

Matters Pertaining to SARM

Creation of a Resolutions Committee

1-19A

RM of Lumsden No. 189

WHEREAS resolutions provide guidance to SARM regarding matters for which to lobby the provincial and federal governments or create new policies;

WHEREAS it is not uncommon to see multiple resolutions regarding similar concerns at the same convention as well as resolutions that have been carried which are contradictory in their intent to resolutions that have been carried at previous conventions;

WHEREAS a clear and consistent message from SARM makes lobbying and policy creation efforts more effective;

BE IT RESOLVED that SARM create a Resolutions Committee that will review all proposed resolutions prior to a convention, combine similar resolutions into one and communicate with resolution sponsors for clarification regarding the intent of their resolutions;

BE IT FURTHER RESOLVED that the Resolutions Committee provide background information regarding work SARM has already completed on the matter, if applicable.

Resolution Policy Review Committee

2-19A

RM of Reford No. 379

WHEREAS SARM currently has a Resolution Policy Review Committee that reviews the resolution process and makes recommendations to the Board of Directors around future improvements to the resolution process;

BE IT RESOLVED that the SARM Board investigate the inclusion of an appointed elected delegate from each division to assist with reviewing the resolution process moving forward.

Resolutions' Committee Representation

3-19A

RM of Reford No. 379

WHEREAS other organizations have appointed committee members to assist the Board of Directors with the resolution process;

WHEREAS the SARM Board of Directors and staff currently comprise the Resolutions Committee which may be perceived as being a top down process;

BE IT RESOLVED that the SARM Board investigate the inclusion of an appointed elected delegate from each division to be a part of the Resolutions Committee to review resolutions and make suggested changes to the resolution sponsors.

APAS

4-19A

RM of Wood River No. 74

WHEREAS there are 138 rural municipalities registered as members with APAS;

WHEREAS all Saskatchewan rural municipalities benefit from the work that APAS does;

BE IT RESOLVED that SARM make it mandatory for all rural municipalities to register as a member with APAS.

Legal Specialization of SARM Lawyers

5-19A

RM of Willowdale No. 153

WHEREAS the complexity and diversity of legal issues that RMs are forced to deal with on an ongoing basis are increasing;

WHEREAS the SARM lawyers are the first contact for RMs when dealing with any type of legal situation;

WHEREAS the SARM legal department is sometimes unable to provide the legal advice required for specialized situations;

BE IT RESOLVED that SARM consider expanding their legal department to have lawyers on staff that are specialized in areas of concern that RMs deal with on a frequent basis;

BE IT FURTHER RESOLVED that if not feasible to have more lawyers on staff that SARM provide a recommended listing of specialized lawyers for complex issues to RMs when required or requested.

Ministry of Agriculture

Stray Animals

6-19A

RM of Mervin No. 499

WHEREAS there seems to be an increase with respect to the number of stray animals such as horses found at large within a municipality with nobody to claim and accept responsibility for them;

WHEREAS stray animals, such as horses, have quite often caused property damage to individuals' private property;

WHEREAS when the municipality adheres to *The Stray Animals Act* in terms of following proper procedures, arranging for them to be corralled and delivered to a designated impound as well as proper advertising and notification, the municipality incurs costs it must cover;

WHEREAS this generally results in a financial loss for the rural municipality with respect to all costs that have been incurred versus the amount that they obtain from the proper sale in a stock yard due to the amount of time prescribed in the Act required for impoundment and consequent fees incurred;

WHEREAS most municipalities have their own website which can be used for providing notification as well as social media resources that are available;

BE IT RESOLVED that SARM lobby the provincial government to amend *The Stray Animals Act* so that the sale of stray by auction can occur seven days after impoundment where the owner of the stray is known and three days after impoundment where the owner remains unknown after reasonable inquiry by the municipality.

