

**SUMMER VILLAGE OF BIRCH COVE
AGENDA**

Thursday, October 19th, 2023 – 4:00 p.m.
Wildwillow Administration Office and via zoom
2317 Township Road 545 Lac Ste. Anne County

1.	<u>Call to Order</u>		
2.	<u>Agenda</u>	a)	Thursday, October 19 th , 2023 Regular Council Meeting <i>(that Council approve as is or as amended)</i>
3.	<u>Minutes:</u> Pages 1-6 Pages 7-10	a) b)	Thursday, August 17 th , 2023 Organizational Council Meeting <i>(approve as presented or with amendments)</i> Thursday, August 17 th , 2023 Council Meeting Minutes <i>(approve as presented or with amendments)</i>
4.	<u>Public Hearings:</u>	a)	N/A
5.	<u>Delegations/ Appointments:</u>		4:05 p.m. – Tara Preston – on behalf of the Birch Cove Community League will be speaking on the following items: <ul style="list-style-type: none"> - Inclusion of information in the May tax mail out - Details on Council financial support (\$1,900 gift) - Participation at the May Town Hall - Details on kayak launch ownership, payment and record keeping - Clarification on ownership of shed assets - Location of shed keys for community league supplies - Clarifications on Kenny awards, who administers these awards - Frame structure deterioration of the village entrance Birch Cove sign <i>(that the discussion on behalf of the Birch Cove Community League be accepted for information)</i> Or <i>(some other direction as given by Council at meeting time)</i>
	<u>Business Arising:</u> Page 11-12	a)	Further to Motion #105-2023 (Aug. 17/23) at last meeting, Administration has completed further review of Bylaws and Policies and have also reached out to two consultants requesting quotes on a Land Use Bylaw review. These quotes will be shared at the January 2024 meeting. Administration has been unable to locate any policies for the municipality other than the Public Participation policy, however will also begin to recommend certain other policies that require implementation. An updated

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<p style="text-align: center;">Pages 13-19</p>	<p>copy of the current Public Participation policy and the updated Policy and Plan is outlined in Item 7.f). It is evident that a review of the Bylaws was undertaken in 2013, however there are some amendments required and updating as we continue to review. To note, the Land Use Bylaw has not been updated since 2010.</p> <p><i>(accept the current Bylaw and Policy report, along with the discussion at meeting time, for information)</i></p> <p>Or</p> <p><i>(some other direction as given by Council at meeting time)</i></p> <p>b) Short Term Residential Accommodation – Council previously resolved that the matter of short-term residential rentals (tourist home accommodations) be further investigated with possible amendments to the Land Use Bylaw to accommodate. Attached is a report provided by the Development Officer addressing this issue with recommended actions. As this has been a somewhat contentious issue, careful consideration is required to move forward to ensure all possible scenarios are covered off.</p> <p><i>(that the Summer Village maintain the status quo in terms of regulation of the Use of Short-Term Residential Rentals; rather address the potential externalities through a process of education, both owner and tenants and with some careful amendments to the existing Bylaws)</i></p> <p>Or</p> <p><i>(that should Council consider a Land Use Bylaw amendment at this time, that the recommendations outlined on agenda pages 15 – 17 of the Development Officers report be implemented)</i></p> <p>Or</p> <p><i>(some other direction as given by Council at meeting time)</i></p>
<p style="text-align: center;">Pages 20-21</p>	<p>c) Integrity Commissioner Appointment – this item was on the Organizational Agenda on August 17th, 2023 and was tabled to this meeting. The process for dealing with formal complaints is outlined in the Code of Conduct Bylaw 136-18 (applicable pages attached). Many smaller municipalities in Alberta do not appoint an Integrity Commissioner because of the cost of retention however, note that should a formal complaint be filed, the Summer Village must supply some mechanism for the complaint to be dealt with.</p>

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	<p>Pages 47-60</p> <p>Bylaw 156-2023 Bylaw to Establish a Planning & Subdivision Authority Pages 61-62</p> <p>Bylaw 157-2023 Bylaw to Establish the Position of Designated Officer (Assessment Review Board) Pages 63-64</p>	<p>c)</p> <p>d)</p> <p>e)</p>	<p><i>(give third and final reading to Bylaw 155-2023 as presented or amended)</i></p> <p>Emily House/Milestone Municipal Services – further to the above, attached is a draft agreement to engage the services of Emily House and Milestone Municipal Services to provide Subdivision and Development Appeal Board services to the Summer Village.</p> <p><i>(approve agreement and authorize execution (as is, or with amendments),</i></p> <p>Or</p> <p><i>(some other direction as given by Council at meeting time)</i></p> <p>Bylaw 156-2023, a Bylaw to Establish a Planning & Subdivision Authority is replacing Bylaw 119-13 and required as a result of Municipal Planning Services Ltd. (MPS) being appointed as the Planning & Subdivision Authority at the August 17th, 2023 Organizational meeting.</p> <p><i>(that Council give 1st reading to Bylaw 156-2023, Establishing the Planning & Subdivision authority as presented or amended)</i></p> <p><i>(give second reading to Bylaw 156-2023 as presented or amended)</i></p> <p><i>(give unanimous consent to consider third reading to Bylaw 156-2023 as presented or amended)</i></p> <p><i>(give third and final reading to Bylaw 156-2023 as presented or amended)</i></p> <p>Bylaw 157-2023, Bylaw to Establish the Position of Designated Officer, Assessment Review Board (ARB) – at the August 17th, 2023 Organizational Meeting, Capital Region Assessment Services Commission (CRASC) was appointed as Assessment Review Board with direction being given to enter into an Agreement and an applicable Bylaw be drafted to reflect same. Upon further investigation, CRASC confirmed that an agreement for services was signed December 28th, 2021 by previous administration with an expiry date of December 28th, 2024. The applicable Bylaw (148-22) is in place, however Section 456(1) of the <i>Municipal Government Act</i> requires Council to appoint a designated officer to act as the Clerk of the Assessment Review Board.</p> <p><i>(that Council give 1st reading to Bylaw 157-2023, establishing the position of designated officer (ARB) as presented or amended)</i></p>
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	<p><i>Policy C-COU-PAR-1 Public Participation Policy & Plan Pages 65-77</i></p>	<p>f)</p>	<p><i>(give second reading to Bylaw 157-2023 as presented)</i></p> <p><i>(give unanimous consent to consider third reading to Bylaw 157-2023 as presented or as amended)</i></p> <p><i>(give third and final reading to Bylaw 157-2023 as presented or amended)</i></p> <p>Upon review of Birch Cove policies, it was noted that we were only able to locate one policy, the Public Participation policy. We have reviewed and reworked this policy along with the accompanying Public Participation Plan.</p> <p><i>(approve Policy C-COU-PAR-1, Public Participation Policy and Public Participation Plan as is or with amendments)</i></p> <p>Or</p> <p><i>(some other direction as given by Council at meeting time)</i></p>
<p>8.</p>	<p><u>New Business:</u></p>	<p>a)</p>	<p>New Councillor Education Requirement – with multiple newly elected Councillors in the region, there is an opportunity for the Roles and Responsibilities course to be taught by Municipal Affairs in Onoway. Each community that participates is required to pass a resolution requesting Alberta Municipal Affairs to attend the region and deliver the course. There would be a cost associated as each community would share the costs of the venue, lunch and refreshments for participants. There are at least five communities in the region with new Council members, although this training is not limited to new members of Council, if desired all Council could attend.</p> <p><i>(that the Summer Village of Birch Cove request Alberta Municipal Affairs attend in the region to deliver the Council Roles and Responsibilities training AND THAT the Summer Village of Birch Cove participate with regional counterparts to share the cost of this training)</i></p> <p>Or</p> <p><i>(some other direction as given by Council at meeting time)</i></p>
		<p>b)</p>	<p>Regional Municipalities Meeting – Alberta Beach October 17th, 2023, this meeting was held in Alberta Beach on the above noted date.</p>

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			<p><i>(that Council ratify the attendance of Council members at the October 17th, 2023 Regional Municipalities Meeting in Alberta Beach)</i></p> <p>Or</p> <p><i>(that Council accept the Regional Municipalities Meeting held in Alberta Beach on October 17th, 2023 for information)</i></p>
		c)	
		d)	
9.	<u>Financial</u> <i>Forwarded under separate cover</i>	a)	<p>Income and Expense Statement – as of September 30th, 2023</p> <p><i>(that the Income and Expense Statement as of September 30th, 2023 be accepted for information)</i></p>
		b)	<p>2024 Interim Operating Budget, each year Council must pass an Interim Operating Budget prior to the end of the previous year, until such time as the final operating and capital budget is passed. As we do not have another Council meeting until January, this is required.</p> <p><i>(that an Interim 2024 Operating Budget be passed at ½ the 2023 Approved Operating and Capital Budget, and that this Interim 2024 Operating Budget cease to have any force and effect once the 2024 Operating and Capital Budget is approved)</i></p>
10.	<u>Correspondence</u> <i>Pages 78-79</i>	a)	<p>Alberta Municipalities – September 18th, 2023 email from President, Cathy Heron regarding Energy Associates International (EAI's) recent misinformation campaign.</p>
	<i>Pages 80-95</i>	b)	<p>Yellowhead Regional Library – 2024 Draft Budget Overview, 2024 Draft Budget with Projections for 2025 and 2026, Board of Trustees Overview (Appointments & Meetings), YRL Board Appointments Form</p>
	<i>Page 96-99</i>	c)	<p>Lac Ste. Anne Foundation – Board Meeting Minutes – June 28th, 2023</p>
	<i>Page 100</i>	d)	<p>East End Bus schedule for October, November and December</p>
	<i>Pages 101-103</i>	e)	<p>Yellowhead Regional Library – 2023 Stronger Together Library Conference</p>

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	Page 104	f)	Brownlee Law – Emerging Trends in Municipal Law 2024 – February 15 th , 2024 seminar
	Page 105	g)	October 11 th , 2023 – Summer Village of Sunset Point – notice of intent to withdraw from the Regional Emergency Management Agency and request for amendment to Agreement Clause 25
	Pages 106-112	h)	Municipal Census Regulation and Municipal Census Manual – notification to revert from population estimates for the purpose of allocating provincial grants to municipalities back to municipal census counts. <i>(that Correspondence Items a) through h) be accepted for information)</i>
11.	<u>Council Reports</u>	a) b) c)	Mayor Deputy Mayor Councillor <i>(that the Council Reports be accepted for information)</i>
12.	<u>Chief Administrative Officer Report</u>	a) b)	To Do List – August 17 th , 2023 Organizational Meeting and Council meeting; forwarded under separate cover Drainage issues update <i>(that the Chief Administrative Officer Reports be accepted as information)</i>
13.	<u>Confidential Matters</u>		N/A
14.	<u>Adjournment</u>		

Next Meetings: October 28th, 2023, SVLACE mtg.
 January 18th, 2024

**SUMMER VILLAGE OF BIRCH COVE
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**Thursday, October 19th, 2023 – 4:00 p.m.
Wildwillow Administration Office and via zoom
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March 20th, 2024
May 16th, 2024

SUMMER VILLAGE OF BIRCH COVE
 MINUTES OF THE ORGANIZATIONAL MEETING
 THURSDAY, AUGUST 17TH, 2023 AT 3:00 P.M. in person AND via zoom
 Location: 2317 Twp Rd 545, Lac Ste. Anne County

	PRESENT	<p>Councillors: Steven Tymafichuk Dory Sample Dean Preston</p> <p>Administration: Diane Wannamaker, Administrative Assistant Dwight Moskalyk, Administration</p> <p>Absent: Wendy Wildman, Chief Administrative Officer</p> <p>Public attendance (in person): 3</p> <p>Public via teleconference: 0</p>
1.	CALL TO ORDER	Diane Wannamaker called the meeting to order 3:00 p.m.
2.	OATH OF OFFICE	Dwight Moskalyk administered the Oath of Office of Council to Councillor Dean Preston.
3.	AGENDA 83-23	<p>MOVED by Councillor Sample that the Agenda be approved as presented.</p> <p style="text-align: right;">CARRIED</p>
4.	MAYOR NOMINATION & APPOINTMENT 84-23	<p>Diane Wannamaker called for nominations for Mayor.</p> <p>Councillor Sample nominated Councillor Tymafichuk</p> <p>Diane Wannamaker called for nominations for Mayor a second time.</p> <p>Diane Wannamaker called for nominations for Mayor a third time.</p> <p>MOVED by Councillor Tymafichuk moved that nominations for Mayor cease.</p> <p style="text-align: right;">CARRIED</p> <p>Councillor Tymafichuk was declared Mayor and was administered the Oath of Office for Mayor.</p> <p>Mayor Tymafichuk assumed the Chair.</p>
5.	DEPUTY MAYOR	



SUMMER VILLAGE OF BIRCH COVE
 MINUTES OF THE ORGANIZATIONAL MEETING
 THURSDAY, AUGUST 17TH, 2023 AT 3:00 P.M. in person AND via zoom
 Location: 2317 Twp Rd 545, Lac Ste. Anne County

	<p>NOMINATION & APPOINTMENT</p> <p>85-23</p> <p>Dwight Moskalyk</p> <p>Mr. and Mrs. Haukedal</p>	<p>Mayor Tymafichuk called for nominations for Deputy Mayor.</p> <p>Mayor Tymafichuk nominated Councillor Sample</p> <p>Mayor Tymafichuk called for nominations for Deputy Mayor a second time.</p> <p>Mayor Tymafichuk called for nominations for Deputy Mayor third time.</p> <p>MOVED by Mayor Tymafichuk moved that nominations for Deputy Mayor cease.</p> <p style="text-align: right;">CARRIED</p> <p>Councillor Sample was declared Deputy Mayor and was administered the Oath of Office for Deputy Mayor.</p> <p>Dwight Moskalyk left the meeting at 3:10 p.m.</p> <p>Jerry and Karen Haukedal arrived for the meeting at 3:12 p.m.</p>
<p>6.</p>	<p>CONFIRMATION OF COUNCIL MEETING DATES & TIME</p> <p>86-23</p>	<p>MOVED by Mayor Tymafichuk that regular Council meetings be scheduled for the 3rd Thursday of every second month beginning the month of October at 4:00 p.m. at the Administration office at 2317 Township Road 545, Lac Ste. Anne County with the next meeting after scheduled for January, 2024.</p> <p style="text-align: right;">CARRIED</p>
<p>7.</p>	<p>CONFIRMATION OF BANKING SIGNING AUTHORITY</p> <p>87-23</p>	<p>MOVED by Mayor Tymafichuk that the signing authority be confirmed as follows:</p> <ul style="list-style-type: none"> • Two signatures are required • One signature to be any member of Council (Steven Tymafichuk, Dory Sample, Dean Preston) • One signature to be any member of Administration, (Chief Administrative Officer, Wendy Wildman or Administrative Assistant, Diane Wannamaker) <p style="text-align: right;">CARRIED</p>

SUMMER VILLAGE OF BIRCH COVE
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8.	CONFIRMATION OF BANKING AUTHORITY 88-23	MOVED by Mayor Tymafichuk that the banking authority for the Summer Village of Birch Cove be confirmed as the Royal Bank of Canada. <p style="text-align: right;">CARRIED</p>
9.	CONFIRMATION OF CAO APPOINTMENT 89-23	MOVED by Councillor Preston that the Chief Administrative Officer appointment be confirmed as Wendy Wildman of Wildwillow Enterprises Inc. <p style="text-align: right;">CARRIED</p>
10.	CONFIRMATION OF AUDITOR APPOINTMENT 90-23	MOVED by Mayor Tymafichuk that the Auditor appointment be confirmed as Senuik and Company. <p style="text-align: right;">CARRIED</p>
11.	CONFIRMATION OF SOLICITOR APPOINTMENT 91-23	MOVED by Mayor Tymafichuk that the Solicitor appointment be confirmed as Patriot Law Group. <p style="text-align: right;">CARRIED</p>
12.	CONFIRMATION OF SUBDIVISION & DEVELOPMENT APPEAL BOARD 92-23	MOVED by Mayor Tymafichuk that Milestone Municipal Services (Emily House) be confirmed as the Subdivision and Development Board and further that an Agreement be entered into and a Bylaw be drafted to reflect same. <p style="text-align: right;">CARRIED</p>

SUMMER VILLAGE OF BIRCH COVE
 MINUTES OF THE ORGANIZATIONAL MEETING
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13.	CONFIRMATION OF ASSESSMENT REVIEW BOARD 93-23	<p>MOVED by Mayor Tymafichuk that the Assessment Review Board be confirmed as Capital Region Assessment Services Commission and further that an Agreement be entered into and a Bylaw be drafted to reflect same.</p> <p style="text-align: right;">CARRIED</p>
14.	CONFIRMATION OF FOIPP COORDINATOR 94-23	<p>MOVED by Mayor Tymafichuk that the Freedom of Information and Protection of Privacy Coordinator be confirmed as the Chief Administrative Officer Wendy Wildman.</p> <p style="text-align: right;">CARRIED</p>
15.	CONFIRMATION OF PLANNING & SUBDIVISION AUTHORITY 94-23	<p>MOVED by Mayor Tymafichuk that as per agreement, the Planning & Subdivision Authority be confirmed as Municipal Planning Services – Jane Dauphinee (Bylaw 146-18).</p> <p style="text-align: right;">CARRIED</p>
16.	CONFIRMATION OF INTEGRITY COMMISSIONER 95-23	<p>MOVED by Mayor Tymafichuk that the Integrity Commissioner appointment be tabled until the next Council meeting.</p> <p style="text-align: right;">CARRIED</p>
17.	DESIGNATED OFFICERS 96-23	<p>MOVED by Mayor Tymafichuk that the Designated Officers be confirmed as follows:</p> <p>Development Authority: Tony Sonnleitner, Development Officer – (Bylaw 141-19 requires a complete revision)</p> <p style="text-align: right;">CARRIED</p>

