

# AAMDC Advocacy Report Card Spring 2016



Prepared by the Alberta Association of Municipal Districts and Counties

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# **AAMDC Advocacy Report Card: Spring 2016**

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# INTRODUCTION

The Advocacy Report Card is divided into two sections.

**Section 1** provides detailed information on the government response to the fall 2015 resolutions and includes the Alberta Association of Municipal Districts and Counties (AAMDC) Board of Directors’ reaction to the response as well as anticipated follow up.

**Section 2** updates members by reporting on all active resolutions. The resolutions are grouped by advocacy area.

## Definition of Terms

Following the adoption of resolutions at AAMDC conventions, resolutions are sent to the appropriate level of government for response. Once a response is received, the AAMDC labels the resolution with one of five indicators which determines the status of that resolution. The intention of providing a status for each resolution is to evaluate whether the government response meets the intent of the resolution. The status is not intended to reflect the AAMDC’s advocacy efforts on a resolution.

- The status of ‘unsatisfactory’ has been renamed ‘intent not met.’ The purpose of this is to clarify that the status relates to the government response to the resolution, not to the quality of the AAMDC’s advocacy efforts or of the resolution itself.
- Colour coding has been incorporated into the ‘reactions at a glance’ to provide a visual representation of resolution statuses.

Below are the descriptions of all resolution ranking statuses.

STATUS	DESCRIPTION
Accepted	Meets the AAMDC criteria as outlined in a) the resolution and b) as per the expectations of the Board of Directors.
Accepted in Principle	The development addresses that action is being taken to meet the intent of the resolution, but further action is required.
Accepted in Part	Some resolutions include multiple ‘asks’ in the operative clause. This status indicates that one of the ‘asks’ has been met while others require further action.
Intent Not Met	The intent of the resolution has not been met as outlined in the resolution or the current developments do not meet the approval of the Board of Directors.
Incomplete Information	The AAMDC has not received enough information to assign a status. Further follow-up is required for the AAMDC to make an informed decision on how to proceed.

# SECTION 1: Government Responses to Fall 2015 Resolutions

The AAMDC recently received the Government of Alberta responses to the resolutions adopted at the fall 2015 convention. The following table provides an overview of the initial assessment to resolutions following the Government of Alberta's response. **The AAMDC emphasizes that this table only reflects the initial response received from the Government of Alberta and that advocacy efforts on all resolutions are in progress.**

## REACTIONS AT A GLANCE

#	RESOLUTION NAME	STATUS
8-15S	Government Prioritizing Northern Alberta Highways	Intent Not Met
1-15F	Continued Provincial Funding Support for Municipalities	Accepted in Principle
2-15F	Enhanced Funding for Roads, Highways and Local Bridges in Rural Municipalities	Accepted in Principle
3-15F	Local Road Bridge Opt-Outs Under <i>Navigation Protection Act</i>	Accepted
4-15F	AAMDC Participation in City Charter Discussions	Intent Not Met
5-15F	Recovery of Linear Property Tax Arrears	Intent Not Met
6-15F	Re-introduction of Bill 204 to Address the Matter of Adverse Possession	Accepted in Principle
7-15F	Agriculture Plastics Recycling	Intent Not Met
8-15F	Land Acquisition Process for Crown Land	Intent Not Met
9-15F	Referrals on the Sale of Public Lands	Intent Not Met
10-15F	Maintenance of Provincial Funding for Seniors' Lodging	Accepted in Part
11-15F	Provincial Support for Municipal Aggregate Acquisition	Intent Not Met
12-15F	Survey Requirements for Recreation Lease Renewals	Intent Not Met
13-15F	Non-Profit Housing Organizations Borrowing from the Alberta Capital Finance Authority	Intent Not Met
15-15F	Management of Farm Development and Agricultural Leases	Intent Not Met
16-15F	<i>Species at Risk Act (SARA)</i>	Incomplete Information
17-15F	Community Aggregate Payment Levy Rate Amendment	Accepted in Principle

19-15F	Amendment to the <i>Municipal Government Act</i> to Provide for the Dedication of Environmental Reserves in Specific Cases	Intent Not Met
20-15F	Capital Funding for Community Airports	Accepted in Principle
21-15F	Minimum Wage Increase	Intent Not Met
22-15F	Amendment to the <i>Municipal Government Act</i> Regarding Joint and Several Liability	Incomplete Information
23-15F	Alberta Transportation Highway Signage	Intent Not Met
24-15F	Alternative Energy Source – Solar Power	Accepted in Principle

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**Advocacy Target: Transportation**

WHEREAS rural municipalities are the economic drivers of Alberta with their natural resources; and

WHEREAS primary resource extraction activities are putting significant stress on highway road infrastructure in rural Alberta; and

WHEREAS highways in rural Alberta must be improved in order to ensure the safe and efficient movement of natural resources and people;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to improve the condition of highway infrastructure in rural Alberta by setting them as a highest priority level for the province.**

**Government Response**

Transportation: Alberta Transportation looks at road improvements throughout the whole province to provide safe and sustainable highway infrastructure for road users. The ministry has systems in place looking at roadways, and decisions are made based on a number of technical factors including condition of the roads and a cost-benefit analysis. Geographic location within Alberta is not taken into account.

Transportation is investing nearly \$980 million on highway rehabilitation and over \$1.1 billion on highway preservation and maintenance (roads and bridges) from 2015/16 to 2017/18.

**AAMDC Reaction and Follow-up**

While the Government of Alberta response acknowledges that a number of technical factors are taken into consideration when prioritizing highway maintenance and improvements, the response does not address the link between heavy industrial traffic and premature deterioration of rural highways highlighted in the resolution.

Provincial funding tools for municipally-managed rural roads such as the Well Drilling Equipment Tax and the Resource Road Program indicate that industrial activity in rural areas does rapidly strain rural roads. With this in mind, a similarly focused approach to addressing provincially-managed rural roads damaged by industrial traffic would strengthen the province's transportation system. This resolution is assigned a status of **Intent Not Met**.

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**Advocacy Target: Municipal Affairs, Treasury Board and Finance**

WHEREAS municipalities are under the jurisdiction of provincial governments as outlined in the *Constitution Act, 1867* and as such have a legitimate expectation for provincial financial support; and

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

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

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

WHEREAS the Government of Alberta has a history of revenue sharing with municipalities through programs like the current Municipal Sustainability Initiative; and

WHEREAS there has been no commitment to the continuation of the Municipal Sustainability Initiative beyond 2018;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties advocate for continued financial support to municipalities through the continuation of the Municipal Sustainability Initiative or similar program beyond 2018.**

**Government Response**

Municipal Affairs: The Government of Alberta (GOA) recognizes that the Municipal Sustainability Initiative (MSI), which was designed to provide \$11.3 billion over 10 years, will not be fully allocated by 2016-17. We are examining ways to extend that support, including adjustments to the long-term agreements.

Working with municipalities to support priority infrastructure needs and long-term economic growth remains a key priority for the GOA. Our capital plan demonstrates that commitment, with MSI capital funding estimates from 2015-16 to 2019-20 totaling more than \$5.7 billion (including the Basic Municipal Transportation Grant), in addition to an estimated \$30 million annually in MSI operating.

The GOA recently worked with Ottawa to secure a 10 year extension to the Gas Tax Fund (GTF), which will mean an additional \$2.3 billion for Alberta communities. The GTF Agreement with the federal government was signed in summer 2014, and is now supporting Alberta municipalities with over \$200 million per year in critical infrastructure support.

Under the new Canada-Alberta Gas Tax Fund, all municipalities will be eligible for an annual per capita grant allocation during the 10 year term of the agreement from 2014 to 2024.

GTF allocations are directed by municipalities toward infrastructure projects that they consider priority, as long as the projects they identify meet the GTF funding criteria. To receive payment,



municipalities must submit estimated project expenditures sufficient to use any GTF funds held from a previous year, in addition to the current year's allocation.

The 2015 GTF allocations for all municipalities are now available online at <http://municipalaffairs.alberta.ca/gastaxfund.cfm>.

Treasury Board and Finance: The Budget 2015 Capital Plan provides almost \$10 billion over five years in support for municipal infrastructure (\$8.6 billion), water and wastewater management (\$706 million) and community facilities (\$454 million), with \$750 million in new funding for programs and projects.

Increasing funding to the MSI (capital) by \$100 million, for a total of \$3.9 billion over five years, provides Alberta's local governments with the flexibility to make decisions that meet their important local priorities and residents' needs.

### **AAMDC Reaction and Follow-up**

The Government of Alberta response indicates a dedication of MSI funding beyond the 2018 timeline identified in the resolution. However, the response also indicates that beyond this funding in identified in the province's 2015 capital plan, there is no long-term MSI strategy beyond 2019-20. The AAMDC is encouraged by the Government of Alberta's willingness to develop a long-term municipal infrastructure strategy. Until this action begins, this resolution is assigned a status of **Accepted in Principle**.

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**Advocacy Target: Transportation, Treasury Board and Finance**

WHEREAS rural municipalities are key economic drivers of Alberta with their agricultural production, value-added industries and natural resources; and

WHEREAS rural roads, highways and bridges in Alberta must have sufficient capacity and appropriate maintenance to ensure the safe and efficient movement of goods, commodities, natural resources, and people; and

WHEREAS the province has substantially scaled back its contribution to road and bridge construction, thereby downloading their responsibilities onto municipalities;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to increase and accelerate funding for rural road and highway construction and maintenance;**

**FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to reinstate funding for the maintenance and reconstruction of local bridges in the 2016 provincial budget, and sustain this funding in future budgets.**

**Government Response**

Transportation: From 2015/16 to 2019/20, Alberta Transportation's \$9.1-billion Capital Plan will build and repair roads and bridges, fund water/wastewater and transit projects, invest in local municipal transportation infrastructure, and support water management infrastructure across the province. The Government of Alberta is investing \$4.7 billion in road and bridge projects, and \$2.1 billion in capital maintenance and renewal for roads and bridges over the next five years.

Transportation is investing more than \$1.1 billion from 2015/16 to 2017/18 on highway and bridge maintenance and preservation to protect our existing infrastructure and ensure safe highways.

While this budget will see reductions in spending compared to Budget 2014-17 for highway maintenance, Transportation has conducted strategic analyses on where efficiencies can be realized. Activities such as grass cutting, pavement patching and crack sealing services will be impacted. However, stopping these activities will not compromise the safety for drivers in the short term.

In addition, Budget 2015 has allocated a total of \$100 million for the Strategic Transportation Infrastructure Program (STIP). Pending Cabinet approval, consultation on program criteria for the renewal of STIP funding will begin in 2016.

Treasury Board and Finance: The *Budget 2015* five-year Capital Plan provides \$8.4 billion for transportation infrastructure to foster economic growth and generate good paying jobs, which support individuals and families and benefit all Albertans. This includes:

- \$4.7 billion for Alberta's provincial highway network on projects like Highways 63, 28 and 19 to provide better, safer roads for families and industry;

- \$2.1 billion for maintenance and renewal on roads and bridges to extend the life of our infrastructure and enhance safety:
  - \$1.8 billion for provincial highway rehabilitation; and
  - \$345 million for bridge construction;
- \$946 million for GreenTRIP;
- \$330 million in new funding for Transit Initiatives;
- \$150 million under the New Building Canada Fund; and
- \$119 million for the Strategic Transportation Infrastructure Program.

### **AAMDC Reaction and Follow-up**

The AAMDC is pleased by the Government of Alberta's commitment to restore Strategic Transportation Infrastructure Program (STIP) funding in the 2017-18 and 2018-19 budget years, and appreciate their willingness to work with AAMDC members to ensure that STIP funding best meets the needs of rural and small urban municipalities. The details of how the new STIP funding will be allocated have not yet been finalized, but the previous STIP program provided funding for both local road bridges and resource roads, which would meet the intent of this resolution. This, combined with the long-term capital funding for provincial highways and roads identified in the government response, along with increases in the 2016-17 provincial budget to funding for provincial bridge construction and highway rehabilitation, is encouraging.

Despite these encouraging investments into rural roads and bridges, there is no indication that STIP funding will be provided consistently beyond the two year, \$100 million commitment. Until a long-term commitment to funding rural roads and bridges through STIP or a similar program is announced, this resolution is assigned a status of **Accepted in Principle**.

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**Advocacy Target: Transportation**

WHEREAS the Government of Canada amended the *Navigable Waters Protection Act* to become the *Navigation Protection Act* in 2012 and came into force on April 1, 2014; and

WHEREAS the new *Navigation Protection Act* requires assessments for bridges only on a small number of scheduled waterways; and

WHEREAS the scheduled waterways located within the province of Alberta are Lake Athabasca, the Bow River, the Peace River, the Athabasca River, the North Saskatchewan River and the South Saskatchewan River; and

WHEREAS owners of existing bridges on non-scheduled waterways that were previously regulated under the *Navigable Waters Protection Act* are able to opt their bridges out of the *Navigation Protection Act* prior to April 1, 2019; and

WHEREAS all bridges constructed on non-scheduled waterways after April 1, 2014 are automatically not regulated under the new NPA, so the opt-out decision only applies to bridges that existed prior to April 1, 2014; and

WHEREAS Transport Canada has indicated that Alberta Transportation is technically the owner of all municipally-managed local road bridges in Alberta, and therefore must opt out on behalf of municipalities; and

WHEREAS Alberta Transportation has requested that the Alberta Association of Municipal Districts and Counties (AAMDC) indicate support or opposition for opting out on behalf of all members because rural municipalities are the day-to-day managers of local road bridges; and

WHEREAS Alberta Transportation has judged the legal risks of opting out as minimal compared to the regulatory freedom it would provide and has already opted out all provincially-managed bridges; and

WHEREAS Alberta Transportation has devised their own navigation standards for provincial bridges that have been opted out of the *Navigation Protection Act* which can be followed by municipalities if they wish; and

WHEREAS municipalities are able to apply to the federal Minister of Transportation to have an individual bridge on a non-scheduled waterway opted back into the NPA program if they are making modifications that they judge to have a high risk of impacting navigability;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties support the Government of Alberta's request to opt all existing local road bridges built prior to April 1, 2014 out of the *Navigation Protection Act*;**

**FURTHER BE IT RESOLVED that Alberta Transportation allow ninety days from the endorsement of this resolution for municipalities not wishing to have their local road bridges opted out of the *Navigation Protection Act* to communicate this request to Alberta Transportation.**

## **Government Response**

Transportation: This resolution assists municipalities with streamlining federal requirements at bridge crossings and was developed in consultation with Alberta Transportation staff. The ministry looks forward to working with those municipalities interested in opting-out of the *Navigation Protection Act*.