Ministry of Environment

Environmental Reviews on Construction Projects

7-19A

RM of Frenchman Butte No. 501

WHEREAS environmental reviews and regulations also apply to existing developed road allowances;

WHEREAS municipal and provincial agencies are required to obtain separate environmental permits;

WHEREAS municipalities are responsible for all costs regarding environmental review, permits and monitoring during construction;

WHEREAS environmental reviews cause significant delays during construction season;

BE IT RESOLVED that SARM lobby the Ministry of Environment to amend existing policies and regulations so that when construction work is done within a developed road allowance, it is exempt from environmental reviews and permits;

BE IT FURTHER RESOLVED that when provincial agencies are required to do work such as relocating telephone or fibre optic lines, the agency use existing permits that have been issued for project.

Ministry of Finance

Use of Marked Diesel Fuel in Municipal Equipment

8-19A

RM of Ponass Lake No. 367

WHEREAS municipalities are required to pay provincial taxes on diesel fuel;

WHEREAS municipal equipment is required to repair and maintain public roadways;

WHEREAS the fuel used to run municipal equipment is a tax on local government and the ratepayers they serve;

BE IT RESOLVED that SARM lobby the provincial government to permit municipalities to use marked diesel fuel in municipal equipment, thereby reducing the cost of road repair and maintenance.

Municipal Surcharge – SaskPower and SaskEnergy

9-19A

RM of Moosomin No. 121

WHEREAS a municipal surcharge is levied on SaskPower and SaskEnergy customer invoices in urban municipalities;

WHEREAS the fees collected by SaskPower and SaskEnergy, and then remitted to the urban municipality, are often utilized to offset the cost of power and energy to their municipal buildings and recreational facilities;

WHEREAS the current practice of levying municipal surcharges no longer applies to an urban municipality after it has dissolved into a rural municipality thereby these funds are lost to the restructured municipality regardless of whether its expenses have changed;

BE IT RESOLVED that SARM lobby the provincial government to continue to levy a municipal surcharge on SaskPower and SaskEnergy customer invoices in restructured urban municipalities and resultant special service areas.

Ministry of Government Relations

Road Maintenance Agreement Rates

10-19A

RM of Indian Head No. 156

WHEREAS the current road maintenance and loss of road life rates allowed under *The Municipalities Regulations* were last revised in 2014;

WHEREAS traffic is increasing on rural roads and the costs to maintain those roads are also increasing;

WHEREAS municipalities are being left with damages and costs far above what is allowed in the regulated fees;

BE IT RESOLVED that SARM lobby the provincial government to take action and increase the road maintenance agreement rates.

Protection of the Rural Way of Life in the Face of Changing Demographics

11-19A

RM of McKillop No. 220

WHEREAS the demographics of rural Saskatchewan are changing and in some rural municipalities (RM) the number of non-resident ratepayers are now outnumbering the permanent agricultural sector ratepayers by a margin of three to one;

WHEREAS the provincial government has chosen to permit the redrawing of RM divisional boundaries based on non-residential ratepayers rather than the permanent population;

WHEREAS the agricultural sector is one of the major economic engines that powers the great Province of Saskatchewan, but that economic engine is being threatened by the imposition of rules, bylaws and expenditures of money based on the cultural wants and priorities of the non-resident ratepayers within the RMs;

WHEREAS *The Municipalities Act* does not address such an occurrence but ensures the protection of urban, non-residential ratepayers and provides a path to urban community autonomy, yet the provincial government does not encourage that path and in fact continues to make it more difficult, resulting in a grave threat to the agricultural population being able survive economically;

BE IT RESOLVED that SARM lobby the provincial government to make changes to *The Municipalities Act* and any other applicable legislation such that the permanent rural

population of Saskatchewan is provided the option and ability similar to the urban populations (e.g. hamlets), to request that they be treated as an independent service area within a municipality, be able to merge with an adjacent rural municipality (RM) without the permission of the urban non-residential ratepayers, form a separate new RM or other such entity;

BE IT FURTHER RESOLVED that SARM lobby the provincial government to complete these changes prior to the next provincial election, put in place a moratorium to prevent similar changes to those implemented in the RM of McKillop and that any recent changes be reversed at the wishes of the rural permanent population of those RMs.