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18.	CONFIRMATION OF COMMITTEE APPOINTMENTS 97-23	<p>MOVED by Mayor Tymafichuk that the Committee Appointments be approved as follows:</p> <ul style="list-style-type: none"> a) Highway 43 East Waste Commission (Mayor Tymafichuk - Representative) b) Ste. Anne Emergency Management Agency – Regional Emergency Services (Mayor Tymafichuk – Representative and Director of Emergency Management Renee Jackson) c) Summer Villages of Lac Ste. Anne County East (Mayor Tymafichuk – Representative, if available) (with Deputy Mayor Sample and Councillor Preston as alternates) <p style="text-align: right;">CARRIED</p>
19.	MUNICIPAL OFFICE LOCATION 98-23	<p>MOVED by Mayor Tymafichuk that the Municipal Office location be confirmed as Wildwillow Administration Office, 2317 Twp Rd 545, Lac Ste. Anne County, Alberta.</p> <p style="text-align: right;">CARRIED</p>
20.	COUNCIL ACKNOWLEDGMENTS 99-23	<p>MOVED by Mayor Tymafichuk acknowledgement and receipt of the following documents:</p> <ul style="list-style-type: none"> a) Municipal Government Act – Section 208(1) b) Council and Council Committee Procedural Bylaw 152-22 c) Public Participation Policy and Public Participation Plan (in development) d) Council Code of Conduct Bylaw – Bylaw 136-18 <p style="text-align: right;">CARRIED</p>
21.	ADJOURNMENT	<p>The meeting adjourned at 3:28 p.m.</p>

SUMMER VILLAGE OF BIRCH COVE
MINUTES OF THE ORGANIZATIONAL MEETING
THURSDAY, AUGUST 17TH, 2023 AT 3:00 P.M. in person AND via zoom
Location: 2317 Twp Rd 545, Lac Ste. Anne County

Mayor, Steven Tymafichuk

Chief Administrative Officer, Wendy Wildman

APPROVED

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SUMMER VILLAGE OF BIRCH COVE
REGULAR COUNCIL MEETING MINUTES
THURSDAY, AUGUST 17TH, 2023
HELD IN PERSON AT 2317 TWP RD 545. LAC STE. ANNE COUNTY, ALBERTA

	PRESENT:	<p>Mayor: Steven Tymafichuk Deputy Mayor: Dory Sample Councillor: Dean Preston</p> <p>Administration: Diane Wannamaker, Administrative Assistant Absent: Wendy Wildman, Chief Administrative Officer</p> <p>Attendees: 0 via zoom, 3 in person</p> <p>Public at Large: 0</p>
1.	CALL TO ORDER	Mayor Tymafichuk called the meeting to order at 3:29 p.m.
2.	AGENDA 100-23	<p>MOVED by Mayor Tymafichuk that the August 17th, 2023 Regular Council Meeting agenda be approved as presented.</p> <p style="text-align: right;">CARRIED</p>
3.	MINUTES 101-23 102-23	<p>MOVED by Deputy Mayor Sample that the minutes of the June 15th, 2023 Regular Council Meeting be approved as presented.</p> <p style="text-align: right;">CARRIED</p> <p>MOVED by Deputy Mayor Sample that the minutes of the June 21st, 2023 Special Council Meeting be approved as presented.</p> <p style="text-align: right;">CARRIED</p>
4.	PUBLIC HEARING(S)	N/A
5.	DELEGATIONS(S) Sandra Lamburtus 103-23	<p>Sandra Lamburtus arrived for the meeting at 3:30 p.m. to discuss the three (3) Water Act Applications for sludge removal, cutting of semi-submerged dead willows and the decommission of the old boat launch/jetty remediation and what conditions and next steps are required.</p> <p>MOVED by Mayor Tymafichuk that the discussion with Sandra Lamburtus with regard to the three (3) Water Act Applications for sludge removal, cutting of semi-submerged dead willows and the decommission of the old boat launch/jetty remediation, specific conditions and next steps be accepted for information.</p> <p style="text-align: right;">CARRIED</p>

SUMMER VILLAGE OF BIRCH COVE
REGULAR COUNCIL MEETING MINUTES
THURSDAY, AUGUST 17TH, 2023
HELD IN PERSON AT 2317 TWP RD 545. LAC STE. ANNE COUNTY, ALBERTA

	104-23	<p>Ms. Lamburtus left the meeting at 3:51 p.m.</p> <p>Jerry and Karen Haukedal discussed their drainage issues in the Summer Village at 3:52 p.m.</p> <p>Mr. and Mrs. Haukedal left the meeting at 4:08 p.m.</p> <p>MOVED by Mayor Tymafichuk that the discussion with Jerry Haukedal on the drainage issues in the Summer Village be accepted for information.</p> <p style="text-align: right;">CARRIED</p>
6.	BUSINESS ARISING 105-23	<p>MOVED by Mayor Tymafichuk that the initial Bylaw and Policy Report, along with the discussion at meeting time regarding same, be accepted for information and further that council and administration focus on updating the Land Use Bylaw, specifically on short term rentals.</p> <p style="text-align: right;">CARRIED</p>
7.	BYLAWS/POLICIES	N/A
8.	NEW BUSINESS 106-23 107-23 108-23	<p>MOVED by Mayor Tymafichuk that the Summer Village of Birch Cove accept the undated letter received from Alberta Municipal Affairs second cycle schedule of the Municipal Accountability Program reviews between 2024-2027 for information.</p> <p style="text-align: right;">CARRIED</p> <p>MOVED by Councillor Preston that the Summer Village of Birch Cove accept the Yellowhead Regional Library 2022 Annual Report for information.</p> <p style="text-align: right;">CARRIED</p> <p>MOVED by Mayor Tymafichuk that the Summer Village of Birch Cove accept the Association of Summer Villages of Alberta 65th Anniversary donation request for the silent auction being held during the 2023 Conference for information.</p> <p style="text-align: right;">CARRIED</p>

SUMMER VILLAGE OF BIRCH COVE
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9.	FINANCIALS 109-23	MOVED by Mayor Tymafichuk that the Income and Expense Statement as of July 31 st , 2023 be accepted for information. CARRIED
10.	CORRESPONDENCE 110-23	MOVED by Mayor Tymafichuk that the following correspondence be accepted for information: <ul style="list-style-type: none"> ➤ Alberta Municipal Affairs, July 7th, 2023 letter from Ric McIver confirming MSI Capital and Operating Allocations as well as CCBF allocation for 2023 ➤ Lac Ste. Anne Foundation Board Meeting Minutes – April 26th, 2023, attached are the minutes for the above noted meeting ➤ Alberta Beach, July 20th, 2023 letter regarding a Council resignation and appointment of Mayor and Deputy Mayor ➤ Transportation and Economic Corridors – August 10th, 2023 email regarding meetings at the ABmunis Convention CARRIED
11.	COUNCILLOR REPORTS 111-23	MOVED by Deputy Mayor Sample that the Councillor reports be accepted for information as presented. CARRIED
12.	ADMINISTRATION REPORTS 112-23	MOVED by Councillor Preston that the Administration report be accepted for information as presented. CARRIED
13.	CONFIDENTIAL MATTERS	N/A
15.	ADJOURNMENT	The meeting adjourned at 4:54 p.m.

SUMMER VILLAGE OF BIRCH COVE
REGULAR COUNCIL MEETING MINUTES
THURSDAY, AUGUST 17TH, 2023
HELD IN PERSON AT 2317 TWP RD 545. LAC STE. ANNE COUNTY, ALBERTA

Mayor, Steven Tymafichuk

Chief Administrative Officer, Wendy Wildman

UNAPPROVED

Summer Village of Birch Cove Bylaw and Policy List

	A	B	C	D
1	The below list was compiled from the computer files as of October, 2023			
2	We have begun to review the current bylaws and compared to the signed bylaws.			
3	These bylaws have not been compared to what is on the website.			
4	<u>Bylaw Number</u>	<u>Bylaw Description</u>	<u>Date Passed</u>	<u>Date Rescinded</u>
5	153-23	2023 Tax Rate Bylaw	Apr. 27/23	
6	152-22	Procedural Bylaw	Oct. 15/22	
7	151-22	Noise & Public Disturbance (4 versions)	Oct. 15/22	
8	150-22	2022 Tax Rate Bylaw	REMOVE	
9	149-22	Land Use Bylaw Amendment (2 versions)	Seacan amendments, never approved	
10	148-22	Assessment Review Board and ARB Clerk	Feb. 19/22	
11	147-21	2021 Tax Rate Bylaw	REMOVE	
12	146-20	Lot Consolidation McLay	Dec. 19/20	
13	145-20	Bylaw Enforcement Officer	Dec. 19/20	
14	144-20	Lot Consolidation McLay		
15	143-20	2020 Tax Rate Bylaw	REMOVE	
16	142-20	Emergency Management Bylaw	Mar. 21/20	
17	141-19	Designated Officers Bylaw	REPLACED WITH 155-2023 OCT. 19/23	
18	140-19	Assessment Review Board Bylaw	REPLACED WITH 148-22 FEB. 19/22	
19	139-19	2019 Tax Rate Bylaw	REMOVE	
20	138-19	Intermunicipal Sub. & Dev. Appeal Board	REPLACED BY 154-2023 OCT. 19/23	
21	137-18	Public Places Bylaw (Cannabis)	Sept. 15/18	
22	136-18	Code of Conduct	June 23/18	
23	135-18	2018 Tax Rate Bylaw	REMOVE	
24	134-17	Emergency Management Bylaw	July 8/17	
25	133-17	2017 Tax Rate Bylaw	REMOVE	
26	132-17	Emergency Management Bylaw	REPLACED WITH 134-17	
27	131-17	Inter Municipal Addendum	March 18/17	
28	130-16	2016 Tax Rate Bylaw	REMOVE	
29	129-15	2015 Tax Rate Bylaw	REMOVE	
30	128-14	2014 Tax Rate Bylaw	REMOVE	
31	127-13	Off Highway Vehicle Bylaw	Mar. 18/17	
32	126-13	Speed Limit Bylaw	Sept. 13/13	
33	125-13	Animal Control Bylaw	Sept. 13/13	
34	124-13	Local Assessment Review Board	REPLACED BY 148-22	
35	123-13	Fire Pit Bylaw	Sept. 13/13	
36	122-13	Sewage Collection Bylaw	Sept. 13/13	
37	121-13	Unightly Untidy Bylaw	Sept. 13/13	
38	120-13	Repeal Bylaw	Sept. 13/13	
39	119-13	Planning & Subdivision Authority	REPLACED BY 154-2023 OCT. 19/23	
40	118-13	Planning & Subdivision Authority	REPLACED BY 154-2023 OCT. 19/23	
41	117-13	Procedural Bylaw	REPLACED BY 152-22 OCT. 15/22	
42	116-13	Planning & Subdivision Authority	REPLACED BY 154-2023 OCT. 19/23	
43	115-13	Fire Extinguishing Costs	Sept. 13/13	
44	114-13 & 114-16	Schedule A Fees (2 versions, incorrect #)	Sept. 13/13	
45	114-13	Fees and Charges Bylaw	Sept. 13/13	
46	113-13	Records Retention & Disposition	Sept. 13/13	
47	112-13	Development Officer Appointment	Sept. 13/13	
48	111-13	FOIP Act	Sept. 13/13	
49				

(11)

Summer Village of Birch Cove Bylaw and Policy List

	A	B	C	D
50				
51	103-11	Municipal Development Plan	May 24/11	NOT SIGNED
52	103A-11	Municipal Development Plan	Oct. 22/22	NOT SIGNED
53				
54				
55		LAND USE BYLAW - 1ST READING	JAN. 10/10	
56		2ND READING	FEB. 20/10	
57		3RD AND FINAL READING	MAR. 20/10	
58				
59				

Summer Village of Birch Cove

Request For Decision (RFD)

Meeting:	Regular Council Meeting
Meeting Date:	October 19, 2023
Originated By:	Tony Sonnleitner, Development Officer
Title:	Use of Short-term Residential Rentals.

BACKGROUND:

At the regular meeting Council of March 2023, after receiving a written report from the Development Officer recommending no action be taken towards the regulation of short-term residential rentals, Council resolved that the matter is to be referred to staff for further research. More recently, upon reflection, Council has decided that the use of Short-term Rentals should be provided for under the Land Use Bylaw, however; the use should be restricted with a condition that the owners, as shown on the title of record at the Alberta Land Titles Office, must be upon the subject lands during periods of Short-term rental.

From a policy perspective, staff continues to recommend maintaining the status quo, meaning no new policies or by-laws are recommended to deal with the issues arising from short term residential rentals. A comprehensive review and proposed amendments to existing nuisance legislation is recommended. Staff will be implementing communication and outreach strategies to engage with property owners and renters to foster a climate of respect for residents, properties, and the environment. Staff will also be increasing proactive enforcement of by-law violations at short term rentals as they are discovered by municipal law enforcement officers.

Rationale:

As discussed in the previous report, staff maintains that sufficient legislation already exists to effectively address the issues arising from short term residential rentals. This report will outline how staff believes existing legislation and processes can be amended to effectively address the issues arising from short term residential rentals.

Improving Processes

As noted in the previous reports, numerous pieces of legislation already exist to deal with many of the reported negative impacts resulting from short term residential rentals. The Summer Village has already enacted by-laws to address matters pertaining to parking, noise, property standards, burning, animals, and domestic waste disposal. Provincial law and statutes exist to address alcohol/controlled substance consumption, unsafe operation of motor vehicles or watercraft, and septic issues.

Often by-law violations can be remedied by education which results in increased knowledge of the expectations laid out in the by-laws and no further enforcement action is necessary. Issues such as parking have instant enforcement action by way of issuing a parking ticket to the owner of the vehicle. Other issues can require additional enforcement action by way of issuing orders

Initials Development Officer:	CAO Comments
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or fines. Proceeding with legal action under the Provincial Statute can escalate to court which may result in higher fines and court ordered prohibition orders to discontinue the activity causing the by-law violation.

Education:

Staff are also in the process of developing an education strategy which will involve a handout to those who rent on a short-term basis (Copy of such a document produced by the City of Edmonton is attached). As the strategy develops the education scope will expand as needed and as resources allow. Municipal Law Enforcement staff continue to be available to the public, Council and other Summer Village staff as a general information resource.

By-law Amendments:

Attached hereto are proposed amendments to the Land Use Bylaw which would effect Council's direction on the matter.

Staff has reviewed a number of by-laws and are suggesting that by-laws be amended to reflect that the onus is additionally placed onto the property owner to ensure that they are taking responsibility for the activities that are occurring on the properties that they own.

Areas of particular concern are: Parking, Noise, Refuse / Waste, Animal Control, Open Air Fires / Burning, and Fireworks.

Additional Comments:

1. Typical efforts to regulate the Use is directed at individuals, not the Use. Efforts to separate individuals who reside at a property by "family" size or composition are destined to fail. It should not matter whether:
 - An individual lives in a house by themselves,
 - The household includes 12 Children, nor
 - The dwelling is occupied by two or more households.
2. In similar view to (1) above, regulation of a Use based on whether the dwelling is occupied by the homeowner, a long-term tenant, or short-term tenant is not fair, equitable or practical.
3. The oft cited claim that those who enter into short-term rental agreement should be discriminated against is indefensible.

RECOMMENDED ACTION:

Maintain the status quo in terms of regulation of the Use of Short-Term Residential Rentals; rather address the potential externalities through a process of education, both owner and tenants, and with some careful amendment to existing bylaws.

Where the Summer Village of Birch Cove Land Use Bylaw is to be amended to provide for a restricted Use of Short-Term Rentals, the following amendments should be made:

Initials Development Officer:	CAO Comments
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PART 1 Section 10 Definitions

Add:

"SHORT-TERM RESIDENTIAL RENTAL" – (the "Short-term Rental") means a dwelling or dwelling unit operated as a temporary place to stay, with compensation, and includes all vacation rentals of a dwelling unit. The characteristics distinguish a short-term residential rental from a dwelling unit used as a residence may include any of the following:

- a. The intent of the occupant to stay for short-term (30 days or less) vacation purposes rather than use the property as a residence;
 - b. The commercial nature of a short-term residential rental;
 - c. The management or advertising of the dwelling unit as a short-term residential rental or "vacation rental," on any website such as Airbnb or VRBO; and/or
 - d. The use of a system of reservations, deposits, confirmations, credit cards, or other forms of electronic payments, etc.
- A recreational vehicle not be used as a short-term residential rental.