## **AAMDC Reaction and Follow-up**

The AAMDC appreciated the opportunity to collaborate with the Government of Alberta in ensuring bridges managed by AAMDC members complied with the new *Navigation Protection Act*. This resolution is assigned a status of **Accepted**.

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**Advocacy Target: Municipal Affairs**

WHEREAS a memorandum of understanding (MOU) between the Government of Alberta and the cities of Edmonton and Calgary (the three parties) was entered into in 2012 to explore options for the establishment of a legislative framework for the two cities that recognizes the evolving needs of each city's individual relationship with the Government of Alberta; and

WHEREAS the *Framework Agreement for Charters* was established in 2014 to renew the intent of the MOU and identify the phases of discussion; and

WHEREAS the three parties have stated that a new legislative framework that adequately recognizes the capabilities and responsibilities of the cities is required; and

WHEREAS a change to the legislative framework involving the *Municipal Government Act* has the potential to affect all municipalities; and

WHEREAS the three parties have identified existing legislation respecting land-use planning as an obstacle to the cities' growth and development; and

WHEREAS the creation of city charters may have unintended consequences regarding land-use planning, the use of planning instruments (area structure plans, intermunicipal development plans, etc.), and decision making in neighbouring municipalities; and

WHEREAS a change to the fiscal framework between the three parties has the potential to affect all municipalities; and

WHEREAS other areas referenced in the *Framework Agreement* for possible inclusion in a charter, such as the use of municipal reserve land or determining when farm land should be regarded as developable, are of importance to all municipalities; and

WHEREAS many of the areas referenced in the *Framework Agreement* may be best located within the *Municipal Government Act*; and

WHEREAS there has been no identified consultation process with other municipalities; and

WHEREAS the Alberta Association of Municipal Districts and Counties represents the interest of rural municipalities and its residents;

**THEREFORE BE IT RESOLVED that the Government of Alberta invites participation of the Alberta Association of Municipal Districts and Counties in city charter discussions.**

**Government Response**

Municipal Affairs: The Government of Alberta is working with the cities of Calgary and Edmonton to develop city charters. City charters will address the cities' unique challenges and opportunities and will provide the cities with the tools they need to provide quality infrastructure and services to their citizens, as well as manage growth.

City charters apply within the boundaries of the City of Calgary and the City of Edmonton respectively. Regional collaboration will be achieved through growth management boards for the Edmonton and Calgary metropolitan regions. Policy direction applicable to all municipalities will

be accounted for within the *Municipal Government Act* Review, allowing charters to focus on the unique authorities appropriate for big cities.

In July 2015, the Minister of Alberta Municipal Affairs advised the Alberta Association of Municipal Districts and Counties (AAMDC) that it will not be included in city charters discussions with the province and the cities, but that there is a firm commitment to engage stakeholders and the public in charters as they are developed.

The AAMDC will be invited to attend all such engagement sessions.

In addition, the province is legally required to post the charters on Municipal Affairs' website for at least 60 days prior to Cabinet approval. This will afford additional opportunity for feedback.

### **AAMDC Reaction and Follow-up**

Through the review of the *Municipal Government Act*, the Government of Alberta has committed to working with Edmonton and Calgary to develop city charters that reflect their unique needs as metropolitan areas. The AAMDC has supported this process with the understanding that any additional tools or powers allotted to the two metropolitan areas would not come at the cost of the local autonomy of the neighboring rural municipalities.

The AAMDC believes that the development of city charters and the unique powers and responsibilities they will afford Edmonton and Calgary will impact surrounding municipalities in ways not anticipated by the cities and the Government of Alberta. The impacts of decision-making and planning within one municipality regularly spills across municipal boundaries, and the implementation of city charters will be no exception.

At the recent AAMDC spring convention in March 2016, the Minister identified that the city charter discussions being held currently are being viewed as a pilot project and that these types of discussions could take place with other Alberta cities. The AAMDC does not expect to be a strong decision-maker in the city charter development process, but believes that having a rural municipal presence involved in the process will ensure that a rural lens is being applied to the spillover impacts of city charters. Applying this lens is not only democratically responsible, but will help to strengthen the working relationship among municipalities in the Edmonton and Calgary regions.

The AAMDC will continue to request to be involved in the city charter discussions, and assigns this resolution a status of **Intent Not Met**.

**Recovery of Linear Property Tax Arrears**

Mackenzie County

*Carried as Amended*

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**Advocacy Target: Municipal Affairs, Energy, Federation of Canadian Municipalities**

WHEREAS municipalities in Alberta are governed by the *Municipal Government Act*, RSA 2000. C. M-34 established by the Province of Alberta; and

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

WHEREAS the property taxes remain the main source of revenue for municipalities, as the 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 both provincial and federal legislation; and

WHEREAS the current legislation has limited the recourse available to a municipality to recover tax arrears owed from oil & gas companies, which predominantly arise from linear property; and

WHEREAS the issue of broadening and strengthening the power of municipalities to collect and recover non-property taxes has been raised in the *Municipal Government Act* review currently being conducted by the Government of Alberta;

**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.**

**Government Response**



Municipal Affairs: The Government of Alberta is undertaking a comprehensive review of the *Municipal Government Act (MGA)*. Since the review began in 2012, the Alberta Association of Municipal Districts and Counties has been a valued partner in the process, including participation in focused policy discussions among key stakeholders in 2014 and 2015 to identify issues, generate options and express recommendations to Cabinet.

An issue that was identified is the significant financial implications for some municipalities in the non-collection of property taxes in arrears, particularly taxes levied against industrial property.

Alberta Municipal Affairs recognizes this issue is likely to develop in scale, given the current economic conditions in Alberta, and is committed to working with other ministry partners to determine the best approaches to supporting municipalities in collecting this revenue.

Energy: Alberta Energy, Alberta Environment and Parks, and the Alberta Energy Regulator are undertaking a review of the management of energy infrastructure liabilities in Alberta. Actions related to what happens when energy companies go bankrupt should be dealt with through that review, and not the *Municipal Government Act* review.

There would be implications for how environmental liabilities are managed in Alberta if municipalities are granted liens to collect linear property taxes. It is critical that any changes are reviewed through a systems approach, as one change can impact many other programs.

#### **AAMDC Reaction and Follow-up**

Although the response from Municipal Affairs indicates the importance of providing municipalities with tools to recover unpaid industrial property taxes, the Alberta Energy response indicates that this issue is best dealt with through an ongoing review of the management of energy infrastructure in Alberta, and not the *Municipal Government Act* review.

Neither response addresses the request of the resolution: that this issue be addressed by allowing the Government of Alberta to grant liens to municipalities similar to those granted to the AER under the *Oil and Gas Conservation Act*. For this reason, this resolution is assigned a status of **Intent Not Met**.

---

**Advocacy Target: Municipal Affairs, Service Alberta**

WHEREAS Bill 204 was a private members bill introduced by Mr. Ken Allred, MLA, - St. Albert; and

WHEREAS Bill 204 intended to provide for amendments to the *Land Titles Act* to establish the following:

“No right or title in or to land registered under this Act may be acquired or deemed to have been acquired by adverse possession”; and

WHEREAS Bill 204 received first and second reading but did not receive third reading and royal assent, so did not pass into law;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties requests the Government of Alberta to place legislation before the Assembly, to amend the *Land Titles Act* to prevent the acquisition of lands acquired by adverse possession.**

**Government Response**

Municipal Affairs: Alberta Municipal Affairs has no comment on this resolution, as it involves matters under the jurisdiction of Service Alberta (SA).

Service Alberta: In 2012, SA provided the ministry’s position on Bill 204: *Land Statutes (Abolition of Adverse Possession) Amendment Act, 2012*, proposed by Ken Allred, then MLA for St. Albert. SA’s position regarding Bill 204 remains the same and is as follows.

Currently, Section 74 of the *Land Titles Act* allows a court order respecting an adverse possession application to be registered, and requires the Registrar of Land Titles to correct the land title to reflect the direction of the court order. The ministry has no opposition to the removal of Section 74 and the abolition of the doctrine of adverse possession, as proposed in Bill 204. No systems changes to registration software would be required to implement this legislative change.

Closely related to the issue of adverse possession is the doctrine of “Improvements to Another’s Land Under Mistake of Title.” Improvements Under Mistake of Title are statutorily codified under Section 69 of the *Law of Property Act*. It is SA’s understanding that Bill 204 is intended to only abolish those adverse possession claims under the *Land Titles Act*, and to leave Section 69 of the *Law of Property Act* undisturbed. SA agrees that retaining this section is appropriate.

In the event that Bill 204 is passed, the principal stakeholders (the Alberta Land Surveyors’ Association and Law Society of Alberta) would likely be supportive. SA cannot identify any stakeholder groups that would be opposed to Bill 204.

**AAMDC Reaction and Follow-up**

The AAMDC is encouraged by Service Alberta’s response, which supports the resolution and the need to eliminate the concept of adverse possession from the *Land Titles Act*. The resolution requests the reintroduction of specific legislation that would eliminate adverse possession, which

has not occurred. As such, this resolution is assigned a status of **Accepted in Principle**, and the AAMDC will monitor developments such as the reintroduction of Bill 204 or similar legislation.

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**Advocacy Target: Agriculture and Forestry, Environment and Parks**

WHEREAS agricultural plastics and twine are recyclable materials generated by the agricultural industry and are often sent to municipal solid waste landfills for disposal or if not accepted at landfills, is being stockpiled or burned; and

WHEREAS diverting agricultural plastics and twine to recycling facilities will reduce the volume of non-biodegradable materials at landfills; and

WHEREAS the *Substance Release Regulation* prohibits the burning of plastics and the release of harmful toxins into the environment; and

WHEREAS the 2012 Agricultural Plastics Recycling Agricultural Producers Survey confirmed that there is a strong consensus among agricultural plastics users that it is important to be able to recycle their agricultural plastics;

**THEREFORE BE IT RESOLVED the Alberta Association of Municipal Districts and Counties request that Alberta Environment and Parks develop a recycling program to provide for the collection and recycling of agricultural plastics in Alberta.**

**Government Response**

Agriculture and Forestry: Alberta Agriculture and Forestry (AF) has worked with Alberta Environment and Parks to scope and develop options to address the issue, beginning with the development of an education program (including a fact sheet) around the harmful effects of burning. However, it was concluded based on feedback from producers and other Alberta stakeholders that an education piece alone was not going to solve the issue.

AF contributed to a Waste Characterization Study completed by CleanFARMS. The results of the study suggest that agricultural plastic waste is less than one per cent of the total annual waste being sent to landfills in Alberta. This helps explain the Government of Alberta's current lack of action to date on the issue.

AF continues to gather information about agricultural plastics, including a study on market options.

AF staff currently sit on a committee to develop policy options for agricultural plastic recycling. The committee consists of members from the Alberta Association of Municipal Districts and Counties, the Alberta Recycling Management Authority, CleanFARMS, and the Recycling Council of Alberta. The committee's first meeting was in December 2015.

Environment and Parks: Diverting waste from landfills is an important issue facing Albertans, and Alberta Environment and Parks (EP) commends municipalities for taking important steps to expand recycling programs.

Currently, EP is not considering a regulated agriculture recycling program. However, the ministry looks forward to hearing from municipalities on their challenges and successes with these types of programs as it engages with various stakeholders on managing material at end-of-life.

**AAMDC Reaction and Follow-up**

The AAMDC believes that a coordinated, province-wide approach to end of life management for agriculture plastics is the most effective means of limiting the amount of agriculture plastics that end up in landfills. Currently, some rural municipalities have provided recycling options for this material, but due to its large size and limited recycling options, these programs are beyond the capacity of most municipalities.

Although the AAMDC appreciates sitting on a committee with Alberta Agriculture and Forestry and other stakeholders that seeks to develop policy options for agriculture plastic recycling, until a coordinated recycling program is developed, this resolution is assigned a status of **Intent Not Met**. The AAMDC will continue to advocate for the formation of such a program through the committee and other means.

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**Advocacy Target: Municipal Affairs, Transportation**

WHEREAS the *Municipal Government Act* (MGA) gives care and control of 66' road right-of-ways to the local municipalities; and

WHEREAS municipalities are constructing public roadways that are for everyone to use; and

WHEREAS there are significant gaps in the road right-of-way standards followed by Alberta Transportation and those followed by municipalities; and

WHEREAS local municipalities may require additional lands owned and controlled by the Government of Alberta for the construction of a public roadway;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to transfer care and control of all Crown lands required for construction of public roadways to the municipality at no charge and with no other consultations required.**

**Government Response**

Municipal Affairs: Alberta Municipal Affairs has no comment on this resolution, as it involves matters under the jurisdiction of Alberta Environment and Parks (EP) and Alberta Transportation.

Transportation: Alberta Transportation follows the processes outlined by EP regarding the sale or transfer of Crown land. Any changes to this process would need to be addressed through that ministry.

EP has indicated that all proceeds from the sale of public land go into the Land Stewardship Fund, established through the Alberta Land Stewardship Fund Regulation under the *Public Lands Act* in 2011. The fund is held and administered by the Minister of EP. The Land Stewardship Fund cannot be used for municipalities to build infrastructure. Allocation of any funds to municipalities for infrastructure development is outside the EP's mandate and ability.

EP, on behalf of other Government of Alberta ministries, will inform municipalities through the referral process regarding applications received for the purchase of public lands, to allow them an opportunity to address their concerns before a final decision is made.

**AAMDC Reaction and Follow-up**

The government response indicates that revenue gathered through the sale of public lands is not accessible to municipalities for the purposes of road-building. This is somewhat unrelated to the purpose of the resolution, which is to provide municipalities with Crown land at no charge when it is needed to acquire rights of way to build or expand municipal roads. This resolution is assigned a status of **Intent Not Met**, and the AAMDC will advocate to Alberta Transportation and Alberta Environment and Parks on this issue.