Enforcement of Code of Ethics Provisions

12-19A

RM of District of Lakeland No. 521

RM of Paddockwood No. 520

WHEREAS municipal councils must adopt a code of ethics, as required by section 93.1(1) of *The Municipalities Act*;

WHEREAS section 93.1(6)(b) limits the ability of municipalities to respond to contraventions of the code of ethics to censuring or suspending an offending council member;

WHEREAS the Royal Canadian Mounted Police are unable to assist municipalities in enforcing code of ethics penalties, such as enforcing suspensions, that are not also criminal matters;

WHEREAS municipalities may only remove a council member from council as a result of conflict of interest and then only after a court process;

BE IT RESOLVED that SARM advocate to the provincial government to develop regulations for *The Municipalities Act* that allow municipalities to present the Minister of Government Relations with sufficient evidence of repeated code of ethics violations and have the Minister order the offending council member removed from office.

Taxation on Intensive Livestock Operations (ILOs)

13-19A

RM of Rosthern No. 403

WHEREAS Section 293 of *The Municipalities Act*, does not allow extra taxation for ILOs to cover the damages caused by the heavy truck traffic going to and from these operations, leaving the municipalities responsible for the costs to repair the roads;

WHEREAS when ILOs are first established or expand a rural municipality (RM) is able to enter into a road maintenance agreement (RMA) with the developer;

WHEREAS the provincial road haul rates are extremely low and determining tonnages annually and on which road is impossible to determine because it changes all the time;

WHEREAS the only other mechanism an RM has to recuperate closer to actual costs of damages done to roads by a developer is through litigation after the damage is done;

WHEREAS the onus is on the RM to prove that a specific developer damaged the road and this is difficult to prove and requires on-going and costly roadway monitoring;

BE IT RESOLVED that the provincial government make changes to the legislation to allow municipalities to attach annual fees to Intensive Livestock Operations (ILO) for extra road maintenance costs and that these fees be based on animal units, as that most accurately reflects extra road use by the ILOs.

Independent Rate Review

14-19A

RM of Caron No. 162

WHEREAS rural residents increasingly rely on pipelines whose treated water is purchased directly or indirectly from city-owned utilities;

WHEREAS many rural residents also use landfills and rely on fire coverage services which are owned and controlled by cities and other municipalities;

WHEREAS cities and SaskWater can raise charges for these services to rural customers and municipalities without having to prove the need for increased rates to any independent rate review body;

WHEREAS rural municipalities have to apply to the Saskatchewan Municipal Board for approval of utility rate increases while city-owned utilities do not;

WHEREAS rural utility customers and residents cannot vote or run in urban elections and therefore have no say on rate decisions that affect them;

BE IT RESOLVED that SARM lobby the province for a rate review mechanism to oversee water utility rates, landfill charges, and fire service coverage rates imposed directly or indirectly by cities, other municipalities and SaskWater on rural customers;

BE IT FURTHER RESOLVED that SARM ask the provincial government to prohibit further increases until a rate review mechanism is put in place.

Survival of Rural Saskatchewan

15-19A

RM of Piapot No. 110

WHEREAS one of the major obstacles facing rural Saskatchewan is the cost of implementing new regulations which are brought forward under the guise of environmental protection or public safety;

WHEREAS these costly upgrades, be it water, sewer, garbage, building codes or labor regulations, are in many cases not affordable for rural communities and it is being suggested that the villages join with the local rural municipalities to access a larger taxation base;

WHEREAS many of the smaller communities are not interested in joining the local rural municipality and would prefer to work with the RM versus being part of it.