PART 7 Section 60A General Regulations

Add:

Section 60A **Short-term Rentals**

1. The development of a Short-term Rental in the Summer Village of Birch Cove shall shall require a Development Permit.
2. No development permit for a Short-term Rental may be issued for a lot where a landowner for the property, as registered at a Land Titles Office for the Province of Alberta, is not upon the Lot during the period of time of tenancy of the Short-term Rental.
3. No development permit for a Short-term Rental may be issued for a lot that does not confirm with all other provisions of this land use bylaw.
4. An application for a development permit for a Short-term Rental shall include (in addition to the requirements of Section 17):
 - a) the applicable fee as established in the Summer Village's Fees and Charges Bylaw;
 - b) signatures of all property owners listed on the title;
 - c) identification of what portion of the dwelling or suites are to be utilized as a Short-term Rental, and total number of bedrooms;
 - d) a home safety and evacuation floor plan of the premises;
 - e) a parking plan that identifies the total area of the lot to be used for parking;
 - f) information on where (or on what website) the Short-term Rental will be listed for rental.
5. A maximum of one building may be developed on a lot. A Short-term Rental may be developed within:

Initials Development Officer:	CAO Comments
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- a) an entire principal dwelling for which a development permit has previously been issued;
 - b) a portion of a principal dwelling for which a development permit has previously been issued;
 - c) an entire principal dwelling for which a development permit has previously been issued;
 - d) a portion of a principal dwelling for which a development permit has previously been issued;
 - e) a guest house suite for which a development permit has been previously issued.
6. A maximum of one rental booking may be scheduled at a time within an approved Short-term Rental.
 7. A Short-term Rental with an approved development permit shall visibly display in the main entrance of the Short-term Rental:
 - a) a copy of the development permit outlining the maximum occupancy of the Short-term Rental and the primary contact telephone number and email of the owners; and
 - b) a home safety and evacuation floor plan of the premises.
 8. A Short-term Rental shall not be developed within:
 - a) a recreational vehicle;
 - b) a tent or tented structure; or
 - c) an accessory building without cooking or bathroom facilities.
 9. The maximum occupancy of a Short-term Rental shall be:
 - a) the total number of bedrooms times two (2), to a maximum of eight (8);
 - b) Children under the age of twelve (12) do not calculate into the maximum occupancy of a Short-term Rental.
 10. A minimum of one (1) parking space per bedroom in the Short-term Rental, plus one (1) extra shall be provided for on a lot. The parking space shall be included in the calculation of lot coverage. No offsite parking (i.e. parking within the adjacent road right of way, on municipal land, or on adjacent private land) shall be allowed.
 11. The owner(s) may be required to facilitate periodic inspections within a 72-hour notice of the Short-term Rental as requested by the Development Authority to ensure compliance with the regulations of this land use bylaw.
 12. The owner(s) shall be required to cooperate with the Development Authority, emergency services providers, and Alberta Health Services during an investigation of any complaint associated with the Short-term Rental.
 13. No signs advertising the rental of the Short-term Rental shall be permitted on-site.
 14. The owner(s) must ensure that the Short-term Rental complies with the Summer Village's Fire Bylaw.

Initials Development Officer:	CAO Comments
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15. The owner(s) must provide each guest with a copy of the Short-term Residential Rental Accommodation – Information for Guests Guidebook as produced by the Summer Village.

PART 8 Section 61 Land Use Districts

Add:

Section 63(2) **R – Residential District**

Discretionary Uses

- Short-term Rental

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Initials Development Officer:	CAO Comments
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SHORT-TERM RESIDENTIAL RENTAL ACCOMMODATION

Information for Guests



Welcome to the Summer Village of Birch Cove!

✘his guide contains information on the Summer Village of Birch Cove's bylaws that are relevant to guests staying in short-term residential rental accommodations. Hosts are required to provide this guide to their guests when guests check in.

There are a number of rules you must follow if you are staying in a short-term residential rental accommodation. If you do not follow these rules, you or your host may receive a fine.

Garbage Collection and Disposal

- In this neighbourhood, recycling, food scraps and garbage are collected on _____.
 - + Recycling is collected every week.
 - + Garbage is collected every two weeks.
 - + Food scraps are collected weekly from March to November, and every two weeks (on the opposite week of garbage collection) from November to March.
 - + Please visit birchcove.ca/waste for more information on your waste collection schedule.
- Set out carts and blue bags by 7am on the collection day, otherwise they may not be collected. Do not set out waste carts and bags on non-collection days.
- Ensure carts are spaced at least 1m away from other carts, bags or other objects to allow for them to be collected.

In general:

- + Place recyclable items like clean paper, cardboard, tin cans, and glass or plastic jars and bottles in a blue bag.
recyclables have been sorted out) in the black garbage cart.
- + Place residual garbage (after food scraps and
- + Household hazardous waste and bulky items should be taken to an Eco Station or to the Edmonton Waste Management Centre for proper disposal.

Noise

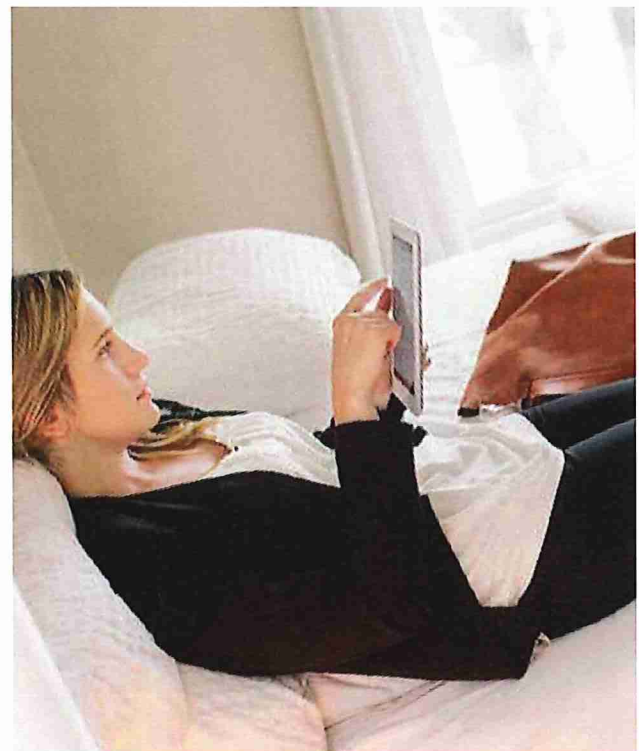
- You must not make noise that disturbs your neighbours, especially between the hours of 10pm and 7am.
- Excessive noise is considered anything above a normal conversation level of sound. Examples include shouting or playing loud music.
- Neighbours may report excessive noise to the Bylaw Officer.

Parking

- Do not park your vehicle in one location on a public road for more than 72 hours at a time.
 - Illegally parked vehicles may be ticketed and towed.
- Visit birchcove.ca/parking for more information on common parking infractions.

Tips for Being a Good Short-Term Rental Guest

- Be mindful of your neighbours:
 - + Avoid making noise that will disturb others, for example, shouting or playing loud music.
 - + Avoid smoking tobacco or cannabis near your neighbours' doors and open windows
 - + Be mindful of other habits or activities that may disturb others.
- Respect public spaces like sidewalks, parks, and trails. Follow posted rules, do not litter, and keep your pets under control.
- Your host may have additional rules. Ask your host about these rules and always follow them.



Visit birchcove.ca/ShortTermHomeRentals for more information.

17. Informal Complaint Process

- 17.1 Any Member who has identified or witnessed conduct by a Member that the Member reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:
- (a) advising the Member that the conduct violates this Bylaw and encouraging the Member to stop,
 - (b) requesting the Mayor to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, the person may request the assistance of the Deputy Mayor.
- 17.2 Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

18. Formal Complaint Process

- 18.1 Any Member who has identified or witnessed conduct by a Member that the Member reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:
- (c) All complaints shall be made in writing and shall be dated and signed by an identifiable individual;
 - (d) All complaints shall be addressed to the Investigator;
 - (e) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation;
 - (f) If the facts, as reported, include the name of one or more Members who are alleged to be responsible for the breach of this Bylaw, the Member or Members concerned shall receive a copy of the complaint submitted to the Investigator;
 - (g) Upon receipt of a complaint under this Bylaw, the Investigator shall review the complaint and decide whether to proceed to investigate the complaint or not. If the Investigator is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Investigator may choose not to investigate or, if already commenced, may terminate any investigation, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Investigator's decision;

- (h) If the Investigator decides to investigate the complaint, the Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;
- (i) If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide the Council and the Member who is the subject of the complaint, the results of the Investigator's investigation;
- (j) A Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed;
- (k) A Member who is the subject of an investigation is entitled to be represented by legal counsel, at the Member's sole expense.

19. Compliance and Enforcement

- 19.1 Members shall uphold the letter and the spirit and intent of this Bylaw. Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 19.2 Members are expected to cooperate in every way possible in securing compliance with the application and enforcement of this Bylaw
- 19.3 No Member shall:
 - a) undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person;
 - b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.
- 19.4 Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:
 - (a) a letter of reprimand addressed to the Member;
 - (b) requesting the Member to issue a letter of apology;
 - (c) publication of a letter of reprimand or request for apology and the Member's response;
 - (d) suspension or removal of the appointment of a Member as the chief elected official under section 150(2) of the Act;
 - (e) suspension or removal of the appointment of a Member as the deputy chief elected official or acting chief elected official under section 152 of the Act;

OLD BYLAW

BYLAW NO. 138-19

BEING A BYLAW OF THE SUMMER VILLAGE OF BIRCH COVE IN THE PROVINCE OF ALBERTA, TO ESTABLISH AN INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

WHEREAS Section 627 of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, authorizes a municipality to enter into an agreement with one or more municipalities to establish an intermunicipal subdivision and development appeal board;

AND WHEREAS the agreement must provide for the function, duties, procedures and conduct of the intermunicipal subdivision and development appeal board and its members;

AND WHEREAS the Council of Lac Ste. Anne County deems it necessary to establish an intermunicipal subdivision and development appeal board to hear subdivision and development appeals within the municipal boundaries of Lac Ste. Anne County and other participating municipalities.

NOW THEREFORE the Council of the Summer Village of Birch Cove duly assembled hereby enacts as follows:

1. TITLE

- 1.1. This Bylaw may be cited as the "Intermunicipal Subdivision and Development Appeal Board Bylaw".

2. ESTABLISHMENT

- 2.1. Lac Ste. Anne County is hereby authorized to enter into an agreement, in a form similar to the form attached in Schedule "A" to this Bylaw, to establish an Intermunicipal Subdivision and Development Appeal Board and provide for the following:
 - a. The hearing of subdivision and development appeals within the boundaries of the participating municipalities;
 - b. The function and duties of the Intermunicipal Subdivision and Development Appeal Board, and;
 - c. The procedure and conduct of the Intermunicipal Subdivision and Development Appeal Board and its members.

3. GENERAL PROVISIONS

- 3.1. Bylaw No. 118-13 and all amendments thereto are hereby repealed.
- 3.2. Should any provision of this Bylaw become invalid, void, illegal or otherwise unenforceable, it shall be considered separate and severable from the Bylaw and the

remainder shall remain in force and be binding as though such provision had not been invalid.

3.3. This Bylaw shall come into force and effect upon the date it is passed.

READ a first time this _____ day of _____, 2019.

Mayor Eugene Dugan

CAO Dennis Evans

READ a second time this _____ day of _____, 2019.

Mayor Eugene Dugan

CAO Dennis Evans

READ a third time and finally passed this _____ day of _____, 2019.

Mayor Eugene Dugan

CAO Dennis Evans

Schedule A

AN AGREEMENT DATED THIS 6th DAY OF February, 2019.
BETWEEN

LAC STE. ANNE COUNTY

(the "County")

- and -

Summer Village of Val Quentin

("_Participating Municipality ")

and

Summer Village of Ross Haven

("_Participating Municipality ")

and

Summer Village of Sandy Beach

("_Participating Municipality ")

and

Summer Village of Yellowstone

("_Participating Municipality ")

and

Summer Village of Birch Cove

("_Participating Municipality ")

And

Summer Village of Sunset Point

("_Participating Municipality ")

(hereinafter collectively referred to as the " Municipalities")

INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGREEMENT

WHEREAS Section 627 of the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended, authorizes municipalities to enter into an agreement to establish an Intermunicipal Subdivision and Development Appeal Board;

AND WHEREAS the Councils for the Municipalities have determined that it is appropriate to establish an Intermunicipal Subdivision and Development Appeal Board;

NOW THEREFORE in consideration of the premises and mutual terms, conditions and covenants to be observed and performed by each of the parties hereto, the Municipalities agree as follows:

1. DEFINITIONS

- a. **"Act"** means the *Municipal Government Act*, RSA 2000, c. M-26 as amended from time to time.
- b. **"Council"** means the individual Councils of the Participating Municipalities.
- c. **"Clerk"** means the person appointed to act as Clerk for the ISDAB.
- d. **"Intermunicipal Subdivision and Development Appeal Board" ("ISDAB")** means the appeal board established by this Agreement pursuant to s. 627 and 628 of the Act.
- e. **"Member"** means a member of the ISDAB.

All other terms used in this Agreement shall have the meaning assigned to them in the "Act".

2. ESTABLISHMENT

- a. The Intermunicipal Subdivision and Development Appeal Board is hereby established.
- b. The ISDAB has all the powers, duties and responsibilities of a Subdivision Development and Appeal Board under the Act.
- c. The ISDAB Procedures set out in Schedule "A" are incorporated into and shall form part of this Agreement.

3. PARTICIPATING MUNICIPALITIES

- a. The Intermunicipal Subdivision and Development Appeal Board shall be comprised of:
 - i. the Municipalities named as parties to this Agreement, and;
 - ii. any other municipality designated as a participating municipality by the County (upon request of the Council of the other municipality) from time to time

(collectively the "Participating Municipalities").
- b. The County shall give the existing Participating Municipalities written notice of the designation of any additional municipality as a Participating Municipality pursuant to subsection (a)(ii).
- c. Every Participating Municipality shall be subject to and comply with the terms and conditions of this Agreement regardless of whether the Participating Municipality is a party to this Agreement or was designated as a Participating Municipality in accordance with subsection (a)(ii).

4. FUNCTION AND DUTIES

- a. The ISDAB shall hear all subdivision and development appeals (as set out in Part 17, Division 10 of the Act) for the Participating Municipalities, in accordance with the requirements of the Act and this Agreement.

5. MEMBERSHIP

- a. The ISDAB shall consist of a minimum of ten (10) Members appointed by resolution of the Council for the County.
- b. Council for the County shall make reasonable efforts to attract candidates and appoint Members who are residents in each of the Participating Municipalities.
- c. No person shall be appointed as a Member of the ISDAB who is an employee of a Participating Municipality, carries out subdivision and development powers, duties and functions on behalf of a Participating Municipality (subject to clause 5(d) below) or is a member of a municipal planning commission of a Participating Municipality.
- d. Notwithstanding clause 5(c) above, a person who carries out subdivision and development powers, duties and functions on behalf of a Participating Municipality may be appointed as a Member of the ISDAB, on the condition such Member shall not participate as a Member on a panel hearing an appeal from the Participating Municipality for which he or she carries out

subdivision and development powers, duties and functions or where the subdivision or development application being appealed was referred to the Participating Municipality for which he or she carries out subdivision and development powers, duties and functions.

- e. In the event of a vacancy on the ISDAB the Council for the County may appoint a person to fill the vacancy for the remainder of the term of the Member.
- f. Council for the County may, by resolution and in its sole discretion, remove a Member from the ISDAB at any time if:
 - iii. in the majority opinion of Council for the County or the majority opinion of the ISDAB, a Member is not performing their duties satisfactorily in accordance with this Agreement and the Act;
 - iv. a Member is absent for more than three (3) consecutive meetings of the ISDAB without reasonable excuse; or
 - v. Council for the County for any other reason considers it appropriate or necessary to remove the Member from the ISDAB.
- g. Council for the County may, by resolution, appoint additional Members to the ISDAB for a specific short period of time, as the Council for the County sees fit, in order to ensure that the ISDAB will have a quorum for an appeal hearing.
- h. Members shall participate in any training offered by the Participating Municipalities or the Province to assist them in carrying out their duties as Members of the ISDAB.

6. TERM OF OFFICE

- a. The term of office for Members shall be two (2) years.
- b. Members may be reappointed by Council for the County for additional terms subject to their written application for reappointment submitted in accordance with an advertised request for Members.
- c. Any Member may resign from his/her position on the ISDAB by sending written notice to Council for the County.

7. ISDAB CLERK

- a. The Clerk shall be appointed by resolution of the Councils of the Municipalities.

b. A subdivision or development authority of any one of the Participating Municipalities is not eligible as appointment as Clerk of the ISDAB.

c. The responsibilities of the Clerk for the ISDAB are as follows:

- i. receive and process all Notices of Appeal filed with the ISDAB;
- ii. schedule panels of the ISDAB to hear Notices of Appeal;
- iii. inform all statutory and affected parties of an appeal hearing in accordance with the Act;
- iv. make all necessary documentation available for inspection by the public prior to an appeal hearing;
- v. compile all necessary documentation for distribution to the Members;
- vi. attend all ISDAB appeal hearings;
- vii. provide services for the recording of the proceedings of the ISDAB and for retention of exhibits, including all written submissions to the ISDAB;
- viii. make and keep a record of the proceedings of the ISDAB, which may be in the form of minutes for the ISDAB appeal hearing and shall include the names and addresses of all parties making representations to the ISDAB;
- ix. assist in the preparation of decisions of the ISDAB;
- x. communicate decisions of the ISDAB to the affected parties in accordance with the Act;
- xi. ensure all statutory requirements of the ISDAB are met, and;
- xii. such other matters as the ISDAB may direct.
- xiii. attend required training.

8. MEMBER REMUNERATION

- a. Members shall be entitled to such remuneration, travelling and other expenses, as may be established by resolution of Council for the County from time to time.

