVINCIAL ELECTORAL DIVISION OCT 2017

0 6 12 24 KM
PRODUCED: SEPT 2017



FOR DETAIL MAP SEE ED 50 BANFF-KANANASKIS

The inset map shows the location of the main map area within the Banff-Kananaskis region. It highlights the area around Sundre and Rocky Mountain House, showing nearby towns like Garfield, Cremona, Jackville, Dogpound, and Bottrel. The inset map also shows the provincial boundary with British Columbia to the west.





AGENDA ITEM

PROJECT: 2017 Municipal Excellence Award – Innovation		
PRESENTATION DATE: November 7, 2017		
DEPARTMENT: MUNICIPAL	WRITTEN BY: Christine Heggart	REVIEWED BY: Ron Leaf
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> N/A		
STRATEGIC PLAN THEME: Managing our Growth Well Governed and Leading Organization	PRIORITY AREA: Value and protect the natural environment for future generations	STRATEGIES: 1.4.8 2.7.2
RECOMMENDATION:		
1. That Council appoints representative to accept the 2017 Minister’s Award for Municipal Excellence for Innovation, for the <i>Sasquatch and Partner’s</i> Program.		

BACKGROUND:

Each year, Municipal Affairs recognizes municipalities successes and accomplishments in the provision of municipal services. Municipal Excellence Awards are given in five categories: Innovation; Partnerships; Safe Communities; Smaller Municipalities; and Larger Municipalities.

Minister Shaye Anderson will be presenting the Municipal Excellence Awards at the upcoming Alberta Association of Municipal Districts and Counties (AAMDC) convention on November 15, 2017 at 11:00 a.m. in Salon 20 at the Shaw Convention Centre. There is capacity for up to twelve attendees for the awards presentation, and Administration recommends Council appoint members to attend and accept the Innovation award.

Clearwater County’s submission for the *Sasquatch and Partners* initiative was chosen as the “Innovation” winner for 2017 – for its marketing campaign to educate and encourage recreational visitors to the West Country area to take initiative regarding environmental stewardship. Spearheaded by Councillor Jim Duncan and supported by the rest of Council, Clearwater County’s Landcare staff developed the “Welcome to Our Backyard” campaign and commissioned a local artist (Ben Crane) to design a Sasquatch image, to bring a vivid and recognizable character to the educational program. The program was supported by industry, community and government stakeholders.

While the message of respect and ecological stewardship in the West Country remains largely the same as with previous efforts, the *Sasquatch and Partners* initiative built a sense of community pride and ownership and the softer approach or positive “social suggestion” has proven to be effective and sustainable.

Sasquatch is now the brand that catches people’s attention, educates and helps change behaviour – in an effort to keep recreational activities compatible with industry and stewardship. Clearwater County has also signed Memorandum’s of Understanding (MOU) with Brazeau, Yellowhead and Mountain View Counties and MD of Greenview and Bighorn for use of the Sasquatch copyrighted brand/materials.

Clearwater County has previously received Municipal Excellence Awards in 2015 for Partnership with the Town of Rocky Mountain House and Village of Caroline in the Stronger Together agreement and in 2010 for Partnership in the Long Weekend Task Force.



AGENDA ITEM

PROJECT: North Saskatchewan Watershed Alliance – Board of Directors		
PRESENTATION DATE: November 7, 2017		
DEPARTMENT: MUNICIPAL	WRITTEN BY: Christine Heggart	REVIEWED BY: Ron Leaf
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> N/A		
STRATEGIC PLAN THEME: Well Governed and Leading Organization	PRIORITY AREA: 2.5 Advocacy, in the best interest of community & region	STRATEGIES: 2.5.3
ATTACHMENT(S): Letter from NSWA requesting letters of interest		
RECOMMENDATION: 1. That Council review and discuss the NSWA's request for letters of interest from elected officials to be appointed to serve on the NSWA board until June 2018.		

BACKGROUND:

As a result of recent municipal elections, the North Saskatchewan Watershed Alliance (NSWA) has two municipal sector vacancies on its Board of Directors.

Attached for Council's consideration is a letter from the NSWA asking for letters of interest from elected officials to be appointed to serve interim positions on the Board, until their next AGM in June 2018.

Should Council choose to submit a letter of interest, Administration recommends a motion reflecting that Council authorizes a letter of interest from Councillor _____ to be appointed to serve on the NSWA board until June 2018.



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October 24, 2017

To: All Municipalities in the North Saskatchewan River Watershed in Alberta

To whom it may concern:

The North Saskatchewan Watershed Alliance (NSWA) is the Watershed Planning and Advisory Council for the North Saskatchewan River basin in Alberta, appointed by Alberta Environment and Parks under *Water for Life: Alberta's Strategy for Sustainability*. The NSWA works through strategic watershed partnerships with municipalities and other sectors. Through these partnerships the NSWA works towards its goals:

- To educate and increase the public's understanding of watershed protection and its importance by developing and providing programs on the protection and improvement of water quality, water quantity, and the health of the North Saskatchewan River Watershed
- To conduct research relating to the protection of the North Saskatchewan River Watershed and to disseminate the results of such research

As a result of the recent municipal elections, the North Saskatchewan Watershed Alliance has two municipal sector vacancies on its primary Board of Directors.

We are seeking letters of interest from elected officials to be appointed to serve on the NSWA Board until our next AGM in June 2018. Please forward names of interested elected officials to David Trew (david.trew@nswa.ab.ca), Executive Director of the NSWA, before November 6, 2017.

Thank you for your consideration of this matter.

Regards,

A handwritten signature in black ink that reads 'David O. Trew'.

David Trew
Executive Director, NSWA



AGENDA ITEM

PROJECT: Alberta Association of Municipal Districts and Counties (AAMDC) Fall 2017 Resolutions		
PRESENTATION DATE: November 7, 2017		
DEPARTMENT: Municipal	WRITTEN BY: Christine Heggart	REVIEWED BY: Ron Leaf
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME: Well Governed & Leading Organization	PRIORITY AREA: 2.5 Advocacy, in the best interest of community & region	STRATEGIES: 2.5.5; 2.6.1
ATTACHMENT(S): Fall 2017 Resolution package		
RECOMMENDATION: That Council reviews, discusses and accepts for information the AAMDC 2017 Fall Resolutions.		

BACKGROUND:

Attached are recommendations or observations with respect to the 2017 AAMDC Fall Resolutions. Each Councillor has the opportunity to vote on the following resolutions, at the AAMDC convention taking place November 14-17, in Edmonton.

1-17F Centralization of Industrial Properties Assessment (MD of Taber)

In 2016, two resolutions related to centralized assessment were put forward and the provincial government – who in turn indicated no willingness to delay centralization of Designated Industrial Property (DIP) nor leave the responsibility of industrial assessment with municipal governments. With proclamation of the new Municipal Government Act (MGA), work towards centralization is already well underway. Due to the importance of DIP assessment to Clearwater County's tax revenues, the County agreed to being one of the "hybrid" models - consisting of contractual agreement between Municipal Affairs and the municipality, with Clearwater County providing assessment preparation/defense for an interim period - until the Province has adequate staff and IT resources in place to complete the transition.

Recommend – Not support.

2-17F Completion of Alberta's Land-use Framework Prior to Establishment of Conservation and Protected Areas for Species at Risk (County of Northern Lights)

3-17F Municipal Action on Caribou Recovery Planning (County of Northern Lights)

Resolutions #2 and #3 are similar in nature. A member of Clearwater County Council participated in the North Saskatchewan Regional Advisory Committee (2014-2016) to assist in the development of the North Saskatchewan Regional Plan (NSRP). The status update remains "Regional Advisory Council preparing recommendation to Government," since 2016. Municipalities have been waiting in anticipation before updating their respective statutory plans, and are concerned with the socio-economic impacts of conservation and planning efforts. *Recommend – Support.*

4-17F Water Act Approvals for Municipal Projects on Municipal Land (County of Stettler)

Clearwater County seconded a similar resolution last fall (Alberta Environment Approvals for Construction Projects - Red Deer County) relating to delays in environmental approvals for municipal road projects.

Recommend –Support.

5-17F Alberta Energy Regulator – Amendment to Transfer Approval Process (Camrose County)**6-17F Financial Support from AAMDC for Appeal of Virginia Hills/Dolomite Decision (Northern Sunrise County)****7-17F Uncollectible Requisitions (County of Paintearth)**

Resolutions #5, #6 and #7 are all related to the tax recovery powers of municipalities.

Recommend –Support.

8-17F Provincial Communications Plan for Farm Workplace Legislation (Sturgeon County)

Request for implementation of plan to inform Alberta Ag sector of intended amendments to workplace legislation.

Recommend –Support.

9-17F AAMDC Refusal to Engage in Exploratory Discussion to Merge with AUMA (MD of Willow Creek)

AAMDC's Board is expected to speak to this specific issue at the fall convention.

Recommend –Support AAMDC's official position

10-17F Provincial Industry-led Methane Flaring Strategy (MD of Greenview)

Clearwater County recently met with CNRL who indicated industry is requesting similar.

Recommend –Support.

11-17F Off-Highway Vehicle (OHV) Fees (Parkland County)

For over two decades, the County's lobby efforts surrounding recreational use of public lands in the West County have suggested the need for a provincial trails strategy and user fees to contribute directly towards sustainable trail development and maintenance.

Recommend –Support.

12-17F Specialized Clinical Counselling and Therapy for Distressed Emergency First Responders (County of St. Paul)

Request for service capable of deploying to service all regions of the Province.

Recommend –Support.

13-17F AAMDC Advisory Committee to Support the Alberta Gaming and Liquor Commission in Reviewing Charitable Gaming in Alberta (County of Barrhead)

Request to treat all organizations equally, and remove rural and urban inequity.

Recommend –Support.

14-17F Cannabis Act (MD of Taber)

Likely too late for resolution of this nature, as federal legislation already exists and underway to implement July 2018.

Recommend – Not support.

15-17F Stopping the Implementation of Proposed Federal Tax Reforms (Brazeau County)

Clearwater County sent a similar letter of support to Prime Minister and Finance Minister, due to the potential impacts of tax reforms on private corporations, including agriculture and health care sectors.

Recommend – Support.

16-17F Review of the Code of Practice for Asphalt Paving Plants (Mountain View County)

Emissions are already regulated by AER, and the Province implemented a Climate Leadership Plan which saw the advent of a carbon tax - a resolution of this nature will only prove to continue to increase cost of paving projects.

Recommend – Not support.

17-17F Amendment to the Municipal Government Act to Allow the PACE Alberta Program (MD of Opportunity)

Ability for municipalities to levy a special tax to fund environmental/energy efficient programs. Although with amendments to the MGA now completed, it is unlikely the province will look to amend MGA again for some time.

Recommend – Support.

18-17F Integrate Emergency Social Services into Emergency Management at Provincial Level (County of St. Paul)

Request to consolidate emergency social services and emergency management into one government agency to eliminate duplication and enhance coordination of provincial support to local authorities.

Recommend – Support

19-17F Builder Licensing Program Impacts (County of Paintearth)

Request to delay implementation of builder licence program and resolve negative impacts of *New Home Buyers Protection Act* on rural Alberta.

Recommend – Support.

20-17F Chemical Control of Wireworms (Cardston County)

Advocating for the allowance of pesticide Lindane to be used in seed cleaning plants, restricted to use in livestock feed, to control wireworms.

Recommend – Support

AAMDC Fall 2017 Submitted Resolutions

- 1) Call to Order
- 2) Acceptance of Order Paper
- 3) Resolution Session

- 1-17F Centralization of Industrial Properties Assessment** *(MD of Taber)*
- 2-17F Completion of Alberta's Land-use Framework Prior to Establishment of Conservation and Protected Areas for Species at Risk** *(County of Northern Lights)*
- 3-17F Municipal Action on Caribou Recovery Planning** *(County of Northern Lights)*
- 4-17F Water Act Approvals for Municipal Projects on Municipal Land** *(County of Stettler)*
- 5-17F Alberta Energy Regulator – Amendment to Transfer Approval Process** *(Camrose County)*
- 6-17F Financial Support from AAMDC for Appeal of Virginia Hills/Dolomite Decision** *(Northern Sunrise County)*
- 7-17F Uncollectible Requisitions** *(County of Paintearth)*
- 8-17F Provincial Communications Plan for Farm Workplace Legislation** *(Sturgeon County)*
- 9-17F AAMDC Refusal to Engage in Exploratory Discussion to Merge with AUMA** *(MD of Willow Creek)*
- 10-17F Provincial Industry-led Methane Flaring Strategy** *(MD of Greenview)*
- 11-17F Off-Highway Vehicle (OHV) Fees** *(Parkland County)*
- 12-17F Specialized Clinical Counselling and Therapy for Distressed Emergency First Responders** *(County of St. Paul)*
- 13-17F AAMDC Advisory Committee to Support the Alberta Gaming and Liquor Commission in Reviewing Charitable Gaming in Alberta** *(County of Barrhead)*
- 14-17F Cannabis Act** *(MD of Taber)*
- 15-17F Stopping the Implementation of Proposed Federal Tax Reforms** *(Brazeau County)*
- 16-17F Review of the Code of Practice for Asphalt Paving Plants** *(Mountain View County)*
- 17-17F Amendment to the Municipal Government Act to Allow the PACEAlberta Program** *(MD of Opportunity)*
- 18-17F Integrate Emergency Social Services into Emergency Management at Provincial Level** *(County of St. Paul)*
- 19-17F Builder Licensing Program Impacts** *(County of Paintearth)*
- 20-17F Chemical Control of Wireworms** *(Cardston County)*

- 4) Vote on Emergent Resolutions (if needed)
- 5) Closing of Resolution Session

Resolution 1-17F

Centralization of Industrial Properties Assessment

MD of Taber

*Simple Majority Required
Endorsed by District 1 (Foothills-Little Bow)*

WHEREAS Bill 21, the *Modernized Municipal Government Act* (MMGA) has created the new property type of Designated Industrial Property to be assessed by the new position of Provincial Assessor; and

WHEREAS Designated Industrial Property means: facilities regulated by the Alberta Energy Regulator (AER), Alberta Utilities Commission (AUC), or the National Energy Board (NEB), linear property, railway, and major plants as designated by the Minister in the regulation; and

WHEREAS sufficient conflict and ambiguity in the definitions between the MMGA and the draft regulations exist leaving municipalities open to significant risk in their primary funding model – property taxation; and

WHEREAS there is no published defining criteria on which the designation of ‘major plant’ is based; and

WHEREAS the valuation standard(s) for Designated Industrial Property are yet to be determined, published, and implemented by the Minister; and

WHEREAS studies of the impacts resulting from the draft regulatory definitions have not been completed and discussed with the affected municipalities; and

WHEREAS there has been little effort made to communicate the changes and impacts with municipalities and their representatives in a collaborative fashion; and

WHEREAS under the transitional model contracts for services have not been fully communicated to municipalities so municipalities may understand their responsibilities, the delegation of authority, reimbursement methods, levels and frequency of communication, and right of appeal, and/or the methodology related to the exchange of information between the Government of Alberta and the municipality; and

WHEREAS the capacity and qualifications of the Provincial Assessor and his/her staff is unknown; and

WHEREAS implementation of the components of this initiative must occur prior to January 1, 2018 in accordance with Statute;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request Alberta Municipal Affairs to delay implementation of the centralization of industrial property assessment until such time as Ministry personnel can procure the appropriate resources to develop valuation standards, regulated assessment rates, undertake and complete impact studies, communicate and collaborate with municipalities so the identified risks to their primary revenue structure can be mitigated throughout the transition and beyond.

Member Background

See following page

Centralized Industrial Assessment

DESIGNATED INDUSTRIAL PROPERTY
FOOTHILLS LITTLE BOW - ZONE 1 - CONSTITUENCY MEETING
SEPT 15, 2017

Goal and Objective

Generate consistency in assessment methodology and application among municipalities in Alberta.

Remove the perceived apprehension of bias (conflict of interest) regarding the preparation of assessments and the levying of property taxes by the same municipal authority.

Provide the necessary resources for the calculation and defense of more complex property assessments (i.e. cost engineers, accounts, legal counsel).

What we Know

Bill 21 created:

- A new position, "Provincial Assessor"
- A new property type, "designated industrial property"

Designated Industrial Property means:

- *Facilities regulated by the AER, AUC, or NEB*
- *Linear property*
- *Railway*
- *Major plants as designated by the Minister in regulation.*

What we Know (con't)

DI property regulated by the AER, AUC, or NEB includes all components of the facility, including any M&E, buildings and structures, servicing, and land associated with the facility.

- Examples include, gas plants, oil batteries, substations, well sites, pipeline terminals, etc.

Municipalities are responsible to prepare assessments of these properties for 2017 (2018 tax year).

The transfer of responsibility to the PA and his/her staff for the assessment of these properties occurs Jan 1, 2018.

What we Know (con't)

The valuation standards and procedures used to determine DI property assessments for 2017 are 'status quo' as the Regulations referred to in Bill 21 are not yet finalized – consultation is open until September 22, 2017.

The transitional plan for DI properties is referred to as the 'hybrid approach/model'. Municipalities will have the option to enter into 'service contracts' with the PA and retain their current provider for a period anticipated to be 3 years.

What we Know (con't)

Draft Regulations were published for consultation July 24, 2017.

Matters Relating to Assessment and Taxation Regulation [MRAT] focuses on specifics regarding DIP assessment. It includes:

- Definitions
- Draft list of Major Plants
- Indicates the valuation standard has been moved to the Minister's Guidelines. The Minister's Guidelines are not yet published.

Today's Situation

Several issues can be identified in the DIP assessment process:

- Scope of services covered in the hybrid model contract including but not limited to:
 - the delegation of authority to perform DIP assessments to the municipal assessor from the PA,
 - determination of the reimbursement formula for services performed by the municipality (and time and materials for abnormal costs such as those incurred in the appeal process)
 - How will assessment information will be shared/accessed between the PA and municipality.
 - Will a municipality still be able appeal a DIP assessment, etc.

Today's Situation (con't)

- Frequency and quality of communication from the PA to municipalities for several purposes including:
 - budget forecasting,
 - assessment base at risk due to appeals, regulatory change, and/or the change in status of a property owner.
 - qualification of which properties are DIP vs. municipal,
 - qualification of quality standards to be met in the preparation of the DIP assessments, etc.

Today's Situation (con't)

MRAT definitions - The definitions present several issues with DIP

- Wells
 - now includes land for a well site on Crown land, but not on private land.
 - Now includes 'other improvements located at a well site. The term 'well site' is not defined. This is troublesome because if there is a well in gas plant, potentially all the M&E, B&S, and the land attributable to the gas plant could be included in the definition of a "well". This means the M&E and B&S assessment could disappear upon the application of the regulated rate for the well. This would present a HUGE element of risk to a municipality's assessment base.
 - In the MD of Taber, our potential risk is estimated to be approx. 40% of our non-linear assessment base, or 25% of our total assessment base on this issue alone.

Today's Situation (con't)

- This means a separator package at a well site could potentially share the same assessed value as the entire gas plant.
- We don't know what the impact will be until the promised rate review is completed, signed off by the Minister, and published/implemented.

Today's Situation (con't)

- Operational
 - The changes to this definition allow the property owner, alone, to determine when property (M&E) becomes assessable and taxable opposed to the assessor making this determination.
 - A property only becomes assessable when it used for its 'intended' purpose – in terms of optimum capacity, some properties never achieve this. Thus they may never be assessable and taxable.

Today's Situation (con't)

- Railway
 - Its unclear how some properties with rail on them will be 'carved up' so the PA can assess the rail and the municipal assessor the remainder. It is also uncertain if the authority to do this exists in the MMGA.
 - The new definition excludes "public railway" as defined in the *Railway (Alberta) Act*. The effect of this is to make all railway except mainlines owned/operated by CN/CP assessable as regulated DI property. It's not clear how mainlines will be assessed (market value vs. regulated rate).
 - The valuation standard is not contained in MRAT so it is unclear if spur lines will be regulated while main line is market value and/or vice versa.
 - This will have significant impact on some municipalities such as those that are home to rail loading facilities.

Today's Situation (con't)

- Electric distribution/generation/transmission systems
 - Bill 21 states all portions of a property regulated by the AUC will be considered DIP, however the MRAT definitions contradict the MMGA and exclude land and buildings.
 - Again the valuation standard for the land and buildings for these facilities is unknown at this time. This presents an element of risk to the assessment base should they move from market value to a regulated rate.
 - Further, land and buildings at telecom facilities are excluded, but well sites have them included – there is no consistency in definitions in the draft Regulation.

Today's Situation (con't)

- Major Plants
 - No definitive criteria used to determine properties that are to be identified in the MRAT schedule as major plants have been published.
 - The draft list appears arbitrary, incomplete, and inequitable both within and among municipalities, industries, and property types.

Today's Situation (con't)

Valuation Standards

- These determine what measure of value an assessment is to meet – market value or a regulated rate. Historically regulated rates were modelled on the concept of reproduction cost.
- There is no published valuation standard for DI properties, or their component parts.
- The promised rate review is yet to be undertaken by the Ministry. Given the scope of this project, there may be an issue having new rates completed, signed, and in place for use in the preparation of the 2018 assessment.
- An unknown valuation standard and procedures means the impact of municipalities cannot be measured or predicted with any degree of certainty until these regulated procedures/rates are complete.

Outstanding Issues

Is property registered with a Regulator to a defunct company assessable and/or taxable?

- Neither Bill 21, Bill 8 or the draft Regulation have proposed a resolution to this issue being experienced by several municipalities.
- Legal counsel has forwarded all research on this issue to Alberta Justice & Municipal Affairs.
- No constructive response or effort in collaboration toward finding a resolution have been forthcoming from Municipal Affairs.
- Rather a “directive” with no explanation was forwarded. Unfortunately the directed action may place our professional assessors in breach of their Code of Conduct and Ethics as it instructs them to potentially contravene Statute and Regulation.

Recommendations

Given the identified issues it may be prudent for Municipal Affairs to delay the implementation of centralization until critical elements such as the valuation standards can be identified, the impacts studied, and risk mitigation strategies contemplated.

This would give municipalities the ability to understand the impact of the incoming assessment changes on their primary funding structure and potential tax shifts that could result.

At the very least, the issues identified need to be addressed with municipal stakeholders in a constructive and collaborative manner. Doing so would enable municipalities to mitigate potential risks to their funding structures.

AAMDC Background**3-16F: Implementation of the Centralized Property Assessment**

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties call upon the Government of Alberta to delay or repeal the establishment of the Centralized Industrial Property Authority and the creation of the Provincial Assessor until such time as the appropriate studies, pilot projects, and consultation with all effected property owners has been completed and analyzed so the effectiveness of such a policy may be fully understood;

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties call upon the Government of Alberta to consult with the Alberta Association of Municipal Districts and Counties and the Alberta Assessors Association in order to answer the numerous procedural, policy and legal questions which arise from the decision to create the Centralized Industrial Property Authority under the newly created position of Provincial Assessor.

DEVELOPMENTS: The Government of Alberta response does not indicate a willingness to delay or repeal the process of transitioning to centralized assessment for designated industrial property. The response indicates that the Government of Alberta received sufficient feedback in favor of the move to centralized assessment during previous MGA consultation opportunities to warrant the decisions being final. The AAMDC appreciates the Government of Alberta's willingness to share as much information as possible with municipalities related to procedural changes, but this does not address the intent of the resolution. With this in mind, this resolution is assigned a status of Intent Not Met, and the AAMDC will continue to advocate on this issue. The AAMDC and several AAMDC members have been involved in the planning of the transition to centralized industrial property assessment with the intent to minimize the disturbance to municipalities and assessors.

4-16F: Centralized Industrial Assessment

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to leave the responsibility of industrial assessment with municipal governments and to provide local assessors with updated manuals and regulations required to perform the services they currently provide to municipalities for industrial assessment.

DEVELOPMENTS: The Government of Alberta response does not indicate a willingness to leave the assessment of industrial property as the responsibility of municipal assessors. The AAMDC appreciates the Government of Alberta's willingness to share as much information as possible with municipalities related to procedural changes associated with centralization, but this does not address the intent of the resolution. With this in mind, this resolution is assigned a status of Intent Not Met, and the AAMDC will continue to advocate on this issue.