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**Advocacy Target: Environment and Parks**

WHEREAS rural municipalities have responsibility for the construction and maintenance of local road infrastructure; and

WHEREAS the Government of Alberta, through Alberta Environment and Parks, under the *Public Lands Act*, may undertake to sell Crown lands through public auction; and

WHEREAS the sale of such lands puts additional pressures on municipalities for the provision of infrastructure to service the lands, such as roads, with no financial benefit to the municipality; and

WHEREAS the County of Northern Lights has recently experienced a public auction of 9 parcels of land to which there is no developed road access;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to ensure that municipalities receive full compensation from the Government of Alberta, which would include proceeds from the sale of said public lands, in order to provide the required infrastructure to those said lands.**

**Government Response**

Environment and Parks: Municipalities need resources to make Alberta a better place to live and work. That is why the Government of Alberta increased capital spending by 15 percent in Budget 2015 to better support local water and waste water projects, improve transit, and improve municipal roads.

Alberta Environment and Parks will continue to work with municipalities to make informed decisions when it comes to the sale of public land.

**AAMDC Reaction and Follow-up**

The Government of Alberta response makes no reference to the issue of costs incurred by municipalities to service previous Crown land that is purchased through public auction and developed. As such, this resolution is assigned a status of **Intent Not Met**, and the AAMDC will continue to advocate on this issue.

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**Advocacy Target: Municipal Affairs, Seniors**

WHEREAS there are approximately 149 senior citizens' lodges operated throughout Alberta, which are regulated under the *Alberta Housing Act*, and

WHEREAS the Government of Alberta, in 1994, changed lodge program funding from a 50/50 cost-shared deficit between the Government of Alberta and municipalities to a capped lodge assistance grant, with the municipalities responsible for the remaining deficit; and

WHEREAS the Government of Alberta recently instructed local management bodies to budget on the assumption of no increases in provincial funding for the next five years; and

WHEREAS the Lodge Assistance Program grant does not contain any provisions to address inflation, aging infrastructure, marketability and increasing operational costs; and

WHEREAS the costs to maintain the lodge facilities in their existing condition and ensure adequate access to lodging through the creation of additional lodging spaces to meet the needs of an aging population is placing an increasing financial burden on the lodge's management bodies; and

WHEREAS the only recourse after rent to cover these increasing costs is to download an increasing burden of funding beyond the provincial cap on municipalities;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to return to review and finalize its review of the seniors lodge program, including increasing funding to the lodge program and removing or increasing its funding cap.**

**Government Response**

Municipal Affairs: Alberta Municipal Affairs has no comment on this resolution, as it involves matters under the jurisdiction of Seniors and Housing.

Seniors and Housing: Housing is a basic necessity, and the Government of Alberta (GOA) remains committed to providing seniors with a safe, comfortable and affordable place to live. The Seniors Lodge Program is successful in supporting this commitment through the long-standing partnership between the GOA and local municipalities. This partnership was evidenced in the work undertaken to review the Seniors Lodge Program by a multi-sector Advisory Committee.

The report containing the recommendations of this committee has been provided to Alberta Seniors and Housing. The ministry has also committed to a review of the regulations under the *Alberta Housing Act* to align with the expiry of these regulations in March 2017.

We understand that financial resources are being stretched and difficult decisions are being made locally. The GOA remains committed to working with its municipal partners and housing providers to ensure the continued delivery of the Seniors Lodge Program.

**AAMDC Reaction and Follow-up**

This resolution has two purposes: to request the Government of Alberta to review and finalize the seniors lodge program review, and to increase funding to the seniors lodge program. As the



program review has been provided to Alberta Seniors and Housing for finalization, the first request in the resolution has been met. However, the government's response gave no indication of any imminent plan to increase funding to the seniors lodge program, though funding levels for general seniors housing saw an increase in the 2016-17 budget from \$177 million to \$324 million. This increase came largely through additional assistance to the Alberta Social Housing Corporation which provides affordable housing for both seniors and non-seniors. The AAMDC will monitor this resolution to fully determine whether the funding increases are meeting the intent of the resolution. This resolution is assigned a status of **Accepted in Part**.

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**Advocacy Target: Municipal Affairs, Environment and Parks, Transportation**

WHEREAS sourcing of aggregate is a high priority of municipalities in rural Alberta because of their extensive road network; and

WHEREAS high volumes of aggregate are available on Crown land; and

WHEREAS Crown land is routinely leased for a variety of purposes, such as grazing, recreation, oil and gas exploration and production, aggregate, and other uses; and

WHEREAS existing Crown lessees have to be consulted with and compensated for losses and damages due to aggregate exploration and extraction; and

WHEREAS sometimes disputes between lessees and the municipality arise that cannot be settled through negotiations; and

WHEREAS the Government of Alberta has processes and remedies to expedite resolution of these disputes, but the does not make them readily available;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to use its existing tools, statutes, and regulations to deal with disputes between municipalities sourcing aggregate and other Crown lessees to expedite municipal aggregate exploration.**

**Government Response**

Municipal Affairs: Alberta Municipal Affairs has no comment on this resolution, as it involves matters under the jurisdiction of Alberta Environment and Parks (EP).

Environment and Parks: EP will continue to follow its policy of prioritizing public works when allocating aggregate on public lands. Because of program shortfalls identified in large part by the Alberta Association of Municipal Districts and Counties (AAMDC), the ministry is looking to review regulatory programs for sand and gravel pits with a focus on fish and wildlife, surface water, reporting consistency, and reclamation. EP will work closely with municipalities and other stakeholders as it reviews these program areas.

Where there is sufficient aggregate, based on volume and location for public works, any aggregate request will be considered further following the priorities outlined in the Alberta Aggregate Sand and Gravel Allocation Directive/Policy for Commercial Use on Public Land.

Regarding access to test for gravel, there are existing policies and procedures in place, including dispute resolution processes, for when consent cannot be obtained from the current disposition holder.

Transportation: Alberta Transportation has no comment on this resolution, as it involves matters under the jurisdiction of EP.

**AAMDC Reaction and Follow-up**

While the AAMDC appreciates the commitment made by Alberta Environment and Parks to review regulatory programs for sand and gravel pits based in part on weaknesses identified by the AAMDC in the current system, the Government of Alberta response does not address the resolution request to better utilize existing policy and regulatory tools to protect municipal aggregate needs. This resolution is assigned a status of **Intent Not Met**, and the AAMDC looks forward to advocating on this issue through the upcoming regulatory review.

**Survey Requirements for Recreation Lease Renewals**

MD of Willow Creek

*Carried as Amended*

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**Advocacy Target: Environment and Parks**

WHEREAS Alberta Environment and Parks requires that municipalities bear the cost of a survey of provincially owned recreation areas when renewing recreational leases; and

WHEREAS the cost of surveying of recreation areas, located on public lands ranges from \$6,000 to \$16,000; and

WHEREAS recreation leases are typically for public use such as parks, campgrounds and picnic areas; and

WHEREAS the boundaries of recreation leases are typically not subject to change;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to remove the requirement for municipalities to provide surveys of provincially owned land in order to renew recreational leases and to streamline the process for renewing recreational leases for municipalities.**

**Government Response**

Environment and Parks: Alberta Environment and Parks (EP) is responsible for ensuring that public land is administered to the benefit of Albertans. When municipalities and counties request the department to lease a particular area, EP requires a land survey to ensure the proper boundaries and location of the lease are recorded to prevent potential conflict between leaseholders.

EP is looking at ways to reduce the cost of surveys and will continue to work with municipalities to make informed decisions on public lands.

Surveys on public lands are legislated, requiring the disposition holder to pay for the surveys. Public land is surveyed pursuant to Section 23 of the *Public Lands Act*. The Act stipulates the 'holder' (renewals) or 'applicant' (new dispositions) to pay for the cost of the survey. Municipalities therefore cannot be exempted from these survey requirements.

**AAMDC Reaction and Follow-up**

The AAMDC appreciates that that Alberta Environment and Parks will examine ways to reduce the costs of recreation lease surveys. However, the resolution requests a change to the legislation that requires the lease holder or applicant to pay for a survey. As the government has not expressed interest in reviewing this legislative requirement, this resolution is assigned a status of **Intent Not Met**, and will continue to be advocated on by the AAMDC.

**Non-Profit Housing Organizations Borrowing from the Alberta Capital Finance Authority**  
Sturgeon County

*Carried*

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**Advocacy Target: Municipal Affairs, Treasury Board and Finance**

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

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; and

WHEREAS Section 1(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; and

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; and

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

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'; and

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

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

WHEREAS incurring that debt is required by municipalities 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;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to allow housing foundations and other provincial and local non-profit affordable housing organizations to directly borrow from the Alberta Capital Finance Authority without impacting a local authority's borrowing capacity.**

**Government Response**

Municipal Affairs: The *Municipal Government Act (MGA)* allows municipalities to lend money to a non-profit organization as defined in section 241(f) of the *MGA*. The Alberta Capital Finance Authority (ACFA) can loan money to a municipality for a capital project for a municipal purpose. Municipal purposes are defined in Section 3 of the *MGA* and include providing "services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality."

The Debt Limit Regulation establishes two benchmark calculations to guide how much a municipality can borrow: the debt limit calculation and the debt service limit. The Minister of Alberta Municipal Affairs can approve municipal borrowing in excess of the regulated limits.

Treasury Board and Finance: Allowing non-profit housing organizations to borrow directly from the ACFA could lead to calls from other organizations for similar treatment as well as potential changes to the ACFA risk profile which could, in turn, affect borrowing costs for all shareholders. There may also be a need to increase ACFA administrative resources to deal with additional borrowing by unfamiliar sectors.

The Government of Alberta recognizes that municipalities are currently borrowing from the ACFA on behalf of non-profit housing organizations. Under the *MGA*, municipal borrowing limits can be reviewed and adjusted if municipalities require an increase.

### **AAMDC Reaction and Follow-up**

The Government of Alberta response does not indicate any willingness to consider the possibility of allowing non-profit housing authorities to borrow directly from ACFA, which is the request made in the resolution. Under the current framework, municipalities are unnecessarily included in the borrowing process for non-profit housing authorities, causing unnecessary administrative burdens, liability risk, and impacts to municipal borrowing limits. This resolution has been assigned a status of **Intent Not Met** and will continue to be advocated on by the AAMDC.

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**Advocacy Target: Agriculture and Forestry, Environment and Parks**

WHEREAS currently the Department of Public Lands, under the Ministry of Alberta Environment and Parks (AEP), manage the use and operation of farm development leases and agricultural leases; and

WHEREAS Alberta Agriculture and Forestry would be better to adapted to manage the lease land as their expertise in agricultural production would give stronger representation as to the needs of producers; and

WHEREAS the current policies and practices utilized by the AEP do not account for the unique nature of agriculture, and frequency in which the market changes, thus effecting the financial abilities of producers to operate; and

WHEREAS more direct control from the Ministry of Agriculture and Forestry would allow the policies and procedures to be adapted in a more timely manner minimizing the negative effects on producers;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Environment and Parks transfer the management of farm development leases and agricultural leases to the Ministry of Agriculture and Forestry.**

**Government Response**

Agriculture and Forestry: Agricultural stakeholder concerns regarding the ministry responsible for the management of farm development leases, cultivation permits, and other agricultural leases on Alberta's public land have been previously raised with the Government of Alberta through letters and Alberta Association of Municipal Districts and Counties resolutions.

Alberta Agriculture and Forestry (AF) has previously responded to this resolution indicating that transferring either partial (only farm development leases and cultivation permits) or all of the administration of Alberta's public land management and disposition structure to AF from Alberta Environment and Parks (EP) would require significant changes to current government structure (i.e. the transfer of the public lands and range management staff from EP to AF). It would also require either amendments to the *Public Lands Act* and Public Lands Administration Regulation (PLAR) to transfer the responsibility for agricultural dispositions to AF or the acceptance by AF of the responsibility to administer and manage a number of non-agricultural leases under the PLAR, such as those provided for recreation or energy purposes on public lands.

Environment and Parks: The Government of Alberta is not considering transferring responsibility for agricultural public land. EP will continue to work with AF so that Albertans benefit from public land.

Transferring either partial (only Farm Development Leases and Cultivation Permits) or all of the administration of Alberta's public land management and disposition structure to AF would require significant and costly changes to current government structure (i.e., the transfer of the public lands and range management staff from EP to AF).

The transfer of responsibilities would also require amendments to the *Public Lands Act* and Public Lands Administration Regulation (PLAR); transferring the responsibility of agricultural dispositions to AF or the acceptance by AF of the responsibility to administer and manage a number of non-agricultural leases under PLAR, such as those provided for recreation or energy purposes on public lands.

### **AAMDC Reaction and Follow-up**

The Government of Alberta response to this resolution indicates that no consideration is being given to transferring management of farm development leases from Alberta Environment and Parks (AEP) to Alberta Agriculture and Forestry (AAF), mainly due to the fact that it would necessitate a significant shift in government structure and existing legislation.

While the AAMDC appreciates these administrative challenges, the current AEP responsibility is viewed as insufficient by AAMDC members, as the agricultural expertise is not housed in AEP. While the short-term administrative difficulties of such a shift may be significant, the AAMDC believes that the long-term benefits of the shift would be significant for agricultural producers and rural municipalities. This resolution is assigned a status of **Intent Not Met** and the AAMDC will continue to advocate on this issue.



***Species at Risk Act (SARA)***

County of Forty Mile, County of Warner

*Carried*

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**Advocacy Target: Environment and Parks, Environment Canada**

WHEREAS the federal *Species at Risk Act* (SARA) and the designated independent committee for habitat protection legislation will have long lasting negative economic impact on agriculture, industry, rural development, and land use in Alberta and is of great concern to rural municipalities and elected officials; and

WHEREAS agriculture, industry, species at risk and rural development can co-exist; and

WHEREAS rural municipalities are firm supporters of the goals of the *Species at Risk Act*, and

WHEREAS all municipalities, industry and agricultural producers are affected by the above. Leading to a shift in the social and economic balance between urban and rural municipalities in the province;

**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.**

**Government Response**

Environment and Parks: The Government of Alberta agrees with the Alberta Association of Municipal Districts and Counties that agriculture, industry, and rural development can co-exist with species at risk, if effective stewardship and conservation measures are implemented.