9. ADMINISTRATION

- a. The fee for an appeal will be the fee established by resolution of Council for the County from time to time.
- b. Council for the County may, in its sole discretion, refund an appeal fee.
- c. ISDAB Appeal hearings will be held at the County Administration Building or other such location as determined by the County and advertised in accordance with the Act from time to time.
- d. The County will provide the administrative resources for ISDAB Appeal hearings.

10. ISDAB COSTS AND EXPENSES

- a. Each Participating Municipality shall pay to the County an administrative fee in the amount of five hundred (\$500.00) dollars per annum throughout the term of this Agreement (the "Annual Fee"), as contribution to the County's administrative and other costs and expenses with respect to the general operations of the ISDAB. The Annual Fee shall be payable by each of the Participating Municipalities within thirty (30) days of receipt of an invoice from the County with respect to same, regardless of whether or not an appeal has been filed in a Participating Municipality in any given year, and is in addition to and does not replace the costs and expenses referred to in paragraphs (b) and (c) below.
- b. All ISDAB costs and expenses, including the administrative costs of holding an appeal hearing and any legal or other fees the ISDAB may incur for training and legal advice, shall be paid by each of the Participating Municipalities to the County on a cost-recovery basis, with the appeal fee applied to offset the costs and expenses. The County will not offset the cost and expenses so as to pay any portion of the appeal fee to the respective Participating Municipality.
- c. The administrative costs and expenses referred in in paragraph (b), above, shall be payable based on Schedule "B" to this Agreement. Any additional ISDAB costs and expenses, including legal or other fees the ISDAB may incur for training and legal advice, shall be payable based on the County's actual expenditures with respect to same. The costs and expenses referred to herein and in paragraph (b), above, shall be payable by the Participating Municipalities within thirty (30) days of receipt of an invoice from the County with respect to same.
- d. For further clarity, ISDAB costs and expenses which relate to a particular appeal shall be payable by the Participating Municipality within which the appeal was filed. All other ISDAB costs and expenses, which do not relate to a particular appeal, shall be payable by all the Participating Municipalities on a pro rata basis, with each Participating Municipality paying an equal share of such costs.

11. TERMINATION

- a. A Participating Municipality may withdraw from the ISDAB at any time by providing thirty (90) days' written notice to each of the other Participating Municipalities and the County. In the event of the withdrawal of a Participating Municipality pursuant to this subsection, the ISDAB shall continue and this Agreement shall remain in full force and effect with respect to the remaining Participating Municipalities.
- b. The County may terminate this Agreement at any time by providing thirty (90) days' written notice to each of the other Participating Municipalities.

12. GENERAL

- a. Headings in this Agreement are for reference purposes only.
- b. Words in the masculine gender will include the feminine gender whenever the context so required and vice versa.
- c. Words in the singular shall include the plural or vice versa whenever the context so requires.

IN WITNESS WHEREOF, the Municipalities have executed this Agreement as evidenced by the duly authorized signatures below.

Lac Ste. Anne County

Summer Village of Ross Haven

Summer Village of Sandy Beach

Summer Village of Sunset Point

Summer Village of Yellowstone

Summer Village of Birch Cove

Summer Village of Val Quentin

SCHEDULE "A"

INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD PROCEDURES

1. DEFINITIONS

Unless otherwise specified herein, all terms shall have the meaning assigned to them in the Agreement or, where not specified in the Agreement, in the *Municipal Government Act*, RSA. 2000, Chapter M-26, as amended (the "Act").

- 1.1 **"Agreement"** means the Intermunicipal Subdivision and Development Appeal Board Agreement dated _____, 2019.
- 1.2 **"Closed Session"** means a meeting of the Board which is closed to the public pursuant to ss.197(2.1) of the Act.
- 1.3 **"Staff"** means an employee of a Participating Municipality.

2. APPLICATION

- 2.1 These procedures shall apply to all meetings of the ISDAB.

3. TRAINING

- 3.1 All Members shall receive training as ISDAB Members in accordance with the requirements of the Act.
- 3.2 The ISDAB may retain legal counsel to provide training or advice before, during or after an appeal hearing as the case may be.

4. PANEL AND CHAIR

- 4.1 When an appeal hearing is required, the Clerk shall schedule a panel of Members to hear the appeal based on Member availability and experience. The Clerk will use his/her best efforts to appoint to the panel a Member residing in the Participating Municipality from which the appeal originated.
- 4.2 The Board will elect a Chairperson from amongst the Members of the panel at the beginning of an appeal hearing. A Member may be re-elected to the position of Chairperson at a subsequent appeal hearing.
- 4.3 The Chairperson shall preside over the appeal hearing and shall be responsible for ensuring the appeal hearing is conducted in a fair and impartial manner, in accordance with the requirements of the Act and the principles of natural justice.
- 4.4 The Chairperson shall sign decisions, orders, notices and other documents issued by the ISDAB on its behalf.

5. QUORUM

5.1 A minimum of three (3) Members shall constitute a quorum of the ISDAB.

6. DECISIONS

6.1 Only Members present for the entire appeal hearing shall participate in the making of a decision on any matter before the ISDAB. The Clerk shall not participate in the making of a decision on any matter before the ISDAB.

6.2 The decision of the majority of Members present at the appeal hearing shall be deemed to be the decision of the whole ISDAB. In the event of a tie vote, the appeal shall be denied.

6.3 The ISDAB may make its decision with or without conditions in accordance with the Act.

6.4 If an appeal hearing is adjourned for any reason following the submission of evidence, only those Members present at the original appeal hearing shall render a decision of the matter.

7. APPEAL HEARINGS

7.1 The ISDAB shall consider and decide all subdivision and development appeals which have been properly filed with the ISDAB in accordance with the Act.

7.2 The ISDAB shall hold a public hearing respecting the appeal within thirty (30) days from the date of receipt of the written notice of appeal.

7.3 The ISDAB shall give notice of the appeal hearing in accordance with the Act.

7.4 The ISDAB shall make available for public inspection prior to the appeal hearing all relevant documents and materials respecting the appeal.

7.5 The ISDAB shall hear from parties in accordance with the Act.

7.6 Electronic or similar recording devices shall not be used during an appeal hearing by anyone in attendance other than the Clerk. The ISDAB shall make and keep a written record of its proceedings which may be in the form of a summary of the evidence presented at the appeal hearing.

7.7 The ISDAB shall give a written decision together with the reasons for the decision in accordance with the Act.

8. APPEAL HEARING PROCEDURE

- 8.1. The Chairperson for the meeting will call for a motion to go into public hearing and ask if Appellant is present to speak to the appeal.
 - 8.1.1. If the Appellant indicates his/her presence to speak to the appeal, then the Chairperson will outline the public hearing procedures.
 - 8.1.2. The Clerk will confirm that the notice of appeal has been provided to all parties in accordance with the Act.
 - 8.1.3. The Chairperson will ask if anyone objects to any Member hearing the appeal.
 - 8.1.4. A member of Staff will introduce the appeal and present the administrative report outlining the background to the appeal.
 - 8.1.5. The Chairperson shall call upon the Appellant to present his/her appeal submission.
 - 8.1.6. After identifying him/herself, the Appellant will be requested to present his/her appeal within a reasonable time period.
 - 8.1.7. The Chairperson shall then call upon any persons in attendance at the appeal hearing who are entitled to be heard by the ISDAB under the Act and who wish to speak in favour of the appeal.
 - 8.1.8. After identifying themselves, persons or representatives of any group or persons in favour of the appeal may address the ISDAB in turn. The ISDAB reserves the right to abbreviate repetitious oral submissions.
 - 8.1.9. The Chairperson shall then call upon any persons in attendance at the appeal hearing who are entitled to be heard by the ISDAB under the Act and who wish to speak in opposition to the appeal.
 - 8.1.10. After identifying themselves, persons or representatives of any group or persons, in opposition of the appeal may address the ISDAB in turn. The ISDAB reserves the right to abbreviate repetitious oral submissions.
 - 8.1.11. The Chairperson shall then call upon the appellant and those persons in attendance at the public hearing who spoke in favour of the appeal for any rebuttal to the points raised by those who spoke in opposition to the appeal. Rebuttal comments are restricted to addressing new points raised by those who spoke in opposition to the appeal.
 - 8.1.12. After a presentation is concluded, any Board Member may ask the presenter relevant questions.

- 8.1.13 After all presentations from the public have been completed, any Board Member may ask Staff relevant questions.
- 8.1.14 following the public presentation and Member questions, the Chairperson shall ask for closing comments and then close the appeal hearing.
- 8.1.15 The ISDAB may, at any time, modify or adjust the foregoing procedure as required to comply with the Act and the rules of natural justice.

8.2. **Presentation Materials**

- 8.2.1 The use of slides maps, videos, and Power Point presentations are permitted and these materials along with any written submissions become the property of the ISDAB as exhibits to the public appeal hearing.
- 8.2.2 Written submissions shall be received by the Clerk at least three (3) days in advance of the commencement of the appeal hearings. Notwithstanding the foregoing, the ISDAB retains the discretion to accept late submission where deemed appropriate.

8.3. **Introduction of Speakers**

- 8.3.1 Persons addressing the ISDAB shall give their name, location of residence, and indication as to whether they are speaking on their own behalf or for another person or for a group, and address the Chairperson when responding to questions or providing information.
- 8.3.2 A person who does not identify him/herself will not be given the opportunity to address the ISDAB.

- 8.4. Following the close of the public portion of the appeal hearing, the ISDAB shall deliberate and make its decision. The ISDAB may deliberate and make its decision in closed session.

9. **CONDUCT AT APPEAL HEARINGS**

- 9.1 Members of the public in attendance at an appeal hearing:
 - 9.1.1. shall address the ISDAB through the Chair;
 - 9.1.2. shall maintain order and quiet; and
 - 9.1.3. shall not applaud or otherwise interrupt any speech or action of the Members or any other person addressing the ISDAB.

- 9.2 The Chairperson may order a member of the public who disturbs or acts improperly at an appeal hearing by words or actions be removed. The Chairperson may request assistance from a Peace Officer to remove the person.

10. MEMBER CONDUCT

- 10.1 A Member wishing to speak at an appeal hearing shall obtain the approval of the Chairperson before speaking.
- 10.2 When a Member or member of the public is addressing the Chair, every other Member shall:
- 10.2.1. remain quiet and seated;
 - 10.2.2. not interrupt the speaker except on a Point of Order;
 - 10.2.3. not carry on a private conversation; and
 - 10.2.4. not cross between the speaker and the Chair.
- 10.3 Members shall adhere to the Code of Conduct attached as Appendix "A" to this Schedule "B".

APPENDIX "A"
ISDAB MEMBER CODE OF CONDUCT

Recognizing that as Members of a quasi-judicial body, Members must not be inhibited from performing their duties of fairness and fullness in conduct of any Hearing.

Therefore Members shall:

1. Conduct themselves in such a way as to endeavor to ensure that those persons appearing before them receive a full and fair hearing and that such persons receive the knowledgeable and unbiased application of the laws of the Province of Alberta and the bylaws and policies of Lac Ste Anne County and all member municipalities of the ISDAB.
2. Approach every Hearing with an open mind with respect to every issue and shall avoid doing or saying anything that could cause any one to think otherwise. Members shall, however, endeavor to conduct all Hearings expeditiously, preventing unnecessary delay, while ensuring the opportunity of all parties to present their case.
3. At all times show respect for the parties and their representatives appearing before them and show respect for the Board and the Hearing process through his or her demeanor, timeliness, dress and conduct throughout any Hearing.

Members **shall not**:

1. Use or disclose confidential information obtained by them in any Hearing for personal gain nor for the gain of any other person.
2. Disclose any confidential information obtained by them by virtue of acting as a member of the ISDAB.
3. Use their position for private gain or to secure privileges, favours or exemptions for themselves or any other person.
4. Participate in any way whatsoever in a Hearing in respect of which the Member has or may appear to have a personal or commercial bias or a pecuniary interest, except where the Member has disclosed any such potential bias or interest to all participants present at the hearing and all agree that the Member may continue to participate in the Hearing. This provision does not apply in the case of an objection raised by a party appearing before the Board alleging that a Member is biased or has the appearance of bias and the Member, on a good faith basis, disagrees with the party making such objection.
5. Attempt to influence the outcome of any Hearing in which a member has a personal or commercial interest by discussing the matter with other ISDAB members outside of a Hearing.

6. Give preferential treatment to any person or communicate directly or indirectly with any person with an interest in a Hearing except in the presence of the Board panel and the parties appearing at the Hearing.

7. Impede the Board from carrying out its purpose or adversely affect the integrity of the Board.

The Chair and Presiding Officers shall ensure that decisions are made and written in accordance with their subjective good faith understanding of generally accepted administrative law practices and procedural rules as required by law.

Members agree that preservation of these guiding principles is of utmost importance and agree that they will continue to abide by the confidentiality provisions in perpetuity.

ISDAB Member's Signature
Date

SCHEDULE "B"

**INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD
SCHEDULE OF ADMINISTRATIVE COSTS AND EXPENSES**

1. Annual Membership fee: \$500.00
2. Withdrawing Complaints: in instances where a complaint is filed and withdrawn; the Partner Municipality will be obligated to pay a \$64.00/hour administration fee.
3. Board Member Honorariums: in instances where a complaint proceeds to a hearing and decision; the Partner Municipality will be obligated to pay Board Members Honorariums in accordance with the following:

	Up to 4 hours	4 to 8 hours
Chairperson	\$174.73 per member	\$263.91 per member
Board Member	\$174.73 per member	\$263.91 per member

4. Board Support: \$64.00/hour for time spent by the clerk to prepare and distribute legislated documents, receive and record disclosure, prepare the agenda, attend the hearing and assist the board with deliberations and decision writing.
5. Meals and Expense: will be charged to the Partner Municipality in accordance with policies and procedures prescribed by the clerk. In the absence of a policy or procedure prescribed by the clerk, Lac Ste. Anne County policies and procedure will be applied.
6. Office/print supplies: will be charged to the Partner Municipality on a cost recovery basis.
7. Legal Services: will be charged to the Partner Municipality on a cost recovery basis.

NEW BYLAW

**A BYLAW OF THE SUMMER VILLAGE OF BIRCH COVE, IN THE
PROVINCE OF ALBERTA TO ESTABLISH A SUBDIVISION AND
DEVELOPMENT APPEAL BOARD.**

WHEREAS the *Municipal Government Act* section 627 provides that a council must establish a subdivision and development appeal board;

AND WHEREAS the *Municipal Government Act* section 628 details what must be included in any bylaw or agreement providing for the establishment and function of a subdivision and development appeal board and its administrative components;

AND WHEREAS Council wishes to exercise its authority pursuant to the *Municipal Government Act* by entering into an agreement to procure subdivision and development appeal board services,

NOW THEREFORE the Municipal Council of the Summer Village of Birch Cove, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

- 1.1. This Bylaw may be cited as the "Subdivision and Development Appeal Board Bylaw".

2. ESTABLISHMENT

- 2.1. That a board known as the Subdivision and Development Appeal Board (SDAB) of the Summer Village of Birch Cove, hereinafter called the "Board" is hereby established;
- a) The Summer Village of Birch Cove shall appoint a minimum of three (3) members to the Board by resolution of Council;
 - b) No person who is a Development Officer or a member of a Municipal Planning Commission shall be appointed to act as a member of the Board;
 - c) Each Board Member and the Clerk of the SDAB shall be appointed for a term not to exceed three (3) years and may be re-appointed upon the expiry of its members; more than one clerk may be appointed;
 - d) Any vacancy caused by the death, retirement or resignation of a member shall be filled by resolution of Council; and
 - e) A member shall not be disbanded or discharged without cause.

- 2.2. There must be three (3) members of the Board to constitute a quorum for the making of all decisions and for doing any action required or permitted to be done by the Board.
- 2.3. A decision of the Board shall be made only by those members present at a meeting duly convened.
- 2.4. The decision of the majority of the members present at a meeting duly convened shall be deemed to be the decision of the Board.
- 2.5. The Board shall hold such meetings as are necessary to fulfill the Board's responsibility.
- 2.6. Hearings on appeals filed will be held at a location established by the Clerk.
- 2.7. The Summer Village of Birch Cove will compensate the board members and clerk.
- 2.8. The Clerk shall prepare and maintain a record of written minutes of the business transacted at all meetings of the Board, copies of which shall be regularly filed with the Council of the Summer Village of Birch Cove.
- 2.9. On or before January 1st each year the municipality must submit an annual report to the province containing information on the number of SDAB clerks and members they have appointed, and those who have completed and enrolled in the required SDAB training.
- 2.10. A member of any SDAB must not participate in a hearing unless the member has successfully completed a training program.
- 2.11. SDAB members must take a refresher course every three (3) years to stay current on appeal matters (such as changes in law, planning and/or administration).
- 2.12. Council must appoint one or more clerks. Clerks of an SDAB must be appointed as a designated officer, and they are not eligible for appointment if the training requirements are not successfully met.

- 2.13. Board members and clerks are required to undergo mandatory training based on a standard training program to be approved by the Minister of Municipal Affairs. All SDAB members and clerks must successfully complete the SDAB training as approved by the Minister by April 1, 2019.
- 2.14. The SDAB Clerk administers and oversees the scheduling and recording of SDAB hearings. The training requirements and qualifications for SDAB clerks differ from the training requirements for SDAB members based on their different roles. SDAB clerks must take a refresher on the SDAB training every three (3) years to stay current with the roles and responsibilities of the position.
- 2.15. The rates for remuneration, traveling and other expenses of the Board Member and Clerk shall be the rates agreed to in the corresponding service agreement, as negotiated from time to time.
- 2.16. The Board shall elect a Chairman from the Board members in attendance at any required meeting.
- 2.17. The election of Chairman shall occur at the beginning of each meeting.