Resolution 2-17F

Completion of Alberta's Land-use Framework Prior to Establishment of Conservation and Protected Areas for Species at Risk

County of Northern Lights

*Simple Majority Required
Endorsed by District 4 (Northern)*

WHEREAS provincial recovery and action plans for species at risk appear to be developed and fully implemented in isolation; independently from directly impacted stakeholders, communities and other levels of governments; and

WHEREAS the Government of Alberta formally established the Land-use Framework (LUF) in 2008; which provides the tools, mechanisms and formal process for the delineation of smart regional growth opportunities, landscape-level planning and land-use management to effectively manage competing and sustainable activities through the development of regional land-use plans; and

WHEREAS natural resource industries form the lifeblood of many rural communities throughout Alberta by providing vital jobs and enhancing local wealth creation, and any restriction on land access will negatively impact local economies; and

WHEREAS the objective of Alberta's *Plan for Parks* (2009) is to improve the quality of human life; through new recreational opportunities and ease of local access to the Canadian wilderness; and

WHEREAS one objective of new parks or conservation areas is to enable protection for rare or vulnerable wildlife species; and

WHEREAS the local communities of rural Alberta are willing to participate in measures to enhance the natural environment, in conjunction with ensuring the existing and future economies of rural regions continue to prosper today and for future generations to come; and

WHEREAS the *Alberta Land Stewardship Act* establishes the legal basis for regional land use planning in Alberta, requiring local government bodies to review their regulatory instruments to ensure compliance with the regional plan developed under the LUF; and

WHEREAS regional land-use plans developed under the LUF would serve as an ideal mechanism to inform planning for conservation and protected areas as regional plan development should take into consideration both environmental and economic priorities within a region;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties requests that no additional conservation or protected areas be established, proposed or expanded in Alberta prior to the implementation of the remaining regional land-use plans

Member Background

The federal *Species at Risk Act* (SARA) is the legislation used for species protection in Canada. Implementation of measures to protect species that are identified under SARA tends to fall to the provinces, based on the constitutional division of authority and responsibility.

The SARA legislation is premised around habitat protection; healthy habitat equals healthy species that is dependent on said habitat. Stringent protection of land with little regard for the socio-economic consequences is tolerable on a small scale. The challenge is that the same habitat protection requirements prevail even for large ungulates and animals that are migratory in nature. As a result, habitat protection to allow for the revival of some species no longer impacts a small localized area, but vast areas which are home to high numbers of primary resource industries.

The *Alberta Land Stewardship Act* (ALSA) is the legislation with the broadest authority to effect landscape level planning within the province. The Land Use Secretariat was also created under this act, along with the entire premise of the regional planning framework in Alberta.

It is through the tools available under this act that the province will likely enact enforceable caribou range plans that stand up to federal and legal scrutiny in Alberta. However, the province neglected to utilize any of the rest of the provisions of ALSA when initially identifying areas for potential permanent habitat protection.

The South Saskatchewan Regional Plan (SSRP) was the second regional plan developed under the Alberta Land-Use Framework. In reporting on the regional outcomes of the SSRP, the Government of Alberta recognizes the need to balance a healthy economy and habitat protection. This approach should be considered in the development of other regional plan development, with the understanding that different regions of the province have different industries that must be considered as economic drivers.

The SARA legislation is 'jealously biased' in the measures that need to be taken to recover said species. ALSA is the tool in Alberta that has the legislative merit to enable the recovery. It is imperative that the remaining tools in ALSA be utilized by the province in order to consider the whole picture, specifically including the socio-economic impacts on communities.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 3-17F

Municipal Action on Caribou Recovery Planning

County of Northern Lights

*Simple Majority Required
Endorsed by District 4 (Northern)*

WHEREAS provincial recovery and action plans for species at risk appear to be developed and fully implemented in isolation; independently from directly impacted stakeholders, communities and other levels of governments; and

WHEREAS provincial and territorial range plans for the recovery of boreal woodland caribou were due to the Government of Canada by October 2017; demonstrating a clear legal commitment for habitat protection in order to avoid legal action; and

WHEREAS the May 2016 recommendations report, entitled *Setting Alberta on the Path to Caribou Recovery* was accepted by the Government of Alberta; and included the permanent protection of 1.8 million hectares of land in northwestern Alberta for boreal woodland caribou recovery; and

WHEREAS the 2016 report's recommendations of permanent protected areas for woodland caribou recovery simply follow forestry management unit (FMU) boundaries, with little consideration for existing and future energy dispositions, other mineral exploration, and inter-jurisdictional infrastructure; with an apparent disregard for comprehensive land-use planning and regional growth as provided for with the Land-use Framework; and

WHEREAS the local communities of rural Alberta are willing to participate in measures to enable the recovery of local caribou populations and to enhance the natural environment, in conjunction with ensuring the existing and future economies of rural regions continue to prosper today and for future generations to come; and

WHEREAS municipalities across Canada have expressed concern regarding the socio-economic impacts of protecting and/or sterilization of land to support caribou range planning, as required by the *Species at Risk Act*; and

WHEREAS challenges and priorities related to caribou range planning spill beyond municipal and provincial/territorial boundaries;

THEREFORE, BE IT RESOLVED THAT Alberta Association of Municipal Districts and Counties proactively lead inter-jurisdictional municipal level caribou population recovery planning across Western Canada.

Member Background

The federal *Species at Risk Act* (SARA) is the legislation used for species protection in Canada. Implementation of measures to protect species that are identified under SARA tends to fall to the provinces, based on the constitutional division of authority and responsibility.

The SARA legislation is premised around habitat protection; healthy habitat equals healthy species that is dependent on said habitat. Stringent protection of land with little regard for the socio-economic consequences is tolerable on a small scale. The challenge is that the same habitat protection requirements prevail even for large ungulates and animals that are migratory in nature. As a result, habitat protection to allow for the revival of some species no longer impacts a small localized area, but vast areas which are home to high numbers of primary resource industries.

The broad nature the SARA legislation is causing concerns for rural and primary resource dependant municipalities across Canada. Municipalities across Canada are currently fighting to protect their livelihoods. The following associations have all passed formal resolutions and/or taken a leading advocacy role:

- Federation of Northern Ontario Municipalities, Northwestern Ontario Municipal Association, Rural Ontario Municipal Association – have passed a variety of formal resolutions and have taken a strong advocacy role in Ontario.
- Montreal Economic Institute – published a report identifying the economic impact of caribou protection in Quebec. Several Quebec municipalities have been strongly advocating at the provincial and federal level.
- Eastern British Columbia regional municipalities have been working collaboratively to encourage the BC government to consider socio-economic impacts of caribou range planning
- Alberta Urban Municipalities Association has passed a resolution similar to previous resolution passed by the AAMDC in Fall 2016:
 - NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta complete an overall Socio-Economic Impact Assessment based on all the species at risk recovery and retention plans currently affecting the operations of all industries in the province, including but not limited to oil and gas, forestry, agricultural, tourism and mineral exploration;
 - AND FURTHER BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to not develop, implement or enforce range plans without the consent of the forest industrial partners affected within the range plan.

The Alberta and Canadian Chambers of Commerce each recently passed resolutions advocating for the consideration of the socio-economic impacts in caribou range planning. The resolution brought forward to the Canadian level originated from Ontario.

Within Alberta many municipalities and businesses have been advocating diligently on their own, with two of the more prominent groups being the Alberta Forest Alliance and the Northwest Species at Risk Committee.

Industry associations from across Canada have also been advocating strongly for socio-economic impacts to be considered. This, combined with the actions from municipal groups and associations from across the country speaks to the significance and cause for concern that the current SARA legislation provides. Additionally, provincial responses have not provided confidence to rural communities that their concerns will prevail.

Note: because of the October 2017 deadline by the federal government for provinces to submit caribou recovery range plans, there may be significant announcements made in the time since this resolution was submitted and the AAMDC resolution session.

AAMDC Background

9-17S: Legal Opinion for Species at Risk Proposed Policies

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) seek a legal opinion on the proposed *Species at Risk Act* policies to determine what effect that the proposed policies will have on municipal operations and the rights and freedoms of rural landowners;

FURTHER BE IT RESOLVED that if the legal opinion determines that the proposed *Species at Risk Act* policies will negatively impact rural landowners, that the AAMDC proceed with further action to work with the provincial and federal government on these proposed policies to demonstrate the social and economic impacts of policy implementation on the rural landscape.

DEVELOPMENT: To fulfill the first part of this resolution, the AAMDC hired MLT Aikins to provide a legal opinion on the proposed Species at Risk Act Policies. The legal response identifies impacts for municipalities and rural landowners in regards to the policies, and AAMDC members should be aware of the implications some policies may have in regards to land-use planning and infrastructure project decisions. The legal response in its entirety is available on the AAMDC website.

As the obtaining the legal opinion addresses a portion of this resolution, it has been assigned a status of Accepted in Part and the AAMDC will continue to advocate on the importance of a socio-economic approach to policy implementation, as identified in the legal analysis.

15-16F: Species at Risk and the Need for an Overall Socio-Economic Impact Assessment

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties works with the Government of Alberta in a timely fashion, to complete an overall Socio-Economic Impact Assessment based on all the species at risk recovery plans and retention plans currently affecting the operations of all industries in the Province of Alberta, including but not limited to oil and gas, forestry, agriculture, tourism and mineral exploration.

DEVELOPMENTS: The Government of Alberta response summarizes the work done to date to develop strategies to comply with SARA as it impacts Alberta's caribou population, and acknowledges that socio-economic impacts of habitat protection formed a component of the recovery planning process. However, the response does not indicate a willingness to conduct a broad socio-economic impact assessment on all species at risk recovery plans in the province. Therefore, this resolution is assigned a status of Intent Not Met, and the AAMDC will continue to advocate the need for a socio-economic impact assessment on species at risk recovery plans.

16-15F: Species at Risk Act (SARA)

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties facilitate a round table discussion with representation from the federal Environment Minister and provincial Environment Minister to rebuild the current *Species at Risk Act* to improve it in a way that seeks a balanced and cooperative approach (economic, environmental, and social) to species protection that focuses on ecosystem protection; limiting impact on agriculture, industry, rural development, and land use in Alberta.

DEVELOPMENTS: The Government of Alberta response indicates a willingness to work with the AAMDC and the federal government to take a collaborative approach to aligning species at risk protection with the need to address social and economic impacts. This is encouraging and will be followed up on by the AAMDC. The AAMDC also provided input into the draft Species at Risk Act (SARA) policies that were released in 2016, noting that a balanced approach to protect species and their habitats needs to be considered to consider the social, economic and environmental impacts of these efforts.

Until a formal response from the Government of Canada is received, this resolution holds a status of Incomplete Information. The AAMDC is continuing advocacy efforts at the provincial and federal levels to move this issue forward.

Resolution 4-17F

Water Act Approvals for Municipal Projects on Municipal Land

County of Stettler

*Simple Majority Required
Endorsed by District 2 (Central)*

WHEREAS Alberta municipalities continue to facilitate growth and promote economic development that requires construction activity including road construction on municipal right of ways or construction of municipal projects on municipal land; and

WHEREAS Alberta Environment and Parks, under the *Water Act*, requires approvals for all road construction and/or municipal projects on municipal property or right of ways; and

WHEREAS the required approvals are resulting in long delays on many projects requiring these approvals; and

WHEREAS roadways often require burrow pits (dugouts) that retain water better in drought conditions and many road ditch structures develop wetland environments;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to relax the requirement for formal approvals on all road construction on municipal right of ways less than 40 metres wide and consider alternate strategies for protecting water resources.

Member Background

The current process requires the applicant, in this case, municipalities, to do the assessment and valuation of each project. Alberta Environment and Parks then reviews and endorses any reports of action items that are a result of the assessment. Municipalities are completing these assessments in a timely manner, often with the assistance of consultants, but the projects' progress is halted waiting on Alberta Environment and Parks approvals, often times upwards of 3-5 years. These delays in approvals can put municipalities at a disadvantage in finding and retaining contractors to do the work. Additionally, it costs money if their own fleet is waiting to complete any of the projects waiting for approvals. Some projects in recent times have been waiting for approval for over a year, making it difficult for councils and administrations to predict and budget for expenditures.

Municipalities, much like the provincial government, work in the best interest of their ratepayers and their tax dollars. Rather than increase staff and resources into the current system, there can be changes could be made to the existing process to improve efficiency while maintaining the legislative oversight that was intended within the *Water Act*.

One option could be to allow municipalities to save both time and money by fast tracking approvals initiated by municipalities. This allows municipalities to move projects forward which are beneficial to their citizens and bolster local economy in a more timely and efficient manner. A tiered approach may also be considered; where projects with low environmental risk are approved through a faster track than those requiring a more detailed study and review.

The basic principle behind requesting a change to the process is to bring municipalities in as a partner, rather than just another applicant for a construction process, recognizing municipalities have a stake in preserving and prolonging the life of our surrounding environment as well. Municipalities would like to be considered a "net-zero" partner, municipalities are requesting AEP to consider municipalities as "net zero trusted partners", considering wetlands filled in balance wetlands created.

AAMDC Background

1-16F: Alberta Environment and Parks Approvals for Construction Projects

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties requests that consideration be given to safety concerns related to delayed environmental approval processing and supports the creation of a process for municipalities to receive timely approvals from Alberta Environment and Parks with regard to construction projects.

DEVELOPMENTS: The Government of Alberta response acknowledges the challenges that municipalities are facing in receiving timely approvals of works related to wetlands. The AAMDC is encouraged that Alberta Environment and Parks has identified this as a problem and is in the process of developing an updated regulatory process for road works impacting wetlands which will balance provincial and municipal needs regarding regulatory compliance and timeliness. The Government of Alberta has indicated that an Alberta Wetland Construction Directive and Alberta Wetland Construction Guide will be released in fall 2017. The AAMDC assigns this resolution a status of Accepted in Principle, and will monitor progress made.

Resolution 5-17F

Alberta Energy Regulator – Amendment to Transfer Approval Process

Camrose County

*Three-fifths (3/5) Majority Required
Endorsed by District 5 (Edmonton East)*

WHEREAS municipalities in Alberta are governed by the *Municipal Government Act*, established by the Government of Alberta; and

WHEREAS municipalities in Alberta are dependent on property tax revenues to provide essential municipal services; and

WHEREAS municipalities in Alberta are responsible to collect and forward the education requisition to Alberta Education; and

WHEREAS property taxes remain the main source of revenue for municipalities, as provincial and federal transfers are diminishing, while the downloading and offloading of services and programs continues; and

WHEREAS the ability of a municipality to recover linear property tax arrears is affected by provincial acts and regulations established by Alberta Energy under which the Alberta Energy Regulator (AER) authorizes transfers; and

WHEREAS the AER does not currently have the power to impose conditions on license transfers relating to unpaid municipal taxes; and

WHEREAS the current legislation has limited the recourse available to a municipality to recover tax arrears owed from oil and gas companies;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) requests the Government of Alberta amend the *Municipal Government Act (MGA)*, and other provincial legislation, regulations and policies, including AER Directive 006: Licensee Liability Rating (LLR) Program and Licence Transfer Process to:

- **broaden the tax recovery power of municipalities to collect linear property taxes, Alberta housing foundation requisitions and Alberta school requisitions owing on oil and gas operations, and**
- **provide the Alberta Energy Regulator (AER) the ability to include municipal tax compliance as part of the specified list of AER requirements before license transfers will be considered;**

FURTHER BE IT RESOLVED that the AAMDC request that Alberta Energy direct the AER that prior to refunding any security deposits, check with all municipalities in which the company requesting the refund had leases in, to ensure property taxes are current.

Member Background

Camrose County has been challenged with the collection of tax arrears from numerous oil and gas companies. The tax collection obstacles are created by the existing restrictions within current legislation and the ability of assets to be transferred from the current license holder to another without respect to and in fact, free and clear of any obligation for payment of the outstanding municipal taxes. As a result, the County's prospect for collecting \$491,031.09 in taxes and education requisition is bleak. The education tax, of some \$103,589.50, must be remitted to the Government of Alberta regardless of whether it has been collected, ratepayers are responsible to cover that deficit resulting from uncollected oil and gas taxes, which in turn actually costs \$207,179.00 from the current budget.

The Alberta Energy Regulator Directive 006, released February 17, 2016 states that:

The purpose of the Alberta Energy Regulator (AER) LLR Program and licence transfer process as set out in this directive is to

- ***prevent the costs to suspend, abandon, remediate, and reclaim a well, facility, or pipeline in the LLR Program from being borne by the public of Alberta should a licensee become defunct.***

And further as a result of the Redwater decision AER issued Bulletin 2016-21 which again states that:

“The Alberta Energy Regulator (AER) has considered feedback on its interim measures to protect Albertans from unfunded liabilities and issues Bulletin 2016-21 to clarify the requirements.”

The AER reiterates that the interim measures are necessary to protect Albertans from unfunded liabilities.

Bulletin 2016-21 further states that:

As a condition of transferring existing AER licences, approvals, and permits, the AER will require transferees to demonstrate that they have a LMR of 2.0 or higher immediately following the transfer or provide other evidence that the transferee will be able to meet their obligations throughout the life cycle of energy development with an LMR of less than 2.0.

It is the contention of the County that requiring the transferee to demonstrate that they will be able to meet their obligations throughout the life cycle of energy development should, and does include their obligations to pay municipal taxes. Municipal taxes not recovered will be borne by all Albertans, and as a result should fall under the AER mandate to protect Albertans from unfunded liabilities. Therefore, the AER should have jurisdiction to impose a specified condition that all municipal taxes in arrears should be paid prior to the license being transferred.

The AAMDC currently has two active resolutions related to this issue, brought forward from the County of Paintearth in 2016 and Mackenzie County in 2015.

Alberta Municipal Government Act (MGA)

Directive 006 of the *Licensee Liability Rating (LLR) Program and License Transfer Process (March 12, 2013)* details the application requirements for oil and gas well transfers. Under this Directive, the Alberta Energy Regulator reviews the compliance record of the transferor and the transferee and determines if the regulatory requirements have been satisfied. The Minister of Energy has notified Camrose County that the Alberta Energy Regulator does not have jurisdiction to impose conditions on license transfers relating to unpaid municipal taxes.

The AAMDC is participating in a working group with the Government of Alberta including representatives from Municipal Affairs, Alberta Energy and the Alberta Energy Regulator to explore improvements that can be made to this issue, including determining ways that municipalities can recover unpaid taxes.

AAMDC Background

4-17S: Collection of Outstanding Taxes for Education Requisitions from the Province of Alberta

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta develop new tools or utilize existing mechanisms to ensure that municipalities that are unable to collect education property taxes through the tax recovery process be exempted from forwarding those uncollectible tax amounts to Alberta Education, or have the uncollectible amount refunded.

DEVELOPMENT: The AAMDC appreciates the responsiveness of the Government of Alberta in forming a working group to address this issue in response to previous similar resolutions (3-16S, 5-15F). However, the AAMDC is becoming increasingly concerned with the time that has elapsed between the working group developing recommendations for addressing the issue of uncollectible taxes on industrial properties (early 2017) and the response from the Minister of Municipal Affairs as to what, if any, actions will be taken to address the issue. As many rural municipalities continue to experience similar or greater levels of industrial tax arrears in the current fiscal year, expedient action on this issue is becoming an even greater priority.

The AAMDC assigns this resolution a status of Intent Not Met, but will continue advocating for a Ministerial response to the working group's recommendation, and will consider amending this status if a response is received prior to the next round of resolution updates.

3-16S: Recovery of Linear Property, Commercial Property, and Education Requisition Tax Arrears

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) request the Government of Alberta to amend the *Municipal Government Act* (MGA), and other provincial legislation to broaden the tax recovery power of municipalities to collect linear property taxes by granting a lien in favour of the municipality as follows:

A lien equivalent to that granted to the Alberta Energy Regulator (AER) by s. 103 of the *Oil and Gas Conservation Act* (OGCA) that being: “on the debtor’s interest in any well, facilities, and pipelines, land or interests in land, including mines and minerals, equipment and petroleum substances” and the power to garnish funds owed to the debtor;

A lien which ranks in priority (or equivalent) to the lien granted in favour of the AER by s. 103(2) of the OGCA;

FURTHER BE IT RESOLVED that the AAMDC requests the Government of Canada to amend the federal *Bankruptcy and Insolvency Act* to recognize municipal linear property taxes and other municipal non-property taxes as a secured interest in priority to other unsecured interests;

FURTHER BE IT RESOLVED that the AAMDC request the Government of Alberta to provide a credit reimbursement to compensate for the education property taxes that become uncollectable due to linear and commercial property bankruptcy.

DEVELOPMENTS: In 2016, Alberta Municipal Affairs had convened an inter-ministry working group consisting of representatives from Municipal Affairs, Energy, Treasury Board and Finance, Education, and the AER. The purpose of this working group was to address the concerns identified in resolution 3-16S and resolution 5-15F. More specifically, the working group explored how the suite of tools available to municipalities to recover unpaid linear property taxes could be expanded, as well as possible legislative or regulatory solutions to relieve or exempt municipalities from paying provincial education property tax requisitions on linear properties in which the municipality has not been able to gather tax revenues from the property owner.

Early in 2017, the working group completed their research and Government of Alberta staff internally developed options for the Minister of Municipal Affairs based on the working group’s findings. At this point, the AAMDC has been informed that the options are still being considered by the Minister and decision-makers in other related ministries such as Energy and Education. The AAMDC is concerned that as the Government of Alberta continues to evaluate options, rural municipalities throughout the province face increasing financial challenges caused by unpaid linear taxes.

The AAMDC assigns this resolution a status of Intent Not Met, but will continue advocating for a Ministerial response to the working group’s recommendation, and will consider amending this status if a response is received prior to the next round of resolution updates.

5-15F: Recovery of Linear Property Tax Arrears

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) requests the Government of Alberta to amend the *Municipal Government Act* (MGA), and other provincial legislation to broaden the tax recovery power of municipalities to collect linear property taxes by granting a lien in favour of the municipality as follows:

- a) A lien equivalent to that granted to the Alberta Energy Regulator (AER) by s. 103 of the *Oil and Gas Conservation Act* (OGCA) that being: “on the debtor’s interest in any well, facilities, and pipelines, land or interests in land, including mines and minerals, equipment and petroleum substances” and the power to garnish funds owed to the debtor;
- b) A lien which ranks in priority (or equivalent) to the lien granted in favour of the AER by s. 103(2) of the OGCA; and

FURTHER BE IT RESOLVED that the AAMDC requests the Federation of Canadian Municipalities to request the Government of Canada to amend the federal *Bankruptcy and Insolvency Act* to recognize municipal linear property taxes and other municipal non-property taxes as a secured interest in priority to other unsecured interests;

FURTHER BE IT RESOLVED that the AAMDC request the Province of Alberta to provide a credit reimbursement to compensate for the Education Property Taxes that becomes uncollectable due to linear property bankruptcy.

DEVELOPMENTS: In 2016, Alberta Municipal Affairs had convened an inter-ministry working group consisting of representatives from Municipal Affairs, Energy, Treasury Board and Finance, Education, and the AER. The purpose of this working group was to address the concerns identified in resolution 3-16S and resolution 5-15F. More specifically, the working group explored how the suite of tools available to municipalities to recover unpaid linear property taxes could be expanded, as well as possible legislative or regulatory solutions to relieve or exempt municipalities from paying provincial education property tax requisitions on linear properties in which the municipality has not been able to gather tax revenues from the property owner.

Early in 2017, the working group completed their research and Government of Alberta staff internally developed options for the Minister of Municipal Affairs based on the working group's findings. At this point, the AAMDC has been informed that the options are still being considered by the Minister and decision-makers in other related ministries such as Energy and Education. The AAMDC is concerned that as the Government of Alberta continues to evaluate options, rural municipalities throughout the province face increasing financial challenges caused by unpaid linear taxes.

The AAMDC assigns this resolution a status of Intent Not Met, but will continue advocating for a Ministerial response to the working group's recommendation, and will consider amending this status if a response is received prior to the next round of resolution updates.