Continuing collaboration with municipalities, industry, other stakeholders and the federal government is essential to achieving recovery of species at risk in Alberta, and providing certainty to affected stakeholders.

The Government of Alberta believes challenges related to species at risk conservation can be addressed through provincial regulatory and policy approaches, federal policy development and improved inter-jurisdictional cooperation and stewardship, rather than legislative amendments to the *Species at Risk Act*.

**AAMDC Reaction and Follow-up**

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. As a response from the Government of Canada has not yet been received, this resolution is assigned a status of **Incomplete Information**, and the AAMDC will follow up with the Government of Canada.

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**Advocacy Target: Municipal Affairs**

WHEREAS Section 409.1 of the *Municipal Government Act* authorizes the council of a municipality to pass a community aggregate payment levy bylaw to impose a levy in respect of sand and gravel businesses in the municipality; and

WHEREAS the *Community Aggregate Payment Levy Regulation* 263/2005 and 187/2010 made pursuant to section 409.3 of the *Municipal Government Act* specifies that the maximum levy rate to be imposed in respect of sand and gravel operators is \$0.25 per tonne of sand and gravel; and

WHEREAS municipalities use the community aggregate payment levy to fund the maintenance and construction of infrastructure, community projects and enforcement positions to work with the sand and gravel industry and residents to manage the gravel extraction process; and

WHEREAS the costs of providing infrastructure, community projects and enforcement staff continues to increase each year; and

WHEREAS the maximum levy rate to be imposed has not been increased since the *Community Aggregate Payment Levy Regulation* came into effect on January 1, 2006; and

WHEREAS the *Community Aggregate Payment Levy Regulation* is set to expire on December 31, 2015;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to renew the *Community Aggregate Payment Levy Regulation* and to update the maximum levy rate to reflect inflation and the increased cost of infrastructure upgrading and maintenance.**

**Government Response**

Municipal Affairs: Alberta Municipal Affairs is undertaking a review of the Community Aggregate Payment Levy Regulation as part of the review of all regulations under the *Municipal Government Act*. Initial input has been sought from major stakeholders, including the Alberta Association of Municipal Districts and Counties. Based on this input, a more in-depth discussion with stakeholders will be pursued in 2016 and will include issues such as the levy rate and regular review of the regulation. The current regulation has been extended to allow additional time to carry out this engagement process.

**AAMDC Reaction and Follow-up**

Thought the Government of Alberta intends to review and update the Community Aggregate Payment Levy (CAPL) in 2016, the intent of this resolutions has not yet been met. The AAMDC will use this resolution to frame its input into the CAPL review and will revisit the status of this resolution upon the completion of the review and update. The AAMDC will continue to monitor this issue until such time that the Government of Alberta formally undertakes this review and indicates movement on the maximum levy amount. The resolution currently holds a status of **Intent Not Met**.

**Amendment to the *Municipal Government Act* for the Dedication of Environmental Reserves in Specific Cases**

County of Stettler

*Carried*

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**Advocacy Target: Municipal Affairs**

WHEREAS a municipality that plans to provide multi-lot recreational residential development adjacent to a major water body has a responsibility to provide public access to the bed and shore of the water body, and often use Section 664(1)(c)(ii) of the *Municipal Government Act* to acquire a minimum of 6 metres of land adjacent to the bed and shore of a water body for the purpose of providing public access in the form of continuous and inter-connected pathways; and

WHEREAS Section 663 of the *Municipal Government Act* provides an exemption to the ability of a municipality to require reserve dedication when one lot is subdivided from an un-subdivided quarter section of land and/or when land is to be subdivided into lots of 16 hectares or more and is to be used only for agricultural purposes; and

WHEREAS the exemptions in Section 663 stated above may be detrimental to the municipality's ability to provide public access in the form of continuous and inter-connected pathways;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties advocate to the Minister of Municipal Affairs to amend Section 663 of the *Municipal Government Act* by the following addition:**

- (e) **except when, in the case of when one lot is to be created from a quarter section of land or land is to be subdivided into lots of 16.0 hectares or more and is to be used only for agricultural purposes, the land to be subdivided is adjacent to the bed and shore of a water body where the municipality has adopted by bylaw a statutory plan that identifies the future development adjacent to the bed and shore of the water body for the purpose of providing public access, in which case the subdivision authority may require environmental reserve dedication pursuant to Section 664(1)(c)(ii)."**

**Government Response**

Municipal Affairs: The Government of Alberta is undertaking a comprehensive review of the *Municipal Government Act (MGA)*.

Updates to environmental reserve provisions in the *MGA* are being considered. Policy changes will be introduced to the legislature in spring 2016 and stakeholders, including the Alberta Association of Municipal Districts and Counties and the public, will have the opportunity to provide input on the draft legislation before it is passed in fall 2016.

**AAMDC Reaction and Follow-up**

As this amendment to the *Municipal Government Act (MGA)* will be considered during the conclusion of the *MGA* review throughout 2016, the AAMDC will advocate for this change through that channel. Because the Government of Alberta response gave no indication to support for the proposed amendment, this resolution is currently assigned a status of **Intent Not Met**, and will be reevaluated upon the completion of the *MGA* review.

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**Advocacy Target: Municipal Affairs, Transportation**

WHEREAS Alberta requires significant, predictable and sustainable infrastructure funding for community airports; and

WHEREAS community airports are key assets in rural Alberta for emergency services, medical services, wildfire suppression, and access to facilities and activities that form the province's economic engine; and

WHEREAS many of the airport facilities in use today were constructed in the 1950s and 1960s and are nearing or have exceeded their projected surface renewal life span; and

WHEREAS these critical structures pose a serious safety concern and public liability if not replaced in an appropriate time frame, especially in the case of catastrophic failures; and

WHEREAS the Community Airport Program was created prior to 1991 to assist municipalities with community-owned public-use airports, in the ongoing upgrading and replacement of airside facilities such as aprons and runways;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to reinstate funding for the Community Airport Program to a level that reflects the needs of municipalities to implement necessary and timely capital upgrades for community-owned public-use airports.**

**Government Response**

Municipal Affairs: The Government of Alberta (GOA) is committed to making life better for Albertans. By supporting the capital infrastructure and the regional and capacity building priorities of our municipal partners and regional organizations, we can help strengthen communities.

Subject to program parameters, financial support for capital initiatives like municipal and regional airports is available through the Municipal Sustainability Initiative, the Alberta Community Partnership, and the Federal Gas Tax Fund.

When choosing projects, the province strongly encourages municipalities to consider their long-term infrastructure needs so that funding may be used most effectively.

The GOA and the federal government signed the Small Communities Fund (SCF) agreement in early February 2015. The SCF is a joint funding program under which the federal and provincial governments are working together to provide a total of \$188 million for communities with populations under 100,000 to fund up to two-thirds of eligible infrastructure costs for projects approved through a competitive application process.

The SCF program held a call for applications between February 26 and April 2, 2015 and received nearly 300 eligible project applications with total project costs in excess of \$1 billion. As the applications submitted far exceeded the funding available, projects were ranked according to the publicly available criteria in order to provide a basis for fair and impartial funding approvals.

The 56 highest ranked projects were identified and approved, and the program is closed to applications.

Transportation: In 1995, the Community Airport Program (CAP) was created to provide funds to small community airports in Alberta. CAP is one component falling under the Strategic Transportation Infrastructure Program (STIP). From 1999 to 2010, CAP provided close to \$25 million of funding to upgrade primary runways, main taxiways, and aprons. STIP will be provided with \$35 million of funding in 2017-18 and \$65 million in 2018-19.

STIP is administered by Alberta Transportation, and the ministry will be seeking municipal input on how the funding should be allocated and if program criteria should change.

### **AAMDC Reaction and Follow-up**

The assertion that funding from the Municipal Sustainability Initiative, Alberta Community Partnership, and federal Small Communities Fund can be used for community airport construction and upgrades is technically accurate, but for many municipalities is unrealistic given the core infrastructure maintenance and construction needs that such multi-use grant programs are typically used for in most municipalities. It is for this reason that the resolution requests the return of funding to a dedicated program for community airports.

The return of the Strategic Transportation Infrastructure Program (STIP) in the 2017-18 budget year is an encouraging development, as the STIP previously included the Community Airport Program (CAP) sub-component. As the details of how STIP funding will be allocated are not yet finalized, it is unknown if it will contain the CAP sub-component, although in consultations with the AAMDC, Alberta Transportation has been receptive to this idea. Until the STIP parameters are finalized, this resolution is assigned a status of **Accepted in Principle**.

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**Advocacy Target: Jobs, Skills, Training and Labour**

WHEREAS the Government of Alberta has indicated its intention to increase minimum wage from \$10.20 per hour to \$15.00 per hour within 3 years;

WHEREAS the proposed 47% hike in minimum wage does not recognize Alberta's low tax environment within Canada in which the after-tax minimum wage rate is currently the second highest in Canada;

WHEREAS according to information provided by the Government of Alberta, approximately 50% of those earning minimum wage are between 15 and 24 years of age, 55% are working part-time, 50% live with their parents, less than 10% were the head of a household and only 1.5% are single parents with children;

WHEREAS according to research conducted by the Canadian Federation of Independent Business, a 47% increase in minimum wage will result in a decrease in youth employment, a reduction in entry-level jobs, a reduction in work hours and a reduction of benefits to employees;

WHEREAS the proposed minimum wage increase will disproportionately affect small businesses and non-profit organizations and will negatively impact businesses of all sizes due to a ripple effect which will occur within the wage structure within the organizations of all employers within Alberta;

WHEREAS the Government of Alberta should consider other causes of poverty which include both individual and social responsibilities that include but are not limited to; high school completion rates, employment training programs, programs to assist in relocation for employment purposes and other platforms that will assist low income earners to increase personal earning potential;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to reconsider its intention to increase the minimum wage in Alberta.**

**Government Response**

Labour: The Government of Alberta (GOA) promised to implement a minimum wage of \$15 per hour to improve the income of those who earn minimum wage. Work should pay enough to allow people to take care of their own families, and too many people are going to work every day but are unable to make ends meet.

In June 2015, the GOA consulted with key stakeholders from employer and employee organizations, social advocacy groups and academics to hear their concerns and advice, including the Alberta Association of Municipal Districts and Counties. As a first step, Alberta's minimum wage increased by \$1 to \$11.20 per hour and the liquor server minimum wage increased by \$1.50, from \$9.20 to \$10.70 per hour, effective October 1, 2015. The differential wage rate for liquor servers will be phased out completely in 2016.

This increase is the first step in a multi-year process to follow through on government's commitment to increasing Alberta's minimum wage. The GOA has also introduced the Job Creation Incentive Program and are bringing back the Summer Temporary Employment Program.

The GOA is mindful of the possible effects minimum wage increases could have on workers and business owners in Alberta and the concerns which have been expressed about the increases. Government will continue to listen to all perspectives on this important issue, monitor the situation closely and work with our partners to assess the effects of increases on workers and on jobs as we move forward.

The GOA will ensure to provide businesses with adequate time to make operational adjustments for each increase. More information on Alberta's minimum wage can be found at [www.work.alberta.ca/minimumwage](http://www.work.alberta.ca/minimumwage).

### **AAMDC Reaction and Follow-up**

While the Government of Alberta response to this resolution indicates a willingness to consider and attempt to mitigate negative economic impacts that a minimum wage increase may have on businesses and public sector employers such as municipalities, it makes no indication of reconsidering the increase. As a result, this resolution is assigned a status of **Intent Not Met**, and the AAMDC looks forward to working with Alberta Labour to ensure that the increase does not negatively impact municipalities and businesses in rural Alberta.

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**Advocacy Target: Municipal Affairs**

WHEREAS most Canadian jurisdictions, including Alberta, have adopted a joint and several liability regime; and

WHEREAS under this regime, when a plaintiff suffers damage on account of the separate wrongful acts of two or more defendants, each defendant is considered to be 100 percent liable to the plaintiff for all of the damage suffered; and

WHEREAS the plaintiff is entitled to recover all of his/her damages from any particular defendant, regardless of that defendant's particular share of fault;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to amend the *Municipal Government Act* to reflect one of the following regimes:**

- a) a system of pure proportionate liability; or
- b) limit joint and several liability to only certain types of losses; or
- c) limit joint and several liability to defendants whose fault exceeds a specified threshold or;
- d) eliminate joint and several liability where the plaintiff is contributory negligent.

**Government Response**

Municipal Affairs: The Government of Alberta is undertaking a comprehensive review of the *Municipal Government Act (MGA)*.

Alberta Municipal Affairs (MA) committed to working with other ministry partners to determine what issues should be considered through the current review of the *MGA*. Based on discussions with Alberta Justice and Solicitor General, MA has determined that joint and several liability policy would be best reviewed in a broader, more holistic context and is not appropriately addressed through the *MGA*.

MA encourages the Alberta Association of Municipal Districts and Counties to work with Alberta Justice and Solicitor General on any future review of the liability system in Alberta.

**AAMDC Reaction and Follow-up**

As the Government of Alberta response indicates that this issue is best addressed through Alberta Justice and Solicitor General, this resolution will be assigned a status of **Incomplete Information**, and the AAMDC will follow up on this issue with Justice and Solicitor General.



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**Advocacy Target: Transportation**

WHEREAS Alberta Transportation, through legislation, maintains control of all signs within the limits of the right-of-way of any provincial highway; and

WHEREAS the Alberta Transportation development control zone includes 300 metres on either side of a controlled highway, or within 800 metres of a highway intersection; and

WHEREAS The *Public Highways Development Act* and the *Highways Development and Protection Regulation* do not allow private or commercial signs to be constructed without a permit in the development control zone; and

WHEREAS Alberta Transportation relies on municipalities to use municipal bylaws to enforce non-compliant signs; and

WHEREAS application of municipal bylaws to address sign enforcement issues is not consistent amongst jurisdictions; and

WHEREAS The *Highway Development and Protection Regulation* is currently not being applied consistently by Alberta Transportation between urban and rural municipalities when applications for electronic signs are received;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Transportation enforce third party sign regulations within the development control zone;**

**FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Transportation provide all municipalities with the sole authority to permit and regulate electronic signs that are within the Alberta Transportation development control zone.**

**Government Response**

Transportation: Alberta Transportation has worked with stakeholders on the management of roadside signs to find a balance between protection of the public's interest along provincial highways, supporting rural businesses, and reflecting the desires of local governments. This complex issue cannot be solved quickly, and the Government of Alberta (GOA) is not prepared to support this resolution's recommendation without wider consultation with all parties involved.