3. FUNCTION AND OPERATION

- 3.1. The Board shall hear appeals where a Development Authority or Subdivision Authority or Development Officer or Council:
 - a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application;
 - b) issues a development permit subject to conditions;
 - c) issues an order under section 645 of the Municipal Government Act; or
 - d) issues a decision on a subdivision application.
- 3.2. The Board shall hear appeals from any other person affected by an order, decisions on subdivision and development applications of a Development or Subdivision Authority or development permit of a Development Officer.
- 3.3. The Board Secretary or a duly appointed officer of the Summer Village of Birch Cove shall give at least five (5) working days notice in writing of the public hearing to:
 - a) the appellant;

(41)

- b) the Development or Subdivision Authority from whose order, decision or development permit the appeal is made; and
 - c) those owners required to be notified under the Land Use Bylaw and any other person that the Board Secretary or a duly appointed officer of the Summer Village of Birch Cove considers to be affected by the appeal and should be notified.
- 3.4. In determining an appeal, the Board:
- a) shall comply with any regional plan, statutory plan, and subject to clause (c), any land use bylaw or land use regulations in effect and must have regard to but is not bound by the subdivision and development regulations;
 - b) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision of its own; and
 - c) notwithstanding the development permit, that the proposed development does not comply with the land use bylaw or land use regulations if, in its opinion:
 - (i) the proposed development would not:
 - a. unduly interfere with the amenities of the neighborhood; or
 - b. materially interfere with or affect the use, enjoyment or value of neighboring properties; and
 - (ii) the proposed development or subdivision does not conflict with the use prescribed for that land or building in the Land Use Bylaw or Land Use regulations, as the case may be.
- 3.5. The Board shall give its decision in writing together with reasons for the decision within fifteen (15) working days of the conclusion of the hearing.

4. GENERAL

- 4.1. Each provision of this Bylaw is independent of all other provisions. If any provision of the Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 4.2. This Bylaw rescinds any previous bylaw referencing the establishment of a subdivision and development appeal board in and for the Summer Village of Birch Cove, and shall come into full force when it receives THIRD and FINAL reading and is duly signed.

5. COMING INTO FORCE

This Bylaw shall come into effect upon the third and final reading and signing of this Bylaw

READ a first time this 19th day of October, 2023.

READ a second time this 19th day of October, 2023.

UNANIMOUS CONSENT to proceed to third reading this 19th day of October, 2023.

READ a third and final time this 19th day of October, 2023.

SIGNED this 19th day of October, 2023.

Mayor, Steven Tymafichuk

Chief Administrative Officer, Wendy Wildman

UNAPPROVED

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NEW BYLAW

Municipal Government Act RSA 2000 Chapter M-26

Section 210, Designated Officer

Section 627.1, Appoint Subdivision and Development Appeal Board Clerk

**A BYLAW OF THE MUNICIPALITY OF BIRCH COVE, IN THE PROVINCE OF ALBERTA,
TO ESTABLISH THE POSITION OF DESIGNATED OFFICER**

WHEREAS, pursuant to the provisions of section 210 of the *Municipal Government Act*, the Council may pass a bylaw to establish one or more positions to carry out the powers, duties, and functions of a designated officer.

AND WHEREAS, pursuant to section 627.1 of the *Municipal Government Act*, the council of a municipality must appoint a designated officer to act as the clerk of the Subdivision and Development Appeal Board having jurisdiction in the municipality.

NOW THEREFORE, the Council of the Summer Village of Birch Cove, in the Province of Alberta, duly assembled, enacts as follows:

1. The Subdivision and Development Appeal Board Clerk is the designated officer for the purpose of the following section of the *Municipal Government Act*:

627.1(1) A council that establishes a subdivision and development appeal board must appoint, and a council that authorizes the establishment of a subdivision and development appeal board must authorize the appointment of, one or more clerks of the subdivision and development appeal board.

2. That as the Summer Village has entered into an agreement with Milestone Municipal Services for the provision of Subdivision and Development Appeal Board services within the Summer Village, Emily House and Cathy McCartney be appointed Subdivision and Development Appeal Board Clerks for the Summer Village of Birch Cove.

3. THAT this Bylaw shall come into force and effective on the date of the third and final reading.

Read a first time on this 19th day of October, 2023.

Read a second time on this 19th day of October, 2023.

Unanimous Consent to proceed to third reading on this 19th day of October, 2023.

Read a third and final time on this 19th day of October, 2023.

Signed this 19th day of October, 2023.

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NEW BYLAW

Municipal Government Act RSA 2000 Chapter M-26

Section 210, Designated Officer
Section 627.1, Appoint Subdivision and Development Appeal Board Clerk

Mayor, Steven Tymafichuk

Chief Administrative Officer, Wendy Wildman

UNAPPROVED



MEMORANDUM OF AGREEMENT

This Agreement dated this _____ day of _____, 20____

BETWEEN:

The Summer Village Birch Cove

Being municipal corporations pursuant to the *Municipal Government Act*, R.S.A. 2000 Chapter M-26

(collectively the "Municipality")

-and-

Milestone Municipal Services Inc.

("Coordinator")

AN AGREEMENT TO PROVIDE FOR SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) SERVICES

WHEREAS the Municipality is required to establish a Subdivision and Development Appeal Board (SDAB) and appoint Board Members and Clerk to the SDAB in accordance with the provision of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended (the MGA)

AND WHEREAS the Municipality and Coordinator have reached agreement with respect to the terms and conditions under which the Coordinator will provide such SDAB services to the Municipality.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements contained herein, the Parties hereto covenant and agree each with the other as follows:

1) DEFINITIONS AND SCHEDULES

In this Agreement, unless the context provides otherwise, the following words or phrases will have the following meanings:

- 1.1 "Act" means the *Municipal Government Act*, R.S.A. 2000 Chapter M-26, as amended from time to time, together with all Regulations passed thereunder;
- 1.2 "Agreement" means this Agreement as the same may be amended from time to time and the expressions "herein", "hereof", "hereto", "above", "below" and similar expressions if used in any article, section or paragraph of this Agreement refer to this Agreement including the Schedules attached hereto and do not refer solely to a particular article, section or paragraph unless specifically stated herein;

- 1.3 "Board Member" means an individual appointed as a member to the Subdivision and Development Appeal Board (SDAB) and "Board Members" means all the individuals appointed as members to the Subdivision and Development Appeal Board (SDAB);
- 1.4 "Business Day" means a day other than a Saturday, Sunday or statutory holiday in the Province of Alberta;
- 1.5 "Bylaw" means the Subdivision and Development Appeal Board Bylaw adopted by the Municipality;
- 1.6 "Chief Administrative Officer" means the individual appointed as Chief Administrative Officer by Council of the Municipality in accordance with the Act or his/her designate;
- 1.7 "Clerk" means a person qualified and appointed as clerk to the SDAB in accordance with the Act;
- 1.8 "Coordinator" means Milestone Municipal Services Inc.;
- 1.9 "Council" means the duly elected body of the Municipality;
- 1.10 "Designated Officer" has the same meaning as in the Act;
- 1.11 "Force Majeure" means acts of God, strikes, lockouts or other industrial disturbances of a general nature affecting an industry critical to the performance of this Agreement, acts of the Queen's enemies, wars, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, arrests and restraints of rulers and people, civil disturbances, explosions, inability with reasonable diligence to obtain materials and any other cause not within the control of the Party claiming a suspension, which, by the exercise of due diligence, such Party shall not have been able to avoid or overcome; provided however, the term "Force Majeure" does not include a lack of financial resources or available funds or similar financial predicament or economic circumstances or any other event, the occurrence or existence of which is due to the financial inability of a Party to pay any amount that a prudent and financially sound entity in similar circumstances would reasonably be expected to pay to avoid or discontinue such event;
- 1.12 "Municipality" means a municipality which is a party to this Agreement;
- 1.13 "Party" means a party to this Agreement and "Parties" means two or more parties to this Agreement;
- 1.14 "Panel" means a panel of the SDAB consisting of three (3) or five (5) Members;
- 1.15 "Services" means the SDAB coordination and support services provided by the Coordinator pursuant to **Schedule "A"**;
- 1.16 "Service Fee" means the annual Service fee and additional fees set out in **Schedule "B"**; and
- 1.17 The following schedules form part of this Agreement:

Schedule A - Services

Schedule B – Annual Service Fees and Additional Fees

2) **TERM**

- 2.1 The term of the Agreement commences on _____, 201_ and shall continue until terminated by one or more Parties as follows (the "Term"):
- a) The Municipality may terminate its participation in this Agreement at any time by providing not less than sixty (60) days' prior written notice to the Coordinator. The Municipality shall forfeit the full amount of the Municipality's annual Service Fee paid or owing for that calendar year in which the notice of termination is effective.
 - b) The Coordinator may terminate this Agreement at any time by providing not less than six (6) months' prior written notice to the Municipality effective January 1 of the subsequent year.
 - c) This Agreement may be terminated at any time by the mutual written agreement of the Municipality and the Coordinator.
 - d) This Agreement will also cease upon:
 - i. the Coordinator's death;
 - ii. the Coordinator's incapacity for a continuous period of three (3) months to perform the essential functions this Agreement as determined by duly qualified physician agreed to by the Parties; or
 - ii. Dissolution of the Municipality with appropriate notice to Coordinator.
- 2.2 Notwithstanding Clause 2.1, neither the Municipality nor the Coordinator may terminate this Agreement during the first three years of the Term.
- 2.3 All amounts owing by one Party to another Party as at the effective date of termination shall be paid in accordance with the terms of this Agreement. The Coordinator shall issue a final invoice to the Municipality affected by a notice of termination within thirty (30) of the effective date of termination.

3) **MUNICIPALITY RESPONSIBILITIES**

Pre-Conditions to Receiving Service

- 3.1 The Municipality is entitled to receive Services pursuant to this Agreement upon completion of the following:
- a) the Municipality's Council has passed a SDAB Bylaw and the Municipality has provided a copy of the Bylaw to the Coordinator;
 - b) the Municipality's Council has appointed, by resolution, Board Members and Clerk from the list provided by the Coordinator to the Municipality and the Municipality has provide confirmation of the appointments to the Coordinator;

- c) the Municipality has provided payment in full to the Coordinator of the Service Fee for the first year of the Term.

Payment of Service Fees

- 3.2 During each calendar year of the Term, the Municipality shall pay the annual Service Fee to the Coordinator on or before January 31.
- 3.3 Upon receipt of an appeal to the SDAB, the Municipality is responsible to pay all administration and other fees identified in **Schedule "B"** in addition to the annual Service Fee.
- 3.4 In the event that a decision of the SDAB is subject to a leave to appeal application or merit hearing at the Court of Appeal, the Municipality shall be responsible to pay all actual costs incurred by the Coordinator in preparing and coordinating the filing of the SDAB's record with the Court of Appeal and such other matters that may be requested or required to support the SDAB's response to the application or merit hearing including the administration and other fees identified in **Schedule "B"** in addition to the annual Service Fee.
- 3.5 The Municipality shall pay all Service Fees in addition to the annual Service Fees to the Coordinator within Fifteen (15) days after receipt of an invoice from the Coordinator.

Legal Fees

- 3.6 If the Municipality or the Coordinator is of the opinion that legal services are required for the purpose of a specific appeal hearing to be conducted by the SDAB, the Chief Administrative Officer and the Coordinator shall consult and jointly coordinate the retention of appropriate legal counsel for the SDAB. Legal counsel shall only be retained to assist the SDAB with the approval of the Chief Administrative Officer of the Municipality. The Municipality is responsible to pay all legal fees within fifteen (15) days of receipt of the invoice from the Coordinator or the legal firm directly, as may be mutually determined by the Coordinator and Chief Administrative Officer.
- 3.7 If a SDAB decision is subject to a leave to appeal application or appeal to the Alberta Court of Appeal, the Municipality's Chief Administrative Officer and the Coordinator shall consult and coordinate the retention of appropriate legal counsel for the SDAB. The Municipality is responsible to pay all legal fees within fifteen (15) days of receipt of the invoice from the Coordinator or the legal firm directly, as may be mutually determined by the Coordinator and Chief Administrative Officer.

Recording Fees

- 3.8 If the Coordinator determines that audio or digital recording and/or transcript services are required for the conduct of a specific appeal, the Chief Administrative Officer and the Coordinator shall consult and jointly coordinate the arrangement of appropriate recording and/or transcript service for the SDAB. Recording and/or transcript services shall only be requested to assist the SDAB with the approval of the Chief Administrative Officer of the Municipality. The Municipality is responsible to pay all recording and/or transcript fees within

fifteen (15) days of receipt of the invoice from the Coordinator or the transcript firm directly, as may be mutually determined by the Coordinator and Chief Administrative Officer.

Annual Information Provision

- 3.9 On or before January 31 of every calendar year during the Term, the Municipality shall provide the following information to the Coordinator in writing:
- a) The applicable appeal fees in accordance with the applicable bylaw(s) of the Municipality; and
 - b) Copies of Certificates evidencing the Insurance requirements referred to in Section 9 of this Agreement.

Clerk and Administrative Support for the Board

- 3.10 The Municipality shall provide all documentation and information needed by the Clerk and SDAB for the conduct of an appeal hearing to the Coordinator within two (2) Business Days of the Municipality receiving the notice of appeal to the SDAB. The information to be provided to the Coordinator includes, but is not limited to (as applicable):
- a) the notice of appeal,
 - b) confirmation of receipt of the applicable appeal fee,
 - c) notice of decision being appealed,
 - d) copy of the Development Permit being appealed,
 - e) copy of the Stop Order being appealed,
 - f) copy of the original application together with all supporting documents, plans, studies, etc.,
 - g) current copies of all relevant statutory plans, conceptual schemes, non-statutory plans, Land Use Bylaw, policies and procedures relating to the matter that is the subject of the appeal,
 - h) copies of all relevant meeting minutes, staff reports, correspondence, circulation comments and other communications,
 - i) copy of advertisement of the decision being appealed,
 - j) any other record or information relevant to the appeal, and
 - k) the location of the venue for the appeal hearing.
- 3.11 The Coordinator shall be responsible to book a suitable venue for the conduct of the appeal hearing, taking into consideration the anticipated number of attendees to the appeal hearing.

The Municipality shall be responsible to pay for all booking and rental fees and other costs associated with the hearing venue.

Filing of Appeals to the SDAB

- 3.12 The Municipality shall publish on its website and advise on all written decisions issued by its Development Authority or Subdivision Authority and Stop Orders issued by its Development Authority that the decision or Stop Order may be appealed in accordance with the Act by filing a notice of appeal together with the applicable appeal fee with
- a) the Municipality to the attention of the Clerk of the Subdivision and Development Appeal Board.
- 3.13 The Municipality is solely responsible for ensuring compliance with any decision rendered by the SDAB.

4) COORDINATOR RESPONSIBILITIES

- 4.1 Subject to the Municipality's satisfaction of the conditions set out in Section 3.1 and the Municipality's payment of the Service Fees due and payable each year during the Term, the Coordinator shall provide Services to that Municipality in accordance with the terms and conditions of this Agreement.
- 4.2 The Coordinator shall review the Service Fees every three (3) years. If the Coordinator determines that a change is required to the Service Fees, the Coordinator will notify the Municipality in writing no later than June 30th of the proposed change to the Service Fee to be effective January 1 of the subsequent year.
- 4.3 The Coordinator shall ensure it maintains a reasonable list of members who are eligible to serve on the SDAB and who have received training in accordance with the Act at all times during the Term.
- 4.4 The Coordinator shall ensure it maintains a reasonable list of trained and qualified Clerks that are available to assist the SDAB during the Term.
- 4.5 The Coordinator shall provide a list of qualified Board Members and Clerk annually to the Municipality.
- 4.6 The Coordinator shall keep a record of all appeals filed in accordance with the Act for a period of not less than ten (10) years from the date of receipt of the notice of appeal. The Coordinator shall provide the Municipality with a copy of records pertaining to that municipality within Ten (10) Business Days after receipt of a request by the Municipality at the sole cost and expense of the Municipality.
- 4.7 The Coordinator shall retain paper records such as background information, correspondence, appeal notices and withdrawn appeals for a period of not less than ten (10) years from the date of receipt of such paper records. The Coordinator shall provide the Municipality with a copy of records pertaining to that municipality within Ten (10) Business Days after receipt of a request by the Municipality at the sole cost and expense of the Municipality.