Resolution 6-17F

Financial Support from AAMDC for Appeal of Virginia Hills/Dolomite Decision

Northern Sunrise County

*Simple Majority Required
Individual Resolution*

WHEREAS the Court of Queen's Bench of Alberta ruled in favour of the Applicant on their motion to have the status of secured creditor as described in Section 304 of the *Municipal Government Act* in cases of insolvency of linear property to be superseded by the requirements of the *Bankruptcy and Insolvency Act* and indebtedness to municipal taxing authorities be listed as unsecured debt; and

WHEREAS Northern Sunrise County (NSC) is a municipal taxing authority of linear properties controlled and owned by Virginia Hills Oil Corp. and Dolomite Energy Inc.; and

WHEREAS the law firm of Reynolds Mirth Richards & Farmer (RMRF) identified valid considerations on which this ruling could be challenged; and

WHEREAS RMRF invited NSC to stand as the appellant of this decision and NSC has so agreed; and

WHEREAS NSC has borne the cost of \$4,191 to date to initiate this appeal and RMRF estimates costs will run to \$30,000 to completion of the process; and

WHEREAS the implications of this decision would potentially affect all Alberta municipalities that have linear assessment; and

WHEREAS as per Alberta Association of Municipal Districts and Counties (AAMDC) policy (FIN-2007-07-2: AAMDC Involvement in Member Legal Matters), an endorsed resolution is required to support member legal appeals that have been heard by a Provincial or Federal Court;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties, through financial resources, support Northern Sunrise County in the legal fees associated with this appeal in an act of solidarity as the overruling of this case is imperative for all municipalities that are owed taxes and outstanding penalties from insolvent organization.

Member Background

See following page

October 2, 2017

EMAIL

Reynolds Mirth Richard & Farmer LLP
Barristers & Solicitors
3200, 10180 - 101 Street
Edmonton, AB T5J 3W8

Attention: Michael McCabe, Q.C.

Dear Sir:

**Re: The Bank of Nova Scotia, et al v Virginia Hills Oil Corp. et al
Court of Queen's Bench Action No. 1701-02184
Civil Notice of Appeal re: June 20, 2017 Order of Mr. Justice K.D. Yamauchi**

We write in response to the above noted notice of appeal filed by Northern Sunrise County (“**Northern Sunrise**”) on July 19, 2017. We advise you that our client, Alvarez & Marsal Canada Inc. (the “**Trustee**”), takes the position that this notice of appeal has not been filed in accordance with the requirements of the *Bankruptcy and Insolvency Act*, RSA 1985, c B-3 (“**BIA**”) and the *Bankruptcy and Insolvency General Rules*, CRC, c 368 (the “**Rules**”). As a result, the Court of Appeal lacks jurisdiction to hear this appeal.

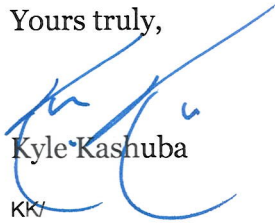
Justice Yamauchi’s Order of June 20, 2017 was granted pursuant to the Court of Queen’s Bench’s jurisdiction to decide matters in bankruptcy proceedings under the *BIA*. Under section 31 of the Rules, any appeal to the Court of Appeal of Alberta must be made by filing a notice of appeal with the Court of Queen’s Bench “within 10 days after the day of the order or decision appealed from” (June 30, 2017 in this instance). Upon filing of a notice of appeal, the Court of Queen’s Bench is required to transmit to the Court of Appeal the notice of appeal and the file, pursuant to section 32 of the Rules.

We note that Northern Sunrise was duly served with notice of the application that was heard on June 20, 2017 before Justice Yamauchi, and further, the Trustee was provided with two unsecured proof of claims by your client, claiming all debt owed as being unsecured. That is how the proof of claims were filed and recorded by the Trustee. In addition, Northern Sunrise was immediately served with Mr. Justice Yamauchi’s Order by our office. If your client wishes to attempt to revise the proof of claim(s) now, that is a step that they can consider taking. That is an onus that remains with the creditor.

In the event that Northern Sunrise continues to pursue this appeal, we expect to receive instructions to file an application to have Northern Sunrise’s appeal struck, pursuant to section

14.37(1) of the *Alberta Rules of Court*, AR 124/2010, on the basis that the statutory requirements under the *BIA* and Rules have not been satisfied.

Yours truly,



Kyle Kashuba

KK

Copy to: The Receiver, Alvarez & Marsal Canada Inc., Attention: Tim Reid and Orest Konowalchuk (via email)



BARRISTERS SOLICITORS

Reynolds
Mirth
Richards
& Farmer LLP

WRITER'S E-MAIL mmccabe@rmrf.com

YOUR FILE

WRITER'S DIRECT PHONE 780.497.3344

OUR FILE

114412-002-MJM

October 3, 2017

Via Email: kkashuba@torys.com

Torys LLP

Attention: Kyle Kashuba46th Floor, Eighth Avenue Place East525 8th Ave S.W.

Calgary AB T2P 1G1

Dear Sir:

Re: *The Bank of Nova Scotia and Alberta Treasury Branches v. Virginia Hills Oil Corp. and Dolomite Energy Inc.***Action No. 1701 02184**

- **Appeal From the June 20, 2017 Decision of the Justice K.D. Yamauchi – Appeal No. 1701-0221-AC**

Thank you for letter of October 2, 2017.

With respect, I disagree with your interpretation of the Rules as they apply to the time for filing an appeal. This is not an appeal under s. 193 of the *Bankruptcy and Insolvency Act* and the *Bankruptcy and Insolvency Act* Rule have no application. You need to look no further than the style of cause to determine this. The Queen's Bench Action number is 1701 02184 which is a standard file at the Court of Queen's Bench. If this were a bankruptcy matter, to which the *Bankruptcy Act* and Rules applied, it would be in the Bankruptcy action, Estate No. 24-094778.

I also point out that the timing of your suggestion is most unfortunate. We have now filed the Record and have put a considerable amount of effort into reviewing the provisions of the *Municipal Government Act* in furtherance of our anticipated factum.

If it is your intention to bring the application you suggest, please contact our office before selecting a date for the hearing so that we might find something mutually acceptable. You can expect that we would be bringing a costs application for the alternative relief of an extension for the time of appeal and will be putting into evidence the circumstances surrounding the delay in the application.

With respect to our request that you pass on a request to amend the Proofs of Claim from unsecured to secured, we simply do that as we know the Alvarez & Marsal is represented by counsel. We could certainly have our client contact them directly if you require.

Finally, we repeat our request for the Schedules to the Receiver's Report.

Yours truly,

REYNOLDS MIRTH RICHARDS & FARMER LLP

PER:



MICHAEL J. MCCABE, Q.C.

MJM/ljs

Enc.

c: Northern Sunrise County
Attention: Bob Madore (via email)
c: Sheila McNaughtan & Shauna Finlay (firm)
1915943.doc

AAMDC Background

See following page

**FIN-2008-07-2: AAMDC Involvement in Member Legal Matters****Date Approved: July 30, 2008****Next Review Date: Prior to December 2019****Amended: January 19, 2012****Reconfirmed: December 15, 2016**

Purpose: To provide guidelines for the Association's involvement in the legal affairs affecting or legal actions involving members. This includes, but is not limited to, the timing of the involvement, the level of participation and any financial contributions.

Policy Statement: The AAMDC will balance member-directed involvement in matters with fiscal and resource management in the support and protection of member interests while mitigating the risks to the organization. The Association has a mechanism to support issues of sufficient concern and of ultimate benefit to a majority of the membership.

Procedures:

1. It is only through an endorsed resolution that the AAMDC will become involved in member legal matters. For the purposes of this policy, member legal matters include only legal appeals that have already been heard at least once by a Provincial or Federal Court. Subsequent appeals will only be supported by the Association through a new member-endorsed resolution.
2. It is only through an endorsed resolution that the AAMDC can be directed by the membership to conduct a legal analysis or review of an issue.
3. The AAMDC will enter into a specific agreement for each member-directed legal matter to establish the items outlined in Procedures 4, 5 and 6 below.
4. The AAMDC reserves the right to engage legal counsel of their choice.
5. Regardless of the AAMDC being named as a plaintiff, the AAMDC becomes the lead in the legal action with full decision-making powers.
6. The AAMDC shall be the only entity authorized to provide direction to legal counsel unless expressly authorized by written consent.
7. The AAMDC will contribute 25 per cent of the legal costs up to a maximum of \$10,000 in any member legal appeal.
8. The AAMDC will contribute up to a maximum of \$5,000 to obtain a legal analysis or review.

9. Any remaining or additional legal costs pursuant to Procedure 7 or 8 will be requisitioned from the membership based on the formula used to calculate membership fees.
10. Any financial recovery that is realized from legal proceedings will be returned to the AAMDC and the members for costs incurred as outlined in Procedures 7, 8 and/or 9. Any damages or additional awards are not included in this policy.
11. The AAMDC will not financially support member legal matters where the matter has been decided prior to the resolution passing on the convention floor.

Resolution 7-17F

Uncollectible Requisitions

County of Paintearth

*Simple Majority Required
Endorsed by District 2 (Central)*

WHEREAS the Government of Alberta annually establishes equalized assessment that the municipalities are requisitioned based on for Alberta School Foundation Fund (education property tax) on properties assessed within the municipalities; and

WHEREAS the Government of Alberta annually establishes equalized assessment that the municipalities are requisitioned based on for seniors housing foundations (seniors housing tax) on properties assessed within the municipalities; and

WHEREAS the assessor information that is used to calculate equalized assessment that the municipalities are legislated to use has a time lag that does not take into account changes in the current economic situation; and

WHEREAS the municipality is responsible for taxing for and collecting the requisitions on behalf of the requisitioning bodies and forward as requested; and

WHEREAS the municipality is only acting as an invoicing and collection agency for the Government of Alberta and other requisitioning bodies to collect these taxes on their behalf; and

WHEREAS some of these requisitions become in default due to current economic situations and are no longer collectible leaving the municipality to recover the amount owing through the seizure of assets; and

WHEREAS tax recovery through the seizure of land and assets is not always a healthy economic choice for the municipality or is not an option particularly in relation to linear property such as an oil leases on leased property;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) request that the Government of Alberta use current assessment data for determining requisitions to ensure that the taxes are distributed fairly over the current assessment base;

FURTHER BE IT RESOLVED that the AAMDC request that the Government of Alberta develop tools to reimburse uncollectable requisitions such as education property tax and seniors housing tax.

Member Background

Due to the current economic situation within the Province of Alberta many municipalities have been burdened by the growing amount of uncollectible taxes including education property taxes and seniors housing tax. As a collection agency for these requisitions we must pay them whether we are able to collect the funds or not. With education property tax and seniors housing taxes being calculated based on equalized assessment the current assessment base is also being burdened.

The County of Paintearth No. 18 has been challenged with the collection of significant municipal, education and seniors housing tax arrears from numerous oil and gas companies. During 2015 the County of Paintearth was forced to recognize bad debts of approximately \$601,000 of this included education property taxes of \$70,300 and seniors housing requisition of \$6,700. In the last few months we have been provided court documents from oil and gas companies stating that they are not obligated to pay tax arrears on the properties that they have acquired and that their license from the AER has been issued free and clear. In 2017 the County of Paintearth will be looking to write off over \$300,000 in municipal taxes, \$51,000 of education property taxes and \$10,000 in seniors housing taxes. With the current economic state and licenses being issued free and clear it is placing a larger tax burden on the remaining rate payers within our boundaries.

AAMDC Background

4-17S: Collection of Outstanding Taxes for Education Requisitions from the Province of Alberta

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta develop new tools or utilize existing mechanisms to ensure that

municipalities that are unable to collect education property taxes through the tax recovery process be exempted from forwarding those uncollectible tax amounts to Alberta Education, or have the uncollectible amount refunded.

DEVELOPMENT: The AAMDC appreciates the responsiveness of the Government of Alberta in forming a working group to address this issue in response to previous similar resolutions (3-16S, 5-15F). However, the AAMDC is becoming increasingly concerned with the time that has elapsed between the working group developing recommendations for addressing the issue of uncollectible taxes on industrial properties (early 2017) and the response from the Minister of Municipal Affairs as to what, if any, actions will be taken to address the issue. As many rural municipalities continue to experience similar or greater levels of industrial tax arrears in the current fiscal year, expedient action on this issue is becoming an even greater priority.

The AAMDC assigns this resolution a status of Intent Not Met, but will continue advocating for a Ministerial response to the working group's recommendation, and will consider amending this status if a response is received prior to the next round of resolution updates.

3-16S: Recovery of Linear Property, Commercial Property, and Education Requisition Tax Arrears

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) request the Government of Alberta to amend the *Municipal Government Act* (MGA), and other provincial legislation to broaden the tax recovery power of municipalities to collect linear property taxes by granting a lien in favour of the municipality as follows:

A lien equivalent to that granted to the Alberta Energy Regulator (AER) by s. 103 of the *Oil and Gas Conservation Act* (OGCA) that being: "on the debtor's interest in any well, facilities, and pipelines, land or interests in land, including mines and minerals, equipment and petroleum substances" and the power to garnish funds owed to the debtor;

A lien which ranks in priority (or equivalent) to the lien granted in favour of the AER by s. 103(2) of the OGCA;

FURTHER BE IT RESOLVED that the AAMDC requests the Government of Canada to amend the federal *Bankruptcy and Insolvency Act* to recognize municipal linear property taxes and other municipal non-property taxes as a secured interest in priority to other unsecured interests;

FURTHER BE IT RESOLVED that the AAMDC request the Government of Alberta to provide a credit reimbursement to compensate for the education property taxes that become uncollectable due to linear and commercial property bankruptcy.

DEVELOPMENTS: In 2016, Alberta Municipal Affairs had convened an inter-ministry working group consisting of representatives from Municipal Affairs, Energy, Treasury Board and Finance, Education, and the AER. The purpose of this working group was to address the concerns identified in resolution 3-16S and resolution 5-15F. More specifically, the working group explored how the suite of tools available to municipalities to recover unpaid linear property taxes could be expanded, as well as possible legislative or regulatory solutions to relieve or exempt municipalities from paying provincial education property tax requisitions on linear properties in which the municipality has not been able to gather tax revenues from the property owner.

Early in 2017, the working group completed their research and Government of Alberta staff internally developed options for the Minister of Municipal Affairs based on the working group's findings. At this point, the AAMDC has been informed that the options are still being considered by the Minister and decision-makers in other related ministries such as Energy and Education. The AAMDC is concerned that as the Government of Alberta continues to evaluate options, rural municipalities throughout the province face increasing financial challenges caused by unpaid linear taxes.

The AAMDC assigns this resolution a status of Intent Not Met, but will continue advocating for a Ministerial response to the working group's recommendation, and will consider amending this status if a response is received prior to the next round of resolution updates.

Resolution 8-17F

Provincial Communications Plan for Farm Workplace Legislation

Sturgeon County

*Simple Majority Required
Endorsed by District 3 (Pembina River)*

WHEREAS the *Enhanced Protection for Farm and Ranch Workers Act* received Royal Assent on December 11, 2015; and

WHEREAS the Government of Alberta subsequently established technical working groups to provide recommendations on how employment standards, occupational health and safety, and labour relations should be applied to the agriculture sector, with the intent of influencing the *Fair and Family-Friendly Workplace Act*; and

WHEREAS the *Fair and Family-Friendly Workplace Act* received Royal Assent on June 7, 2017; and

WHEREAS it is generally understood that both acts and any associated regulations will impact the agricultural industry; and

WHEREAS a detailed understanding of these impacts, and any associated changes required of agricultural producers and stakeholders is necessary to ensure compliance given the scope of the new legislation; and

WHEREAS without a thorough understanding of farmworker legislation, agriculture producers and workers are challenged to understand how their businesses, families, and livelihoods are impacted; and

WHEREAS agriculture is an integral part of Alberta's economy and Albertans' way of life and misinformation and lack of certainty regarding legislative requirements make it challenging to make informed business decisions;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta develop and implement a communications plan to advise Alberta's agriculture sector of actual and intended changes regarding workplace legislation, with the outcome of establishing increased awareness and effective change management.

Member Background

Sturgeon County remains committed to working with the Government of Alberta to maintain and grow Alberta's agriculture sector. Sturgeon County supports the AAMDC's position statement: that the AAMDC recognizes that the *Enhanced Protection for Farm and Ranch Workers Act* serves an important purpose in ensuring agricultural workers have the same rights and protections as other workers in Alberta, and it is important that this legislation and associated regulations do not unfairly compromise the ability of agricultural producers to operate sustainably.

While the Government of Alberta's public consultation processes regarding this Act, as well as the *Fair and Family-Friendly Workplace Act*, were well-intentioned, there appears to be a knowledge gap within the agricultural community as to impacts and next steps required of agricultural producers, as this sentiment was expressed to Sturgeon County Council by our Agricultural Service Board. While this is an example within a Sturgeon County context, we believe this experience is likely common amongst other counties and municipal districts across Alberta.

Therefore, the intent of this resolution is that increased awareness and certainty be achieved amongst Alberta's agricultural community regarding any required operational changes as result of new legislation, and that this be done by the Ministry of Agriculture and Forestry, in collaboration with the Ministry of Labour, by "closing the loop" with Alberta's agricultural community through a communications plan.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 9-17F

AAMDC Refusal to Engage in Exploratory Discussion to Merge with AUMA

MD of Willow Creek

*Simple Majority Required
Endorsed by District 1 (Foothills-Little Bow)*

WHEREAS the Alberta Association of Municipal Districts and Counties (AAMDC) has provided a clear and constant voice for rural Alberta for over 90 years; and

WHEREAS the AAMDC exists to provide a slate of member services for rural Alberta, including but not limited to advocacy, elected officials education, insurance management, networking, research, risk management, and a trade division; and

WHEREAS the Board of the AAMDC is comprised of democratically elected rural representatives who have been given a clear mandate, from its membership, to provide a strong voice to advance the ideals, values and concerns of rural municipalities that would otherwise be lost; and

WHEREAS a merger with the Alberta Urban Municipalities Association (AUMA) would result in lost representation, lost autonomy, lost influence with senior levels of government and the eventual amalgamation of rural municipalities with 266 urban municipalities, looking to obtain the lucrative trade division of AAMDC;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) refuse to enter into any discussions with the Alberta Urban Municipalities Association (AUMA) that would result in any attempt to merge the AAMDC with AUMA.

Member Background

AUMA and AAMDC have been operating as separate municipal organizations for decades and the separation of the Insurance Reciprocal at that time resulted in a painful and prolonged “divorce”. There are 266 towns and villages and 75 rural municipalities. The voice of rural Alberta will be lost in a ratio of more than 3 to 1. The needs and wants of urban municipalities are completely different than those of rural municipalities. While the majority of rural infrastructure is designed around transportation corridors and emergency and enforcement services, urban municipalities require millions of dollars to subsidize recreational services. There has always been a disconnect between the two entities regarding municipal servicing priorities. The continuous ongoing attempt, by AUMA, to absorb and cherry pick what is successful about AAMDC will leave rural Alberta without its last great voice.

AUMA Announcement:

July 13, 2017



SPECIAL EDITION

I am pleased to provide you with advance notice of a resolution that the AUMA Board is putting forward at our fall Convention. The enclosed resolution calls for your support to explore the possibility of merging AUMA and AAMDC into one new municipal association that would represent all of Alberta’s municipalities.

The resolution reflects the common goals of urban and rural municipalities in providing infrastructure and other community services that enable quality of life and support economic development, environmental stewardship and social wellbeing within and outside of your individual municipal boundaries. Given the need for greater collaboration between all municipalities, this is also a very appropriate time to explore the feasibility of merging AUMA and AAMDC into one association so that we can build consensus on policy and advocacy matters, while more efficiently and effectively creating tools and resources to build municipal capacity.

AUMA is well accustomed to building consensus across municipalities of different types, sizes and locations. We have a proven track record of identifying issues and opportunities of importance to our diverse membership and then working with our members to develop practical solutions. As well, we have also had a lot of success in working with AAMDC to develop common policy positions such as those relating to the Municipal Government Act and in delivering services through our jointly owned programs (e.g. Elected Officials Education Program and Municipal Climate Change Action Centre).

The concept of one municipal association is not ground-breaking. Other provinces such as Ontario, British Columbia and Manitoba have effectively evolved to one municipal association and indicate that they have a much stronger impact with federal and provincial governments since they can act as one voice on behalf of all municipalities. As well, many of you have been suggesting that it would be beneficial for AUMA and AAMDC to merge.

The AUMA Board agrees that the time is right for our associations to stop competing with each other and to instead explore combining our respective resources so that we can provide greater services to municipalities, realize cost savings and efficiencies and strengthen our impact with governments and service providers.

While we have not received an indication of whether AAMDC supports the exploration of a merger, it will be a key topic of discussion at the August annual meeting of the AUMA and AAMDC Boards. In the interim, I want to clarify that it will take some time to complete this exploration as we would need to develop a proposed scope of services and a governance, legal and financial structure. The proposal would then need to be presented to our respective members in 2018 for input. Assuming there is support to proceed, it would likely take a few years to implement, given the regulatory and other requirements.

We are excited about this resolution as it opens the door for a stronger municipal voice in Alberta. We look forward to hearing your views before and during the resolution session this fall. Please feel free to email me at president@auma.ca to share your questions and perspectives.

Lisa Holmes
AUMA President

AUMA Resolution 2017
AUMA Board of Directors

Collaborative discussions Between AUMA and AAMDC on the Opportunity to Merge

WHEREAS the Alberta Urban Municipalities Association (AUMA) and the Alberta Association of Municipal Districts and Counties (AAMDC) each have over 100 years of experience in supporting Alberta's municipalities;

WHEREAS AUMA and AAMDC share a common goal to enable strong, vibrant and sustainable communities;

WHEREAS the member municipalities of each association need to work more collaboratively together to deliver municipal infrastructure and services within and outside of their individual boundaries;

WHEREAS given the common goals of rural and urban municipalities, the associations themselves have recognized their own need for greater collaboration and have been able to reach consensus on many policy, advocacy and program matters;

WHEREAS the experiences of other provinces like Manitoba and Ontario illustrate that having one association to represent all municipalities with a unified policy and advocacy position has a more robust impact with federal and provincial governments;

WHEREAS combining our respective policy and advocacy resources would expand our impact, lower costs, and increase our sustainability; and

WHEREAS there is an opportunity for the associations to unite their efforts in providing property and casualty insurance, retirement and employee benefits, and utilities so that instead of competing with each other we can improve services to our members, reduce costs and provide the best possible pricing for our members, while combatting competition from the private sector so that our modest proceeds can be used to fund other services to help municipalities.

NOW THEREFORE BE IT RESOLVED THAT the AUMA invite AAMDC to engage in exploratory discussions to merge our associations into one new municipal association.

BACKGROUND:

AUMA and AAMDC have been operating as separate municipal organizations since the early 1900s. Both associations provide member-based advocacy and business services to municipalities. AUMA represents 269 of Alberta's urban municipalities and AAMDC represents 69 counties and municipal districts. Some municipalities are full voting members of both associations, while others are associate members for the purpose of acquiring business services.

AUMA and AAMDC jointly own the Elected Official Education Program and Municipal Climate Change Action Centre. In addition, our associations are accustomed to working collaboratively to provide resources and tools to build municipal capacity and advocate on municipal issues and opportunities through our participation on committees and correspondence and meetings with other governments and stakeholders.

As AUMA and AAMDC each provide business services such as insurance, benefits, water and utilities, we compete with each other to serve the needs of urban and rural municipalities. While each association has a combination of urban and rural municipal clients, our respective market shares are at risk given the emergence of private sector competitors who would like to attract our respective clients. Instead of competing with each other, AUMA and AAMDC need to join forces to combat this competition so we can continue to provide quality service at low cost to our members.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 10-17F

Provincial Industry-led Methane Flaring Strategy

MD of Greenview

*Simple Majority Required
Endorsed by District 4 (Northern)*

WHEREAS the Alberta Climate Leadership Plan states “Alberta will reduce methane emissions from oil and gas operations by 45% by 2025;” and

WHEREAS these new regulations may cause increased costs and layoffs of oil and gas personnel along with the closure of many marginal wells; and

WHEREAS this initiative may negatively affect municipal linear assessments, machinery and equipment assessments and add to the orphan well list;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties advocate to the Government of Alberta to permit an industry-led approach to a reduction in methane emissions.