Any future changes to the management of roadside signs will be based on a plan treating all Albertans fairly and equitably.

Regarding management of electronic message signs, the GOA will continue to follow a cautious path, only allowing electronic message signs in places that limit the distraction to drivers.

**AAMDC Reaction and Follow-up**

The Government of Alberta response to this resolution indicates that there is limited interest in addressing municipal concerns with unlicensed third-party signage within development zones. The AAMDC hopes that the Government of Alberta reviews these regulations to ensure they

properly balance the interests of businesses, municipalities and road users and would look forward to participating in such a process. This resolution is assigned a status of **Intent Not Met**.

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**Advocacy Target: Energy, Environment and Parks**

WHEREAS municipalities in Alberta are concerned about environmental sustainability; and

WHEREAS these same municipalities commonly strive to show leadership and responsibility in acting sustainably; and

WHEREAS energy purchased to heat, operate, and power commercial buildings and residences is one of the significant consumptions of fossil fuels; and

WHEREAS there are options for the installation of technologies to utilize solar energy as an alternative renewable energy source; and

WHEREAS renewable energy options are often available only at a premium cost or at a tremendous upfront investment with an unrealistic pay-back period; and

WHEREAS the Government of Alberta needs to support the access to solar energy technologies enabling residents to transition from conventional resources (burning of fossil fuels) to alternative energy sources, specifically solar power, without financial burden; and

WHEREAS municipalities need to explore opportunities for solar energy pilot projects on commercial residential buildings and seek opportunities for residences and buildings to be constructed to be ready for solar energy systems; and

WHEREAS Albertans need to start making choices to utilize alternative energy resources to promote environmental responsibility and sustainability for all;

**THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to provide initiatives in the way of subsidies or grants for solar energy technologies, and provide attractive micro generation rates to promote the transition from using fossil fuels to solar energy.**

**Government Response**

Energy: During the Climate Change Advisory Panel's extensive consultation on key issues related to climate change, the panel heard broad interest in micro-generation. It also heard strong support for new policies to enable slightly larger, community-scale generation.

In the Climate Change Advisory Panel's report, the panel recommended that government renew and update the Micro-generation Regulation, which expires on December 31, 2016. The panel also recommended that government investigate the feasibility of regulation for small-scale community generation.

In 2016, Alberta Energy plans to consult with stakeholders on the technical and regulatory aspects of micro-generation, and a potential small-scale community generation regulation. This work will lay the foundation for the development of programs to improve the adoption of micro and small scale generation, which will be led by Alberta Environment and Parks.

Environment and Parks: Alberta Environment and Parks recognizes that municipalities are looking increasingly at solar power to reduce costs and combat climate change. As part of its Climate

Leadership Plan, the Alberta government is investing \$5.5 million to help municipalities and farmers harness the power of the sun and create good local jobs.

Five million dollars is earmarked for the Municipal Climate Change Action Centre for a solar energy incentive program – the Alberta Municipal Solar Program. This program will provide rebates of up to \$0.75 per watt, to a maximum of \$300,000 per project, to municipalities for installing solar on municipal buildings, such as offices, fire halls, community centres and more.

The Alberta Municipal Solar Program opened for applications on March 1, 2016. The On-Farm Solar Management program's application window opened on February 8, 2016.

### **AAMDC Reaction and Follow-up**

The initiatives outlined in the Government of Alberta's Climate Leadership Plan and highlighted in the response to this resolution indicate a willingness from the province to develop policies and initiatives that will encourage municipalities to be leaders in solar power generation. Particularly encouraging is the commitment to funding allocated through the Municipal Climate Change Action Centre (MCCAC).

As the Government of Alberta plans to review the technical and regulatory aspects of microgeneration during 2016, this resolution is assigned a status of **Accepted in Principle** pending the outcome of those consultation and the development of new micro-generation regulations and initiatives.

## SECTION 2: Advocacy Report Card

The following table is a summary of the AAMDC's current resolutions excluding the resolutions adopted in Fall 2015 and detailed in Section 1. Recent developments on the resolutions are detailed below in the corresponding categories, and readers are reminded that although resolution statuses may remain unchanged, work on each resolution is ongoing. Each resolution has a three year lifespan to reflect the nature of shifting government policy development and timelines associated with legislative changes and implementation.

### RESOLUTIONS AT A GLANCE

CATEGORY	#	RESOLUTION TITLE	STATUS
AGRICULTURE	6-15S	Management of Farm Development and Agricultural Leases	Intent Not Met
	3-14S	Wildlife Damage Compensation Program	Incomplete Information
COMMUNITY SERVICES	5-15S	Review of Alberta Supernet Agreement with Axia Supernet Ltd.	Accepted in Principle
	8-14F	Improvement of High-Speed Internet Services in Rural Alberta	Accepted in Principle
	10-14F	Temporary Foreign Workers Program	Accepted in Part
	14-14F	Provincial Funding for Municipal Public Libraries and Regional Library Systems	Accepted in Part
	16-14F	Family and Community Support Services (FCSS) Funding	Accepted in Principle
	9-13F	Summer Temporary Employment Program	Accepted
	17-13F	Creation of a Provincial Combative Sport Commission	Intent Not Met
EDUCATION	18-14F	Sustaining Schools in Rural Communities	Intent Not Met
EMERGENCY SERVICES	9-14F	Fire Department Response to Emergency Medical Service (EMS) Calls	Intent Not Met
	11-14F	Alberta Health Services – Emergency Medical Services (EMS) Review	Accepted in Part
ENERGY	7-13F	Alberta Energy Regulator (AER) of Transloader Facilities (a.k.a. "Pipeline on Rails")	Intent Not Met

<b>CATEGORY</b>	<b>#</b>	<b>RESOLUTION TITLE</b>	<b>STATUS</b>
<b>ENVIRONMENT</b>	2-15S	Elk Quota Hunt	Accepted in Part
	4-15S	Landowner Special License for Elk	Intent Not Met
	7-15S	Reinstatement of Commercial Fishing Quotas in Alberta	Intent Not Met
	2-14F	Controlling and Enforcing the Spread of Aquatic Invasive Species (Quagga and Zebra Mussels)	Accepted in Principle
	12-14F	Amend the Waste Control Regulation 192/1996 to Address Classification of Hazardous Wastes in Landfills	Intent Not Met
	4-14S	Species at Risk Act (SARA)	Intent Not Met
	15-13F	Provincial Funding of Locally Administered Air Shed Monitoring	Intent Not Met
<b>HEALTH</b>	7-14S	Amend the Legislation to Provide for Placement of Automatic External Defibrillators in Public Facilities Including Schools	Intent Not Met
<b>INDUSTRY AND RESOURCES</b>	8-14S	Timber Salvage on Recreational Areas	Intent Not Met
	3-13F	Got Gravel? Strategies to Secure Gravel for Rural Municipalities	Accepted
<b>MUNICIPAL GOVERNANCE AND FINANCE</b>	10-14S	Proposed Amendments to the Determination of Population Regulation to Provide Greater Flexibility for the Counting of Shadow Population	Intent Not Met
	4-13F	Amend the Municipal Government Act to Provide Protection from Liability for Municipal Maintenance to the Physical Edge of Provincial Highways	Intent Not Met
	13-13F	Provincial Grazing Leases Municipal Tax Recovery	Intent Not Met
	ER1-13F	Suspend Bill 28 Pending Further Municipal Consultation Through the MGA Review	Accepted
<b>PLANNING AND DEVELOPMENT</b>	1-14F	Amalgamation Process Amendments	Intent Not Met
	7-14F	Regional Partnership Solution to Municipal/Community Viability	Intent Not Met

<b>CATEGORY</b>	<b>#</b>	<b>RESOLUTION TITLE</b>	<b>STATUS</b>
	15-14F	TELUS Line Locates	Accepted in Principle
	1-14S	Privatization of the Alberta Land Titles Registry System	Accepted
<b>SENIORS</b>	<i>No Active Resolutions</i>		
<b>TRANSPORTATION AND INFRASTRUCTURE</b>	3-14F	New Building Canada Fund (Provincial – Territorial Infrastructure Component) – Guaranteed Equal Opportunity Funding for Rural & Urban Populations Under 10,000	Intent Not Met
	5-14F	Reinstatement of Funding For Resource Roads and Local Bridges in Rural Municipalities	Accepted
	6-14F	Improvement of Highways in Alberta	Accepted in Principle
	17-14F	Mileage Signage Markers Along Provincial Highways	Intent Not Met
	2-14S	Increasing Railway Capacity for Grain Shipments	Accepted in Principle
	1-13F	Basic Infrastructure Funding as a Result of Dissolution	Intent Not Met
	2-13F	Reinstating Funding for Resource Roads and Local Bridges in Rural Municipalities	Intent Not Met
	8-13F	Strategic Transportation Infrastructure Program	Intent Not Met
	11-13F	Marking of Meteorological and Telecommunication Towers	Incomplete Information
<b>WATER</b>	4-14F	Reinstatement of Funding for Water and Wastewater Systems	Accepted in Principle
	5-14S	Water/Wastewater Infrastructure Funding	Intent Not Met
	12-13F	Regional Governance of Municipal Water Systems	Accepted in Principle
	14-13F	Use of Reclaimed Water in Private Systems	Intent Not Met

## AGRICULTURE

### 6-15S: Management of Farm Development and Agricultural Leases

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Environment and Sustainable Resource Development transfer management of farm development leases and agricultural leases to the Ministry of Agriculture and Rural Development.

**DEVELOPMENTS:** The government response indicates no willingness to transfer management of farm development leases and agricultural leases from Alberta Environment and Parks to Alberta Agriculture and Forestry. Although the AAMDC appreciates the fact that the government of Alberta takes an integrated approach to public land management that involves collaboration between Environment and Parks and Agriculture and Forestry staff, AAMDC members believe that the agriculture expertise necessary to understand how market changes impact the financial ability of producers to operate is best understood by Alberta Agriculture and Forestry. As a result, this resolution is assigned a status of **Intent Not Met**.

### 3-14S: Wildlife Damage Compensation Program

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that all relevant Government of Alberta ministries review the current staffing situation, program administration, budgets, and funding source of the Wildlife Damage Compensation Program to ensure its effectiveness; and

FURTHER BE IT RESOLVED that the Alberta Association of Municipal District and Counties request that all relevant Government of Alberta ministries implement a monitoring and assessment program to ensure that predators, inclusive of wolves, bears, and cougars, are dealt with proactively.

**DEVELOPMENTS:** While the government responses to date have provided an explanation as to how the Wildlife Damage Compensation Program currently operates, there is no indication that the program and associated budgets and staffing levels will be reviewed in the future. The program was reviewed recently, but no detail is available as to the review's findings or if they led to changes in funding or operations of the program. The government response does not address the resolution's request for a strengthened government predator monitoring program, and funding has decreased in the 2016-17 budget. As such, this resolution is deemed **Intent Not Met**.

The Alberta Beef Producers have similar concerns with livestock predation. The AAMDC will continue to monitor this issue and explore opportunities for joint advocacy in the future.



## COMMUNITY SERVICES

### **5-15S: Review of Alberta Supernet Agreement with Axia Supernet Ltd.**

*Status: Accepted in Principle*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Service Alberta not renew the Axia SuperNet Ltd. agreement until a complete examination of how the Alberta SuperNet can be managed in such a way as to promote a cost competitive, reliable, sustainable and Alberta-based solution for fibre optic internet services which meets the increasing demand for high speed internet service within the Province of Alberta with sufficient emphasis to rural connectivity.

**DEVELOPMENTS:** According to the government response, Service Alberta is in the process of developing a long-term digital strategy to leverage its initial investment into SuperNet to ensure it supports reliable, competitive, and affordable internet service for rural Albertans.

As the response indicates that a new contract has not been signed with Axia, and that the current agreement as well as the overall role and effectiveness of SuperNet is being reviewed, the AAMDC assigns this resolution a status of **Accepted in Principle**, pending the completion of the ten-year digital strategy and review of the current SuperNet agreement.

### **8-14F: Improvement of High-Speed Internet Services in Rural Alberta**

*Status: Accepted in Principle*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to make the investments necessary to improve high-speed internet services in rural Alberta.

**DEVELOPMENTS:** The Government of Alberta and the Government of Canada are currently in the process of administering several programs intended to improve high-speed internet service in rural Alberta.

As mentioned in the government response, the Government of Alberta will be moving forward with a competitive procurement process for Alberta SuperNet, and are in the process of developing SuperNet 2.0, although the details of what this will comprise are not yet known. The Government of Alberta has also indicated that they are in the process of developing a ten-year digital strategy to leverage the government's initial investment to meet the needs of public sector service delivery and to better support reliable, competitive and affordable Internet for rural Albertans.

Alberta Economic Development and Trade are currently undertaking a joint project with the University of Alberta to develop an educational resource for municipal officials in rural and small urban municipalities that will consolidate relevant regulatory, funding, and technical information to assist them in taking local steps to improve broadband access in their communities.

Additionally, the Government of Canada is currently in the process of reviewing applications from internet service providers for their \$305 million *Connecting Canadians*

program, and approved projects are expected to be announced late in 2015. The goal of the program is to provide 98% of Canadian households with internet speeds of at least 5 megabits per second (Mbps). At this point, it is unknown how many projects will be funded in Alberta.

In the 2016 federal budget, the Government of Canada committed \$500 million over five years to improve rural broadband access and connectivity to the digital economy. At this point, the details of this funding are not yet available.