- 4.8 The Coordinator shall keep a record of all Board Member and Clerk appointments and training and shall provide this information to the Municipality to report to Municipal Affairs from time to time as required by the Act.
- 4.9 The Coordinator, where requested and agreed to by the Municipality, shall retain legal services on behalf of the SDAB.
- 4.10 The Coordinator, where requested and agreed to by the Municipality, shall cause audio or digital recordings and transcripts of appeal hearings to be made.
- 4.11 The Coordinator shall notify the Municipality in writing of receipt of a notice of appeal and provide a copy of the notice of appeal to the Municipality within two (2) Business Days of receipt of the notice of appeal.
- 4.12 The Coordinator shall be responsible to coordinate all arrangements and perform all administrative functions related to the holding of the SDAB appeal hearing in accordance with the requirements of the Act including (as applicable):
 - a) Scheduling the appeal hearing,
 - b) Coordinating not less than three (3) Board Members to sit on the Panel. At the option of the Municipality, the Coordinator shall coordinate five (5) Board Members to sit on the Panel,
 - c) Arranging for a Clerk for the appeal hearing,
 - d) Providing notice in writing of the hearing,
 - e) Forwarding all relevant documents and materials electronically to the Municipality to be made available for public inspection on the Municipality's website and at the Municipality's office,
 - f) Preparation of SDAB appeal hearing minutes and summary of the evidence heard by the SDAB,
 - g) Preparation of the SDAB notice of decision, and
 - h) Providing a copy of the SDAB's notice of decision to all relevant parties.
- 4.13 Where a SDAB decision is subject to a leave to appeal application or merit hearing at the Court of Appeal, the Coordinator shall coordinate the preparation and filing of the SDAB hearing Record with the Court of Appeal as well as any other matters that may be requested or required to support the SDAB's response to the leave to appeal application or merit hearing.

5) ALL PARTIES' RESPONSIBILITIES

- 5.1 Both the Coordinator and the Municipality shall make every reasonable effort to ensure that all information that will be or is intended to be used in a SDAB appeal hearing is complete and accurate and provided to the other Party in a timely fashion.

6) PRIVACY

- 6.1 All Parties acknowledge and agree that they are subject to the *Freedom of Information and Protections of Privacy Act (FOIPP)* and that they will only collect and release information in accordance with the provisions of FOIPP.
- 6.2 The Municipality shall ensure that any information of a confidential or protected nature which it provides to the Coordinator is clearly marked as such.
- 6.3 The Municipality shall ensure that their planning and development applications and forms of notice of appeal having the requisite acknowledgement and agreement pursuant to FOIPP that any party submitting an application or notice of appeal acknowledges and agrees that the information submitted by that party in support of its application or appeal shall be subject to release to the public.

7) DISPUTE RESOLUTION

- 7.1 If any dispute arises between the Municipality and the Coordinator with respect to the interpretation or application of the provisions of this Agreement, the Parties shall first attempt to resolve the dispute by direct negotiations between the Chief Administrative Officer of the Municipality and the Coordinator within thirty (30) days of receipt of notice of the matter in dispute. If the Chief Administrative Officer and the Coordinator cannot resolve the dispute, then such dispute will be referred to two elected officials from the Municipality and the Coordinator, who will then meet to discuss and attempt to resolve the matter in dispute in a timely fashion.
- 7.2 In the event the dispute cannot be resolved by the elected officials of the Municipality and the Coordinator within thirty (30) days of the dispute being referred to them, then, upon mutual consent of the Parties, the Parties may utilize the Alberta Municipal Affairs Mediation Services program to assist in resolving the dispute. The Parties shall bear their own costs of mediation.
- 7.3 In the event the dispute cannot be resolved through mediation, then the dispute will be determined by arbitration in accordance with the following:
 - a) The Parties will agree upon a single arbitrator (the "**Arbitrator**") and in the event that the Parties are unable to agree upon the Arbitrator, the matter will be referred to the Court of Queen's Bench of Alberta for the appointment of the Arbitrator;
 - b) The decision of the Arbitrator will be binding upon the Parties;
 - c) The cost of arbitration will be borne by the Party against which the award is made by the Arbitrator, unless the Arbitrator decides otherwise;
 - d) The Arbitrator will not alter, amend or otherwise change the terms and conditions of this Agreement;
 - e) Except as modified herein, the provisions of the *Arbitration Act* will apply to any arbitration conducted pursuant to this Agreement; and
 - f) Notwithstanding any provision contained herein to the contrary, if any dispute which

has been submitted to the Arbitrator has not been determined by the Arbitrator within 45 days of receipt of the notice to arbitrate, either Party at any time thereafter, but prior to the determination being made by the Arbitrator, will have the right of recourse to the Court of Alberta having jurisdiction for determination of the dispute, and upon the commencement of any action for such purpose the jurisdiction of the Arbitrator with respect of such dispute will cease.

8) **RELEASE AND HOLD HARMLESS**

- 8.1 With the exception of gross negligence or willful breach of this Agreement, the Bylaw or the Act, the Municipality agrees to release and hold harmless the Coordinator, officers, employees, contractors, volunteers, and agents together with the Clerks and Board Members (collectively referred to as the "**Coordinator Parties**") from and against all liabilities, losses, costs, damages, legal fees (on a solicitor and his own client full indemnity basis), disbursements, fines, penalties, expenses, all manner of actions, causes of action, claims, demands and proceedings, all of whatever nature and kind that the Municipality may sustain, pay or incur or which may be brought or made against all or any of them, and whether or not incurred in connection with any action or other proceedings or claims or demands made by third parties, with respect to any occurrence, event, incident or matter caused by, and/or arising as a direct or indirect result of or in connection with the performance or intended performance of the Coordinator Parties' obligations pursuant to the Act, Bylaw and this Agreement.
- 8.2 The provisions set forth in Section 8.1 will survive the expiration of the Term or the termination of this Agreement.

9) **INSURANCE**

- 9.1 Throughout the Term, the Municipality shall maintain, in full force and effect with insurers licensed in the Province of Alberta, the following insurance:
- a) Professional Liability Insurance with policy limits of not less than \$1,000,000 per claim \$2,000,000 per aggregate; and
 - b) General Liability insurance policy of not less than \$2,000,000 per occurrence. The Coordinator must be named as an additional insured.
- 9.2 Throughout the Term, the Coordinator shall maintain, in full force and effect with insurers licensed in the Province of Alberta, the following insurance:
- a) Professional Liability Insurance with policy limits of not less than \$1,000,000 per claim \$2,000,000 per aggregate; and
 - b) General Liability insurance policy of not less than \$2,000,000 per occurrence.

10) FORCE MAJEURE

10.1 If the Municipality or the Coordinator fail to meet their respective obligations hereunder within the respective time prescribed, and such failure is directly caused or materially contributed to by Force Majeure, such failure will be deemed not to be a breach of the obligations, provided that, in such event, the Municipality or the Coordinator will use their commercially reasonable efforts to put themselves in a position to carry out their obligations hereunder as soon as reasonably possible, to the extent that it is within their power.

11) NOTICES

11.1 All notices sent pursuant to the terms of this Agreement shall be served by one of the following means:

- (a) by single registered mail in a prepaid envelope. Notice shall be deemed received five (5) days after mailing. In the event of postal interruption, no notice sent by means of the postal system during or within seven (7) days prior to the commencement of such postal interruption or seven (7) days after the cessation of the postal interruption shall be deemed to have been received unless actually received;
- (b) by telecopier, e-mail or by any other like electronic method by which a written or recorded message may be sent, directed to the Party upon whom it is to be served at that address set out herein. Notice so served shall be deemed received on the earlier of:
 - i. upon transmission with answer back confirmation if received within the normal hours of the business day; or
 - ii. at the commencement of the next ensuing business day following transmission with answer back confirmation thereof if not received within the normal hours of the business day; or

11.2 Notices shall be sent to the following addresses:

To the Municipality at:

The Summer Village of Birch Cove
Box 8
Alberta Beach, AB T0E 0A0
Phone: 780-967-0271
Email: cao@birchcove.ca

To the Coordinator at:

Milestone Municipal Services Inc.
Box 1075
Onoway, AB T0E 1V0
Phone: (780) 691-4465
E-Mail: emily@milestonemunicipalservices.ca

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12) ENTIRE AGREEMENT

12.1 This Agreement is the whole agreement between the Parties and replaces any prior Agreement existing between the parties.

12.2 This Agreement may not be modified, changed, amended or waived except by signed written agreement of the Parties.

13) UNENFORCEABILITY

13.1 If any portion of this Agreement is deemed to be illegal or invalid, then that portion of the Agreement will be deemed to be severed from the remainder of the Agreement, and the remainder of the Agreement will be enforceable.

14) ASSIGNMENT

14.1 This Agreement will not be assignable by the Municipality or the Coordinator to any other person, agency, firm or corporation without the prior written consent of the other Parties.

15) COUNTERPART AND ELECTRONIC SIGNATURES

15.1 This Agreement may be executed in any number of counterparts by the Parties. All counterparts so executed will be the same effect as if all Parties actually had joined in executing one and the same document. Any faxed or electronic (pdf) copy of a signature will be deemed to be an original signature.

MILESTONE MUNICIPAL SERVICES INC.



A handwritten signature in cursive script, appearing to read "Emily House", is written over a horizontal line.

SUMMER VILLAGE OF ~~SUNRISE BEACH~~ BIRCH COVE

SCHEDULE A – SERVICES

Our services focus on the organization and training of a qualified pool of Board Members and the administrative arrangements for receiving notices of appeal, coordinating and holding appeals and issuing decisions through a qualified pool of Clerks that provide support to the SDAB.

A. The Annual Services Fee (rate set out in Schedule B)

Services included:

- The recruiting and organizing of a pool of Board Members and Clerks available to sit on Panels to hear appeals.
- Arranging for training and certification of Board Members and Clerks.

Exclusions to Services:

- The provision of services directly related to holding an appeal on a particular matter is not included in the Annual Service Fee. These services are subject to additional fees in accordance with **Schedule B**.

B. Services Related to Holding an Appeal for Additional Fees (Rates set out in Schedule B)

The following will be offered by the Coordinator for Clerk and administrative support for a SDAB hearing:

- Receive notice of appeal from the Municipality and determine whether filing timelines have been met
- Coordinate a Panel of not less than three (3) Board members and, at the option of the Municipality, five (5) Board Members
- Schedule hearing date with appellant(s), respondent(s), Municipality and Board Members forming the Panel within 30 days from the date of receipt of the notice of appeal
- Coordinate the hearing venue with the Municipality
- Prepare appeal agenda package and arrange for distribution
- Prepare and send out notice of appeal in accordance with the Act and arrange for posting with the Municipality
- Make all relevant documents and materials respecting the appeal available for public inspection electronically on the Municipality's website and at the Municipality's office
- Attend hearing and assist Chairman with conduct of hearing
- Prepare record of proceedings
- Attend and assist Panel with deliberations and preparation of decision

- Distribution of decision to affected parties

C. Services Related to a Leave to Appeal Application to the Court of Appeal or a Court of Appeal Merit Hearing for Additional Fees (Rates set out in Schedule B)

The following services will be provided by the Coordinator where the Coordinator provided the Clerk and administrative support for the SDAB hearing and the SDAB's decision on that appeal is the subject of a leave to appeal application to or merit hearing at the Court of Appeal:

- a) coordinate legal counsel to represent the SDAB in consultation with the Chief Administrative Officer of the Municipality, and
- b) coordinate the preparation and filing of the SDAB Hearing Record with the Court of Appeal as well as any other matters that may be requested or required to support the SDAB's response to the leave to appeal application or merit hearing.

D. Other Service Offerings

The Coordinator may provide other services at such rates as the Parties may mutually agree to from time to time.

SCHEDULE B – SERVICE FEES AND OTHER FEES

1. ANNUAL SERVICE FEE: \$300.00

2. ADDITIONAL FEES:

- a. Clerk services will be charged to the Municipality at a rate of \$60/hour.
- b. Administrative support services to the SDAB and Clerk will be charged to the Municipality at a rate of \$60/hour.
- c. Court of Appeal fees: where the Coordinator is providing services relating to a leave to appeal application to or merit hearing at the Court of Appeal, these services will be charged to the Municipality at the rate of \$60/hr.
- d. Withdrawn Appeals: in instances where an appeal is filed and then withdrawn; the Municipality will be obligated to pay the hourly rates for the effort put into the file.
- e. Board Member Per Diems: in instances where an appeal proceeds to a hearing; the Municipality will be obligated to pay Board Member Per Diems in accordance with the following:

Up to 4 hours	Over 4 Hours and up to 8 Hours
\$170	\$340
- f. Meals and Accommodations: will be charged to the Municipality on a cost recovery basis with a maximum amount set by the Chief Administrative Officer of the Municipality in consultation with the Coordinator.
- g. Travel: will be charge to the Municipality at the Canada Revenue Agency Automobile Allowance Rate.
- h. Office/Print Supplies/Postage: will be charged to the Municipality on a cost recovery basis.
- i. Legal Services: will be charged to the Municipality on a cost recovery basis.
- j. Audio, Digital Recording and Transcript Services: will be charged to the Municipality on a cost recovery basis.
- k. Venue booking fees, rates and charges will be charged to the Municipality on a cost recovery basis.

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SUMMER VILLAGE OF BIRCH COVE

BYLAW NO. 119-13 **OLD BYLAW**

PLANNING & SUBDIVISION AUTHORITY

A Bylaw of the Summer Village of Birch Cove, in the Province of Alberta, to establish a Planning & Subdivision Authority for the Municipality.

WHEREAS Section 623 of the Municipal Government Act, RSA 2000, requires each municipality to provide for a Planning & Subdivision Authority to exercise planning & subdivision powers and duties on behalf of the municipality.

WHEREAS the Summer Village of Birch Cove considers it beneficial to establish a Planning & Subdivision Authority for the municipality.

THEREFORE the Council of the Summer Village of Birch Cove in the Province of Alberta, duly assembled, hereby enacts as follows;

1. **THAT** Scheffer Andrew Ltd. act as the Planning & Subdivision Authority on behalf of the Summer Village of Birch Cove.
2. **THAT** the Planning & Subdivision Authority shall be carried out in accordance with the Summer Village of Birch Cove Land Use Bylaw and amendments hereto.
3. **THAT** the Planning & Subdivision Authority shall carry out the duties and responsibilities of a Planning & Subdivision Authority, and includes any person to whom those duties and responsibilities are delegated to by this firm.

This Bylaw shall come into full force and effect upon third reading and repeals Bylaw # 29 & Bylaw # 79

READ A FIRST TIME IN COUNCIL	THIS 13th DAY OF SEPTEMBER, 2013
READ A SECOND TIME IN COUNCIL	THIS 13th DAY OF SEPTEMBER, 2013
READ A THIRD TIME IN COUNCIL AND DULY PASSED	THIS 13th DAY OF SEPTEMBER, 2013

Signed this 13th day of September, 2013.

Mayor Eugene Dugan

Municipal Administrator – Dennis Evans

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NEW BYLAW

BYLAW NO. 156-23 PROVINCE OF ALBERTA SUMMER VILLAGE OF BIRCH COVE

A Bylaw of the Summer Village of Birch Cove, in the Province of Alberta, to establish a Planning & Subdivision Authority for the Municipality.

WHEREAS Section 623 of the Municipal Government Act, Chapter M-26, RSA 2000, requires each municipality to provide for a Planning & Subdivision Authority to exercise planning & subdivision powers and duties on behalf of the municipality.

WHEREAS the Summer Village of Birch Cove considers it beneficial to establish a Planning & Subdivision Authority for the municipality.

THEREFORE the Council of the Summer Village of Birch Cove in the Province of Alberta, duly assembled, hereby enacts as follows;

1. **THAT** MPS (Municipal Planning Services Ltd.) act as the Planning & Subdivision Authority on behalf of the Summer Village of Birch Cove.
2. **THAT** the Planning & Subdivision Authority shall be carried out in accordance with the Summer Village of Birch Cove Land Use Bylaw and amendments hereto.
3. **THAT** the Planning & Subdivision Authority shall carry out the duties and responsibilities of a Planning & Subdivision Authority, and includes any person to whom those duties and responsibilities are delegated to by this firm.

This Bylaw shall come into full force and effect upon third reading.

READ A FIRST TIME IN COUNCIL THIS 19th DAY OF OCTOBER, 2023

READ A SECOND TIME IN COUNCIL THIS 19th DAY OF OCTOBER, 2023

READ A THIRD TIME IN COUNCIL AND DULY PASSED THIS 19th DAY OF OCTOBER, 2023

Mayor, Steven Tymafichuk

Chief Administrative Officer, Wendy Wildman

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**Municipal Government Act RSA 2000 Chapter M-26
Section 210, Designated Officer
Section 456, Appoint Assessment Review Board Clerk**

**A BYLAW OF THE MUNICIPALITY OF BIRCH COVE, IN THE PROVINCE OF ALBERTA,
TO ESTABLISH THE POSITION OF DESIGNATED OFFICER**

WHEREAS, pursuant to the provisions of section 210 of the *Municipal Government Act*, the Council may pass a Bylaw to establish one or more positions to carry out the powers, duties, and functions of a Designated Officer.

AND WHEREAS, pursuant to section 456 of the *Municipal Government Act*, the Council of a Municipality must appoint a Designated Officer to act as the Clerk of the Assessment Review Boards having jurisdiction in the Municipality.

NOW THEREFORE, the Council of the Summer Village of Birch Cove, in the Province of Alberta, duly assembled, enacts as follows:

1. The Assessment Review Board Clerk is hereby established as a Designated Officer.
2. The Assessment Review Board Clerk is the Designated Officer for the purpose of the following sections of the *Municipal Government Act*:
 - i) section 456(1) – Duties of the Clerk of the Assessment Review Board
 - ii) section 461 & 462 – Assessment Complaints
 - iii) section 469(1) – Notice of Decision of the Assessment Review Board
 - iv) section 483 – Decision Admissible on Appeal
3. That as the Summer Village has entered into an agreement with Capital Region Assessment Services Commission for the provision of Assessment Review Board services within the Summer Village, Geryl Amarin be appointed Assessment Review Board Clerk for the Summer Village of Birch Cove.
4. THAT this Bylaw is effective on the date of the third and final reading.