Member Background

The oil and gas sector accounts for 26% of Canada’s total greenhouse gas emissions, and it is Canada’s largest industrial emitter of methane. Cutting methane emissions is the most cost-effective way to accelerate greenhouse gas reductions.

Alberta will reduce methane emissions from oil and gas operations by 45% by 2025 using the following approaches:

- I. Applying new emissions design standards to new Alberta facilities. Applying standards at the planning stage will be less expensive.
- II. Improving measurement and reporting of methane emissions, as well as leak detection and repair requirements.
- III. Developing a joint initiative on methane reduction and verification for existing facilities, and backstopping this with regulated standards that take effect in 2020, to ensure the 2025 target is met. This initiative will include Alberta industry, environmental groups and Indigenous communities.

Implementation of the new oil and gas methane standards will be led by the Alberta Energy Regulator, in collaboration with Alberta Energy and the Alberta Climate Change Office.

Alberta’s reduction target and timeline match the commitments announced by the Canadian and American federal governments while protecting economic competitiveness through alignment with North American environmental standards.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 11-17F

Off-Highway Vehicle (OHV) Fees

Parkland County

*Three-Fifths (3/5) Majority Required
Endorsed by District 3 (Pembina River)*

WHEREAS the use of off-highway vehicles (OHVs) for recreational use on public and private lands pose complex management challenges; and

WHEREAS OHV use impacts the triple bottom line of social, economic and environmental outcomes; and

WHEREAS the Government of Alberta does not have effective legislation, programs or management strategies to address the issues arising from recreational OHV use;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta introduce an annual motorized off-highway vehicles (OHV) permitting process and fee structure with all revenues dedicated solely for the creation of OHV areas, maintenance of OHV areas, enforcement and educational programs; and

FURTHER BE IT RESOLVED that the Government of Alberta identify non-recreational OHV users that would be exempt from the licensing fee; and

FURTHER BE IT RESOLVED that the Government of Alberta amend current legislation to enable the consolidation of recreation management oversight and responsibility to a department and/or agency to better address OHV issues; and

FURTHER BE IT RESOLVED that the Government of Alberta develop and introduce enhanced liability protections into legislation that better safeguard the interest of the Crown and private land owners where OHV activities occur.

Member Background

With the number of OHVs increasing in Alberta, there is a corresponding increase in pressures and challenges associated with their use. As OHV ownership has increased, greater activity has been witnessed in areas where OHV use is permitted; there has not been a corresponding increase in infrastructure supporting or enabling OHV activity.

In Alberta, there is relatively little public funding available for recreation management programs and, in particular, those dealing specially with OHVs. Any available revenue sources are from general revenues and departmental budgets. As a result, the management and control of OHVs must compete for limited funds with other provincial priorities. In contrast, other jurisdictions have taken proactive measures to deal with OHV use and have established programs that create dedicated revenue streams for specific programs. These revenue sources include user fees and permits, regulatory charges such as vehicle registrations, operator licensing and fines. In the absence of a reliable, dedicated funding source, it will be difficult to address the issues surrounding OHV recreational use. A recreation management strategy is required to tackle environmental impacts, reduce user conflict and increase public safety while addressing liability issues.

The impacts of OHV use on lands throughout the province, particularly from an environmental perspective, have been receiving increased attention. From the adverse impact on fish habitat, disruption and displacement of wildlife breeding and nesting habitats to the impact on flora and the potential loss of a food source or wildlife, the need for a recreation management plan is crucial to balance the interests of OHV users, other recreational pursuits and the environment.

OHV use has also resulted in conflict between users and private land owners, most notably, agricultural producers. Illegal access to private agricultural lands has resulted in damage to fencing, escape of livestock, damage to crops and agricultural lands as well as vandalism of private property and equipment. These activities result in a direct financial loss to farmers and ranchers.

Currently in Alberta, the roles and responsibilities associated with recreation management are somewhat fragmented. The environment, parks, recreation, conservation, access to public lands, motor vehicles, roads, and liability for injuries related to recreational use of public land are often dealt with by different

department or agencies. This fragmentation contributes to ambiguous rules, a lack of developed recreational amenities and difficulty in mitigating the negative impacts of recreation activities. The existing legislation fails to provide clear direction or enabling authority. Consequently, many recreation management decisions such as OHV use require the involvement of ministers or Cabinet. Due to the politicization of OHV recreation management, both previous and current governments have failed to move forward on this matter.

Another crucial subject that needs to be addressed is liability. In Alberta, the legal protection from lawsuits arising from trail-related injuries has evolved and provides better protection than in the past. The provincial *Occupiers Liability Act* lessens the duty of care owed to recreational users in some situations, however, the legislation is complex and does not provide adequate assurance potentially affected parties. While it addresses and enables access to recreational opportunities, it fails to provide protection and the certainty that would advance actions or initiatives such as trail development or implementing user fees.

Inaction will further perpetuate the issues, challenges and conflicts surrounding OHV use as the province recognizes continued population growth and increased OHV activity.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 12-17F

Specialized Clinical Counselling and Therapy for Distressed Emergency First Responders

County of St. Paul

*Simple Majority Required
Endorsed by District 5 (Edmonton East)*

WHEREAS accidents, emergencies, human conflict, natural disasters, and events where there is the potential for illness, injury, or death occur daily in Alberta; and

WHEREAS emergency first responders are typically found at the scene of accidents, emergencies, human conflict, natural disasters, and events where there is the potential for illness, injury, or death which results in emotionally distressing situations; and

WHEREAS research indicates that emergency first responders are at high risk for depression, anxiety, family dysfunction, negative work-site interactions, substance abuse, post-traumatic stress disorder, and toxic stress and over time, ongoing toxic stress leads to increased rates of heart disease, cancer, arthritis, diabetes, and other medical illnesses; and

WHEREAS research indicates that the suicide rates for emergency first responders are much higher than the general population; and

WHEREAS emergency first responders are traditionally viewed by the public as emotionally resilient and are expected to always remain calm under pressure, which often creates difficult emotional challenges for emergency first responders experiencing distress; and

WHEREAS emergency first responders, their respective agencies, and municipalities have various methods for debriefing following serious emergency incidents, debriefing is not necessarily sufficient in assisting individuals with managing the emotional and psychological effects of traumatic experiences; and

WHEREAS not all psychiatrist, psychologist or therapist clinicians are skilled and trained at treating emergency first responders; it is crucial that clinicians treating first responders have extensive experience and expertise in the specialized area of treating emergency first responders; and

WHEREAS many small, remote, and rural municipalities do not have specialized clinicians present in their communities; and

WHEREAS it is currently an additional burden placed on many emergency first responders experiencing distress to have to travel long distances to seek treatment; and

WHEREAS the Government of Alberta has demonstrated its prioritization of mental health initiatives through the Valuing Mental Health Report and other various programs and initiatives;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties strongly encourages the Government of Alberta to create and staff a governmental unit capable of providing specialized clinical counselling and therapy for distressed emergency first responders capable of servicing and travelling to all regions of the Province.

Member Background

Volunteer fire fighters are a ubiquitous and necessary presence in rural communities; there are over 450 volunteer fire departments in Alberta dedicated to providing fire suppression and emergency first response services. The County of St. Paul boasts four volunteer fire departments within its boundaries supported by over one hundred volunteer fire fighters.

Over the past several years, some volunteer fire fighters within the County have responded to a series of highly traumatic incident scenes including several fatalities. Specifically, the volunteers' response to motor vehicle collisions has been particularly traumatic. Due to the exposure of these traumatic incidents,

several volunteer fire fighters have experienced negative consequences to their mental and psychological health.

The County finds that while the treatment of acute stress can typically be managed with local resources, the treatment of chronic stress in the weeks and months following a traumatic incident is very difficult to manage.

As these volunteer fire fighters sought out treatment, they often are forced to drive long distances to Edmonton to seek appropriate care. This has placed an additional strain on volunteer fire fighters within the County of St. Paul, their families, and their jobs as they are required to travel to seek appropriate care.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 13-17F

AAMDC Advisory Committee to Support the Alberta Gaming and Liquor Commission in Reviewing Charitable Gaming in Alberta

County of Barrhead

*Simple Majority Required
Endorsed by District 3 (Pembina River)*

WHEREAS there is a great need for charitable organizations to find ways to raise funds to maintain and expand their operations in Alberta for the good of the residents of the Province of Alberta; and

WHEREAS there is a large disparity between the frequency of opportunities available to rural charitable organizations and the funding provided compared with charitable organizations in major urban communities, with an average difference of \$60,000; and

WHEREAS the challenges of rural charitable organizations regarding access to casinos and the distribution of proceeds from casinos has been formally under review since at least 2009 with limited progress; and

WHEREAS the membership of the Alberta Association of Municipal Districts and Counties (AAMDC) approved a resolution at its November 2016 convention urging the Government of Alberta to change Alberta's charitable gaming model so as to provide equity to all charitable organizations in Alberta, by addressing the disparity between the funding provided, and the frequency of opportunities available to charitable organizations in major urban centers compared with those in rural communities, and

WHEREAS although it appears that the Alberta Gaming and Liquor Commission (AGLC) acknowledges the challenges of rural municipalities associated with accessing funding through casinos, to date, neither Alberta Treasury Board and Finance, nor the AGLC, have indicated any timeline for implementation of any change to Alberta's current charitable gaming model; and

WHEREAS it would be beneficial and expedient to establish a committee consisting of representatives from the AAMDC membership to support the work planned by the AGLC, under the authority of Alberta Treasury Board and Finance, in reviewing the province's current charitable gaming model;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties establish an advisory committee with a mandate to provide a rural perspective in support of the efforts of the Alberta Gaming and Liquor Commission's commitment in moving forward with changes in the charitable gaming funding to treat all organizations equally across the province.

Member Background

March 2010 – MLA Advisory Committee that was tasked to Review Eligible Organizations' Access to and Distribution of Proceeds from Licensed Casino Events issued a report with six (6) recommendations to the Minister responsible for the AGLC. Executive summary for the report is attached. Full report can be found at http://aglc.ca/pdf/news/MLA_AdvisoryCommitteeReport.pdf

Fall 2016 AAMDC Convention - Resolution 20-16F Casino Opportunities for Charitable Organizations was supported by the AAMDC membership for advocacy.

Government response from the Treasury Board and Finance to Resolution #20-16F included the following:

The Alberta Gaming and Liquor Commission (AGLC) acknowledges the ongoing challenges faced by charitable organizations in relation to the current charitable gaming model, as well as the efforts made by stakeholders to raise these concerns with government. The AGLC considers this issue a top priority among its current initiatives.

The AGLC has reviewed previous reports on charitable gaming in Alberta and recently conducted a new cross-jurisdictional assessment of charitable funding from gaming streams. Based on its research, the AGLC has confirmed that there is a need to address deficiencies in the effectiveness, integrity and sustainability of Alberta's charitable gaming model. The AGLC is presently developing strategies to address the same.

The AGLC recognizes the importance of charitable gaming funding to organizations across the province and is committed to moving forward with changes in a timely manner. At the same time, the AGLC wants to ensure that any changes to the model provide not only immediate stakeholder benefits, but also long-term sustainability.

The AAMDC reaction and follow-up to the AGLC response to Resolution #20-16F reports that the AGLC indicates an acknowledgement that the current gaming model is disadvantageous to charities operating in rural Alberta. The AAMDC has assigned a status of “Accepted in Principle” to Resolution #20-16F, and will be re-evaluated by the AAMDC based when the review of the current model begins.

Unfortunately, although it appears that the AGLC acknowledges the challenges of rural municipalities associated with charitable casinos, to date, neither Alberta Treasury Board and Finance, nor the AGLC, have indicated any timeline for implementation of any change to Alberta’s current charitable gaming model. It is likely that resolution 20-16F will expire prior to a new model being proposed.

Resolutions have been supported by the AAMDC membership since at least 2002, and formally under review by the province since 2009 with very limited progress.

The following resolutions are currently in the AAMDC Resolution database:

- 20-16F Casino Opportunities for Charitable Organizations - ACTIVE
- 8-03S, 2003 (Carried) Gaming Licenses for Non-Profit Groups/Dissolution Requirements - EXPIRED
- 18-02F, 2002 (Carried) Casino Opportunities for Charitable Organizations – EXPIRED

The AAMDC has formed or participated in a wide variety of Advisory Committees over the years, bringing expertise and the rural perspective to the issues. A few examples of Advisory Committee include, but are not limited to the following:

AAMD&C-AUMA Advisory Committee on Aboriginal Issues	EFP Stakeholder Advisory Committee
AAMD&C-AUMA Advisory Committee on Cost-Sharing for Success: A Pro-active Approach	FireSmart Advisory Committee
Ambulance Governance Advisory Council	MGA Review Advisory Committee
Climate Change Advisory Committee	Strategic Transportation Advisory Committee

At the time of drafting this resolution, Treasury Board and Finance indicated that a FOIPP request was required to obtain information on the charities that have participated in casinos and the amounts that they received.

AAMDC Background

20-16F: Casino Opportunities for Charitable Organizations

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to change Alberta’s charitable gaming model so as to provide equity to all charitable organizations in Alberta, by addressing the disparity between the funding provided, and the frequency of opportunities available to charitable organizations in major urban centers compared with those in rural communities.

DEVELOPMENTS: The Alberta Gaming and Liquor Commission (AGLC) response indicates an acknowledgement that the current charitable gaming model is disadvantageous to charities operating in rural Alberta. The AAMDC is pleased that the AGLC is planning to revise the current model and hopes to be a part of the process. As such, this resolution is assigned a status of Accepted in Principle and will be re-evaluated based when the review of the current model begins.

Resolution 14-17F

Cannabis Act

MD of Taber

*Simple Majority Required
Endorsed by District 1 (Foothills-Little Bow)*

WHEREAS the Government of Canada has introduced legislation to legalize cannabis by July 2018 which will permit possession of up to 30 grams of dried cannabis by any person over 18 years of age and up to 5 grams by any person between the ages of 12 and 18 years of age; and

WHEREAS cannabis affects memory, attention, psychomotor function and poses a long term developmental risk to children and youth, an increased risk to the general public through impaired driving, uncertain long term effects to users mental health and public safety concerns related to its illicit production and distribution; and

WHEREAS it known that tobacco related illness is responsible for 37,000 deaths in Canada each year yet little is known regarding the social cost of the legalization of cannabis as it relates to increased health care costs; and

WHEREAS the Canadian Association of Chiefs of Police has indicated to the Government of Canada that a cautious implementation of legalization of cannabis is necessary to permit the science of law enforcement time to develop in order to support evidence based decision making; and

WHEREAS the Government of Alberta has a role in determining how cannabis will be distributed and consumed and has the legislative ability to address impaired driving, public health, education, taxation, and distribution of cannabis; and

WHEREAS Alberta's municipalities will be responsible for land use and zoning issues related to retail sale and production of cannabis;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties advocate that the Government of Alberta oppose the legalization of cannabis for recreational use in the Province of Alberta until a complete understanding of the implications that the legalization of cannabis will have on the health of individuals and on community safety is publicly available.

Member Background

Proposed federal legislation:

On April 13, 2017, the Government of Canada introduced legislation to legalize, regulate and restrict access to cannabis – bills [C-45 Cannabis Act](#) and [C-46 An Act to amend the Criminal Code](#). This legislation is expected to come into effect by July 2018. See also the [plain language overview of Bill C-45](#). Cannabis is currently an illegal substance (with the exception of authorized medical use) under the federal [Controlled Drugs and Substances Act](#).

The federal legislation would:

- Allow adults to possess up to 30 grams of legally-produced cannabis
- Allow adults to grow up to four cannabis plants per household
- Set the minimum age for purchase and use at 18 years of age, with the option for provinces to increase the age limit
- Enable a regulatory regime for the licensed production of cannabis, which would be controlled by the federal government
- Enable a regulatory regime for the distribution and sale of cannabis, which would be controlled by the provincial government
- Establish new provisions to address drug-impaired driving, as well as making several changes to the overall legal framework to address alcohol impaired driving

Alberta's approach:

The Government of Alberta has an obligation and an opportunity to actively shape how the province will adapt to cannabis legalization in a way that best suits Albertans' needs, circumstances and values.

Our focus is on:

- Limiting the illegal market for cannabis
- Keeping cannabis out of the hands of children and youth
- Protecting public health
- Protecting safety on roads, in workplaces and in public space
-

To do this, government will continue to assess the implications of legalization, engage with a wide range of Albertans to hear their views and determine their needs, and respond in a way that makes the most sense for the province.

This will include:

- Developing a made-in-Alberta policy approach to address provincial aspects of legalization the Alberta Cannabis Framework.
- Advocating to the federal government on behalf of Albertans on issues of concern or uncertainty.
- Working with provincial and territorial colleagues to develop common approaches (where feasible) to issues where it makes sense to have consistency across the country.
- Supporting municipal and indigenous governments with the tools and information they need to decide issues within their jurisdiction in accordance with local needs.

Role of provinces:

While legalization is a federal decision, provinces and municipalities have been given areas of responsibility.

Table 1: Jurisdictional responsibilities

** Provinces will have the ability to strengthen legislation for these areas under federal jurisdiction

Activity	Responsible		
	Federal	Provincial	Municipal
Possession limits **	Yes	No	No
Trafficking	Yes	No	No
Advertisement & packaging **	Yes	No	No
Impaired driving	Yes	Yes	No
Medical cannabis	Yes	No	No
Seed-to-sale tracking system	Yes	No	No
Production (cultivation and processing)	Yes	No	No
Age limit (federal minimum) **	Yes	No	No
Public health	Yes	Yes	No
Education	Yes	Yes	Yes
Taxation	Yes	Yes	Yes
Home cultivation (growing plants at home) **	Yes	No	No
Workplace safety	No	Yes	No
Distribution and wholesaling	No	Yes	No
Retail model	No	Yes	No
Retail location and rules	No	Yes	Yes
Regulatory compliance	Yes	Yes	No
Public consumption	No	Yes	Yes
Land use/zoning	No	No	Yes

Social and Health Care Costs:

The harms of alcohol and tobacco are well established. According to the Chief Public Health Officer's Report on the State of Public Health in Canada (2015), almost 80 percent of Canadians consume alcohol; in 2013, more than 7.4 million Canadians drank enough to be at risk for immediate injury and harm or for chronic health effects, such as liver cirrhosis and cancer. Tobacco-related illness is responsible for 37,000 deaths in Canada each year and results in \$4.4 billion of direct health-care costs.

Youth Criminal Justice Act Amendments

184 The schedule to the *Youth Criminal Justice Act* is amended by adding the following after item 4:

5 An offence under any of the following provisions of the *Cannabis Act*:

- (a) section 9 (distribution and possession for purpose of distributing);
- (b) section 10 (selling and possession for purpose of selling);
- (c) section 11 (importing and exporting and possession for purpose of exporting);
- (d) section 12 (production); and
- (e) section 14 (use of young person).

Equivalent Amounts

Item	Column 1 Class of Cannabis	Column 2 Quantity that is equivalent to 1 g of dried cannabis
1	dried cannabis	1 g
2	fresh cannabis	5 g
3	solids containing cannabis	15 g
4	non-solids containing cannabis	70 g
5	cannabis solid concentrates	0.25 g
6	cannabis non-solid concentrates	0.25 g
7	cannabis plant seeds	1 seed

Information

<http://dailyhive.com/vancouver/marijuana-legalization-bill-canada>

<http://www.parl.ca/DocumentViewer/en/42-1/bill/C-45/first-reading>

<http://healthycanadians.gc.ca/task-force-marijuana-groupe-etude/framework-cadre/index-eng.php>



**CACP Discussion Paper - Recommendations of the
Task Force on Cannabis Legalization and Regulation
February 8, 2017**

Introduction:

The federal "Task Force on Cannabis Legalization and Regulation" submitted its report to the Government of Canada on November 30, 2016. As stated, "this report is a beginning, we all have a role to play in the implementation of this new, transformative public policy."

Policing in Canada is one of the major sectors that will be impacted by legalization. Policing's role from the beginning of this discussion was to look at the public safety impact and provide consultative advice to help mitigate the impact of such legislation towards "a legalized, regulated and restricted platform."

The Canadian Association of Chiefs of Police (CACAP) has participated widely in consultations on this issue and provided its own submission to the Task Force. In doing so, the CACP outlined concerns with regards to impaired driving, impact on organized crime, limiting youth access to marijuana and the fact that public education is critical and should begin immediately.

Additional Recommendations of the CACP:

- Begin with caution, allow all stakeholders (public, health, law enforcement, governments, regulators, etc.) to adjust, and allow the science to catch-up to support evidence-based decision-making.
- Hold off on 'Home Grows'
- A primary concern of policing in Canada is drug-impaired driving. This is an issue today. It will become an even greater issue with legalization.
- **Drugs and Driving Don't Mix!** We must change current perceptions and attitudes towards drug-impaired driving.
- The CACP encourages governments to immediately focus on education, awareness and public safety. Start now!
- The CACP urges the federal/provincial/territorial governments to develop an enforcement regime that discourages drug impaired driving, enhances public safety and provides for efficient and effective enforcement.

- In the absence of science-based drug impairment measures, the CACP strongly recommends that governments increase investment in Drug Recognition Experts (DRE's) and associated officer training to improve law enforcement's ability to detect and remove drug-impaired drivers from our streets.
- Ensure DRE training is Canadian-based, reflecting Canadian policing models

CACP Key Areas of Support and Concern - Recommendations of the Task Force on Cannabis Legalization and Regulation

The CACP commends the work of the Task Force and supports the large majority of the 86 recommendations included. The following is a summary of key areas of support and concern.

Key Areas of Support:

- Public Education targeted at youth, parents and vulnerable populations and that this should commence immediately. In addition, strong support to a comprehensive public education strategy on drug impaired driving.
- Care must be taken to price and tax policy measures so as to avoid creating an environment that stimulates a black market
- Labeling towards clear identification of products and their content
- Use of revenue as source of funding towards research, prevention, education and enforcement
- The development of occupational and safety standards
- Recognizing the link between cannabis use and mental health and resultant increases in demands for policing services
- Strong regulation, licensing and production controls
- Clear, proportional and enforceable penalties that seek to limit criminal prosecution for less serious offences
- Maintaining criminal offences for illicit production, trafficking, possession for purposes of import/export and trafficking to youth
- Penalties for contraventions of licensing rules of production, distribution, and sale
- Support the limit of 30 grams for personal possession (which may be reviewed in the future). The CACP cautions the federal government to take a 'start small' approach with a willingness to re-evaluate in future.
- Re-examination of per se limits should a reliable correlation between THC levels and impairment be established
- We strongly support the development of an appropriate roadside drug screening device for detecting THC levels
- The need to invest in law enforcement capacity, including the training and investment of Drug Recognition Experts, Standardized Field Sobriety Test training and staffing. Additional capacity should include investment into Canadian-based training.

- The CACP favours the elimination of designated persons under the Access to Cannabis for Medical Purposes Regulations (ACMPR) given that there is too much potential to abuse/enforce and our position on personal cultivation.
- Ensuring capacity is developed prior to the start of the regulatory regime (including Law Enforcement). Policing in Canada anticipates there will be increased demand on law enforcement, especially in the early stages, to ensure compliance with the new regulations.

Key Areas of Concern:

Personal Cultivation:

- The CACP has long been against in-home production. This is not to say our opinion could not change therefore we would recommend that it be reviewed at a later date as we all gain experience with a legalized system.
 - Law enforcements ability to enforce personal cultivation is very limited and diversion to black markets remains a concern.
 - Creates much greater demand on law enforcement resources to enforce over-production and diversion.
 - First responders have long seen the negative effects of home production. It is in all of our interests to ensure a safe product, with known THC levels, free from pesticides, mold, etc.
 - Counter to the stated objective of ensuring a highly regulated and controlled system as put forward by the federal government.
 - Contrary to other measures to minimize child/youth exposure and access to cannabis products.
 - Electrical and fire hazards pose a risk to first responders and nearby dwellings.
 - More information is required ie, municipal regulations, insurance. Etc.