WHEREAS the additional tax base does not address the problem, which is extremely high cost projects being forced onto rural communities through changing regulations;

WHEREAS taxpayer groups or representatives are rarely at the table when the regulations are being developed;

BE IT RESOLVED that SARM lobby the provincial government to have a review process of environment, labour and building regulations that are directly impacting rural communities;

BE IT FURTHER RESOLVED that representatives from SARM, SUMA and other taxpayer groups be part of the review process.

Potash Tax Sharing

16-19A

RM of Moosomin No. 121

WHEREAS the potash tax sharing is split between rural and urban municipalities utilizing different formula calculations to determine the levy provided to each;

WHEREAS *The Municipal Tax Sharing (Potash) Regulations* have provisions for the restructuring of an urban municipality into a rural municipality to continue to receive the funding equal to the last year paid for a continued three year period, after which time the funds cease;

WHEREAS the change in formula results in minimal funds directed to the rural municipality. While the governing body has changed, the needs of the community remain the same and these lost funds will have to be recovered through a tax levy increase;

BE IT RESOLVED that SARM investigate changes to *The Municipal Tax Sharing (Potash) Regulations* and the distribution of fund after an urban municipality restructures. Special note should be taken to address when the urban municipality restructures as a special service area;

BE IT FURTHER RESOLVED that funding should be reinstated to any urban municipalities that have restructured in the last five years from the date of this convention.

Ministry of Health

Health Care

17-19A

RM of Preeceville No. 334

WHEREAS health care is important to all citizens of the Province of Saskatchewan, regardless of if it is provided in tertiary, regional, or community-based hospitals;

WHEREAS the recruitment and retention of health care professionals is difficult and has a dramatic effect on the ability of communities to provide acute health care services in towns and smaller cities in the province;

WHEREAS communities at times are strongly encouraged to allow the health region to be solely responsible for these tasks;

BE IT RESOLVED that SARM lobby the provincial government to improve the communication processes between the Saskatchewan Health Authority and local communities regarding all health services in the community;

BE IT FURTHER RESOLVED that the provincial government allow local communities to jointly participate with the Saskatchewan Health Authority in a proactive approach of recruitment and retention of health care staff to ensure all acute care services are maintained within the community. Those communities that engage in these actions across the province should be active participants in maintaining the services in their communities.

Ministry of Highways and Infrastructure

Municipal Roads for the Economy Program

18-19A

RM of Frenchman Butte No. 501

WHEREAS environmental reviews, permits from Department of Oceans and Fisheries, and moving of various pipelines and transmission lines requires several months to complete;

WHEREAS these permits expire and require renewals and transmission lines costs could be charged back to the municipality if project is not completed within two years;

WHEREAS the Municipal Roads for the Economy Program requires construction to be completed in the year it has been approved to be guaranteed funding;

BE IT RESOLVED that SARM and the Ministry of Highways and Infrastructure review the Municipal Roads for the Economy Program and allow two years to complete construction of an approved project.

Ministry of Justice

Proposal for Review and Amendment of LAFOIP

19-19A

RM of Blaine Lake No. 434

WHEREAS *The Local Authority Freedom of Information and Protection of Privacy Act* (LAFOIP) does not adequately address excessive and/or multiple requests from an individual;

WHEREAS the local authority's internal processing regulations and/or boundaries may be unclear, allowing for privacy breaches to be made in the initial receipt of handling LAFOIP requests;

BE IT RESOLVED that SARM lobby the provincial government to review and amend *The Local Authority Freedom of Information and Protection of Privacy Act* to include the processing of excessive and/or multiple requests from an individual within the burden of proof section;

BE IT FURTHER RESOLVED that SARM lobby the provincial government to review and amend *The Local Authority Freedom of Information and Protection of Privacy Act* to ensure that the local authority's internal roles and/or procedures are more clearly stipulated in the regulations for the receipt of Access to Information Request Forms (Form A).