Both the provincial and federal government are taking steps to improve rural internet service. However, all of the strategies and programs described above have yet to be completed, and their effectiveness is not yet known. As such, this resolution is assigned a status of **Accepted in Principle**, and will be revisited as these programs progress.

#### **10-14F: Temporary Foreign Workers Program**

*Status: Accepted in Part*

THEREFORE BE IT RESOLVED that Canadians should have first access to jobs in Canada and the Government of Canada and provincial governments should continue to develop a national labour mobility strategy that encourages and facilitates Canadians to fill jobs;

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Province of Alberta to work with the Federal Minister of Employment and Social Development and the Federal Minister of Citizenship and Immigration to:

- develop short and long term strategies in relation to the Temporary Foreign Workers Program,
- address the unique labour market needs of Alberta's economy, and
- explore such strategies including the protection of temporary foreign workers from abuse, exploitation and neglect.

**DEVELOPMENTS:** The AAMDC recognizes the steps taken by the Government of Alberta to improve the TFW program. As the Government of Canada has indicated that there will not be additional changes to the program following June 2014, it is unclear if the strategy developed by the federal government or provincial government will meet Alberta's unique labour market as the permanent residency process can take several years to complete.

Despite this, the AAMDC is encouraged that the Government of Alberta and Government of Canada have pursued alternative policy and program options to address the needs of Alberta's labour market. In addition the Government of Alberta's response indicates that they agree with the intent of the resolution and have been attempting to work with the federal government to ensure that the TFW program meets the needs of Alberta. As a result, this resolution is assigned a status of **Accepted in Part**, and will continue to be advocated on.

The new federal government has committed to reviewing the TFW program at some point in the future, which may provide an opportunity for greater dialogue on how to design a system that better meets the needs of employers and immigrants.

#### **14-14F: Provincial Funding for Municipal Public Libraries and Regional Library Systems**

*Status: Accepted in Part*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to review its funding formula for public libraries and regional library systems and develop a consistent approach and longer term plan to allow for increased funding that reflects current census information regarding populations in Alberta and multi-year planning, to ensure consistent delivery of library services for all Albertans in all regions.

**DEVELOPMENTS:** The Government of Alberta has provided no indication that a review of the funding formula for libraries is forthcoming. However, the 2015-16 provincial budget allocated a \$3.5 million increase in library funding over the previous budget year, which according to the Library Association of Alberta, indicates a per capita increase of 10 cents and a funding measure based on 2014, rather than 2010 population figures. In the 2016-17 provincial budget, library funding received another modest increase of approximately \$0.6 million. Although it is unclear if these funding increases will be accompanied by a multi-year plan for the further development of Alberta's public libraries, the AAMDC is encouraged by this increase in funding, and thus deems this resolution as **Accepted in Part**.

The AAMDC will continue to monitor this resolution to ensure rural municipalities are adequately served by Alberta's public library network.

#### **16-14F: Family and Community Support Services (FCSS) Funding**

*Status: Accepted in Principle*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to immediately increase provincial funding to municipalities for Family and Community Support Services (FCSS) commensurate to the population growth and annual inflation, thereby relieving some of the pressure on crisis intervention and prevention services and ensuring the sustainability of these essential programs;

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties work with other partners including, but not limited to Family and Community Support Services Association of Alberta, Alberta Urban Municipalities Association and Calgary FCSS Sustainability Forum to advocate for a fully funded, sustainable provincial FCSS program.

**DEVELOPMENTS:** In budget 2015-16, the Government of Alberta increased funding for FCSS services from \$76 million to \$101 million, which is a needed increase to ensure that FCSS services continue to assist vulnerable Albertans. This funding level was maintained in the 2016-17 budget.

The AAMDC is currently in the process of collaborating with the Family and Community Support Services Association of Alberta, Alberta Urban Municipalities Association, and Inter-City Forum on Social Policy to engage the Government of Alberta in a strategy to strengthen FCSS programming.

As a result of the funding increase and the ongoing efforts of the AAMDC to work with other stakeholders on improving FCSS services, this resolution is deemed **Accepted in Principle**.

### 9-13F: Summer Temporary Employment Program

*Status: Accepted*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to reintroduce the STEP grants or a similar wage support program for the non-profit and volunteer sector in Alberta.

**DEVELOPMENTS:** In the 2015-16 provincial budget, the Government of Alberta has dedicated \$10 million per year for the next two years to return the Summer Temporary Employment Program (STEP). The Government of Alberta followed through on this commitment by dedicating \$10 million to STEP in the 2016-17 provincial budget. This resolution is assigned the status of **Accepted**.

### 17-13F: Creation of a Provincial Combative Sport Commission

*Status: Intent Not Met*

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the provincial government to create a provincial commission to sanction combative sports events throughout the Province of Alberta.

**DEVELOPMENTS:** As the provincial government response provides no indication that this resolution will be met, the resolution is assigned the status of **Intent Not Met**. This resolution was also carried at the AUMA's 2013 Convention and advocacy efforts have continued by both associations to address the intent outlined.

## EDUCATION

### 18-14F: Sustaining Schools in Rural Communities

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to amend the school funding formulas, policies, and regulations to ensure the continued equitable operation and predictable sustainable funding of Alberta's existing rural schools; and

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties continue to lobby the Government of Alberta in order to improve the provincial funding formulas to reflect the needs of rural schools;

FURTHER BE IT RESOLVED that without rural schools the sustainability of rural communities is at risk.

**DEVELOPMENTS:** The Government response provides no indication that the Small Schools By Necessity Grant formula will be revisited. This resolution has a status of **Intent Not Met**.

The provincial budget 2016-17 sees a minimal reduction in the Small Schools By Necessity Grant from \$53.5 million in the 2015-16 budget to \$53.5 million in the 2015-16 budget. It is unclear whether this reduction is a result of changes to the formula that excluded metro students from receiving the funding in the 2013-14 budget but the AAMDC will monitor to determine whether this reduction in funding is having an adverse impact on rural students and communities.

## EMERGENCY SERVICES

### 9-14F: Fire Department Response to Emergency Medical Service (EMS) Calls

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Health Services (AHS) provide compensation to municipalities when fire departments are dispatched to respond to emergency calls by the Emergency Medical System 911 dispatcher;

FURTHER BE IT RESOLVED that an independent review of Alberta 911 procedures takes place to ensure the 911 system is operating efficiently between police, fire, and emergency medical services.

**DEVELOPMENTS:** The government response provides no indication that compensation will be provided to municipalities when fire departments are dispatched to respond to emergency calls by the Emergency Medical System 911 dispatcher. Therefore, this resolution has a status of **Intent Not Met**. The AAMDC will continue to advocate for an independent review of Alberta's 911 system.

### 11-14F: Alberta Health Services – Emergency Medical Service (EMS) Review

*Status: Accepted in Part*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Health Services provides an Emergency Medical Services (EMS) system that ensures appropriate coverage and response in all areas of the province;

FURTHER BE IT RESOLVED that Alberta Health Services considers non-ambulance transportation (NAT) for clinically stable patients and considers reserving the use of ground ambulances for emergency events.

**DEVELOPMENTS:** The AAMDC is encouraged by the steps taken to fulfill the intent of this resolution. At the AAMDC spring convention, the Government of Alberta released the *Rural Health Services Review Final Report*, which provides numerous recommendations related to rural health care service delivery, including emergency services. A commitment made by the former Minister of Health was to ensure that ambulances that are transporting patients from a rural area to an urban centre return to their rural base as opposed to being diverted to another call in the urban centre. This, combined with the government response above, provides a satisfactory response to the second request made in the resolution.

However, the first request made in the resolution, that EMS coverage be adequate in all areas of the province, has not yet been achieved and the government response gives no indication of how this will be achieved. Many rural areas struggle with having appropriate EMS coverage in their communities, which compromises safety as well as the ability of rural municipalities to attract and retain businesses and residents. The Ministry of Health's 2015-18 Business Plan identified the need to "improve the effectiveness and efficiency of emergency and ambulance services" as a priority initiative. The AAMDC looks forward to the implementation of that initiative.

The AAMDC will continue to monitor all aspects of emergency services in rural Alberta and the recommendations made in the *Rural Health Services Review Final Report*. Until

concrete action has been taken to ensure appropriate coverage and response in all areas of the province, this resolution will have a status of **Accepted in Part**.

## ENERGY

### 7-13F: Alberta Energy Regulator (AER) of Transloader Facilities (a.k.a. “Pipeline on Rails”)

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties calls upon the Government of Alberta to consult on a priority basis with industry and municipalities to establish an appropriate set of regulatory requirements for “Pipeline on Rails” and that the Alberta Energy Regulator (AER) be designated as the appropriate body to implement these regulations.

**DEVELOPMENTS:** Since indicating in early 2014 that Alberta Transportation, Alberta Energy, the Alberta Energy Regulator, and Transport Canada are collaborating to better define regulatory responsibility for transloader facilities, no ministry at either the provincial or federal level has indicated progress being made on this issue. Although the Alberta Energy Regulator has been willing to provide information to municipalities about how transloader facilities are regulated, there has been little progress on clarifying the regulatory process and filling regulatory gaps. As such, the government response to this resolution is deemed **Intent Not Met** until a clearer, streamlined regulatory process is implemented based on consultation with municipalities.



## ENVIRONMENT

### 2-15S: Elk Quota Hunt

*Status: Accepted in Part*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Minister of Environment and Sustainable Resource Development implement an Elk Quota Hunt, based upon the principles of the former Chronic Wasting Disease Quota Hunt.

**DEVELOPMENTS:** The AAMDC appreciates the willingness of Alberta Environment and Parks to implement elk quota hunts and extend hunting seasons in order to address elk population growth. As the resolution specifically asks for an elk quota hunt based upon the principles of the former Chronic Wasting Disease Quota Hunt, and this has not yet occurred, this resolution is assigned a status of **Accepted in Part**.

### 4-15S: Landowner Special License for Elk

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Alberta Environment and Sustainable Resource Development (ESRD) amend the Landowner Special License criteria to remove the requirement to enter in the draw process and that landowners of agricultural property with less than 160 acres qualify for the special license; and

FURTHER BE IT RESOLVED that ESRD permit Landowner Special Licenses to be used in any declared season within that Wildlife Management Unit.

**DEVELOPMENTS:** Although the response indicates a willingness to address the issue of landowner special licenses through a new game allocation policy, at this point there has been no policy change to address the resolution request. As such, this resolution has been deemed **Intent Not Met**, and will be revisited as the collaborative process for developing a new game allocation policy takes place.

### 7-15S: Reinstatement of Commercial Fishing Quotas in Alberta

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge Alberta Environment and Sustainable Resource Development (ESRD) to reinstate the commercial fish quotas on all lakes that were not assessed by the Colby Report, and commence an assessment of each individual Zone, with stakeholder input, to determine the sustainability of Alberta's commercial fishing industry, to ensure that the lakes, the industry, and the food source are sustainable in the future for all Albertans; and

FURTHER BE IT RESOLVED that ESRD engages the stakeholders of Zone E, and reassesses the Commercial Fishing Industry and practices in Zone E.

**DEVELOPMENTS:** The government response asserts that the closure of Alberta's commercial fishing industry will not be reconsidered or evaluated on a zone by zone basis. As stakeholders in all zones were not provided an adequate opportunity to provide input in to the decision prior to closure, the AAMDC has deemed this resolution **Intent Not Met**, and will

continue to advocate for a discussion on the viability of Alberta's commercial fishing industry that includes input from stakeholders in all zones.

## **2-14F: Controlling and Enforcing the Spread of Aquatic Invasive Species (Quagga and Zebra Mussels)**

*Status: Accepted in Principle*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to enact/amend legislation and/or regulations, including the *Fisheries (Alberta) Act*, to include prohibited species and encompass zero tolerance, mandatory inspections and the necessary enforcement authority for Aquatic Invasive Species, including dreissenid mussels, to ensure these species do not invade Alberta;

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to take preventative measures by working with all levels of government to further develop the provincial Aquatic Invasive Species program to include:

- improved monitoring through the establishment, funding and staffing of mussel inspection stations at strategic entrances into Alberta,
- the funding of a comprehensive awareness campaign on the risk of the species entering the province and the preventative measures boaters must take to eliminate the risk,
- making the necessary policy and legislative changes, and
- working with all levels of government for implementation in preventing the spread of Aquatic Invasive Species.

**DEVELOPMENTS:** The Government of Alberta's response to the resolution and actions to combat aquatic invasive species are encouraging and will have an important impact on the spread of aquatic invasive species. However, it is unclear whether a 'zero tolerance' approach has been adopted by the Government of Alberta as is specified in the resolution.

Alberta Environment and Parks' 2015-18 Business Plan identifies the development of a framework to address invasive species in Alberta. The AAMDC looks forward to the development of this framework, and will advocate for a zero-tolerance policy for aquatic invasive species within it. Further, the AAMDC is working with municipal associations in neighbouring provinces to ensure efforts are being taken across provincial borders to address the spread of aquatic invasive species. However, at this point, this resolution is deemed **Accepted in Principle**. The AAMDC will monitor the ongoing efforts to halt the movement of aquatic invasive species.

## **12-14F: Amend the Waste Control Regulation 192/1996 to Address Classification of Hazardous Wastes in Landfills**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties calls upon the Government of Alberta to revise the *Waste Control Regulation 192/1996* and *User Guide for Waste Managers* to reflect the recommendations for toluene and ammonia as outlined in the *Final Report, Updating Alberta's Hazardous Waste Regulatory Framework*.

**DEVELOPMENTS:** As the government response does not indicate the changes to the *Waste Control Regulation 192/1996* and *User Guide For Waste Managers*, this resolution

is deemed **Intent Not Met**. the AAMDC will monitor and follow up on this issue as part of our advocacy efforts.

#### **4-14S: Species at Risk Act**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties and the Government of Alberta lobby the federal government to repeal the current Species at Risk Act and rebuild it in a way that better respects the socio-economic reality, seeking a balanced approach (economic, environmental, social).