Cannabis Impaired Driving:

- Current perceptions and attitudes towards drug-impaired driving.
 - The Canadian Centre on Substance Abuse recently released a report entitled "Canadian Youth Perceptions on Cannabis." One of the findings: *"Youth from the 2016 groups said they never or rarely heard of crashes or arrests due only to cannabis. As a result, there appeared to be a lack of concern among youth about cannabis-impaired driving. It appears that youth are strongly against alcohol-impaired driving, but do not have the same feelings about cannabis-impaired driving."*
- Impaired driving remains the top criminal cause of death in Canada
 - According to Statistics Canada "Impaired Driving in Canada, 2015": *"In 2015, police reported 72,039 impaired driving incidents...Almost 3,000 drug-impaired driving incidents were reported, representing 4% of all impaired driving incidents."*

- We are very concerned that the prevalence of driving under the influence of drugs is not on Canadian's consciousness. While we do not have Canadian statistics, we note the following:
 - According to the 2014 U.S. National Survey on Drug Use and Health (NSDUH), 10 million people aged 12 or older reported driving under the influence of illicit drugs during the year prior to being surveyed.
- Recognize that drug impaired driving cases are resource intensive both from an enforcement and legal perspective
 - According to Statistics Canada "Impaired Driving in Canada, 2015: *Drug-impaired driving incidents were less likely to be cleared by charge than alcohol-impaired driving incidents. When heard by the courts, these cases also took longer to resolve and were less likely to result in a guilty finding.*"
- Lack of science / evidence based determinants of impairment
 - Evidence-based permissible limits are not defined and supported by science.
 - There is no evidence that "per se" limits adequately quantify impairment and therefore we are concerned with regards to potential challenges within our judicial system. We know with cannabis that people react differently to its effects. Per se limits must be research-based and the science must catch-up to strengthen their credibility
- Understanding the tools available to officers and the current state of readiness
 - When a police officer suspects that a person is impaired by alcohol and/or drugs, he or she will conduct a series of tests to determine if there are reasonable grounds to conduct further testing
 - Oral Fluid Drug Screening Devices – Currently in testing phase, these devices will be useful in detecting the presence of a drug. Legislative changes will need to be enacted before the devices can be approved for use in an enforcement capacity in Canada.
 - Standardized Field Sobriety Tests (SFST) – A roadside test administered by an officer to further qualify impairment
 - Drug Recognition Experts (DRE) - The evaluation of a suspected drug impaired driver is conducted by an evaluator who is trained and accredited by the International Association of Chiefs of Police, through the RCMP. The Drug Recognition Expert (DRE) uses a 12-step procedure in performing the evaluation.
 - Urine, oral fluid or blood tests - The mere presence of a drug in the sample does not constitute sufficient evidence to charge a person as being impaired by a drug. They are used to support the DRE's findings.
- The strongest evidence to determine impairment can only be provided through the evaluation of a highly trained and qualified Drug Recognition Expert (DRE)

- Field certification is only offered in the United States. High costs are incurred by police services to train DRE's and therefore the number of DRE's in Canada is not sufficient to provide proper coverage.
- The CACP strongly recommends that governments increase investment in Drug Recognition Experts (DRE's) and associated officer training to improve law enforcement's ability to detect and remove drug-impaired drivers from our streets.
- The CACP also recommends that training and accreditation take place here in Canada to reflect our own standards/models, reduce overall costs and ensure availability of training to our officers.

The Canadian Association of Chiefs of Police was established in 1905 and represents approximately 1,000 police leaders from across Canada. The Association is dedicated to the support and promotion of efficient law enforcement and to the protection and security of the people of Canada. Through its member police chiefs and other senior police executives, the CACP represents in excess of 90% of the police community in Canada which include federal, First Nations, provincial, regional and municipal, transportation and military police leaders.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue. However, in the spring of 2017, the Government of Alberta invited the AAMDC to participate on several provincially-led stakeholder roundtables to discuss various aspects of the legalization process and its impact on rural municipalities. Additionally, the AAMDC made a submission to the Alberta Cannabis Secretariat in the summer of 2017 relating to the legalization process. This submissions can be viewed at <https://www.alberta.ca/cannabis-legalization.aspx>. The AAMDC also plans to make another submission to the Secretariat in response to their proposed Cannabis Framework. The submission deadline was October 27, 2017.

Resolution 15-17F

Stopping the Implementation of Proposed Federal Tax Reforms

Brazeau County

*Simple Majority Required
Endorsed by District 3 (Pembina River)*

WHEREAS on July 18, 2017, the Honourable Bill Morneau, Minister of Finance, announced changes to three areas of tax planning carried out by private corporations; and

WHEREAS there has been significant backlash from small to medium enterprises (SMEs) and the agricultural sector across the country; and

WHEREAS the proposed changes create two classes of taxpayers, not achieving the proposed crackdown on tax avoidance the Government of Canada sets out to achieve; and

WHEREAS the proposed changes significantly reduce the ability to income split, which may result in higher taxes for shareholders and current income splitting practices among family members; and

WHEREAS the proposed changes to rules that prevent keeping investment income inside a corporation to take advantage of lower tax rates, in order to more easily invest and grow a healthy business; and

WHEREAS the proposed changes aim to eliminate tax plans that convert dividend income into lower-taxed capital gains;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Canada not to proceed with the proposed federal tax reforms that will negatively impact small to medium enterprises and the agricultural sector.

Member Background

The Government of Canada claims they are not in support of how some Canadians use corporations as a tax shelter to pay lower tax rates (compared to personal income tax rates). While the proposed tax changes are meant to affect the wealthy, they will directly impact the average small business owners, and in Brazeau County, like the rest of Alberta and Canada, small business, specifically the oil and gas sector along with agriculture, is the backbone of the economy and will be negatively impacted by the proposed changes.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 16-17F

Review of the Code of Practice for Asphalt Paving Plants

Mountain View County

*Three-fifths (3/5) Majority Required
Endorsed by District 2 (Central)*

WHEREAS Alberta Environment and Parks, through legislation, maintains control of all asphalt paving plants registrations: and

WHEREAS Alberta Environment and Parks, through legislation, maintains responsibility for inspection, compliance and enforcement of asphalt paving plants; and

WHEREAS the Alberta Government *Code of Practice for Asphalt Paving Plants* includes an obligation for asphalt paving plants to be equipped with pollution control technology that meets the requirement of the code; and

WHEREAS municipal districts and counties have the authority to regulate land use and development approvals under the *Municipal Government Act*, they cannot enforce compliance with the *Code of Practice for Asphalt Paving Plants* which is enforced through the *Environmental Protection and Enhancement Act*; and

WHEREAS the Government of Alberta introduced a Climate Leadership Plan in 2016 to reduce carbon emissions; and

WHEREAS asphalt plants that incorporate modern innovative technologies will reduce emissions to contribute to meet industry emission reduction targets referenced in the Discussion Document: Climate Leadership Plan;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Environment and Parks review the *Code of Practice for Asphalt Paving Plants* to:

- 1. reduce environmental impacts by establishing higher standards for pollution control and reduction of emissions;**
- 2. require new technologies to be utilized as part of the Code of Practice operating requirements; and**
- 3. ensure that emission standards are monitored and measured so that minimum standards can be enforced.**

Member Background

A viable aggregate industry is a necessary component of a vibrant Alberta economy. As the need for aggregate resources increases throughout the province, municipalities are challenged to deal with offsite impacts resulting from asphalt paving plants within pit operations.

Environmental impacts associated with asphalt paving plants are governed by Alberta Environment and Parks legislation through the *Code of Practice for Asphalt Paving Plants* (hereafter referred to as the Code). The Code became effective on September 30, 1996 and has not been updated since. There have been increased concerns with the air pollutants released from certain types of asphalt paving plants. The Code does contain an environmental log guide that shall be filled out each calendar year of an operation. However, the Code and the environmental log guide does not contain emission standards or provisions for the type of asphalt plants permitted that are directly linked with the environmental impacts a plant creates.

A review of the Code should increase industry standards to reduce particulate emissions released into the atmosphere and the requirement to use newer technologies and eliminate the use of wet scrubber plants. The Government of Alberta introduced The Climate Leadership Plan as a provincial strategy to reduce carbon emissions while diversifying the economy. A review of the Code will align with the provincial commitment to reduce environmental impacts, taking action on climate change and supporting sustainable communities within Alberta.

REFERENCES:

CODE OF PRACTICE FOR ASPHALT PAVING PLANTS

<http://www.qp.alberta.ca/documents/codes/ASPHALT.PDF>

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT (EPEA)

http://www.qp.alberta.ca/1266.cfm?page=E12.cfm&leg_type=Acts&isbncln=9780779735495

GOVERNMENT OF ALBERTA – CLIMATE LEADERSHIP PLAN

<https://www.alberta.ca/climate-leadership-plan.aspx#toc-0>

A MUNICIPAL GUIDE TO SAND AND GRAVEL OPERATIONS IN ALBERTA (2007 AAMDC)

<http://www.aamdc.com/archive/aamdc-reports/public-reports/1221-2007-municipal-guide-to-sand-gravel-operations/file>

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 17-17F

Amendment to the Municipal Government Act to Allow the PACE Alberta Program

MD of Opportunity

*Three-fifths (3/5) Majority Required
Endorsed by District 4 (Northern)*

WHEREAS Alberta has demonstrated leadership as identified in the Alberta Climate Leadership Plan which is intended to address climate change and reduce greenhouse gas emissions; and

WHEREAS the Alberta Climate Leadership Plan is expected to raise \$9.6 billion, all of which will be reinvested in the green economy and rebated to Albertans; and

WHEREAS Property Assessed Clean Energy (PACE) financing programs exist in the United States through which building owners and building developers can access 100% financing (for both hard and soft costs), which is repaid through their property tax bill and provides a public good by increasing the energy performance of their building(s), thereby decreasing their use of resources and reducing greenhouse gases (GHGs) generated by their buildings; and

WHEREAS PACE programs in the United States have created 42,200 jobs across 22 states since 2009; and

WHEREAS the groundwork for the PACE Alberta program has already begun; and

WHEREAS a change in provincial legislation would allow municipalities to participate in and/or develop PACE programs to enable citizens to access financing to increase energy efficiency and/or reduce resource use and GHG production on private property; and

WHEREAS municipalities in Canada are using alternative funding mechanisms to create opportunities for citizens to undertake energy retrofits; and

WHEREAS if all municipalities are granted authority for PACE programs, individual municipalities could either set up their own program or "opt-in" to a provincial PACE program operated by a third party organization which may significantly accelerate the economic stimulus and GHG reduction agenda; and

WHEREAS PACE programs can be financed in whole or in part by municipalities if enabled by provincial legislation through what is known as 'refundable debt;' and

WHEREAS many municipalities in Alberta have adopted sustainable community plans or strategies to address climate change impacts at the local level;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to amend the *Municipal Government Act* to allow municipalities to levy a special tax to fund environmental/energy efficiency/GHG reduction programs for property owners, or to add a stand alone provision that empowers municipalities to create and fund a PACE program;

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to amend the *Municipal Government Act* to remove the restrictions on municipal loans which restrict PACE financing programs from being offered by municipalities to their constituents.

Member Background

The MD of Opportunity No. 17 has been investigating different ways to aid and encourage residents to install alternative energy systems. Solar energy is a renewable resource available to the general public, unfortunately the purchase and installation of solar panels is still quite expensive. Alberta's Climate Leadership Plan, through the carbon levy, provides a financial incentive for families, businesses, and communities to lower their emissions. Even though the Government of Alberta has a few grants available for people to upgrade their homes, the home/business owner would still need to front a large portion of the costs.

With a PACE program, the cost of purchasing and installing the solar panels would be borne by the building owner. A PACE program will also permit building owners to upgrade the energy and GHG

performance of their buildings, thus further creating municipal value and jobs. The PACE financing is then added as a tax lien on the property, and the homeowner pays it back via a line on their tax bill. This lien stays with the property, so if the landowner sells their property, the responsibility of paying back the financing falls to the new landowner. The source of the funds used by the PACE program can come from private capital, public capital or both.

While the municipality does have to collect the taxes to give to the PACE administrator, they are able to collect a fee for their own administrative costs. The PACE program has a mandate to hire local contractors and construction workers. This will bring new skills to the communities throughout Alberta and will diversify our economy. The PACE program also can ensure that all landowners are able to afford solar panels and building upgrades by structuring the terms such that the PACE financing repayments come to less than their annual energy bills savings. Further positive returns on investment for the municipality are as follows:

- If municipal funds are used for the PACE financing, they are not included in the municipal debt because it is 100% secured and recoverable and does not have an impact on the municipal debt ceiling
- It improves the value of properties
- It promotes economic and industry diversification
- It improves property appraisal which positively changes property values
- It is an investment which has an unquestionably positive return on investment for the municipality
- It is tax neutral, it creates no additional cost to the taxpayer.

By examining the efficacy of American PACE programs, the successful programs have minimal legislative constraints which permits implementation and delivery to be adapted as circumstances evolve. It has also shown that successful PACE programs are financed by either or both private and public capital.

The groundwork for the PACE Alberta program has already begun. PACE Alberta has started researching the best practices for a PACE program, educating Municipalities on the benefit of a PACE program, and looking for Canadian investors. However, program cannot be implemented until amendments to the *Municipal Government Act* (MGA) have been made.

The Environmental Law Centre (Alberta) has put together several potential amendments to the MGA which would allow for a PACE program to be implemented. There are three sets of amendments that would need to be made; they are as follows:

Amendment 1

Option 1: amending Part 10, Division 7 MGA to allow local improvement taxes to be levied for "environmental/energy efficiency/GHG programs or other public good programs as determined by Ministerial regulation.", and by amending ss. 395 and 397 to remove the requirement to identify the area of the municipality that will benefit from the local improvement.

Option 2: amending s. 382 MGA to allow special taxes for "environmental/energy efficiency/GHG programs or other public good programs as determined by Ministerial regulation." and by amending s. 384 to remove the requirement that a special tax bylaw describe the area of the municipality that will benefit from the service or purpose of the tax and in which the special tax will be imposed.

Option 3: amending the MGA by adding a stand-alone PACE provision which would address the issues preventing PACE financing to be registered as a tax lien on the recipient's property

Amendment 2:

Option 1: amending s. 264 so that a municipal loan can be made to an individual property owner or PACE administrator to support PACE programs.

Option 2: addressing this barrier through program design to avoid the municipality providing loans altogether.

Amendment 3:

Option 1: amending s. 268 of the MGA to indicate that a loan under s. 264 for the purposes of supporting a PACE program is deemed to form no part of the municipality's debt for the purposes of calculating the municipal debt limit.

Option 2: amending the Debt Limit Regulations to indicate that loans for the purposes of supporting a PACE program are deemed to form no part of the municipality's debt for the purposes of calculating the municipal debt limit.

The PACEAlberta program has already received support from Red Deer, Edmonton, Brazeau County, Drayton Valley and Devon. The provincial government is currently working on a city charter for Edmonton and Calgary where they are looking at allowing these two cities the chance to deliver a PACE program to their residents and business owners. This shows that the province is open to the idea of an Alberta PACE program. While the concept of piloting a PACE program for only the Charter cities has merit, permitting any municipality to participate in a PACE program, will significantly accelerate the economic job stimulus and GHG reduction agendas for all municipalities and the entire Province.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 18-17F

Integrate Emergency Social Services into Emergency Management at Provincial Level

County of St. Paul

*Simple Majority Required
Endorsed by District 5 (Edmonton East)*

WHEREAS the Minister of Municipal Affairs is designated as the Minister responsible for the *Emergency Management Act* as per the *Emergency Management Act*, Revised Statutes of Alberta 2000, Chapter E-6.8, Section 1(h); and

WHEREAS a Director of Emergency Management is appointed by the local authority to prepare and coordinate emergency plans, act as the director of emergency operations on behalf of the emergency management agency, and coordinate all emergency services and other resources used in an emergency [Section 11.2(2)], including emergency social services plans and resources; and

WHEREAS the provision of emergency social services, defined within the Provincial Emergency Social Services Framework as “the supports that meet the basic essential needs of individuals, households, and communities affected by emergencies”, is an integral part of any emergency response because it involves the care of the people affected and cannot be carved out and handled as separate from the overall response; and

WHEREAS emergency social services is housed in the Ministry of Community and Social Services, where the structure of support to local authorities that is currently available through the Alberta Emergency Management Agency is being recreated, duplicating efforts and creating confusion for local authorities in how best to communicate with the province on planning, training, and responding to emergencies in a holistic sense; and

WHEREAS the Alberta Emergency Response Plan defines the Provincial Operations Centre as the entity responsible for the coordination of provincial supports to the local authority during an emergency to ensure a common understanding and prioritization of all requests for assistance, as well as to provide a single coordination point for local authorities to access all provincial ministries; and

WHEREAS during the 2013 southern Alberta floods and the 2016 Regional Municipality of Wood Buffalo wildfire, the disconnection of emergency social services into a separate provincial ministry (in the case of the 2016 wildfire this was formalized into a separate coordination centre, known as the Provincial Emergency Social Services Emergency Coordination Centre) created communication challenges, confusion around roles and responsibilities, duplication of effort, and introduced a higher administrative burden on the local authority to provide daily updates to two separate provincial entities that were not effectively sharing information;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to consolidate emergency social services and emergency management into a single government ministry with a single emergency coordination centre to eliminate duplication and enhance coordination of provincial support to local authorities.

Member Background

Alberta has had several large-scale disasters in the past decade, which present and opportunity for learning and improvement. Through the Slave Lake wildfire, southern Alberta Floods, and the Wood Buffalo wildfire, one common recommendation is for better integration of emergency social services and emergency management. Many municipalities have adopted this approach and are incorporating emergency social services into municipal plans, training, exercises, and responses. Provincially, however, these two inter-connected pieces are currently managed through two separate ministries, which has led to communication and coordination challenges.

The Incident Command System (ICS) is “a standardized on-site management system designed to enable effective, efficient incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure” (*Alberta*

Emergency Plan, 2015, pg. 10). The Government of Alberta adopted the ICS and mandated that all provincial organizations and ministries shall use ICS as their incident management systems (*Alberta Emergency Plan*, 2015, pg. 10). One of the foundational principles of ICS is designed to address this inherent challenge of a multi-agency response. “Unity of command” means each individual has a single designated supervisor to avoid the challenges of having to prioritize directives and work assignments from multiple sources, which can have immediate and far-reaching consequences during the time-sensitive nature of an emergency.

The separation of emergency social service and emergency management into two different provincial ministries undermines this foundational principle by introducing a dual reporting structure and creating an unnatural division in what should be a coordinated response. Unlike other provincial ministries with clear jurisdictional authority over specific elements of a response (such as Environment, Forestry, or Health), the mandate for emergency social services at the local level falls under the Director of Emergency Management (*Emergency Management Act*, Revised Statutes of Alberta 2000, Section 11.2).

Emergency social services cannot be effectively separated from the response without a significant, detrimental impact on the people affected by the disaster. Creating this separation results in loss of coordination, communication breakdowns, and conflicting messages to evacuees who need certainty in order to make decisions about their homes and businesses. For example, during the High River flood in 2013, decisions were made about relocating evacuees from reception centres to transitional housing at the University of Calgary and University of Lethbridge in isolation, without coordination or support from the Emergency Operations Centre. This created significant confusion and fear among evacuees when buses showed up without notice to take them to their new lodgings.

Each of the past three large-scale disasters in Alberta has resulted in the recommendation of closer integration of emergency social services into the overall response. In the *Lesser Slave Lake Regional Urban Interface Wildfire – Lessons Learned Final Report* (KPMG, 2012), one of the primary recommendations was to “fully implement the Incident Command System so that emergency response roles and mandates are firmly established within a single, clear chain of command”, especially regarding “Disaster Social Services, Consequence Management Officers, the NGO Council, First Nations, the Red Cross, and the Fire Commissioner” (pg. 165). This highlights the need for a fully-integrated response with a clear chain of command, making no distinction between traditional response resources (e.g. Fire Commissioner) and emergency social services (Disaster Social Services, the NGO Council, and the Red Cross).

The Review and Analysis of the Government of Alberta’s Response to and Recovery from 2013 Floods (MNP, 2015) report stressed the urgent need for a provincial emergency social services framework that created a unified approach to delivering ESS services, acknowledging that “the lack of a unified approach to these elements is linked to the overarching ESS challenge at the provincial level” (pg. 43). The *May 2016 Wood Buffalo Wildfire Post-Incident Assessment Report* (KPMG, 2017) recommends the integration of provincial emergency social services into Provincial Operations Centre to streamline communication, coordination, and support to local authorities (pg. 96).

It is acknowledged that *The Review and Analysis of the Government of Alberta’s Response to and Recovery from 2013 Floods* (MNP, 2015) explicitly suggests the Ministry of Human Services is best positioned to lead the ESS framework and program (pg. 84). Part of the justification for this rationale is that “social service expertise” resides in Human Services at the provincial level. However, in emergencies, the direct delivery of social services is done by the local authority, supported by non-governmental organizations and provincial ministries, and not the other way around. Likewise, recovery “is a local authority’s responsibility” (*May 2016 Wood Buffalo Wildfire Post-Incident Assessment Report*, KPMG, 2017, pg. 109), where provincial financial and programming support is needed for success, but must be community-led to be most effective. It is essential to prioritize the human impact of disasters and ensure this does not become lost in the overall response, but this issue can be better addressed through more integrated training for local authorities on their responsibilities under the *Emergency Management Act*, which includes emergency social services. Local authorities would be best served by a well-coordinated, integrated provincial approach to emergency management and emergency social services.

Alberta has seen several large-scale disasters in recent years that have highlighted the need for closer integration of emergency social services and emergency management. Where previous approaches to emergency social services may have worked in localized emergencies, it is clear the frequency and impact of large-scale disasters is increasing because of climate change. Municipalities in Alberta are

working towards closer integration and coordination between emergency social services and emergency management under the authority of the Director of Emergency Management. This progressive approach should be reflected at the provincial level to align training, planning, and responding to emergencies in a clear, unified manner.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 19-17F

Builder Licensing Program Impacts

County of Paintearth

*Simple Majority Required
Endorsed by District 2 (Central)*

WHEREAS the Government of Alberta regulates the residential construction industry through the Alberta Safety Codes program, and the Alberta Building Code; and

WHEREAS the Government of Alberta further regulates the residential construction industry with the implementation of the *New Home Buyers Protection Act*; and

WHEREAS the Government of Alberta is furthering its attempt at constricting the ability of journeymen carpenters and residential home builders by the proposed implementation of the Builder Licensing Program; and

WHEREAS the municipalities of Alberta ensure conformity to all residential construction regulations by the diligent and competent enforcement and inspections of safety codes officers;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) request that the Government of Alberta delay the implementation of the Builder Licensing Program until such time it can reasonably demonstrate that the impacts of such a program will yield a positive impact on the residential construction industry and its participants;

FURTHER BE IT RESOLVED that the AAMDC request that the Government of Alberta recognize and resolve the negative impacts of the *New Home Buyers Protection Act* on rural Alberta tradesmen, municipalities, and home owners.

Member Background

Many residential carpenters and framers in rural Alberta have had their livelihoods affected by the implementation of the *New Home Buyer's Protection Act* (NHBPA) where they were unable to secure home warranty coverage due to the size of their operation, inability to post large and cumbersome bonds with insurers, and have removed themselves from residential building projects unless those were under owner-builder exemptions. Thus, making home building a more onerous and expensive process in rural Alberta. The implementation of the NHBPA was fraught with irregularities, problems with processing applications, and generally turned the program into a nightmare or bureaucratic red tape for new home owners.

The proposed builder licensing program – without due diligence and thorough review and neutrality of process – will undoubtedly shape up to the same extent and cause further damage to the small builders and carpentry operators. The extent that the program will evaluate builders' performances with a lack of qualitative or quantitative criteria shows the program is fraught with problems at the outset. Much more thorough review and oversight by those within the construction approving and permitting process would be a wise road to follow prior to implementing such a potentially disastrous program.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 20-17F

Chemical Control of Wireworms

Cardston County

*Simple Majority Required
Endorsed by District 1 (Foothills-Little Bow)*

WHEREAS the immitigable destruction of crops by wireworms in southern Alberta has increasingly become an unmanageable issue; and

WHEREAS the Government of Canada ended the use of Lindane as a pesticide in December of 2004; and

WHEREAS there currently does not exist an effective chemical application to mitigate the crop damage induced by wireworms;

THEREFORE, BE IT RESOLVED that the previously registered pesticide known as Lindane be again allowed for controlled treatment by certified seed cleaning plants regarding seed which they have actually cleaned for specified cereal grains and which may only be planted for the restricted use of livestock feed, with sufficient oversight and accountability of the grower to prevent any crops produced from such Lindane treated seed to be directly consumed by humans or to be sown year after year on the same field.