Read a first time on this 19th day of October, 2023.

Read a second time on this 19th day of October, 2023.

Unanimous Consent to proceed to third reading on this 19th day of October, 2023.

Read a third and final time on this 19th day of October, 2023.

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Municipal Government Act RSA 2000 Chapter M-26
Section 210, Designated Officer
Section 456, Appoint Assessment Review Board Clerk

Signed this 19th day of October, 2022.

Mayor, Steven Tymafichuk

Chief Administrative Officer, Wendy Wildman

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Summer Village of Birch Cove

PUBLIC PARTICIPATION POLICY

JULY, 2018

Purpose

To provide direction to Administration on how to involve stakeholders in providing input into decisions that affect the community.

Policy Statement

Council and Administration recognize that quality public participation is a critical component of good governance and as such, adequate resources will be allocated, and the appropriate level of public participation undertaken. The Summer Village is committed to public participation activities that are founded on the following principles:

Shared Responsibility and Commitment: Public participation leads to better decisions and is a shared responsibility of Council, Administration and the community.

Transparent and Accountable: The Summer Village communicates clearly and openly about public participation opportunities, its processes and provides factual and evidence-based information. It shares the outcomes of public participation, including how the information was used in the decision-making process and makes decisions in the best interest of the community as a whole.

Inclusive and Accessible: The Summer Village endeavours to provide opportunities for public participation that take into account the diversity of needs, abilities and viewpoints of the members of the community.

Appropriate and Responsive: Public participation activities need to be appropriate to the stated goals and reflective of the varied preferences and needs of community members for receiving and sharing information.

Evaluation and Continual Improvement: Public participation is a dynamic and evolving process that needs continual evaluation and adjustment to continuously improve and address the changing needs of the community.

Definitions:

Summer Village means the municipal corporation of the Summer Village of Birch Cove

Community refers to the Summer Village residents that make up the Summer Village of Birch Cove.

Public Participation means processes through which the Summer Village provides opportunities for the community to have input into decision making through public meetings, surveys, open houses, workshops, polling, residential advisory committees and other forms of engagement.

Stakeholder means an individual, organization or group that has an interest in an issue, will be or is likely to be affected by an issue, or has the ability to affect a decision or outcome.

Statutory Requirement means a requirement written into a law passed by the provincial or federal government

Non Statutory Requirement means a rule based on customs, precedents or court decisions.

Responsibilities:

1. Summer Village Council shall:

1. Consider public input obtained through public participation activities as part of their decision-making process.
2. Promote public participation activities and provide, where appropriate, Council member representation.
3. Establish consistent practices, processes and timelines for statutory and non-statutory requirements for public participation
4. Ensure appropriate resources are available to allow for the ongoing implementation of consistent, comprehensive and representative public participation programs and services.

2. Summer Village Administrator shall:

1. Communicate to Council and community, where appropriate, how public input was gathered and used in Administrative recommendations to Council.
2. Bring forward resourcing requirements to ensure public participation programs and services are run effectively and consistently.
3. Make recommendations to Council on appropriate resources required for public participation, when Council direct public input on a specific issue or item.

Service Standard/Expectations

1. The Summer Village shall comply with all Provincial and Federal statutory requirements for public participation.

2. The Summer Village shall offer public participation opportunities when:

1. Identifying Council priorities
2. Formulating recommendations to Council regarding the proposed business plans and budgets
3. Reviewing existing programs, services and associated service levels
4. Establish new programs, services and service level or otherwise deemed necessary by Summer Village Council.

3. The Summer Village shall organize at least one statistically representative public participation activity, at least every 4 years, to obtain the community's overall perceptions of quality of life and satisfaction with programs and services.

4. The Summer Village will arrange for the public access to the public participation policy. This public access can be done on the Summer Village of Birch Cove website or other means deemed appropriate.

5. The Summer Village shall evaluate and learn from the feedback received from the community, as well as continuously looking for new and better processes and tools that address the changing needs of the community.

6. The policy shall be updated at minimum, every four years or as required by Provincial legislation.

NEW



Summer Village of Birch Cove Council Policy

Number	Title		
C-COU-PAR-1	Public Participation Policy		
Approval	Approved		Last Revised
(CAO initials)	Resolution No:		Resolution No:
	Date:		Date:

PURPOSE AND APPLICATION

In accordance with Section 216.1 of the *Municipal Government Act*, this Public Participation Policy has been developed to recognize the value of public participation and create opportunities for meaningful public participation in decisions that directly impact the public.

This Public Participation Policy is in addition to and does not modify or replace the statutory public hearing requirements in the *Municipal Government Act*.

GENERAL POLICY PRINCIPLES

Council recognizes that good governance includes engaging Municipal Stakeholders in Public Participation by:

1. Creating opportunities for Municipal Stakeholders who are affected by a decision to influence the decision;
2. Promoting sustainable decisions by recognizing various Municipal Stakeholder interests;
3. Providing Municipal Stakeholders with the appropriate information and tools to engage in meaningful participation; and
4. Recognizing that although Councillors are elected to consider and promote the welfare and interest of the Municipality as a whole and are generally required to vote on matters brought before Council, facilitating Public Participation for matters beyond those where public input is statutorily required can enrich the decision-making process.

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Summer Village of Birch Cove Council Policy

DEFINITIONS

1. **"Chief Administrative Officer"** means the chief administrative officer of the Municipality or their delegate, abbreviated "CAO".
2. **"Council"** means the elected representatives of the Municipality.
3. **"Municipal Stakeholders"** means the residents of the Municipality, as well as other individuals, organizations or persons that may have an interest in, or are affected by, a decision made by the Municipality.
4. **"Municipality"** means the Summer Village of Birch Cove.
5. **"Public Participation"** includes a variety of non-statutory opportunities where Municipal Stakeholders receive information and/or provide input to the Municipality.
6. **"Public Participation Plan"** means a plan which identifies which Public Participation Tools to be used to obtain public input in a particular circumstance.
7. **"Public Participation Tools"** means the tools that may be used, alone or in combination, to create Public Participation opportunities including, but not limited to:
 - (a) in-person participation which may include at-the-counter interactions, door- knocking, interviews, meetings, round-tables, town halls, open houses and workshops;
 - (b) digital participation which may include online workbooks, chat groups, webinars, message boards/discussion forums, and online polls or surveys;
 - (c) written participation which may include written submissions, email, and mail- in surveys, polls and workbooks; and
 - (d) representative participation which may include being appointed to an advisory committee, ad hoc committee or citizen board.

POLICY RESPONSIBILITIES

1. Council Responsibilities

- (a) Council shall:



Summer Village of Birch Cove Council Policy

- i. review and approve Public Participation Plans as drafted by the CAO at the direction of Council;
- i. consider input obtained through Public Participation; and
- ii. review this Policy to ensure the Policy complies with all relevant legislation, municipal policies and the spirit and intent of Public Participation.
- iii. ensure appropriate resources are available to solicit Public Participation in accordance with this Policy;

2. Administration Responsibilities

(b) CAO shall:

- i. in accordance with this Policy or as directed by Council, develop Public Participation Plans, for Council approval;
- ii. implement approved Public Participation Plans; and
- iii. report the findings of the Public Participation to Council.
- iv. Consider and advise Council regarding timing, resources and engagement and historical effectiveness when developing and modifying Public Participation Plans;
- v. develop the necessary guidelines to implement this Policy;

II. PUBLIC PARTICIPATION OPPORTUNITIES

(c) CAO shall develop and implement, as directed by Council, a Public Participation Plan in the following circumstances:

- i. when new programs or services are being established;
- ii. when existing programs and services are being reviewed;
- iii. when identifying Council priorities;



Summer Village of Birch Cove Council Policy

- iv. when gathering input or formulating recommendations with respect to the Municipality's strategic plans or business plans;
- v. as otherwise directed by Council.

POLICY EXPECTATIONS

1. Legislative and Policy Implications

- (a) All Public Participation will be undertaken in accordance with the *Municipal Government Act*, the *Freedom of Information and Protection of Privacy Act* and any other applicable legislation.
- (b) All Public Participation will be undertaken in accordance with all existing municipal policies.
- (c) This Policy shall be available for public inspection and may be posted to the Municipality's website.
- (d) This Policy will be reviewed at least once every four years.

2. Public Participation Standards

- (a) Public Participation will be conducted in a sustainable and inclusive manner having regard to different levels of accessibility.
- (b) Public Participation activities will be conducted in a professional and respectful manner.
- (c) Public Participation plans will consider early, ongoing and diverse opportunities to provide input.
- (d) Municipal Stakeholders who participate in any manner of Public Participation are required to be respectful and constructive in their participation. Municipal Stakeholders who are disrespectful, inappropriate or offensive, as determined by Administration, may be excluded from Public Participation opportunities.
- (e) The results of Public Participation will be made available to Council and Municipal Stakeholders in a timely manner in accordance with municipal policies.

OK



Summer Village of Birch Cove Council Policy

PUBLIC PARTICIPATION PLANS

(a) When so directed by this Policy or Council, the CAO shall develop a Public Participation Plan for approval by Council which shall consider the following:

- i. the nature of the matter for which Public Participation is being sought;
- ii. the impact of the matter on Municipal Stakeholders;
- iii. the demographics of potential Municipal Stakeholders in respect of which Public Participation Tools to utilize, level of engagement and time for input;
- iv. the timing of the decision and time required to gather input;
- v. what information is required, if any, to participate; and
- vi. available resources and reasonable costs.

(b) Public Participation Plans will, at minimum, include the following:

- vii. a communication plan to inform the public about the Public Participation plan and opportunities to provide input;
- viii. identification of which Public Participation Tools will be utilized;
- ix. timelines for participation;
- x. information about how input will be used;
- xi. the location of information required, if any, to inform the specific Public Participation.

REPORTING AND EVALUATION

(a) Information obtained in Public Participation will be reviewed by the CAO and a report shall be provided to Council.

(b) The report shall include, at minimum, the following:

- i. an overview of the Public Participation Plan and how it was developed;



Summer Village of Birch Cove Council Policy

- ii. an assessment of the effectiveness of the plan based on the level of engagement and the quality of input;
 - iii. a summary of the input obtained; and
 - iv. may include recommendations for future Public Participation Plans.
- (c) Reports shall be provided to Council for review.

Legal References: MGA 216.1, 230, 606, 692

Revisions:

Resolution Number	MM/DD/YY

NEW



PUBLIC PARTICIPATION PLANS

Summer Village of Birch Cove

The purpose of this plan is to outline Council and Administration's plan to engage and encourage public participation with the Summer Village of Birch Cove.

Approved:

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UNAPPROVED

Introduction

Relationships among people are a critical element of municipal business. This Plan provides some guidance about how the Summer Village can maintain good relationships through appropriate public input regarding decisions made by Council.

It is anticipated that the readers of this document will be:

- a) those in municipal administration who are responsible for integrating public input opportunities into municipal projects and plans,
- b) those on Council who will be making decisions about appropriate public input,
- c) those in municipal administration who will be determining if developers or other proponents have provided for an adequate public input process, and
- d) those who own property within the municipality

Public Input

The Purpose of Public Input

Municipal Councils make decisions in public for the public good. This plan supports the involvement of citizens in these public decisions. The public input is sought after when there is a decision to be made that will impact the residents of the Summer Village. Public input is valuable for decisions that impact residents for three reasons:

1. It helps strengthen the relationship between the council and the citizens of the Summer Village
2. It informs the citizens of the Summer Village, therefore, minimizing complaints and costs caused by last minute changes
3. It leads to better solutions for everyone involved in the Summer Village

Determining When Public Input is Needed

Public input is essential to the municipal decision process. The Municipal Government Act (MGA) has a legal requirement for Council and Council committees to conduct business in public and to ensure the public is notified of certain kind of decisions.

Most of the decisions made by council can be or are enhanced by public input. The few situations where public input is not required are referred to as directive decisions. Directive decisions are those made by a person authorized to do so, and are issued to others simply to inform them the decision has been made. The situations where a directive decision is appropriate are as follows:

1. There is an urgent need to respond immediately (e.g. flood response).
2. A person in authority is acting within their authority (e.g. police carrying out their duties).

3. The decisions are routine and are accepted as part of the municipality's operations (e.g. snow removal after a heavy snowfall).
4. The decisions are dictated by law (e.g. improvements to water treatment plant).
5. The decisions have substantial effect only on those who have already agreed to be affected through some form of contract (e.g. employment, volunteerism, accepting elected office).

In these cases, the municipality is acting within its authority and is expected to implement the decision efficiently. These decisions are posted to the public through the website and the community information signs. The public can also contact the Summer Village's office if they have any questions or concerns about the decisions made.

Public input is necessary when consultative decisions are to be made. These types of decisions usually have one or more of the following characteristics:

1. Public notification and input are required by law (see MGA requirements in the Introduction).
2. The decision is a known concern of other parties, or is likely to have a significant impact on other parties (e.g. a proposed casino).
3. The decision affects society's moral or emotional expectations (e.g. expansion of a recreation centre).
4. The decision affects the "comfort envelope" (lifestyle or habits) of citizens (e.g. road closure affecting how people access the highway).
5. People perceive there are risks associated with the decision (e.g. approving a "half-way" house to support convict rehabilitation).
6. Council or administration requests public input prior to making the decision (e.g. public buildings or open space management).

Consultative decisions are common in municipalities, however, the final decision rests with Council. For consultative decisions, public engagement is required. Ways in which the Summer Village encourages engagement is through surveys, the annual gatherings, council meetings that are open to the public, and annual newsletters.

Ways in Which the Summer Village Solicits Input

During the decision making process, the following questions will aid Council and Administration when determining what manner of public input is required:

- What kind of decision is being made?
- Who is going to be affected?
- How will those affected perceive the matter?

After asking these questions, Council and Administration can determine, choose from the listing above, which way public input is carried out.

While the MGA defines the minimum legal requirements for a municipality to provide public notification which are strictly followed, some additional ways that public input is and can be petitioned by the Summer Village are:

- Summer Village website page
- Annual picnics, gatherings, information meetings
- On-line or Paper Surveys
- Community information sign
- Annual newsletters
- Council meetings
- Mail outs

These methods are used to encourage public input from a variety of people who belong to certain demographic groups. This allows for a wide range of input to help Council members come to a decision that can help satisfy the needs of the Municipality.

Resources

Resources are available to help residents develop more informed inputs for decisions regarding the Municipality. The following resources are posted on the Summer Village's website:

- All policies that effect the Summer Village
- All bylaws that effect the Summer Village
- All meeting agendas and minutes from Council meetings
- Contact information for the Summer Village

With the help of these resources, Council and Administration hopes that the public will utilize them to help make better informed inputs.

From: Cathy Heron <president@abmunis.ca>
Sent: Monday, September 18, 2023 2:02 PM
Subject: EAI's recent misinformation campaign

Dear Alberta Municipalities Members,

Last year, we sent you a notice to correct misinformation disseminated by an entity called Energy Associates International (EAI). It is disappointing that we must do this again, a year later, almost to the month. We are making this joint statement so there can be no doubt that Alberta Municipalities (ABmunis) is serious about maintaining and protecting its reputation.

ABmunis is proud of its work to support communities, not shareholders. It's our reason for being and was the philosophy behind our founding in 1905. We have never lost sight of this mandate and continue to work very hard every day to meet it.

ABmunis demonstrates its commitment to its members and clients by developing innovative products and services, such as Power+, that help Alberta's communities achieve budget stability during uncertain times. **As your member-led association, we will always act transparently and ethically as we meet our mandate to serve Alberta's communities.**

Misinformation campaign by EAI

The recent misinformation campaign attributable to EAI has given us cause to pursue against them a second demand letter to cease-and-desist. EAI, a privately owned for-profit corporation, recently communicated incorrect and misleading information to our members about ABmunis' wholly-owned corporation, Alberta Municipal Services Corporation (AMSC), and its innovative Power+ electricity procurement process.

In the spirit of transparency, we want to take a moment to address these points with you now.

1. EAI says "AMSC has failed to meet its electricity aggregation program objectives..."

The facts:

- o **The objective for Power+ was always clear: to provide long-term budget certainty at a low total cost.** We have met this objective by sourcing energy for six years, a longer term than that available on the retail or wholesale markets.
- o We agreed to a shorter term than we had initially anticipated due to the unnecessary risk premium that Power+ subscribers would have had to pay. This is directly due to the regulatory uncertainty around the cost of carbon emissions beyond 2030.
- o Acting in the best interest of our Power+ participants, we chose to offer our subscribers the lowest obtainable price for the longest possible term. This was always the goal.

1. EAI says "...now being offered a retail electricity price..."

The facts:

- o We achieved a 6-year commitment at the lowest possible price by cutting out the middlemen and using the combined purchasing power of our Power+ subscribers to procure electricity directly from the generator.
- o The fact is, the retail market, which EAI operates in, does not offer purchase transactions beyond 5 years. **Our Power+ has been able to achieve a longer term at lower prices by negotiating directly with the generators.**

1. EAI says "...up to potentially 20% higher than wholesale markets..."

The facts:

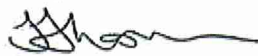
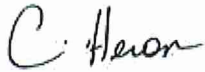
- o The wholesale market EAI operates in is selling electricity out to only 2027 with very few transactions in 2026 or 2027. Wholesale rates between the years 2024 and 2027 are currently priced at approximately \$75/MWh for a 4 year term. **Our Power+ program was able to achieve pricing for our members below \$70/MWh for a 6 year term, significantly lower than wholesale pricing.** This is attributable to the combined purchasing power of our Power+ subscribers and by purchasing electricity directly from the generator.
- o Several ABmunis members have validated through their own broker-administered and independent procurements that many wholesalers are pricing electricity at \$86/MWh and sometimes upwards of \$115/MWh.
- o In addition to performing a competitive public procurement process that gave us access to the lowest obtainable price for our subscribers, we have validated our results with several members and with consultants. Not surprisingly, EAI failed to provide a lower price than that offered through Power+ for the same term.