**DEVELOPMENTS:** The response received from Environment Canada outlined the Ministry's recovery strategy and supporting action planning process for endangered and threatened species under the *Species at Risk Act* (SARA). The action planning stage includes evaluating the social and economic costs and benefits of actions and the integration of provincial management plans. Though this process works towards the request of this resolution, a recovery strategy is not a regulatory document and as such, it lacks enforcement. Based on this information, the AAMDC assigns this resolution a status of **Intent not Met** and will continue to assess Environment Canada's process to seek a balanced approach to enforcement and implementation related to SARA.

#### **15-13F: Provincial Funding of Locally Administered Air Shed Monitoring**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties calls upon the Government of Alberta to:

- Continue to financially support the locally autonomous and self-directed air shed monitoring organizations that already exist in Alberta.
- Acknowledge and affirm that the current system of local stakeholders providing air quality monitoring is working well and does not require major change.
- Commit to providing additional funding going forward to cover 100% of any incremental costs that the Province may attempt to download upon these local groups should the Province mandate additional air quality testing, reporting, or procedural or reporting changes in the future.

**DEVELOPMENTS:** The intent of this resolution is to maintain local autonomy in air shed monitoring across the province. While the Joint Canada-Alberta Implementation Plan for Oil Sands Monitoring has provided funding to some local organizations for continued air shed monitoring, the government response and 2015-16 budget does not provide any further indication to the direction of future funding and governance of air shed monitoring.

The 2016-17 provincial budget decreases funding to air quality monitoring, although this may re-emerge through the Climate Leadership Plan. Further, although the Ministry of Environment and Parks' 2016-17 business plan identifies the following action item: "Developing and implementing air quality management action plans to address the *Alberta: Air Zones Report 2011-13*, which is based on Canadian Ambient Air Quality Standards," there is no indication that these action plans will include support for local air shed monitoring organizations.

Due to the lack of focus on local air shed monitoring in the last two provincial budgets, the AAMDC deems this resolution **Intent Not Met**. The AAMDC will continue to be a representative on the Clean Air Strategic Alliance (CASA) Board of Directors and be involved in related initiatives. The association will continue to advocate on the intent outlined in this resolution.

## HEALTH

### **7-14S: Amend Provincial Legislation to Provide for Placement of Automated External Defibrillators in Public Facilities Including Schools**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to amend the Alberta Safety Code to recommend the installation of Automated External Defibrillators in public facilities and schools.

**DEVELOPMENTS:** Although the Government of Alberta supports the voluntary use of AEDs in workplaces, the initial response indicates that there is no willingness to require the mandatory installation of AEDs in public facilities or schools, either through the Alberta Safety Code or other regulatory or legislative means. As such, this resolution is assigned a status of **Intent Not Met**.

## INDUSTRY AND RESOURCE DEVELOPMENT

### 8-14S: Timber Salvage Fees on Recreational Areas

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to change its policy by waiving the timber damage assessment fees on the expansion or new construction of public recreational areas if development is designed to limit the impact on the natural landscape.

**DEVELOPMENTS:** The government response does not indicate a willingness to waive timber damage assessment fees (TDA) for the expansion or construction of municipal campgrounds or recreational areas under any circumstances. According to the Government of Alberta, TDAs serve to prevent municipalities from over-damaging forested areas in the process of expanding or constructing campgrounds or recreational areas. The assumption that municipalities would have no incentives to design these expansions in an environmentally-friendly way without TDAs is problematic, and does not reflect the stewardship role that many municipalities play in protecting and conserving their local natural environments. As such, this resolution is assigned the status of **Intent Not Met**.

### 3-13F: Got Gravel? Strategies to Secure Gravel for Rural Municipalities

*Status: Accepted*

THEREFORE BE IT RESOLVED that members of the Alberta Association of Municipal Districts and Counties endorse the recommendations outlined in the paper entitled *Got Gravel? Strategies to Secure Gravel for Rural Municipalities* and the supporting Technical Report.

**DEVELOPMENTS:** The AAMDC membership endorsed the recommendations outlined in *Got Gravel?*, which met the intent of this resolution. As such, it has been assigned a status of **Accepted** and the AAMDC has incorporated the recommendations outlined in the report into current advocacy efforts. The AAMDC has been involved, along with other stakeholders, in a review of the existing sand and gravel program to identify what could be clarified to streamline the process from application to reclamation. Recommendations from *Got Gravel?* will continue to be advocated on in future meetings with the Government of Alberta.

## MUNICIPAL GOVERNANCE AND FINANCE

### **10-14S: Proposed Amendments to the Determination of Population Regulation to Provide Greater Flexibility for the Counting of Shadow Population**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties requests that the Government of Alberta amend the Determination of Population Regulation to allow municipalities to use a shadow population count date outside of the current restriction of April 1 to June 30; and

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta amend the Determination of Population Regulation to allow municipalities to count all shadow population residents living within their municipality that otherwise qualify, regardless of whether or not they work within that municipality.

**DEVELOPMENTS:** The government response does not support expanding the municipal census window beyond the current April 1 to June 30 window except by special permission of the Minister. It also does not discuss the possibility of allowing for individuals that live in one municipality and work in another to be counted towards the shadow population of the municipality in which they reside. This restriction results in an inability for the municipality that provides this resident with services to conduct an accurate population measure, which may negatively impact their ability to access population-based grants. As such, this resolution has been assigned a status of **Intent Not Met**.

### **4-13F: Amend the Municipal Government Act to Provide Protection from Liability for Municipal Maintenance to the Physical Edge of Provincial Highways**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Province of Alberta to amend the *Municipal Government Act*, immediately, to provide protection to rural municipalities from any and all liability associated with road maintenance, carried out by municipalities, within the provincial right of way leading up to the physical edge of provincial highways.

**DEVELOPMENTS:** While the option of entering into a Highway Maintenance Agreement with Alberta Transportation may be a short-term solution for some municipalities, a legislative solution that automatically protects municipalities from liability related to maintenance in provincial highway rights-of-way is necessary. As such, the government response to this resolution is assigned a status of **Intent Not Met**. The AAMDC will address this issue during the final MGA consultation process in the summer of 2016.

### **10-13F: Provincial Grazing Leases Municipal Tax Recovery**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Province of Alberta create or improve existing policy for Provincial Grazing Leases to ensure unpaid municipal taxes are paid in full by the Province to the municipality in which they are owed if left unpaid by the lessee.

**DEVELOPMENTS:** The provincial government response highlights the difficulty faced by municipalities in tax collection on public lands leased from the province by grazing leaseholders when such taxes are not paid in full. As there is no expressed intent by the Government of Alberta to create or improve policy as requested in this resolution, the AAMDC has assigned this resolution a status of **Intent Not Met** status and will continue to advocate on it during the final MGA consultation process in the summer of 2016.

**ER1-13F: Suspend Bill 28 Pending Further Municipal Consultation Through the MGA Review**

*Status: Accepted*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta suspend any further legislative actions regarding Bill 28 (Growth Management Boards) until there is further consultation on the Growth Management Board concept

**DEVELOPMENTS:** Following the advocacy efforts of the AAMDC, the provincial government opened Bill 28 to further consultation and a revised Bill 28 was released in November 2013. The revisions include wording explicitly stating that the establishment of Growth Management Boards would be voluntary. The AAMDC prides itself on having an effective working relationship with the government and we appreciate the Minister's willingness to hear our concerns and come to a satisfactory resolution. As such, this resolution is deemed **Accepted**. The AAMDC will continue to monitor and engage on this and other issues concerning municipal autonomy.

A recent speech made by former Minister of Municipal Affairs indicated that mandatory regional growth boards would be implemented in the Edmonton and Calgary region. The AAMDC has provided input into the formation of these boards to ensure that the autonomy of AAMDC members impacted by their formation is not compromised.



## PLANNING AND DEVELOPMENT

### 1-14F: Amalgamation Process Amendments

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to amend sections 102 and 103, subsections 1,2,3,4 of the *Municipal Government Act* so as to no longer enable a single municipality to initiate the process of amalgamation without prior negotiation with the municipal authority affected by the proposed amalgamation;

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government to Alberta to also amend Section 104 of the *Municipal Government Act* so as to give equal responsibility to the initiating municipality to negotiate in good faith.

**DEVELOPMENTS:** As identified in the government response, the AAMDC continues to be involved in the review of the *Municipal Government Act* (MGA) and the specific issues outlined in this resolution have been brought forward by the AAMDC, and will continue to be emphasized during the final MGA consultation process in the summer of 2016.

Although Alberta Municipal Affairs was not able to provide a detailed response due to the confidential nature of the ongoing MGA review process, the AAMDC is encouraged by the Government of Alberta's willingness to discuss improvements to the amalgamation process. In addition, the Minister of Municipal Affairs has voiced concern about a lack of consultation and collaboration among the initiating municipality and other impacted municipalities in recent attempted amalgamations, which is, in part, what the resolution is addressing.

*Bill 20: The Municipal Government Amendment Act*, which was passed in the spring of 2015, includes new provisions to streamline the amalgamation process when there are two or more municipalities voluntarily amalgamating but it does not change sections 102, 103, or 104 in the manner consistent with the resolution. There is no wording in Bill 20 that requires any prior negotiation nor changes that would require both parties involved in the amalgamation to negotiate in good faith as per the request outlined in the resolution.

Via the MGA review process, the AAMDC will continue to advocate that any amalgamation application include the requirement for prior negotiation and the requirement for both sides to negotiate in good faith. The status of this resolution is **Intent Not Met**, and it will continue to be advocated on.

### 7-14F: Regional Partnership Solution to Municipal/Community Viability

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to retain existing components of the *Municipal Government Act* (MGA) that enable local decision making in pursuit of inter-municipal cooperation and changes of municipal status, including specialized municipalities and the formation of new municipalities as a result of amalgamation, in any amendments to the MGA; and

FURTHER BE IT RESOLVED that the Government of Alberta require municipalities that are pursuing amalgamation to undertake a study identifying why this is the favoured alternative to address local need or encourage municipal viability; factoring in local governance structures,

financial impacts, municipal service delivery and impacts to surrounding areas as part of the amalgamation process;

FURTHER BE IT RESOLVED that the Government of Alberta retain the *Enabling Regional Growth Boards Act* as the supporting legislation for municipalities interested in the formation of voluntary growth management boards as a means in providing for integrated and strategic planning for future regional growth.

**DEVELOPMENTS:** The AAMDC continues to be involved in the review of the *Municipal Government Act* (MGA) and is advocating for the position outlined by AAMDC members through this and other resolutions. The recent changes featured in *Bill 20: The Municipal Government Amendment Act*, do make reference to an amalgamation study but do not identify that such a study should focus on ‘why’ an amalgamation is the favoured alternative to address local need or municipal viability. The changes instead specify what an amalgamation report must include, all of which are items of ‘how’ an amalgamated municipality would be structured. As such the recently amended wordings of the MGA require an amalgamation report not to be a study identifying why amalgamation is the favored alternative but, instead, require the amalgamation report to be an implementation or “how to” plan on how to amalgamate if approved.

Through the MGA review process, the AAMDC will continue to advocate for any amalgamation application to require a study identifying why amalgamation is the favored alternative among options available. The AAMDC plans to have a report on amalgamation, annexation and dissolution prepared for use during the summer 2016 MGA consultation process that will emphasize the importance of a study proving amalgamation is necessary prior to initiating the amalgamation process. The revised MGA and associated regulations are expected to come into force in late 2016.

In addition to the MGA review process, the AAMDC has also completed the report *Examining Municipal Government Models from the Alberta Perspective* to inform AAMDC members of municipal government structures and how they would apply in Alberta. The report can be found online at [AAMDC.com](http://AAMDC.com). The AAMDC is also in the process of developing a report on key principles that should form the basis of an effective and fair amalgamation, annexation and dissolution process.

This resolution currently has a status of **Intent Not Met**, and will be reviewed as the MGA review process proceeds.

#### **15-14F: TELUS Line Locates**

*Status: Accepted in Principle*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta and Alberta One-Call to use all means available to ensure TELUS Communications Inc. locate its underground utilities within the two day time parameters established by Alberta One-Call.

**DEVELOPMENTS:** The Alberta Common Ground Alliance (ACGA) is currently leading advocacy efforts at the provincial level to have legislation developed requiring all owners of buried infrastructure to register their infrastructure networks with Alberta One-Call and fulfill locate requests within a legislated time frame. The ACGA has indicated that the Government of Alberta is supportive of working with them and other stakeholders,

including the AAMDC in developing legislation. While this legislation, if developed, may cause some municipalities challenges as buried infrastructure owners, it will solve the issue of TELUS not responding to locate requests within a reasonable time frame. As such, this resolution is deemed a status of **Accepted in Principle** based on the Government of Alberta's support, and will be monitored as the process proceeds.

#### **1-14S: Privatization of the Alberta Land Titles Registry System**

*Status: Accepted*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to retain the Alberta Land Titles Registry System status quo or as a public system as a statutory non-profit corporation.

**DEVELOPMENTS:** Service Alberta has clarified, both in their response to this resolution and through a discussion between the Minister of Service Alberta and the AAMDC Board of Directors, that the privatization of the province's land title registry system is not being considered. The new provincial government has given no indication that they are considering privatizing registry services. As such, this resolution is deemed to be **Accepted**.

## SENIORS

*No Active Resolutions.*

## TRANSPORTATION AND INFRASTRUCTURE

### **3-15S: Legal Opinion on the Jurisdiction of the Weed Control Act on All Railways**

*Status: Accepted*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties obtain a legal opinion on the jurisdiction of the *Weed Control Act of Alberta* for all railways, and that the opinion be shared with all of its member municipalities.

**DEVELOPMENTS:** The AAMDC obtained a legal opinion on the jurisdiction of the *Weed Control Act of Alberta* (WCA) for all railways. Generally speaking, the legal opinion indicates that federal railways within Alberta and provincially regulated railway lands must comply with the weed control requirements of the WCA. The legal opinion identifies that municipal inspectors have broad authority to enforce and monitor compliance under the WCA within geographical boundaries of each municipality and that activity undertaken by a federal railway company on its lands that are not integral to federal undertakings are subject to provincial legislation. Further, the legal opinion expresses that complying with the WCA will not impair the operation of any federal railways nor is there a federal law which directly conflicts with the provisions of the WCA in this regard. This resolution has been assigned the status of **Accepted**.