Member Background

What are wireworms?:

Wireworms, the larvae of click beetles (Family Elateridae), are destructive insect pests that feed primarily on cereal crops, but have also been known to also feed on potatoes, canola, carrots, sugar beets and corn.

Four to eleven generations of wireworm can be found in a field, but the number of years a population can survive will often vary with the quality and availability of food. Wireworms in all growth stages are likely to infest a field in long-term grass or pasture, and populations in the soil can be more than three million per hectare.

The larval stage of wireworms can live four to eleven years in the soil and are notably resistant to adverse conditions, although most live three to five years. These overwintering larvae are called "resident larvae."

While there are approximately thirty different species of wireworms in Canada, the *Hypnoides* and *Selatosomus* species are the most prevalent in Alberta on non-irrigated land, while the *Limoniuss* species are most prevalent on irrigated land.

How do wireworms affect crops?:

Wireworm larvae are attracted to the carbon dioxide released by germinating seeds. The resident larvae move up in the soil profile and feed on germinating seeds or young seedlings. One larva can easily consume two or more seeds. Damaged plants soon wilt and die, resulting in thin stands.

Wireworms are most destructive in early spring, when they are located near the soil surface. During summer months, larvae move deeper into the soil where it is cool and moist. Wireworms do not ingest solid plant material, but chew tissues, then regurgitate fluids containing enzymes and then imbibe the juices and plant products made soluble by the enzymes.

Generally speaking, damage is higher in silty, medium textured, well-drained soils and in soils cultivated for a period of at least twelve years.

In some areas, wireworms have destroyed more than 50% of the plant population, and further leaving the soil vulnerable to wind, water erosion and weeds.

Present Situation:

Currently, the most concerning issue regarding the damage caused by wireworms is the simple fact that there are currently no available chemical applications to control wireworms. While treatments exist that effectively slow the metabolic activity of wireworms, a treatment that kills the insects does not exist.

In 2004, Vitavax-Dual, a treatment that contained the insecticide Lindane, was removed from the market. Vitavax-Dual was a very effective treatment for the purpose of controlling wireworms, killing 60-85% of feeding wireworms.

The present situation sees producers losing tens of thousands of dollars in yield due to the destructive effects of wireworms. The ability for producers to employ Lindane in their fight against wireworms is absolutely essential. Without an effective treatment option for wireworms, producers are currently being forced into a predicament that gravely compromises their livelihoods.

Sources:

Alberta Agriculture and Forestry. "Prairie Grain Wireworm." 2014. [http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/prm2509](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/prm2509) Date Accessed: August 30th, 2017.

Alberta Agriculture and Forestry. "Wireworms." 2014. [http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/agdex14740](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/agdex14740) Date Accessed: August 30th, 2017

Government of Canada. "Lindane." 2006. <https://www.canada.ca/en/health-canada/services/chemical-substances/fact-sheets/chemicals-glance/lindane.html> Date Accessed: August 31st, 2017.

Ontario Ministry of Agriculture, Food and Rural Affairs. "Managing Wireworms in Vegetable Crops." 2016. <http://www.omafra.gov.on.ca/english/crops/facts/00-047.htm> Date Accessed: August 30th, 2017.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.



AGENDA ITEM

PROJECT: AUMA 2017 Convention and Resolutions		
PRESENTATION DATE: November 7, 2017		
DEPARTMENT: MUNICIPAL	WRITTEN BY: Christine Heggart	REVIEWED BY: Ron Leaf
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> N/A		
STRATEGIC PLAN THEME: Well Governed and Leading Organization	PRIORITY AREA: 2.5 Advocacy, in the best interest of community & region	STRATEGIES: 2.5.3
ATTACHMENT(S): AUMA Convention ; AUMA 2017 Resolution Book ;		
RECOMMENDATION: <ol style="list-style-type: none"> 1. That Council appoint a member(s) to attend the 2017 AUMA convention. 2. That Council review AUMA's 2017 Resolution Book and accept as information. 		

BACKGROUND:

The Alberta Urban Municipalities Association (AUMA) convention is held annually in Calgary at the Telus Convention Centre (typically last week in September), and due to the election is taking place on November 22-24 this year. Historically, one member of Council has attended convention as a guest of the Town of Rocky Mountain House. Last year, Council chose to send a second member of Council to attend the AUMA convention as well.

The Town of Rocky Mountain House once again has extended an invitation for one Clearwater County Councillor to attend the AUMA convention as their guest. Administration recommends Council appoint AUMA attendee(s).

Attached is the AUMA's 2017 Resolution Book for Council's review. Clearwater County is a non-voting Associate member of AUMA. That being said, Administration recommends that should the opportunity present itself, Council could discuss the resolutions at either of the upcoming AAMDC and AUMA conventions.

Administration would also like to bring Council's attention to two of the resolutions, A1 – *Collaborative Discussions Between AUMA and AAMDC on the Opportunity to Merge*;

and, B9 – *Commitment Formal Consultations on the Future of Provincial Revenue Sharing.*

A1 indicates the AUMA and AAMDC's common goals and current collaborative efforts, and that the two associations should merge policy and advocacy resources so as not to compete against each other. There is also a divergent resolution on the AAMDC's list of resolutions for the fall 2017 convention, as noted in the previous agenda item.

While merging is suggested to lower costs, expand advocacy reach and increase sustainability – a merged provincial association would dilute the voice of rural Alberta. With 69 rural municipalities and 269 urbans, one can see how the advocacy efforts rural Alberta may fall to the wayside. Rural municipalities have more commonalities amongst themselves and at times, urban and rural perspectives are not in line or conflicting, such as the urban push for linear revenue sharing a few years ago.

Resolution B9, deals with the Municipal Sustainability Initiative (MSI) grant funding and the need for the province to review and commit to grant funding models reflective of the needs of municipalities. This push for the Province's provision of reliable and stable funding commitments in order to plan for infrastructure development and maintenance, and long-term sustainability.

2017 Resolutions Book

Alberta Urban Municipalities Association

**2017 Convention
Calgary, Alberta
November 22-24, 2017**

Resolution Sessions:

**First Session – November 22, 2017
Second Session – November 24, 2017**

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NOTE: There were no 2017 resolutions in the categories of Endorsement Requests or Targeted Scope.

AUMA Resolutions Policy

AUMA Resolutions Policy

General

1. Resolutions should address a topic of concern affecting municipalities on a regional or provincial level, and must be approved by the council of the sponsoring municipality.
2. Resolutions must not direct a municipality to adopt a particular course of action, but must be worded as a request for consideration of the issue seeking action by the Alberta Urban Municipalities Association (“AUMA”).
3. Each resolution must be submitted:
 - (a) electronically;
 - (b) in the appropriate format;
 - (c) along with council minutes that show proof of the sponsoring municipality’s council approval; and
 - (d) in adherence to the guidelines presented in this Policy.
4. Resolutions may be submitted for consideration at the AUMA annual Convention by:
 - (a) a regular member or group of regular members; or
 - (b) the AUMA Board of Directors.
5. Resolutions shall be in the form:

WHEREAS ...

AND ...

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association (take some action) ...
6. Each resolution shall be written in the following format:
 - (a) A title that is concise yet specific to the issue in the resolution;
 - (b) The Preamble of the resolution (beginning with “WHEREAS”...);
 - i) must describe the issue or opportunity that the resolution is bringing forward;
 - ii) should outline the applicable legislation and, where possible, the specific section of the Act or Regulation; and
 - iii) should ideally not exceed five clauses.
 - (c) The operative clause of the resolution (i.e. beginning with “IT IS THEREFORE RESOLVED THAT”...) must:
 - i) clearly set out what the resolution is meant to achieve;
 - ii) state a specific proposal for action;
 - iii) specify who should be taking the action (e.g. the federal or provincial government, AUMA, or another party) and the role for AUMA that is being requested or proposed; and
 - iv) be straightforward and brief so that the intent of the resolution is clear. Generalization should be avoided. Resolutions that are too general or fail to meet this format may be returned to the sponsoring municipality.
7. Each resolution should be accompanied by background information outlining the issue as it relates to the sponsoring municipality, when and how often the resolution has been submitted in the past, and how the resolution is related to AUMA policy. This material will assist the AUMA Municipal Governance Committee, and later the Resolutions Session, in understanding the issues.
8. Resolutions must be submitted to the AUMA Chief Executive Officer no later than May 31 each year, provided that, the Chief Executive Officer may grant an extension of the deadline:

- (a) if the Convention is scheduled later than Thanksgiving Day in any year; or,
 - (b) if requested by a member, when the Chief Executive Officer is satisfied that valid conditions have made it impossible for the member to submit the resolution by the deadline date.
9. The annual call for resolutions may include information on key issues identified in the AUMA strategic or business plan on which the AUMA Board of Directors wishes to focus and/or information regarding any other matters on which AUMA seeks assistance in the coming year. As well, the annual call for resolutions will remind members that alternatives to Convention resolutions available during the year include bringing Requests for Decisions to the appropriate Mayors' Caucus and bringing a matter directly to the attention of the AUMA Board of Directors.

Extraordinary Resolutions

10. A resolution arising from the proceedings of the Convention or related to a matter of an urgent nature arising after the resolution deadline may be considered an extraordinary resolution on a case-by-case basis.
11. A regular member wishing to propose an extraordinary resolution shall provide notice to the AUMA Chief Executive Officer as soon as possible with a deadline of the first day of Convention. The extraordinary resolution must also include:
- (a) a rationale of why the resolution is extraordinary;
 - (b) an electronic copy of the resolution via email that adheres to resolution formatting guidelines presented in Sections 5 and 6;
 - (c) proof of the council's approval for the sponsoring municipality; and
 - (d) 1,000 printed copies of the resolution, which requirement may be waived if AUMA determines in advance that there is sufficient time to publish the extraordinary resolution in the Convention handbook, website, or ability to distribute the resolution appropriately in another manner.
12. The determination whether the proposed resolution meets the criteria of an extraordinary resolution will be made by
- (a) in the case of a proposed extraordinary resolution submitted after the resolution deadline but before the final AUMA Board of Directors meeting prior to the Convention, by the Board on the recommendation of the Municipal Governance Committee; or
 - (b) in the case of a proposed extraordinary resolution submitted after the final AUMA Board of Directors meeting prior to the Convention, by the Executive Committee of the AUMA Board of Directors, in consultation with the either Resolutions Session Chair or Municipal Governance Committee Chair.
13. The criteria of an extraordinary resolution is that it must:
- (a) deal with an emergent issue of concern to the general membership that has arisen after the resolution deadline or just prior to the resolution deadline such that they could not come forward as a resolution in time; and
 - (b) have a critical aspect that needs to be or will be addressed before the next Convention; and
 - (c) comply with the guidelines for resolutions set out elsewhere in this policy.
14. Prior to the merits of any proposed extraordinary resolution being debated, a 2/3 majority vote is required to determine whether it meets the criteria in Section 13 and therefore will be considered at the Resolutions Session.

15. Extraordinary resolutions accepted for consideration by the Resolutions Session shall be presented following debate of the Targeted Scope resolutions.

Administrative Review

16. The AUMA Chief Executive Officer may return any submitted resolution to the sponsoring municipality to have deficiencies corrected or to clarify details of the resolution.
17. Deficiencies may include but are not limited to:
- (a) absence of any indication of the resolution being endorsed by the Council of the sponsoring municipality;
 - (b) the Preamble includes statements contradictory to the operative clause or lacks necessary details;
 - (c) lack of a clear supporting narrative where the rationale of the resolution is unclear;
 - (d) unclear background and Preamble; and
 - (e) incorrect or misleading statements within the resolution or within the supporting background information and/or documentation.
18. Each resolution and accompanying background information may undergo fact-checking to ensure details relating to the resolution are accurate.
19. The AUMA Chief Executive Officer may request and accept from AUMA staff an opportunity to provide further background material on a resolution.
20. The return by the AUMA Chief Executive Officer of any proposed resolution for the correction of any deficiencies will not affect its categorization nor will it disqualify a resolution submitted on time.

Committee Review

21. The Municipal Governance Committee shall serve as the AUMA Resolutions Committee and review each proposed resolution for format and content and may recommend that the AUMA Board of Directors refuse to submit to the Resolutions Session any resolution deemed inappropriate for consideration by the AUMA.
22. The Municipal Governance Committee will notify the appropriate Standing Committee of any proposed resolution(s) related to its policy or policies.
23. The Municipal Governance Committee may:
- (a) amend the grammar or format of the resolution;
 - (b) consolidate resolutions of similar intent or subject matter;
 - (c) provide comments on each resolution regarding its background;
 - (d) inform the sponsoring municipality where the resolution will materially change or contradict current AUMA policy;
 - (e) recommend to the AUMA Board of Directors that resolutions already adopted and/or forming AUMA policy not be considered at the Convention, and be returned to the sponsor(s) of the resolution(s) with an explanation of the reason for return;
 - (f) refer resolutions back to the sponsor municipalities for deficiencies including but not limited to those outlined in Section 17; and
 - (g) provide comments on each resolution with respect to updates on the policy topic as appropriate and alignment with other AUMA policies.

24. When the Municipal Governance Committee determines that a proposed resolution is appropriate for submission to the Resolutions Session, it shall categorize the resolution as one fitting into the category of either:
- (a) AUMA Strategic/Business Plan Priorities, including matters related to the implementation of the AUMA strategic and/or business plans;
 - (b) Provincial Scope, including resolutions that address matters of significance to all or most municipalities in the province;
 - (c) Targeted Scope, including resolutions that address matters of significance to all or most municipalities located in one area of the Province, region, or municipal members of a similar size;
 - (d) Endorsement Requests, including requests of regular Members to endorse positions they are taking without any advocacy action by AUMA; or
 - (e) Non-Municipal Matters, including matters outside of municipal jurisdiction and therefore not appropriate for presentation to the Resolutions Session shall also be categorized by the Municipal Governance Committee.
25. The Municipal Governance Committee will prepare a Resolutions Report, which will include all proposed resolutions determined appropriate for submission to the Resolutions Session, including the following information on each resolution:
- (a) Number and Title of Resolution;
 - (b) Name of Sponsoring Member(s);
 - (c) Proposed Resolution;
 - (d) Resolutions Category; and
 - (e) Municipal Governance Committee comment (if any).
26. Resolutions will appear in the Resolutions Report and the Resolutions Session Agenda in the following order:
- (a) AUMA Strategic/Business Plan Priorities;
 - (b) Provincial Scope;
 - (c) Targeted Scope; and
 - (d) Endorsement Requests.
27. The Resolutions Report will be forwarded to the AUMA Board of Directors, and upon the AUMA Board of Directors having approved the Resolutions Report, proposed resolutions assigned to the Non-Municipal Matters category will be returned to the sponsoring member(s) with an explanation of why the resolution(s) will not appear in the Policy and Resolutions Book at the Resolutions Session.
28. The AUMA will electronically publish and distribute a Policy and Resolutions Book to members at least eight (8) weeks prior to Convention that includes the Resolutions Report and other information on appropriate bylaws, policies and procedures.

Resolutions Session Agenda

29. The AUMA Board of Directors, after consulting with the Municipal Governance Committee Chair, will appoint a Resolutions Session Chair.
30. As provided in the Bylaws, quorum for all proceedings at a Resolutions Session will be comprised of representatives of twenty-five percent [25%] of the Regular Members.

31. Prior to the beginning of the Resolutions Session, the Resolutions Session Chair will ask for a motion from the floor to adopt the Resolutions Session Agenda as presented in the Policy and Resolutions Book.
32. Amendments from the floor to the Resolutions Session Agenda will be accepted when duly moved and seconded.
33. A 2/3rds majority of the delegates present will be required to change the Resolutions Session Agenda.
34. If there are no amendments to the Resolutions Session Agenda, resolutions will be debated in the order they are presented in the Policy and Resolutions Book. No further amendments to the resolution agenda will be accepted.

Considering Resolutions

35. The Resolutions Session Chair will introduce each proposed resolution by indicating its number, title, the name of the sponsoring municipality, and the action being voted on.
36. The Resolutions Session Chair will then call on the sponsoring municipality to move the resolution.
37. The Resolutions Session Chair will then call for a supporting municipality to second the resolution. If no municipality seconds the resolution, the resolution dies. Immediately after the resolution is seconded, the spokesperson from the sponsor municipality that moved the resolution will have up to two minutes to speak to the resolution. The spokesperson that seconded the resolution will also have up to two minutes to speak to the resolution.
38. Resolutions must be moved by an elected official from the sponsoring municipality. However, in the event that the elected official moving the resolution is unable to speak on behalf of the resolution, the sponsoring municipality's Chief Administrative Officer may speak on behalf of the resolution at the discretion of the mover.
39. Following a resolution being seconded, Resolution Report comments developed by the Municipal Governance Committee may be presented to the Resolutions Session. These comments must be approved in advance by the AUMA Board of Directors. The spokesperson shall be the Chair of the Municipal Governance Committee, or the Vice-Chair if the Chair of the Municipal Governance Committee is acting as the Resolutions Session Chair, or a designate as determined by the Chair of the Municipal Governance Committee. Following these comments, the resolution is open for debate.
40. As provided in the AUMA Bylaws, the persons entitled to speak in favour and opposed to a resolution during the Resolutions Session are:
 - (a) those elected representatives in attendance whose municipalities are Regular Members of the Association in good standing;
 - (b) in the event a Regular Member is unable to be represented at the annual general meeting or special general meeting by an elected representative, an official appointed by motion of the Council to represent it, provided that notice of such appointment is submitted in writing to the AUMA Chief Executive Officer at least three (3) days prior to the date of the annual general meeting or special general meeting; and
 - (c) upon a motion from the floor, a representative of an Associate Member.

41. No debate on accompanying background material and information for resolutions will occur.
42. In the case of a proposed new Policy Position Paper, the Resolutions Session Chair will allow a spokesperson or designate a maximum of five (5) minutes to introduce the new Policy Position Paper and place the resolution on the proposed new policy before the Convention and to name the seconder.
43. Following the initial speaker, the Resolutions Session Chair will then call alternately for persons opposing and supporting the resolution. These speakers will have a two (2) minute time limit and shall not speak more than once on any one question. When no alternate position speaker is available, the Resolutions Session Chair will declare the end of the debate and the spokesperson will be allowed one (1) minute for the closing of debate.
44. If no one rises to speak in opposition to a proposed resolution, the question will be immediately called.
45. A sponsoring municipality may withdraw a proposed resolution when the resolution is introduced but before the motion is seconded and accepted by the Resolutions Session Chair. In this event, the Resolutions Session Chair shall declare the resolution withdrawn and no further debate or comments will be allowed.
46. Amendments, including “minor amendments” from the floor will be accepted when duly moved and seconded. Amendments, including “minor amendments” are encouraged to be submitted in writing to the Resolutions Session Chair prior to the amendment being introduced but verbal amendments will also be accepted from the floor.
47. The Resolutions Session Chair will rule whether or not an amendment complies with the intent of the original resolution.
48. Debate procedures for an amendment shall be the same as for a resolution as set out in Sections 38 to 45.
49. The conflict of interest guidelines for council votes, as outlined in the *Municipal Government Act*, shall also apply to Convention resolution votes for all delegates. It is incumbent upon each delegate to ensure adherence to this rule.
50. Voting may, at the discretion of the Resolutions Session Chair, be by:
 - (a) a show of hands of eligible voters;
 - (b) electronic means; or
 - (c) paper ballot.
51. The number of votes necessary for any resolution to pass is a simple majority of votes cast for that resolution (50 per cent plus one vote).
52. As long as there is a quorum present (Section 30), the Resolutions Session shall not be closed until all resolutions listed in the agenda are debated and voted upon, or the allotted time for the Resolutions Session has expired, unless the majority of delegates present vote to extend the allotted time.
53. Resolutions which are not debated at a Convention Resolutions Session because of insufficient time or lack of quorum will be considered by the Municipal Governance Committee, with its recommendations, to a meeting of the AUMA Board of Directors following the Convention.

Carried Resolutions

54. Resolutions carried by the membership:
- (a) shall not be amended or modified by the Municipal Governance Committee or the AUMA Board of Directors except as provided for in this Section.
 - (b) will be referred to the relevant AUMA Standing Committee which will
 - (i) develop policy statements and make a recommendation to the AUMA Board of Directors; or
 - (ii) in the event that the AUMA Standing Committee determines that the background information or Preamble are materially incorrect or misleading, may recommend to the Board amendments to background information or Preamble.
55. The policy statements developed by the relevant AUMA Standing Committee(s) shall be reviewed and approved by the AUMA Board of Directors, following which each statement will be sent to the relevant Minister(s).
56. The AUMA Chief Executive Officer will collect all advocacy responses and prepare a status of resolutions inventory on the AUMA website. The status of resolutions inventory will include the responses and an indication of what (if any) follow up action AUMA will take with regards to any resolution for which the advocacy was not successful.
57. Resolutions brought forward by regular members have an active life of up to three (3) years if not successfully completed before then, following which they are deemed inactive. AUMA Board-sponsored Policy Position Papers are considered “active” until the AUMA Board of Directors deems them to be completed or inactive.

2017 Resolutions

CATEGORY STRATEGIC/BUSINESS PLAN SCOPE

AUMA Resolutions Policy:

The **Strategic/Business Plan Scope** category contains matters related to implementing the AUMA strategic and/or business plans.

1 resolution is recommended under this category

WHEREAS the Alberta Urban Municipalities Association (AUMA) and the Alberta Association of Municipal Districts and Counties (AAMDC) each have over 100 years of experience in supporting Alberta's municipalities;

WHEREAS AUMA and AAMDC share a common goal to enable strong, vibrant and sustainable communities;

WHEREAS the member municipalities of each association need to work more collaboratively together to deliver municipal infrastructure and services within and outside of their individual boundaries;

WHEREAS given the common goals of rural and urban municipalities, the associations themselves have recognized their own need for greater collaboration and have been able to reach consensus on many policy, advocacy and program matters;

WHEREAS the experiences of other provinces like Manitoba and Ontario illustrate that having one association to represent all municipalities with a unified policy and advocacy position has a more robust impact with federal and provincial governments;

WHEREAS combining our respective policy and advocacy resources would expand our impact, lower costs, and increase our sustainability; and

WHEREAS there is an opportunity for the associations to unite their efforts in providing property and casualty insurance, retirement and employee benefits, and utilities so that instead of competing with each other we can improve services to our members, reduce costs and provide the best possible pricing for our members, while combatting competition from the private sector so that our modest proceeds can be used to fund other services to help municipalities.

IT IS THEREFORE RESOLVED THAT the AUMA invite AAMDC to engage in exploratory discussions to merge our associations into one new municipal association.

BACKGROUND:

AUMA and AAMDC have been operating as separate municipal organizations since the early 1900s. Both associations provide member-based advocacy and business services to municipalities. AUMA represents 269 of Alberta's urban municipalities and AAMDC represents 69 counties and municipal districts. Some municipalities are full voting members of both associations, while others are associate members for the purpose of acquiring business services.

AUMA and AAMDC jointly own the Elected Official Education Program and Municipal Climate Change Action Centre. In addition, our associations are accustomed to working collaboratively to provide resources and tools to build municipal capacity and advocate on municipal issues and opportunities through our participation on committees and correspondence and meetings with other governments and stakeholders.

As AUMA and AAMDC each provide business services such as insurance, benefits, water and utilities, we compete with each other to serve the needs of urban and rural municipalities. While each association has a combination of urban and rural municipal clients, our respective market shares are at risk given the emergence of private sector competitors who would like to attract our respective clients. Instead of

competing with each other, AUMA and AAMDC need to join forces to combat this competition so we can continue to provide quality service at low cost to our members.

2017 Resolutions

CATEGORY PROVINCIAL SCOPE

AUMA Resolutions Policy:

The **Provincial Scope** category contains resolutions that address matters of significance to all or most municipalities in the province.

13 resolutions are recommended under this Category.