Proposal for Review and Amendment of LAFOIP Regulations

20-19A

RM of Blaine Lake No. 434

WHEREAS the cost and time involved with the processing of an information request as found in *The Local Authority Freedom of Information and Protection of Privacy Regulations* requires the fee schedule to be reviewed in its entirety, to remain current and in line with actual costs involved and/or incurred with the process itself;

WHEREAS the local authority's internal processing regulations and/or boundaries may be unclear, allowing for mistakes to be made from the initial receipt of LAFOIP requests;

BE IT RESOLVED that SARM lobby the provincial government to review the fees section as indicated in *The Local Authority Freedom of Information and Protection of Privacy Regulations* to reflect current costs;

BE IT FURTHER RESOLVED that SARM lobby the provincial government to review and amend:

(i) *The Local Authority Freedom of Information and Protection of Privacy Regulations* to ensure that local authority's internal roles are more clearly stipulated in the regulations; and

(ii) the Access to Information Request Form(A) to include directions for the individual submitting the request: "Envelope should be clearly labeled PRIVATE AND CONFIDENTIAL and addressed TO THE HEAD OF THE LOCAL AUTHORITY."

Ministry of Labour Relations and Workplace Safety

Workers' Compensation Board (WCB)

21-19A

RM of Piapot No. 110

WHEREAS Section 131 and 132 of *The Workers' Compensation Act, 2013* directs that a principal is liable for any outstanding Workers' Compensation Board (WCB) premiums of their contractors;

WHEREAS WCB has deemed rural municipalities as the principal or general contractor and all businesses that the rural municipalities deal with as sub-contractors;

WHEREAS WCB has the ability to hold the RM liable for premiums by any of the businesses that the RM deals with whether it is a backhoe service or the company delivering fuel to the RM;

BE IT RESOLVED that SARM lobby the Ministry of Labour Relations and Workplace Safety to review *The Workers' Compensation Act, 2013* and limit the Workers' Compensation Board's (WCB) ability to use RMs as a collection agency and WCB's ability to have a perpetual garnishee on all businesses.

Saskatchewan Government Insurance

Class 1A Training Requirements

22-19A

RM of Lake Lenore No. 399

WHEREAS in the wake of the tragic Humboldt Broncos bus crash in 2018, the Government of Saskatchewan and SGI established new training requirements for Saskatchewan Class 1A licensees effective March 15, 2019;

WHEREAS other jurisdictions have lower or no training requirements for their Class 1A licensees;

BE IT RESOLVED SARM lobby the Government of Saskatchewan and SGI to require that all drivers who have obtained their Class 1A licenses after March 15, 2019 and operate vehicles requiring a Class 1A license on any roads in Saskatchewan after March 15, 2019, regardless of whether the vehicle began in travel in another jurisdiction, provide proof of the equivalent or better training as required by new Saskatchewan Class 1A licensees should the vehicle be pulled over by a law enforcement officer.

SaskPower

SaskPower

23-19A

RM of Storthoaks No. 31

WHEREAS SaskPower infrastructure is failing;

WHEREAS significant power outages are occurring more often in the south-east corner of the province;

WHEREAS customers are without power for extended lengths of time resulting in SaskPower customers having to install disconnects and purchasing generators to survive the winter outages;

BE IT RESOLVED that SARM lobby SaskPower to maintain its infrastructure to ensure customers are provided with continual service.

Water Security Agency

Water Security Aquatic Habitat Protection Permits

24-19A

RM of Hazel Dell No. 335

WHEREAS when rural municipalities are planning to proceed with any bridge construction on any named waterways they must make application to the Water Security Agency for an Aquatic Habitat Protection Permit;

WHEREAS according to the Water Security Agency, the target for reviewing permit applications is 45 days but they allow up to 12 weeks and rural municipality applications are considered to be a priority;

WHEREAS some municipalities are frustrated that these targets are not begin met by the Water Security Agency and their construction projects have had to be delayed until the next year as the permits were approved after freeze up;

BE IT RESOLVED that SARM inform the Water Security Agency that these targets are not being met for all rural municipalities and that they consider hiring more staff during peak times for the year to keep up with the backlog of Aquatic Habitat Protection Permit applications.