### **3-14F: New Building Canada Fund (Provincial – Territorial Infrastructure Component) – Guaranteed Equal Opportunity Funding for Rural & Urban Populations Under 10,000**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to designate a minimum of one-third of the Small Communities Fund (\$94 million) for communities under 10,000 population for essential infrastructure projects.

**DEVELOPMENTS:** The eligibility requirements for Alberta's allotment of the Small Communities Fund (SCF) have been finalized and the application period closed on April 2, 2015. At this point, there is no chance that the funding will be subdivided to reserve a portion for communities under 10,000 because the program is currently active. The current SCF format places all municipalities with a population below 100,000 in direct competition with one another for limited SCF funding, despite that fact that this population threshold makes every municipality in Alberta eligible for SCF funding, with the exception of Calgary and Edmonton.

As the SCF will have only one intake opportunity, which has already been completed, there will be no opportunity to revise the eligibility parameters unless the program is renewed following the completion of the New Building Canada Fund in 2024 (assuming a similar program is continued in 2024). The status of this resolution is Intent Not Met.

### **5-14F: Reinstatement of Funding For Resource Roads and Local Bridges in Rural Municipalities**

*Status: Accepted*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to reinstate funding for the Resource Road Program and the Local Road Bridge Program in the 2015 provincial budget.

**DEVELOPMENTS:** In the 2015-16 provincial budget, the Government of Alberta allotted \$100 million towards the Strategic Transportation Infrastructure Program (STIP), which includes the Resource Road Program and Local Road Bridge Program, in its five-year capital plan. According to the capital plan, \$35 million will be contributed to STIP in 2017-18, and \$65 million in 2018-19. The Government of Alberta is using the 2016-17 budget year to consult with municipalities to ensure that STIP is organized in the most useful possible way. This resolution has been assigned a status of **Accepted**.

#### **6-14F: Improvement of Highways in Alberta**

*Status: Accepted in Principle*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to improve the condition of highway infrastructure in Alberta.

**DEVELOPMENTS:** The Government of Alberta's 2015-16 budget reduced highway maintenance funding from the previous year. This is expected to result in a reduction in preventative maintenance such as crack-sealing, which will likely decrease the overall lifespan of Alberta's highways. Alberta Transportation's 2015-16 business plan identifies several priority initiatives that may lead to the long-term improvement of highway infrastructure, including the following:

- Create and implement a transparent and infrastructure plan to sustain an efficient and effective road network in Alberta.
- Enhance transportation asset management planning to support strategic decision-making, taking into account life-cycle costs, economic, environmental and social impacts.
- Implement approaches to ensure highway operations and maintenance achieve the results Albertans need.

While the 2016-17 provincial budget maintained the reduction in summer highway maintenance, this was emphasized to be a short-term measure by Alberta Transportation staff. Additionally, the 2016-17 provincial budget included an increase of \$71.5 million for provincial highway rehabilitation compared to the 2015-16 budget.

As a result, this resolution has been assigned a status of **Accepted in Principle**, and the AAMDC will continue to advocate for the expedient return of summer highway maintenance funding and clarification from the Province regarding the definition of highway rehabilitation versus highway maintenance.

#### **17-14F: Mileage Signage Markers Along Provincial Highways**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties advocate that the Government of Alberta be held accountable for placing highway kilometer markers at regular intervals along provincial highways that are under the Government of Alberta's

management, control and responsibility, on highways that pass through vast tracts of Crown lands where there are no township road and range road signs, so that Albertans and visitors can have a means to identify where they are during emergency situations.

**DEVELOPMENTS:** The intent of the resolution is to have Alberta Transportation be responsible for placing highway kilometer markers on provincial highways. While there is a process currently in place that allows municipalities to provide kilometer markers that meet provincial standards at their own expense, this creates an inconsistent patchwork of markers, and essentially places the responsibility for maximizing the safety of provincial highways onto municipalities.

Additionally, while the advancement of GPS and other location technologies may make these markers unnecessary in some cases, many older vehicles are not equipped with GPS systems, making the kilometer markers important, particularly in life-threatening situations.

As Alberta Transportation has shown no willingness to take on this responsibility, this resolution has a status of **Intent Not Met**.

## **2-14S: Increasing Rail Capacity for Grain Shipments**

*Status: Accepted in Principle*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta and the Government of Canada to enact a short-term and long-term strategy to increase railway capacity for grain shipments

**DEVELOPMENTS:** The Government of Alberta's has expressed interest in working with the federal government to improve the capacity and reliability of rail service for the agricultural sector. The federal government's *Fair Rail for Grain Farmers Act* presented an effective short-term solution to the 2013 grain backlog, mainly by imposing temporary grain hauling quotas and penalties for non-compliance upon Canadian National and Canadian Pacific railways. The AAMDC also appreciates the Government of Alberta's willingness to work with industry and other western provinces to address supply chain issues.

The final report of the Canada Transportation Act Review Committee was released in March 2016. The report includes several recommendations related to preventing a recurrence of the 2013 grain by rail backlog, including the following:

- An end to the current cap on the rates railways are able to charge for hauling grain by eliminating the Maximum Revenue Entitlement program
- A return of interswitching radiuses from 160km to the 30km radius that was used prior to the 2013 backlog
- Adding producer cars to the definition of "shippers" under the provisions of the Act
- Implementing incentives to encourage railways and producers to modernize their fleet of grain cars, as many are approaching retirement age in the next ten years

At this point, it is unclear how Transport Canada will review and implement the recommendations, or what impact they will have on agriculture producers. While some of the recommendations will clearly improve the movement of grain, others, such as the removal of the Maximum Revenue Entitlement program, have a less clear benefit for the agriculture industry, as the higher prices railways will be able to charge for hauling grain will likely increase its priority during times of high demand, but assumes that agriculture producers are able to pay higher rates to have their products shipped, and compete with other commodity groups, such as oil and gas, which may not be the case.

The AAMDC is in the process of analyzing the recommendations and looks forward to information from the Government of Canada on how the recommendations will be reviewed and implemented.

The AAMDC deems this resolution to be **Accepted in Principle**, pending the review and implementation of the *Canada Transportation Act* review recommendations.

### **1-13F: Basic Infrastructure Funding as a Result of Dissolution**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge Alberta Municipal Affairs to include and cover the costs of a Final Audited Financial Statement and also an Engineering Study to determine the status of water and wastewater infrastructure, which is basic necessity of life, as part of the new Viability Study under the Dissolution Process and in order that a budget be formulated for the receiving municipality; and

FURTHER BE IT RESOLVED that any effective date for a dissolution of an urban municipality into a receiving municipality be January 1 of the coming year following the Order in Council; and

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties initiate dialogue with Alberta Municipal Affairs, Alberta Transportation and Alberta Environment and Sustainable Resource Development to ensure that a funding model is implemented to cover the repair or replacement of water and wastewater infrastructure, which is a basic necessity of life, as identified in the Engineering Study, for receiving municipalities as a result of the dissolution process.

**DEVELOPMENTS:** Announced in the Budget 2014 was the Alberta Community Partnership (ACP) program which replaced the Regional Collaboration Program (RCP), and is designed to improve the long-term viability of municipalities by providing support for regional collaboration. Included in the ACP is additional funding for Viability Review Support which includes funding towards an infrastructure audit for a municipality undergoing a viability review, a transitional stream to address immediate resource needs resulting from restructuring, and an infrastructure stream for the receiving municipality or amalgamated municipality, after infrastructure and debt servicing needs are known and prioritized following restructuring. The 2016-17 provincial budget saw a 50% decrease in ACP funding, from \$40 million in 2015-16 to \$20 million in 2016-17.

With recognition of the important support offered through the ACP, this resolution is assigned a status of **Intent Not Met** as it does not meet the specific requests of the resolution. The AAMDC will continue to monitor the implementation of the ACP, with a specific focus on its impact on water and wastewater infrastructure.

### **2-13F: Reinstating Funding for Resource Roads and Local Bridges in Rural Municipalities**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to reinstate funding for the Resource Road Program and the Local Road Bridge Program in the 2014 provincial budget.



**DEVELOPMENTS:** As the Strategic Transportation Infrastructure Program (STIP), which includes the Local Road Bridge Program and the Resource Road Program, was zero-funded in the 2014-15 budget, the government response to this resolution is deemed **Intent Not Met**. Due to the specific nature of this resolution, the AAMDC cannot amend the resolution status in relation to the \$100 million committed to STIP in the 2015-16 Government of Alberta Capital Plan. Despite this, the AAMDC is pleased with the return of this funding for upcoming years.

#### **8-13F: Strategic Transportation Infrastructure Program**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties call upon the Government of Alberta to restore funding to the Strategic Transportation Infrastructure Program in the 2014 budget.

**DEVELOPMENTS:** As the Strategic Transportation Infrastructure Program (STIP), which includes the Local Road Bridge Program and the Resource Road Program, was zero-funded in the 2014-15 budget, the government response to this resolution is deemed **Intent Not Met**. Due to the specific nature of this resolution, the AAMDC cannot amend the resolution status in relation to the \$100 million committed to STIP in the 2015-16 Government of Alberta Capital Plan. Despite this, the AAMDC is pleased with the return of this funding for upcoming years.

#### **11-13F: Marking Of Meteorological And Telecommunication Towers**

*Status: Incomplete Information*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties consult with the Government of Alberta to request the Minister of Industry Canada to amend the *Telecommunications Act* to require the marking of radio communication and telecommunications towers with marking lights, aeronautical paint and balls on the guyed wires in rural areas.

**DEVELOPMENTS:** The AAMDC is still awaiting a response on this issue from the former Ministry of Industry Canada (now Innovation, Science and Economic Development Canada) and assigned this resolution a status of **Incomplete Information**.

The AAMDC believes that although the requirements in the *Canadian Aviation Regulations* are adequate for the majority of commercial and private aircraft, the minimum heights for the marking of antennas and other structures present a high level of risk to agricultural spray planes that commonly operate in rural areas. According to the United States-based National Agricultural Aviation Association (NAAA), in the last ten years, 7.2% of agricultural spray plane fatalities were caused by collisions with towers, and another 13% were caused by collisions with power or telecommunications lines. The NAAA is advocating to the U.S. Federal Aviation Authority to require the marking of all guy wires and free-standing towers of more than 50 feet (15.24 metres) in height, which is significantly lower than the current standards in the *Canadian Aviation Regulations*, which are 150 metres. A similar request was made recently to Transport Canada by a coalition of the Canadian Aerial Applicators Association, the Helicopter Association of Canada, the Manitoba Aviation Council, and the Saskatchewan Aviation Council. The coalition requested that obstruction lighting and marking requirements apply to all towers exceeding 50 feet in height located outside the

boundaries of a city or town on land that is primarily rural or undeveloped and utilized for agricultural or forestry purposes.

The AAMDC plans to follow up with Innovation, Science and Economic Development Canada, Alberta Agriculture and Forestry, and Alberta Transportation on this issue.

## WATER

### 4-14F: Reinstatement of Funding for Water and Wastewater Systems

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to reinstate and enhance funding for the Alberta Municipal Water/Wastewater Program – Water for Life in the 2015 provincial budget.

**DEVELOPMENTS:** In the 2015-16 provincial budget, the Government of Alberta has decreased Water for Life capital funding significantly while operational funding was zero-funded. However, the 2016-17 provincial budget increased funding to both Water for Life and the AMWWP by \$75 million: from a combined \$55 million to a combined \$130 million. Due to the specific nature of this resolution requesting these increases in the 2015 budget, this resolution cannot be assigned a status of Accepted as the intent was not fully met. It is instead assigned a status of **Accepted in Principle**, noting that funding has increased in the 2016-17 budget.

### 5-14S: Water/Wastewater Infrastructure Funding

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to provide funding for municipal water/wastewater infrastructure projects through the department of Environment and Sustainable Resource Development so that the agency responsible for regulating water/wastewater codes and practices also administers funding for water/wastewater infrastructure.

**DEVELOPMENTS:** While the AAMDC appreciates the Government of Alberta's preference to separate funding and regulatory functions across ministries, this system creates administrative challenges for municipalities, as municipal officials responsible for water/wastewater infrastructure must work with officials from two completely different ministries on various water/wastewater-related issues. Additionally, the need to separate funding and regulation responsibilities does not apply to other types of infrastructure such as municipal roads and bridges, in which Alberta Transportation is responsible for both funding, monitoring, and regulatory functions. As such, this resolution is assigned the status of **Intent Not Met**.

### 12-13F: Regional Governance of Municipal Water Systems

*Status: Accepted in Principle*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties oppose any forced regionalization of management control over municipally owned water utilities.

**DEVELOPMENTS:** Stemming from the *Water Conversations* held in 2013, the Government of Alberta released *Our Water, Our Future: A Plan for Action* in fall 2014. An item identified in the Action Plan includes the Government of Alberta working with municipalities to identify opportunities for enhancing the sustainability of municipal water systems, which includes helping municipalities identify and implement possible solutions to address regional challenges. As this is not intended to be a mandated move to forced regionalization for management control over municipally owned utilities, the AAMDC

deems this resolution to be **Accepted in Principle** and will continue to monitor developments.

#### **14-13F: Use of Reclaimed Water in Private Systems**

*Status: Intent Not Met*

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Province of Alberta to further develop legislation to accept the use of reclaimed water through the Alberta Building and Plumbing Codes for private systems, and that processes be developed that maintenance, monitoring, reporting and operation responsibilities flow from the owner of such a private system directly to the Province.

**DEVELOPMENTS:** In fall 2014, the Government of Alberta released *Our Water, Our Future: A Plan for Action*, which identified action items resulting from the *Water Conversations* engagement in 2013. This includes supporting research and geographically distinct case studies in Alberta that will identify opportunities for flexibility in regulations to accommodate water re-use to meet regional needs. Although the AAMDC is encouraged that the Government of Alberta is moving forward on exploring this possibility, there is no indication that legislative changes will be made to address the request outlined in this resolution focusing on private systems. As such, the AAMDC assigns this resolution the status of **Intent Not Met** and will continue to monitor this issue.

# CONTRIBUTORS

The Alberta Association of Municipal Districts and Counties wishes to thank the Board of Directors members who provided content, input, and advice to this report card:

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