WHEREAS Section 21 of the *Alberta Capital Finance Authority Act* provides that: 'The business of the corporation (the Alberta Capital Finance Authority, stated hereafter as the corporation) is to provide local authorities that are its shareholders with financing for capital projects';

WHEREAS Section 32(1) of the *Alberta Capital Finance Authority Act* provides that a local authority may borrow money from the Corporation in any form or manner and on any terms that are acceptable to the Corporation;

WHEREAS Section I(g) of the *Alberta Capital Finance Authority Act* defines local authority as: 'a city, an educational authority, a health authority, a municipal authority, regional authority or a town' and does not include housing foundations and other non-profit housing organizations;

WHEREAS Section 271 (c) of the *Municipal Government Act* states that the Minister of Municipal Affairs may make regulations respecting how debt limits for a municipality are determined;

WHEREAS the Minister of Municipal Affairs has established Alberta Regulation No. 255/2000 for the purpose of calculating the debt limit of a municipality;

WHEREAS the stated mission of the Alberta Capital Finance Authority is: 'To provide local authorities within the Province with flexible funding for capital projects at the lowest possible cost';

WHEREAS housing foundations and non-profit housing organizations are created for the public benefit to deliver affordable housing options and deliver a public good;

WHEREAS a portion of the debt associated with all of these foundations and non-profit organizations currently resides within various municipalities' debt;

WHEREAS municipalities incur debt to both address significant deferred maintenance and infrastructure deficits and invest in the infrastructure required to ensure the sustainability and viability of these foundations and non-profit organizations; and

WHEREAS Alberta's Provincial Affordable Housing Strategy focuses on a sustainable systems so housing providers can better support Albertans if the housing system is financially sustainable.

IT IS THEREFORE RESOLVED THAT that the Alberta Urban Municipalities Association request that the Government of Alberta make the appropriate regulatory and legislative amendments to allow non-profit housing organizations, foundations, authorities, and other similar entities to borrow directly from the Alberta Capital Finance Authority.

BACKGROUND:

As housing foundations and similar non-profits seek to address affordable housing pressures for seniors and other vulnerable groups, their efforts are being limited through provincial regulatory and/or legislative barriers for debt financing. While they are providing a much-needed public service and are capital intensive, they are excluded from applying directly to the Alberta Capital Finance Authority for debt financing.

Without access to such debt financing, these organizations may seek funding indirectly through agreements with local authorities such as municipalities. As these arrangements impact municipalities' provincially established debt limits, housing foundations and similar non-profit affordable housing organizations face municipally imposed limits on their borrowing capacities, which impacts the ability of foundations to fulfil their mandates.

This proposed resolution seeks to remove these regulatory and legislative barriers and support the appropriate and efficient development and maintenance of affordable housing options throughout the Province of Alberta.

AUMA Comments:

- AUMA does not have a current policy position on this specific issue.

WHEREAS the Government of Canada has tabled Bill C-45, known as the Cannabis Act, to legalize the use and possession of recreational marijuana;

WHEREAS Bill C-45 (the Cannabis Act) does not adequately outline the individual powers Provincial and Municipal Governments will have in enforcing the consumption and possession of marijuana in their own boundaries;

WHEREAS Bill C-45 does not provide sufficient preventive measures from young persons (defined as 12-18 years of age) buying, possessing or consuming cannabis;

WHEREAS healthy residents, families and neighborhoods are fundamental to the effective operation and success of municipalities;

WHEREAS there is not adequately-proven technology to test for cannabis impairment in safety-sensitive positions;

WHEREAS the impairment of municipal workers and citizens constitutes a high risk liability towards the safety for all municipalities;

WHEREAS the short timeline for municipalities to create regulations may not be sufficient to create policies and regulatory strategies by July 1, 2018, creating the situation where business enterprises would have the opportunity to develop in the municipality contrary to the policy desires of Councils; and

WHEREAS the impact of Bill C-45 will result in increased operating expenditures for municipalities to enforce a new suite of regulations.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association (AUMA) lobby the Government of Canada to repeal the Cannabis Act (Bill C-45), and request that the Government of Alberta work with AUMA to advocate for the repeal of that Act.

BACKGROUND:

The introduction and first reading of Bill C-45 by the Government of Canada has instigated a process by which a significant extra burden and responsibility could be placed on communities to govern and direct a legal framework associated with the legalization and regulation of cannabis, thereby decreasing the capacity of the municipality to deal with other situations should they arise.

AUMA Comments:

- AUMA's current policy position includes requesting regulations well in advance of implementation to provide sufficient time for municipalities to prepare required bylaws relating to restrictions on production, distribution, and consumption activities, and applicable enforcement. As well, AUMA requested that community peace officers be considered as a component of the enforcement activities (and will need funding for training and equipment), and that national building code standards will need to be reviewed to ensure appropriate provisions are in place for home grows. See AUMA's [Marijuana Municipal Resources webpage](#).

WHEREAS Section 21 of the Disaster Services Act (now Emergency Management Act) was amended in 2011 eliminating the ability of a municipality to delegate authority to declare a state of local emergency to an individual or committee;

WHEREAS in effect, the amendment requires either a council vote or vote of a regional commission or joint body of two or more local authorities to declare a state of local emergency; and

WHEREAS this change makes it nearly impossible to declare a state of local emergency in a timely manner, which could delay support and assistance to residents in a time of emergency.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association request that the Provincial Government amend the Emergency Services Act to enable a designated officer of municipality to declare a state of emergency, without resolution.

BACKGROUND:

Section 21 of the *Disaster Services Act*, the predecessor (prior to 2011) to the current *Emergency Services Act*, indicated:

“(4) A local authority may delegate any of its powers and duties under this Act to a committee composed of a member or members of the local authority.”

This wording would have allowed Council to delegate declaratory authority to a small Committee or an individual Council member. By way of example, the City of Calgary delegated authority to their Local Emergency Committee, which is composed of two individuals – the Mayor and one other member of Council as designated by the Mayor. The City of Edmonton similarly delegated authority to a committee, comprised of all members of council, but in an emergency, the City Manager can call a meeting with one hour’s notice and those in attendance constitute a quorum. However, in 2011, the Provincial Government changed Section 21 to read:

“Declaration of state of local emergency

21(1) A local authority may, at any time when it is satisfied that an emergency exists or may exist in its municipality, by resolution or, in the case of the Minister responsible for the Municipal Government Act, the Minister responsible for the Special Areas Act or a park superintendent of a national park, by order, make a declaration of a state of local emergency relating to all or any part of the municipality.”

Notwithstanding Council’s wide powers of delegation under the *Municipal Government Act*, the legislation’s silence regarding potential delegates appears to prohibit the municipality’s ability to delegate authority to an individual designated officer (Mayor) or a committee. Under the new wording of the Act, declaration and termination of a state of local emergency must be done by resolution of the local authority (defined in that Act as Council). It may delegate this declaratory responsibility to a regional commission or a joint body of two or more local authorities. Both of these options are logistically cumbersome and make it near impossible for a municipality to declare a state of local emergency in a timely manner, which could delay support and assistance to residents in an emergency.

AUMA Comments:

- AUMA does not have a current policy position on this specific issue.

Integrate Emergency Social Services and Emergency Management at Provincial Level

WHEREAS the Minister of Municipal Affairs is designated as the Minister responsible for the Emergency Management Act;

WHEREAS a Director of Emergency Management is appointed by the local authority to prepare and coordinate emergency plans, act as the director of emergency operations on behalf of the emergency management agency, and coordinate all emergency services and other resources used in an emergency including emergency social services plans and resources;

WHEREAS the Emergency Social Services is housed in the Ministry of Community and Social Services, where the structure of support to local authorities that is currently available through the Alberta Emergency Management Agency is being recreated, duplicating efforts and creating confusion for local authorities in how best to communicate with the province on planning, training, and responding to emergencies in a holistic sense;

WHEREAS the Alberta Emergency Response Plan defines the Provincial Operations Centre as the entity responsible for the coordination of provincial supports to the local authority during an emergency to ensure a common understanding and prioritization of all requests for assistance, as well as to provide a single coordination point for local authorities to access all provincial ministries; and

WHEREAS during the 2011 Slave Lake Wildfire, the 2013 Southern Alberta Floods, and the 2016 Regional Municipality of Wood Buffalo Wildfire, the disconnection of emergency social services into a separate provincial ministry (in the case of the 2016 wildfire this was formalized into a separate coordination centre, known as the Provincial Emergency Social Services Emergency Coordination Centre) created communication challenges, confusion around roles and responsibilities, duplication of effort, and disjointed policies and supports provided to evacuees.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association urge the Province of Alberta to consolidate Emergency Social Services and Emergency Management into a single, all-hazards, public safety oriented government ministry to eliminate duplication and enhance coordination of provincial support to local authorities.

BACKGROUND:

Alberta has had a number of large-scale disasters recently, which present and opportunity for learning and improvement. Through the Slave Lake Wildfire, Southern Alberta Floods, and the Wood Buffalo Wildfire, one common recommendation is for better integration of emergency social services and emergency management. Many municipalities have adopted this approach and are incorporating emergency social services into municipal plans, training, exercises, and responses. Provincially, however, these two inter-connected pieces are currently managed through two separate ministries, which has led to communication and coordination challenges.

The Government of Alberta adopted the ICS and mandated that all provincial organizations and ministries shall use ICS as their incident management systems. One of the foundational principles of ICS, which is United of Command, is designed to address this inherent challenge of a multi-agency response. The separation of emergency social service and emergency management into two different provincial ministries undermines this

foundational principle by introducing a dual reporting structure and creating an unnatural division in what should be a coordinated response. Unlike other provincial ministries with clear jurisdictional authority over specific elements of a response (such as Environment, Forestry, or Health), the mandate for emergency social services at the local level falls under the Director of Emergency Management.

Emergency Social Services cannot be effectively separated from the response without a significant, detrimental impact on the people affected by the disaster. Creating this separation results in loss of coordination, communication breakdowns, and conflicting messages to evacuees who need certainty in order to make decisions about their homes and businesses.

Each of the past three large-scale disasters in Alberta has resulted in the recommendation of closer integration of emergency social services into the overall response. In the Lesser Slave Lake Regional Urban Interface Wildfire – Lessons Learned Final Report (KPMG, 2012), one of the primary recommendations was to “fully implement the Incident Command System so that emergency response roles and mandates are firmly established within a single, clear chain of command”, especially regarding “Disaster Social Services, Consequence Management Officers, the NGO Council, First Nations, the Red Cross, and the Fire Commissioner” (pg. 165). This highlights the need for a fully-integrated response with a clear chain of command, making no distinction between traditional response resources (e.g. Fire Commissioner) and emergency social services (Disaster Social Services, the NGO Council, and the Red Cross). The Review and Analysis of the Government of Alberta’s Response to and Recovery from 2013 Floods (MNP, 2015) report stressed the urgent need for a provincial emergency social services framework that created a unified approach to delivering ESS services, acknowledging that “the lack of a unified approach to these elements is linked to the overarching ESS challenge at the provincial level” (pg. 43). The May 2016 Wood Buffalo Wildfire Post-Incident Assessment Report (KPMG, 2017) recommends the integration of provincial emergency social services into Provincial Operations Centre to streamline communication, coordination, and support to local authorities (pg. 96).

It is acknowledged that The Review and Analysis of the Government of Alberta’s Response to and Recovery from 2013 Floods (MNP, 2015) explicitly suggests the Ministry of Human Services is best positioned to lead the ESS framework and program (pg. 84). Part of the justification for this rationale is that “social service expertise” resides in Human Services at the provincial level. However, in emergencies, the direct delivery of social services is done by the local authority, supported by non-governmental organizations and provincial ministries, and not the other way around. Likewise, recovery “is a local authority’s responsibility” (May 2016 Wood Buffalo Wildfire Post-Incident Assessment Report, KPMG, 2017, pg. 109), where provincial financial and programming support is needed for success, but must be community-led to be most effective. It is essential to prioritize the human impact of disasters and ensure this does not become lost in the overall response, but this issue can be better addressed through more integrated training for local authorities on their responsibilities under the Emergency Management Act, which includes emergency social services. Local authorities would be best served by a well-coordinated, integrated provincial approach to emergency management and emergency social services.

It is clear the frequency and impact of large-scale disasters is increasing as a result of climate change. Municipalities in Alberta are working towards closer integration and coordination between emergency social services and emergency management under the authority of the Director of Emergency Management. This progressive approach should be reflected at the provincial level to align training, planning, and responding to emergencies in a clear, unified manner.

AUMA Comments:

- AUMA does not have a current policy position on this specific issue.

WHEREAS Section 668 of the *Municipal Government Act* allows municipalities to take an additional 5% of municipal and school reserve land in addition to that required under Section 666 of the *Municipal Government Act*; and

WHEREAS Section 668 of the *Municipal Government Act* is worded in such a way that makes it impractical for municipalities to make use of the provision.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association request that the Provincial Government amend Section 668 of the *Municipal Government Act* to enable it to be utilized by municipalities.

BACKGROUND:

Currently, municipalities are allowed to take 10% of the parcel of land (less the land required to be provided as an environmental reserve and the land made subject to an environmental reserve easement) as municipal reserve, school reserve, or municipal and school reserve (MGA S.666 (2), 2000). The planning for this is done at the Area Structure Plan (ASP) stage, but the land is taken at the time of subdivision.

Additionally, Section 668 of the MGA allows municipalities to take an additional 5% of municipal and school reserve at densities of 30 or more units per hectare based on a proposed subdivision. Planning for the 5% at the subdivision level has proven too impractical for municipalities to be able to implement for the following reasons:

- Section 668 provides for the acquisition of additional land, but not money in place (cash in lieu);
- Taking the additional land at the subdivision level does not result in usable additional municipal reserve to serve the purposes of a neighbourhood; and
- Taking the additional land at the subdivision level has the potential to require an Area Structure Plan amendment if the municipal reserve taken varies from the ASP.

This is the first time this resolution has been submitted by the City of St. Albert. There was an AUMA resolution passed in 2013 with respect to “School Sites for our Communities Future” which outlined the need for an increase in the initial allowable percentage of municipal reserve land that can be taken from 10% to 15%. This proposed increase did not include the additional 5% that is available to municipalities in higher-density areas. This proposed resolution differs from the former in that it is not seeking to increase the percentage of municipal or school reserve, it is seeking to amend a section of the *MGA* to enable municipalities to practically implement it.

The City of St. Albert raised this issue in the course of the *MGA* Consultations conducted by Municipal Affairs. The Ministry acknowledged that municipalities are not using the additional 5% made available to them in Section 668 and asked why. The City of St. Albert hosted a session in January 2016 with the Cities of Edmonton, Leduc, Spruce Grove, Red Deer, and Airdrie and invited representatives from the Provincial Government. The issue of why municipalities are not using Section 668 was subsequently more thoroughly examined, and it was determined that because of the wording specifying the 5% be taken based on densities at the subdivision level, it is impractical for municipalities to implement.

AUMA Comments:

- AUMA does not have a current policy position on this specific issue.

WHEREAS telecommunication is vital to the national economy and security and is the jurisdiction of the Federal Government and through this Federal jurisdiction telecommunication towers locations are approved by Innovation, Science and Economic Development Canada (ISED for short, formerly Industry Canada) based on guidelines for telecommunication towers for site selection and public consultation;

WHEREAS municipalities encourage telecommunication providers to participate in planning of new communities, establishing appropriate locations and promoting co-location to minimize the total number of telecommunication tower sites encouraging efficient land utilization;

WHEREAS municipalities strongly encourage locations on existing structures or buildings in established communities and the use of design features, colour and landscaping to screen telecommunication facilities; and

WHEREAS municipalities encourage the location of cell phone towers be identified early in the planning and development process and in a manner which minimizes the effects on residents, lessens visual impact, and respects natural and human heritage features and sensitive land uses to the greatest extent possible.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association urge the Federal Government to require telecommunication companies work in partnership with municipalities early in the planning process to select, not just identify, the location of future telecommunication facilities.

BACKGROUND:

As per Innovation, Science and Economic Development Canada's website, "the demand for wireless services is growing, and is expected to continue as more and more Canadians use smartphones and other mobile devices. To accommodate this demand, more towers will be needed."

Wireless companies have been working with municipalities in the site selection process and are required to clearly notify and consult with the public. During this process municipalities often hear concerns from residents regarding cell tower locations. Common concerns include health considerations, aesthetics and negative effects to property values. Balancing these concerns can be challenging when residents also expect good wireless service.

Innovation, Science and Economic Development Canada (ISED) has set out in their guidelines very explicate expectations related to health and safety standards, public consultation, settling disputes and siting decisions. Municipalities strongly supports ISED's push for wireless providers to co-locate therefore reducing the number of sites. Municipalities also endorses the "Antenna System Siting Protocol Template" that the Canadian Wireless Telecommunications Association and the Federation of Canadian Municipalities launched in February 2013.

There are areas for improvement in the planning process of new neighbourhoods. One area includes wireless providers participating in the planning process to identify sites before development occurs. Identifying land uses and utilities in the planning approval process would minimize the 'not in my backyard' (NIMBY) effect in the site selection process as all planning processes include public consultation. It is also important for wireless companies to be more aware of the aesthetics that can be linked to negative effects to property values.

Wireless companies have demonstrated very unique and creative ways to blend towers into the areas surrounds. It is time that they are more aggressive about aesthetic features of their towers especially in residential areas.

AUMA Comments:

- AUMA does not have a policy position on this specific issue.

WHEREAS there is public interest in the operation of, attendance at and participation in combative sports events in Alberta;

WHEREAS section 535.1 of the *Municipal Government Act* (MGA) contemplates the establishment of a commission by bylaw for the sanctioning of combative sports;

WHEREAS several communities in Alberta have established commissions;

WHEREAS there appears to be little coordination or consistency amongst the existing commissions throughout Alberta;

WHEREAS there are inherent risks to the operation and regulation of combative sports events that warrant a more detailed and coordinated approach;

WHEREAS there is a responsibility to provide oversight to combative sporting events that sets ethical and safety standards;

WHEREAS the regulation and sanctioning of combative sports is not a core local government function or service; and

WHEREAS other provinces in Canada have created commissions at the provincial level.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association urge the provincial government to create a provincial commission to sanction combative sports events throughout the Province of Alberta.

BACKGROUND:

This resolution was originally introduced by the Regional Municipality of Wood Buffalo in 2013. While the AUMA adopted the resolution, in 2014 Tourism, Parks and Recreation provided the following response:

It is more appropriate for municipalities to make this determination at a local level through knowing the community and available resources. The response also indicated that these combative sports events should be guided by rules and standards for each particular sport that are developed and monitored by various provincial, national and international oversight bodies.

The AUMA rejected this response, however, this resolution has now expired.

Similar to the Regional Municipality of Wood Buffalo, The City of Red Deer over the past two decades has received requests and statements of interest from the public, expressing desire to hold and attend combative sports events, such as mixed martial arts events.

Alberta is the only province in the country without a combative sport commission. This has been a matter of ongoing advocacy by many municipalities including the City of Edmonton, the Regional Municipality of Wood Buffalo and The City of Red Deer.

Alberta's Municipal Government Act (MGA), specifically section 535.1, makes some provision for the establishment of a municipal combative sports commission through bylaw. At the present time, there are combative sports commissions in Edmonton, Calgary, Medicine Hat, Lethbridge, Grande Prairie, Cold Lake and Penhold. The bylaws in place vary significantly from one municipality to another, which means that there is no coordination or consistency in the regulation of events throughout the province.

AUMA Comments:

- This resolution is consistent with AUMA's past advocacy on this issue via a 2013 resolution, which has expired. The province did not change its position and continued to indicate that this is a matter appropriate for local decision making.

WHEREAS head injuries are the number one cause of serious injury and death to youth participating in wheeled activities such as skateboarding, in-line skating, using a scooter and cycling;¹

WHEREAS on average the human skull is less than one centimeter thick and can be shattered by an impact of only 7 to 10 km/h;²

WHEREAS wearing a helmet while participating in wheeled activities can reduce the participant's risk of head injury by at least 45 percent;³ and

WHEREAS Section 112 of the Vehicle Equipment Regulation (VER) only requires approved helmets be worn by children/youth riding bicycles.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association requests the Government of Alberta (GOA) amend the Vehicle Equipment Regulation to include mandatory helmet requirements for riders younger than 18 years of age while skateboarding, in-line skating and using a scooter.

BACKGROUND:

The Government of Alberta enacted mandatory helmet legislation for bicycle riders under the age of 18 on May 1, 2002. Only four years later, helmet use in Alberta increased from 75% to 92% among children younger than 13 years of age and from 30% to 63% among youth aged 13 to 17.⁴

The existing helmet legislation remains effective but additional wheeled activities such as skateboarding, in-line skating and riding a scooter have grown in popularity among youth and are often used interchangeably. These activities represent a similar degree of risk as bicycles, yet they remain omitted in the current helmet legislation.

Wheeled activities are a great way to enjoy the outdoors. Establishing mandatory helmet rules for all wheeled activities consistently across municipalities and leveraging Provincial resources towards education campaigns is recommended to both increase helmet use and reduce the risk of head injuries for children and youth.

References:

¹(n.d.). Johns Hopkins Medicine, based in Baltimore, Maryland. For Parents: Bicycle, In-Line Skating, Skateboard, and Scooter Safety | Johns Hopkins Medicine Health Library. Retrieved August 1, 2017, from http://www.hopkinsmedicine.org/healthlibrary/conditions/non-traumatic_emergencies/for_parents_bicycle_in-line_skating_skateboard_safety_85,P00818/

²(2012, June 20). Montreal Children's Hospital. Calling for a law making bicycle helmets mandatory for children under the age of 18 | Montreal Children's Hospital. Retrieved August 1, 2017, from <http://www.thechildren.com/news-and-events/latest-news/calling-law-making-bicycle-helmets-mandatory-children-under-age-18>

³(2016, March). Safe Kids Worldwide. Bicycle, Skate and Skateboard Safety Fact Sheet (PDF) | Safe Kids Worldwide. Retrieved August 1, 2017, from <http://www.safekids.org/fact-sheet/bicycle-skate-and-skateboard-safety-fact-sheet-2016-pdf>

⁴ Karkhaneh M, Rowe BH, Saunders LD, Voaklander DC, Hagel BE. Bicycle helmet use four years after the introduction of helmet legislation in Alberta, Canada. *Accident Analysis and Prevention* 2011;43(3):788-96

AUMA Comments:

- AUMA has a policy supporting mandatory helmet requirements for riders who use ATVs, snowmobiles, dirt bikes and other off-highway vehicles on public land, but it does not currently cover the ridership targeted in this resolution.

WHEREAS municipalities, their residents and the economy benefit from long-term, stable financial commitments from other orders of government;

WHEREAS municipalities receive approximately eight (8) cents of every tax dollar generated by all three levels of government;

WHEREAS municipalities are limited in their ability to raise needed revenue other than through property taxes;

WHEREAS municipalities are responsible for over half of the public infrastructure;

WHEREAS the population of Alberta is expected to grow by nearly one million over the coming decade, putting increased pressure on infrastructure and municipal assets;

WHEREAS the Government of Alberta has a history of revenue sharing with municipal governments through programs like the current Municipal Sustainability Initiative (MSI);

WHEREAS the Government of Alberta has announced a two-year continuation of the Municipal Sustainability Initiative while they review the program to reaffirm outcomes; and

WHEREAS the Government of Alberta has not made changes to the provision of statutory grants or provincial revenue sharing through any of their proposed amendments to the Municipal Government Act.

IT IS THEREFORE RESOLVED THAT that the Alberta Urban Municipalities Association (AUMA) seek a commitment from the Minister of Municipal Affairs to timely, inclusive and comprehensive consultations with municipalities on the future of provincial revenue sharing to occur within the first six month of 2018 to ensure adequate time for feedback to be incorporated prior to expiry of the Municipal Sustainability Initiative (MSI) and that the details of those consultations are shared with municipalities sufficiently in advance.

BACKGROUND:

Most municipalities rely on provincial and federal revenue transfers to address the infrastructure deficit. The federal New Building Canada Fund and provincial MSI programs are just two examples. MSI was a welcomed program that was refined with time to allow municipalities to address their local infrastructure priorities and the two-year extension is greatly appreciated.

As complex organizations delivering meaningful services to citizens, all municipalities in Alberta rely on stable and predictable provincial revenue sharing. Funding of this nature has been leveraged in the past to successfully build and rehabilitate critical community infrastructure, support Albertans and plan for the future. The projects enabled by MSI over the past decade have had significant, positive community impacts. Without long-term predictable funding from the Province, the future of important community-building, collaborative, and climate-action initiatives and projects will be jeopardized. Certainty allows municipalities to continue work on projects that will keep Albertans working and stimulate the economy while getting the best value for those investments.

It is critical that municipalities are acknowledged as a valued partner in making the lives of everyday Albertans better. In order to hold the Government of Alberta accountable in this regard, municipalities must be persistent in seeking an open and formal consultation process where the future of provincial revenue sharing can occur.

AUMA Comments:

- A similar resolution was approved as a Request for Decision at AUMA's 2017 June Mayors' Caucuses on each of the three days of the caucus.
- AUMA has been working with the province to provide input on a funding model, but has not received an indication of when consultations on MSI will begin.

WHEREAS the Province of Alberta is responsible for providing ambulance service in Alberta;

WHEREAS the Province of Alberta, through Alberta Health Services, offers the “Alberta Medical First Response Program” which is a voluntary program which Alberta municipalities can participate in to provide medical first response service;

WHEREAS no compensation is provided to municipalities participating in the program, other than for a very limited amount of equipment and training; and

WHEREAS the service provided by the municipalities participating in this program is very valuable and saves lives.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association requests the Government of Alberta to provide direct financial compensation on a full cost-recovery basis to all Alberta Medical First Response agencies for every call responded to.

BACKGROUND:

The Province of Alberta, through Alberta Health Services, is responsible for providing ambulance service in Alberta. Previously, ambulance service was community based. Fire services remain a municipal responsibility. This separation between emergency services can pose a challenge to communities wanting to provide an integrated service in the times of greatest need.

The “Alberta Medical First Response Program” is a voluntary program which works towards closing this separation. Under this program, municipalities may voluntarily commit to providing emergency medical first response. There are five levels of service that can be provided by the participating municipalities which run the range from providing Standard First Aid up to and including Advance Life Support.

For participating in this program, municipalities are provided with access to equipment, training and other support through Alberta Health Services. Under the terms and conditions of the program any such support isn’t guaranteed. Currently, the monetary value of the support provided is \$3,000 per Medical First Response agency per year. This provides things such as training and equipment. **There is currently no direct monetary compensation provided by the Province to these volunteer agencies.**

The program requires dedication from the participating municipalities in the form of reports and data submission and they must follow a number of protocols and procedures established by Alberta Health Services.

While many municipalities participate in the program as to do so can save lives and provide for a better level of care to patients than ambulance service alone (which can, at times be delayed due to call load or other reasons), providing this service places a burden on municipal resources both through responding to medical emergency calls as well as for filing the requisite documentation.

The City of Wetaskiwin has noted an inequity that exists in this program in that there is no monetary compensation provided to municipalities for providing this service. This is counterintuitive, we feel, as it discourages participation in the program, especially for the smaller municipalities of which there are many.

We believe that there should be monetary compensation provided by the Province for delivering this service and that the compensation should be **full** cost-recovery based. Not only will this put the service more in reach of municipalities of meager means but providing this compensation is simply fair and equitable as municipalities participating in this program are providing a service that is truly part of the Province's mandate.

AUMA Comments:

- AUMA does not have a current policy position on this specific issue.

WHEREAS Alberta Health Services has established policy and practice whereby post-operative and other patients who may need medical equipment are being released from hospital relatively quickly;

WHEREAS Alberta Health Services has established a policy in which Home Care providers will no longer lend out medical equipment;

WHEREAS in rural communities, seniors, those with chronic illness and disease, and those experiencing injury, may not have access to affordable medical equipment, even on a rental basis, and there may be restrictions on time allowances;

WHEREAS the Lending Cupboard Society of Alberta lends out about 4,300 pieces of equipment, at no cost, to central Albertans;

WHEREAS this type of no-charge medical equipment lending initiative saves Alberta Health Services substantial amounts of money each year; and

WHEREAS both urban and rural communities across the province have expressed a strong need for a local initiative similar to The Lending Cupboard, which will:

- Allow seniors to age in place;
- Improve health outcomes and quality of life for seniors, those with chronic illness and disease, and those experiencing injury; and
- Contribute to the vibrancy and wellness of communities across the province;

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association advocate to the provincial government to encourage:

- That Alberta Health Services increase its funding support to all organizations, such as the Lending Cupboard Society of Alberta, and include annual incremental increases;
- That Alberta Seniors and Housing and Persons with Developmental Disabilities (PDD) also support all organizations, such as the Lending Cupboard Society of Alberta; and
- That these government ministries support municipalities and communities across Alberta to develop local medical equipment lending initiatives.

BACKGROUND:

Community Needs Assessment: <http://lendingcupboard.ca/news-events/>

The Lending Cupboard was established in Red Deer to fill a need for individuals who may not necessarily be able to afford equipment post operation or injury; they provide equipment indefinitely for some patients regardless of income. The Lending Cupboard is based in Red Deer providing equipment to patients predominantly in Central Alberta, however with the growing need they have also been loaning equipment to patients throughout the province. Following for reference is a listing by community of equipment disbursement. Note that 54 municipalities are listed as benefitting from this centralized service.

Additionally there are other organizations that are looking to follow the model of the Lending Cupboard in order to provide for the local need to patients: Medicine Hat, Wetaskiwin, and Rocky Mountain House have or

are trying to establish a medical equipment lending facilities. The Lending Cupboard is working with these local organizations to help provide assistance and expertise. The Red Cross also has a program to loan equipment to patients, but they have more stringent timelines to how long a piece of equipment can be loaned.

Alberta Health Services does provide the Lending Cupboard funding however it is for specific patients of Total Joint Arthroplasty. For all other patients, these organizations are trying to fill a gap in the system without any overall support; and doctors and nurses are constantly referring patients to the Lending Cupboard for equipment. The listing below demonstrates the distribution of over 9,500 pieces of equipment of which only 350 are for Total Joint Arthroplasty (TJA).

**The Lending Cupboard Society of Alberta
Client Transaction Count**

Transactions between July 1, 2016 and June 30, 2017

City	All Count	TJA Count
Airdrie	15	
Alder Flats	2	
Alhambra	8	2
Alix	46	5
Bashaw	15	
Benalto	40	1
Bentley	119	13
Big Valley	4	
Birchcliff Summer Village	5	
Blackfalds	234	3
Bluffton	16	
Bowden	79	1
Breton	6	
Buck Lake	4	
Byemoor	1	
Calgary	29	
Camrose	1	
Carbon	4	
Caroline	21	1
Carstairs	18	3
Clive	56	
Condor	14	1
Consort	2	
Coronation	2	
Craigmyle	2	
Cremona	2	1
Crossfield	4	
Daysland	3	
Delburne	49	3
Delia	3	
Dickson	2	

City	All Count	TJA Count
Didsbury	72	6
Donalda	1	
Drayton Valley	9	1
Drumheller	11	3
Duchess	1	
Eckville	102	4
Edberg	3	2
Edmonton	12	
Elnora	11	
Erskine	5	
Falun	1	
Ferintosh	3	
Fort Saskatchewan	1	
Gull Lake	5	
Gwynne	1	
Hanna	3	1
Huxley	5	
Innisfail	451	20
James River Bridge	1	
Jarvis Bay	3	
Killam	4	
Lacombe	612	33
Leslieville	16	2
Linden	6	
Lougheed Hwy	1	
Lousana	2	
Maskwacis	4	
Medicine Hat	3	
Mirror	4	
New Norway	5	
Norglenwold	4	
Okotoks	1	
Olds	164	14
Penhold	102	3
Pine Lake	8	
Ponoka	110	4
Provost	2	
Red Deer	5820	166
Red Deer County	368	19
Rimbey	75	5
Rochon Sands	2	
Rocky Mountain House	137	5
Rosedale Valley	1	
Sherwood Park	2	
Springbrook	40	2
Spruce Grove	1	
Spruceview	15	

City	All Count	TJA Count
St. Albert	1	
Stauffer	3	
Stettler	44	4
Strathmore	4	
Sundre	67	6
Sylvan Lake	384	12
Tees	13	
Three Hills	15	1
Torrington	17	
Trochu	8	
Wainwright	1	
Warburg	2	
Westrose	6	
Wetaskiwin	10	1
Wimborne	5	
Winfield	3	
Total:	9599	348

AUMA Comments:

- AUMA does not have a current policy position on this specific issue.

WHEREAS there are opportunities for regional trail development which fall outside trail routes designated as Trans Canada Trail;

WHEREAS there is a need to connect trail systems already built in neighboring communities, thereby offering safe, economical alternative means of travel;

WHEREAS alternative modes of transportation such as walking and biking offer health benefits as well as benefit the environment; and

WHEREAS the growing number of bikers and walkers on highways and roadways designed strictly for vehicles increases the likelihood of catastrophic conflict with automobile traffic.

IT IS THEREFORE RESOLVED THAT the Albertan Urban Municipalities urge the Government of Alberta to provide support and funding to complete non-motorized trail linkages between Urban Municipalities.

BACKGROUND:

“Active Transportation” is any human powered transportation and people who use active transportation are most likely to achieve daily physical activity goals. The 2017 Alberta Survey on Physical Activity found that 43% of Albertans are not getting enough physical activity and active transportation provides numerous benefits including:

1. Reduction in the risk of developing chronic health problems including heart disease, cancers, diabetes and mental health issues.
2. Providing economic benefits through reduced personal costs, reduced infrastructure needs, and reduced healthcare spending and boosts to the local economy.
3. Benefits to the Environment through reduced ecological footprint and lower energy consumption.
4. Increased safety by reducing pedestrian and cyclists conflicts with motor vehicles.

Encouraging “Active Transportation” starts by providing safe active transportation infrastructure such as exclusive lanes and interconnected paths. Non-motorized trail linkages between urban municipalities will provide many long term benefits to the citizens and the communities in which they live in.

AUMA Comments:

- This resolution is consistent with a 2011 resolution on regional trail linkages outside of the Trans Canada Trail Network, which has expired.

WHEREAS 211 is an easy to remember three-digit telephone number that provides reliable information and referrals to community, social, health and government related human services;

WHEREAS 211 is available in 175 languages and 18 per cent of Alberta's population is currently made up of immigrants;

WHEREAS 211 is currently available to approximately 70 per cent of the residents of Alberta;

WHEREAS 211 is an information service available to many Albertans and a provincial strategy exists to extend the service to all Albertans;

WHEREAS the strategy to extend services to all Albertans has been built on the engagement of communities and local volunteer centres;

WHEREAS the United Way has been instrumental in bringing 211 to cities in Alberta, and it is now playing a leading role, along with many community partners, to initiate and implement a province-wide service so more people can benefit from the 24 hour support;

WHEREAS funding has primarily been from the United Way, Region 6 CFSA and FCSS in Edmonton, Calgary and Bow Valley, and municipalities;

WHEREAS the 211 program has long term successful funding in Edmonton and Calgary, funding is needed to extend the service to the balance of the province; and

WHEREAS the additional funding needed for a provincial 211 service is expected to cost \$650,000 to start-up with ongoing costs of \$750,000 annually.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association urge the Province of Alberta to provide a provincial funding source that would provide for 211 services to all Albertans.

BACKGROUND:

This resolution was initially introduced to and endorsed by the AUMA in 2010. In June 2011 Alberta Municipal Affairs provided the following response to the resolution:

"211 Alberta currently covers approximately 70 per cent of the citizens of Alberta and supports recommendation 17 of Alberta's Crime Reduction and Safe Communities Task Force report: Establish a Family Source within the provincial government to provide a central source for information, resources and community connections.

While there are merits to expanding 211 Alberta to the rest of the province, there are significant costs as well. As a result, the Government of Alberta is looking further into this issue with a review to identifying opportunities to:

- Increase efficiencies and reduce duplication of effort;
- Eliminate unnecessary wait times;

- Manage the escalation of issues to crisis by providing the right supports at the right time;
- Increase collaboration and cost-sharing; and
- Slow cost increases and reduce costs.”

Since 2011, 211 has continued to grow but without the commitment of ongoing provincial funding. The AUMA notes that while this resolution was adopted it has now expired.

211 was launched in Edmonton in 2004 and in Calgary in 2005. 211 works to identify a person’s needs and concerns, performs a triage role to identify the most immediate needs and then takes steps to connect the person with appropriate human service organizations;

The 211 service is an enhancement, not a replacement, of local Information & Referral services currently operating across the province. In addition to helping people find the information they need, 211 analyzes data from calls to identify emerging needs, gaps in services and areas of high demand. 211 shares this data with various stakeholders, including local municipalities.

In 2016, daily online chat was added to increase the ways that Albertans can access our service.

A province-wide 211 service will ensure that all people, regardless of where they live, will have equal access to information. For example, this would allow a resident in Lethbridge to easily identify home support options for their elderly parents living in Grande Prairie, or assist an immigrant in finding services once they move to Calgary.

Both costs and benefits are optimized with a province-wide approach. Furthermore, the overall goal is to eventually have 211 services across Canada. By having a province-wide service, it is much easier to plug into a national network, providing rapid and effective service for all Canadians.

Comprehensive research on the costs and benefits of 211 has been conducted in both Canada and the United States. United Way organizations in Saskatchewan, Manitoba, British Columbia and Ontario have worked with a number of organizations, including Deloitte, to develop specific business cases and identify the potential of a 211 service. These studies confirmed the strength of the 211 business cases and the inherent value of the service.

Each of the studies concluded that the measurable benefits of a national system outweigh the costs by a significant margin. Everyone—public, governments and service providers—stand to realize substantial benefits from the time and cost savings that 211 provides.

There are a number of N11 phone numbers utilized by the public for a variety of services. 211 connects you to a full range of non-emergency social, health and government related human services in your community. In Alberta, 311 provides access to the City of Edmonton and the City of Calgary’s municipal information, programs and services. 411 provides access to general telephone directory listings, 511 provides information on Alberta road conditions and 811 provides nurse advice and general health information. Lastly, 911 is an emergency number for medical, fire and police emergencies only.

Alberta 211: <http://ab.211.ca/homepage>

AUMA Comments:

- This policy position is consistent with the 2014 resolution on funding 211, which will be expiring this year.

2017 Resolutions

CATEGORY EXTRAORDINARY RESOLUTIONS

AUMA Resolutions Policy:

A resolution arising from the proceedings of the convention or related to a matter of an urgent nature arising after the resolution deadline may be considered an **Extraordinary Resolution**.

An Extraordinary Resolution deals with an emergent issue of concern to the general membership that has arisen after the June 30 resolution deadline, where a critical aspect of the issue needs to be or will be addressed before the next Convention.

Prior to the merits of any proposed extraordinary resolution being debated, a 2/3 majority vote is required to determine whether it meets the criteria in Section 13 and therefore will be considered at the Resolutions Session.

Extraordinary resolutions accepted for consideration by the Resolutions Session shall be presented following debate of the Provincial Scope resolutions.

WHEREAS the 2017 Federal Budget removed the tax exemption for one third of non-accountable expense allowances paid to members of provincial and territorial legislative assemblies and certain municipal office holders effective January 1st 2019;

WHEREAS the federal government did not hold consultations on this matter prior to the budget;

WHEREAS the appreciation shown for serving the public from the federal government to elected officials has been removed;

WHEREAS the removal of this exemption will create less take home pay for elected officials; and

WHEREAS each community will need to increase the respective Councillor pay and make up the shortfall from the community tax base.

IT IS THEREFORE RESOLVED THAT the Alberta Urban Municipalities Association advocate for the Federal Government to provide a minimum tax exemption for elected officials as an acknowledgement and appreciation for the public service being provided.

BACKGROUND:

Currently municipal elected officials receive a tax exemption for one third of their non-accountable expense allowances related to the community work they perform under their role. This exemption was originally given by the federal government as an acknowledgement to individuals who contribute to building communities. This is/was appreciated.

Without prior consultation, the federal 2017 Budget removed this exemption/gratitude effective the 2019 taxation year.

This appreciation needs to remain intact. As an example, this could be similar to the federal emergency personnel exemption, removes income tax on the first \$1,000 of income earned by volunteer ambulance technicians, fire fighters, search and rescue, or other types of emergency volunteers.

The Federation of Canadian Municipalities recently adopted a similar resolution.

AUMA Comments:

- AUMA does not have a policy on this specific issue.



AGENDA ITEM

PROJECT: Council Christmas Greeting Advertising - 2017		
PRESENTATION DATE: November 7, 2017		
DEPARTMENT: MUNICIPAL	WRITTEN BY: DJ Racunica	REVIEWED BY: Ron Leaf
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> N/A		
STRATEGIC PLAN THEME:	PRIORITY AREA:	STRATEGIES:
ATTACHMENT(S): 2016 Advertisement Example from the Mountaineer		
RECOMMENDATION: 1. That Council direct staff in terms of preparing and publishing Christmas Greeting advertisements on their behalf.		

BACKGROUND:

Historically, Council has included a Christmas greeting advertisement in the Mountaineer, Western Star and Sundre Round Up (example from 2016 attached). The advertisements run for one week in December, and are printed in full colour, and include a photo of Council and Christmas greeting.

The total cost for three Christmas Greeting advertisements in 2016 was approximately \$1,000.00 and costs were equally divided and paid by Councillors.

Staff would like to determine Council's interest in publishing a 2017 Christmas Holiday greeting.

From All of Us to All of You:

*We wish you a Merry Christmas
and a Happy New Year*

May the Christmas season bring much happiness, good health and good fortune to you and your loved ones.



from Clearwater County Council



Follow Clearwater County on Facebook
or on Twitter @clearwatercnty.



Phone 403-845-4444 | www.clearwatercounty.ca

P.O. Box 550, 4340 - 47th Avenue
Rocky Mountain House, AB T4T 1A4

PAID FOR BY COUNCIL





AGENDA ITEM

PROJECT: Caroline Chamber of Commerce's Letter of Concern Regarding Caroline Cemetery		
PRESENTATION DATE: November 7, 2017		
DEPARTMENT: Cemetery / CPS Division	WRITTEN BY: Ted Hickey	REVIEWED BY: R. Leaf, CAO
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
<ul style="list-style-type: none"> • Municipal Government Act • Cemetery Act 		
STRATEGIC PLAN THEME: 2: Well Governed and Leading Organization	PRIORITY AREA: 2.2 Service Levels Objective – Provide levels of service that balance community needs with organizational capacity.	STRATEGIES: 2.2.3 Provide facilities and services in an effective and cost-efficient manner through a range of public, private and not-for profit alliances.
ATTACHMENTS: Caroline and District Chamber of Commerce Letter – October 6, 2017		
RECOMMENDATION: That the Village of Caroline continue to manage and operate the Caroline Cemetery.		

BACKGROUND:

Administration received a letter of concern from the Caroline and District Chamber of Commerce Letter dated October 6, 2017. The cemetery of discussion is a Village of Caroline facility and service and the Village of Caroline the registered land title owner. In discussion with the Village of Caroline, it has operationally adopted a user pay system which includes two-tiered payment to recover costs within business hours and after hour burials. They do have capital plans for a columbarium, potentially headstone aprons and other items for future consideration, planning and budgets.

Similar to arrangements with the Town of Rocky Mountain House, a cost share on capital costs may be discussed "in the future" however; County staff do not anticipate any budget implications for 2018. The County's 2017 forward GIS Cemetery program is of interest to the Village of Caroline and County staff will coordinate the inclusion of the Caroline cemetery in that program in future contracts/work.

Recommendation:

That the Village of Caroline continue to manage and operate of the Caroline Cemetery.



October 6th, 2017

Ron Leaf
County of Clearwater
4340-47th Ave.
Rocky Mountain House, AB
T4T 1A4

Dear Mr. Leaf,

The Caroline & District Chamber of Commerce would like to address the concerns within the Village regarding The Caroline Cemetery. These concerns have been brought to our attention by the Village and rural residents, along with many other issues.

One of the major grievances is perpetual care and burial costs and how they are being charged. The understanding is that the Village is charging perpetual care fees each time a burial takes place on the same plot i.e.: cremation. Instead of a one-time charge, they are charging it four times. Rural residents make up approximately 80% of burial plots in the cemetery and they are being charged an additional fee of \$150.00 if they don't reside within town limits. Please advise us if this is in accordance with the AB Cemetery act.

The number one issue brought up is the lack of co-operation and empathy with the families and funeral directors opening and closing gravesites on or near weekends. This has made it virtually impossible to hold a funeral on a weekend (Friday, Saturday, or Monday). Also if a funeral is held on Friday gravesites have been left open until following Tuesday.

The Chamber has also received a complaint that residents and monument providers are not being made aware of the guidelines concerning monument sizes and regulations. As the result the Village is not permitting families to place headstones after they've been purchased.

We don't believe that grieving families should be taken advantage of during this most vulnerable time. The funeral process is difficult enough without having to be burdened by these issues. As a result of the continuing frustrations of village and rural residents, fewer people are choosing to have their loved ones reside there resulting in less cost recovery and putting an additional burden on village tax payers. Would the Clearwater County consider sharing the cost and maintenance of the Caroline Cemetery?

Thank you

Christa Trimble

Christa Trimble, Office Manager
Caroline & District Chamber of Commerce

Clearwater County

Councilor and Board Member Remuneration Statement

For the Year of ...2017.....

Name of Councilor / Board Member Theresa Loring

Payment Periods

January February May June
March April July August
September October November December

Supervision Rate - \$550.00 Monthly
Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$159.00	Next 4 Hours \$126.00	Next 4 Hours \$126.00	Regular Council Meeting \$288.00	Lunch \$16.00	Mileage @ \$0.54 / km
Aug 8/17	Council				X		14
Aug 17/17	Headquarter MLAs	X	X	X			14
Aug 22	Council				X		14

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Remuneration Calculation

1	159.00 =	159.00	42	Kms @ 0.54 =	22.68
2	126.00 =	252.00	0	Lunch @ 16.00	0
2	288.00 =	576.00			
	Supervision =	550.00			
	TOTAL=	1537.00		TOTAL=	22.68

Signature {Councilor / Board Member} Theresa Loring

Clearwater County

Councilor and Board Member Remuneration Statement

For the Year of2017.....

Name of Councilor / Board Member Shirley Leung

Payment Periods

January	February	May	June
March	April	July	August
<u>September</u>	October	November	December

Supervision Rate – \$550.00 Monthly
Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$159.00	Next 4 Hours \$126.00	Next 4 Hours \$126.00	Regular Council Meeting \$288.00	Lunch \$16.00	Mileage @ \$0.54 / km
Sept 12/17	Board				x		14
Sept 13/17	FCSS	x					14
Sept 21/17	RECE	x					14
Sept 26/17	Council				x		14
Sept 27/17	NCA	x					195
Sept 30	Mileage Discrepancy Made Board Agency	x					195

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Remuneration Calculation

4	\$159.00 =	636.00		446	Kms @ 0.54	240.84
0	\$126.00 =	-		0	Lunch @ 16.00	0
2	\$288.00 =	576.00				
	Supervision =	550.00				
	TOTAL=	<u>1762.00</u>				TOTAL= <u>240.84</u>

Signature {Councilor / Board Member} Shirley Leung

Clearwater County

Councilor and Board Member Remuneration Statement

For the Year of2017.....

Name of Councilor / Board Member Curt Mak

Payment Periods

January	February	May	June
March	April	July	August
September	<u>October</u>	November	December

Supervision Rate - \$550.00 Monthly
Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$159.00	Next 4 Hours \$126.00	Next 4 Hours \$126.00	Regular Council Meeting \$288.00	Lunch \$16.00	Mileage @ \$0.54 / km
10	Council				✓		70

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Remuneration Calculation

_____ Meetings @ \$159.00=	_____ 70	Kms @ \$0.54=	37.80
_____ Meetings @ \$126.00=	_____	Lunch @ \$16.00=	_____
1 _____ Meetings @ \$288.00=	288.00		
Supervision=	408.06		
TOTAL=	<u>696.06</u>	TOTAL=	<u>37.80</u>

Signature {Councilor / Board Member} Curt Mak