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Alberta Municipalities worked diligently and with the greatest integrity to secure the very best offering for our members and clients. We are confident that we have succeeded in delivering an unbeatable benefit for our Power+ program subscribers.

Should you receive any communications from EAI or if you have any questions regarding Alberta Municipalities Power+, we encourage you to call our knowledgeable and helpful staff at 310.MUNI or e-mail energy@abmunis.ca. You can also find information at our [website](#).

As the CEO of Alberta Municipalities, I welcome your calls at 780.431.4535 or email at dan@abmunis.ca.



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We respectfully acknowledge that we live, work, and play on the traditional and ancestral territories of many Indigenous, First Nations, Métis, and Inuit peoples. We acknowledge that what we call Alberta is the traditional and ancestral territory of many peoples, presently subject to Treaties 4, 6, 7, 8 and 10 and Six Regions of the Métis Nation of Alberta.



Sending on behalf of Karla Palichuk, YRL Director.

Dear Municipal Administrators and School Division Superintendents,

On behalf of the Yellowhead Regional Library (YRL) Board of Trustees, I am pleased to share the YRL budget with you:

- 2024 Budget Overview
- 2024 Draft Budget with Projections for 2025 and 2026

The Executive Committee reviewed the draft budget in August and passed a motion recommending the Board approve the budget. The Board will meet to review the draft budget on October 16 and will vote on the budget at the annual organizational meeting on December 4.

To assist you in appointing a representative to the YRL Board of Trustees (and an alternate, if you choose), please refer to these documents:

- Board of Trustees Overview, Appointments and Meetings
- YRL Board Appointments Form (PDF and Word)
 - **Action:** Please return the form following your organizational meeting; if you choose not to appoint a trustee, please let me know.

We look forward to working with the Trustees to support YRL's continued provision of valued programs and services to member public and school libraries.

This email and the attachments will be forwarded to YRL trustees and member public library managers for their information.

Thank you and we look forward to hearing your feedback!

Karla Palichuk MLIS

SHE/HER

Director

P: 780-962-2003 EXT 226

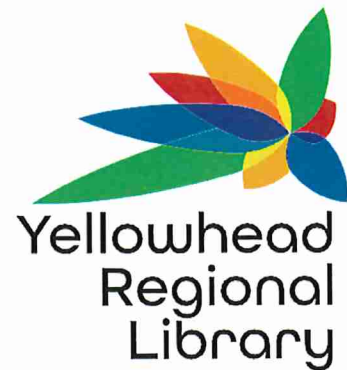
yrl.ab.ca | Box 4270, Spruce Grove, AB T7X 3B4



Libraries
VALUE
BEYOND
words

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2024 Budget Overview



Introduction

Integrated planning is the process that links mission, vision, values and priorities to coordinate and drive all planning and resource allocation operations.

Determining the cost of YRL's routine expenses (organizational commitments and operations) while balancing strategic planning efforts (Plan of Service initiatives) is a part of the annual budget process.

Not all components of the strategy will need more direct funding. Some tasks might need new processes or procedures, as well as a reallocation of resources (staff time).

Budget Process

- Accounting assessed organizational commitments, projected interest rates and inflationary increases based on the current situation and average actual expenses over past four years.
- Managers confirmed organizational commitments (license agreements, professional consultation), projected staffing requirements and assessed projects based on operational commitments and strategic priorities.
- Administration reviewed requests and rationale, adjusted budget amounts, and evaluated plans with consideration of the ad-hoc Finance Committee recommendations.
- Budget line items are reviewed as either 'routine' (operational or organizational commitments) and 'strategic' (directly related to the Plan of Service – initiatives, new directions, innovation or strategic direction to move the organization forward).

As an outcome of funding these initiatives, we expect results in quality, improvement, growth and gains towards the strategic plan.

Strategic Initiatives 2024, Funded from Revenues

1. Membership support

Goal 1. Hub for learning and connection – manage and protect systems and IT.

Direction for 2024

An area of assessed risk to the YRL network is now the public computers. Increased budget allocation permits inclusion of one additional Technology Services (TS) staff. Responsibilities for this position include but are not limited to; ensuring regular updates; and installing software to protect the integrity of public computers and reduce risk related to phishing and malware threats. At particular risk are those libraries without in-house or contracted IT services. Additional staff position would provide needed backup for existing staff.

2. Employee benefits/salaries

Goal 4. Excellent place to work – attract and retain quality staff.

Direction for 2024

Salary line item reflects the compensation philosophy of the Board and includes additional staff for two departments: Collections and Resource Sharing (part time) and Technology Services (see 1. Membership Support). The application for the additional staff from these managers will support activities under:

Goal 1. Hub for learning – actively engage member library staff; member library staff will build skills; manage and protect systems and IT.

Goal 2. Quality information and resources – implement collection development policy; enable patrons to access digital collections; YRL services easy to access.

Additional staff will either support direct library service or free up staff time so they can focus on more complex work.

3. Professional services

Goal 1. Hub for learning – develop skills to advance strategic priorities.

Goal 3. Share knowledge and skills – have advocacy strategy in place.

Goal 4. Excellent place to work – involve board in advocacy; develop a DEI strategy.

Direction for 2024

In addition to organizational requirements for services and support. Includes continuing to work with Focus Communications on advocacy, marketing, and communication strategies to support YRL and libraries in building relevant advocacy and communications resources along with expertise in crafting advocacy messages. Development of a DEI strategy was unfunded in 2023 and the informational process on this initiative has started with the executive and staff. Administration feels that outsourcing some work to those familiar with councils, library trustees and governance would be the next step.

Strategic Initiatives 2024, Funded from Revenues (continued)

4. Trustee expenses

Goal 4. Excellent place to work – board demonstrates excellence in governance.

Direction for 2024

Increasing participation in face-to-face meetings results in increased travel and meeting costs. Face-to-face meetings assist in building relationships and camaraderie amongst board and staff. Increasing the number of opportunities for board members to participate in either YRL ad hoc committees or provincial activities (advocacy). Resumption of in-person conferences geared to, and appropriate for, regional library system trustees. Possibility of additional trustee educational opportunities, as per the Alberta Libraries Act and Regulations.

5. Staff professional development

Goal 1. Hub for learning – actively engage member library staff.

Goal 2. Quality information and resources – YRL services will be easy for member library staff to access.

Goal 3. Share knowledge and skills – be innovative.

Goal 4. Excellent place to work.

Direction for 2024

Increased outreach to member library staff and an increased physical presence for YRL and library staff. YRL has a policy with regards to professional development and continuing education. Budget line item is reasonable to support staff development and corresponds to pre-pandemic levels.

Strategic Initiatives 2024, Funded from Reserves

1. Cybersecurity risk

Goal 1. Hub for learning – manage and protect systems and IT.

Goal 3. Share knowledge and skills – be innovative.

Direction for 2024

Significant work has been done in 2023 to address network vulnerabilities. The current risk area is public access computers. YRL has not been involved in upgrading, monitoring or maintaining public access computers for some years. Funding from reserves (special projects) for the acquisition of system restore software that would protect the integrity of computer workstations, reducing or eliminating issues related to malware attacks. MAC address authenticator would identify resources added or attached to the YRL network and control access rights.

Strategic Initiatives 2024, Funded from Reserves (continued)

2. Replacement of IT infrastructure and resources for collaboration

Goal 1. Hub for learning – stabilize and strengthen its existing services.

Goal 3. Share knowledge and skills – be innovative.

Direction for 2024

With increased use of technology for meetings (executive, board; library managers, remote delivery of training), meeting infrastructure is starting to fail. Replacement of the meeting screen in board room and the inclusion of resources into the YRL Learning Lab will provide stability and offer increased options for innovation and learning. Replacement of wireless access points is a known expenditure (capital) and was identified in the technology plan.

Unfunded Strategic Initiatives 2024

1. Leadership development

Goal 3. Share knowledge and skills – be innovative.

Goal 4: Excellent place to work – fearless learning organization, psychological safety

Resources

Staff time.

Direction for 2024

Managers work together to learn and practice skills needed in knowledge-driven environments. Includes, but not limited to, learnings on emotional intelligence, innovation adoption, leadership styles and how these impact on organizational culture.

2. Problem solving techniques

Goal 3. Shares knowledge and skills - innovation.

Resources

Staff time

YRL Master Membership Agreement (MMA)

The MMA outlines the services YRL provides. The cost of the services is offset by the levy. For 2023, the services cost YRL 117% of the levy income – the difference comes from the operating grant from the Public Library Services Branch and reserve funds.

**Yellowhead Regional Library
DRAFT 2024 Budget - General Fund**

REVENUE		2023		2024		VARIANCE	NOTES
		\$	\$	\$	\$	\$	
R1	Additional Allotment	\$ 95,000	\$ 150,000	\$ 55,000			Additional allotment purchased by member libraries; offset in Line E16: Purchases - Allotment.
R2	Contract Services	\$ 78,000	\$ 78,000	\$ -			TRAC Central Site Agreement.
R3	Interest	\$ 50,000	\$ 145,000	\$ 95,000			Estimate based on projected cashflow; current high interest rates expected to remain.
R4	Local Appropriations	\$ 1,379,406	\$ 1,433,185	\$ 53,779			Based on YRL Board recommendation to increase levy to \$4.65 per capita on the latest Alberta Treasury Board and Finance population estimates and known changes.
R5	Non-allotment Sales	\$ 200,000	\$ 200,000	\$ -			Prediction for the volume of non-allotment purchases; offset in Line E18: Purchases - Non-allotment; reflects trend experienced over last three years.
R6	Operating Grant	\$ 1,390,506	\$ 1,462,572	\$ 72,066			Public Library Services Branch (PLSB) operational funding; based on 2019 population figures; assumption grant remains at \$4.75 per capita; includes Library Services Grant paid out to member libraries and offset in Line E9: Library Grant Disbursements.
R7	Other Grants	\$ 26,432	\$ 27,726	\$ 1,294			On-Reserve/On-Settlement (OROS) Grant provided by PLSB; offset in Line E13: OROS Grant.
R8	School System Levy	\$ 147,278	\$ 147,761	\$ 483			Based on YRL Board recommendation to increase levy to \$15.10 per full-time equivalent (FTE) student on Alberta Education population figures; reflects trend in lower school populations.
R9	Workshop Revenue	\$ -	\$ 12,000	\$ 12,000			Received from our conference attendees to help with costs for the annual in-person conference; offset in E24: Workshops.
TOTAL REVENUE		\$ 3,367,122	\$ 3,656,244	\$ 289,122			

EXPENSES		2023		2024		VARIANCE	NOTES
		\$	\$	\$	\$	\$	
E1	Bank Charges & Miscellaneous	\$ 2,200	\$ 2,310	\$ -			Credit card fees, provision for uncollectable debt and other miscellaneous charges.
E2	Building Maintenance	\$ 46,000	\$ 48,300	\$ 2,300			Non-capital building maintenance including mechanical, cleaning and incidentals; increase due to possible increase on services such as cleaning, snow removal and janitorial.
E3	Membership Support	\$ 2,500	\$ 2,500	\$ -			Hot swap inventory and IT staff travel to member libraries (fuel and meals/hotels, if necessary).
E4	Delivery	\$ 44,625	\$ 46,856	\$ 2,231			Direct non-salary costs of delivery; increase due to high fuel prices.
E5	Employee Benefits	\$ 294,973	\$ 369,170	\$ 74,197			Reflects anticipated increase; known Canada Pension Plan increase; 2% cost of living adjustment.
E6	Employee Salaries	\$ 1,627,211	\$ 1,922,834	\$ 295,623			Reflects known staff changes; estimate of seniority increases; 2% cost of living adjustment; two new staff positions - \$109,591.
E7	Insurance	\$ 20,000	\$ 20,000	\$ -			Alberta Municipal Services Corporation provides all coverages (auto, building, liability and cyber liability insurance).
E8	Leases & Licensing	\$ 120,000	\$ 135,000	\$ 15,000			Licensing costs for software and equipment leasing and maintenance (often reactive); ACSJ Fortinet contract renewal.

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**Yellowhead Regional Library
DRAFT 2024 Budget - General Fund**

EXPENSES Part 2		2023		2024		VARIANCE		NOTES
E9	Library Grant Disbursements	\$ 56,016	\$ 60,486	\$ 4,470				Funds distributed to designated libraries as directed by municipality per capital increased by province in 2023; income reflected in Line R6: <i>Operating Grant.</i>
E10	Library Supplies & Shipping	\$ 22,000	\$ 25,000	\$ 3,000				Processing supplies (mylar, labels, barcodes) and incoming shipment charges; up due to inflation and vendor price increases.
E11	Memberships	\$ 20,600	\$ 20,600	\$ -				Alberta Library Trustees' Association (ALTA); Library Association of Alberta (LAA); The Alberta Library (TAL); Canadian Urban Libraries Council (CULC).
E12	Office Supplies & Equipment	\$ 23,000	\$ 23,000	\$ -				General office supplies and internal hardware/software purchases.
E13	OROS Grant	\$ 26,426	\$ 27,726	\$ 1,300				Offset in Line R7: <i>Other Grants.</i>
E14	Printing & Promotion	\$ 4,750	\$ 5,500	\$ 750				Printing of annual report, plan of service and other communication material; promotional costs for YRL's share of regional library participation in trade shows if needed and promotional materials (product and quantity reviewed yearly to address costs).
E15	Professional Services	\$ 137,500	\$ 140,500	\$ 3,000				Annual audit fee increase; technical support and incidental legal expenses; majority due to ASCI (IT) and Mugo (web services) contracts; Focus Communications fee, Happiness Programme machines license. Increase based on average actual cash flow over last three years.
E16	Purchases - Allotment	\$ 324,334	\$ 330,000	\$ 5,666				Allotment maintained at \$0.75 per capita for public libraries and \$1.00 per FTE student for school libraries; includes additional allotment purchased by member libraries that is offset in Line R1: <i>Additional Allotment.</i>
E17	Purchases - HQ Collections	\$ 215,000	\$ 239,250	\$ 24,250				To cover inflation and USD conversions; new resources; online content; majority are negotiated by TAL on behalf of members.
E18	Purchases - Non-allotment	\$ 200,000	\$ 200,000	\$ -				Offset in Line R5: <i>Non-allotment Sales.</i>
E19	Staff Travel/Recruitment	\$ 10,000	\$ 10,000	\$ -				Non-IT staff travel (fuel and meals/hotels, if necessary) and recruitment-related costs for securing qualified staff.
E20	Staff Professional Development	\$ 24,000	\$ 33,800	\$ 9,800				Includes general/technical training and in-person conference.
E21	Telephone & Utilities	\$ 96,200	\$ 100,000	\$ 3,800				Off-site data service fees.
E22	TRAC Expenses	\$ 206,000	\$ 200,000	\$ (6,000)				YRL's share of TRAC budget; reflects TRAC purchases of software licenses and online content. Decrease based on average actual cash flow over last three years.
E23	Trustee Expenses	\$ 20,000	\$ 30,000	\$ 10,000				Board/Executive Committee meeting costs, advocacy and YRL conference; increase as more in person visits expected.
E24	Workshops	\$ 22,000	\$ 22,000	\$ -				YRL conference and in-house workshops, inflation, hosting cost.
TOTAL EXPENSES		\$ 3,565,335	\$ 4,016,856	\$ 449,387				

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**Yellowhead Regional Library
DRAFT 2024 Budget - General Fund**

	2023	2024
General Fund: Surplus (Deficiency) Revenue Over Expenses	\$ (198,213)	\$ (360,612)
Cost-benefit ratio	105.89%	109.86%

Reserve Fund Transfer to Operational Contingency Fund

Purchases - Capital Assets	
Aruba access points replacement	\$ 82,420
MAC address authenticator	\$ 52,106
OWL or similar product for Learning Lab	\$ 3,500
Boardroom TV screen	\$ 10,060
Learning Lab interactive whiteboard	\$ 8,776
Laptop mobile lab replacement	\$ 7,000
Sub-total	\$ 163,861

Special Projects

Licenses for IT support for public computers	\$ 24,000
Total Assets Expense	\$ 187,861

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Yellowhead Regional Library DRAFT 2024 Budget - All Funds

REVENUE	2021 Received	2022 Budget	2022 Received	2023 Budget	2023 Received	2019-2022 Average Budget	2019-2022 Average Received	2024 Projected	Notes
R1 Additional Allotment	\$ 41,102	\$ 95,000	\$ 17,005	\$ 95,000	\$ 110,500	\$ 93,750	\$ 60,877	\$ 150,000	Member libraries provide their own funds to buy library materials through YRL.
R2 Contract Services	\$ 78,000	\$ 78,000	\$ 39,000	\$ 78,000	\$ 39,000	\$ 78,000	\$ 68,250	\$ 78,000	TRAC central site contract fee.
<i>Deferred Gov't Contributions</i>	\$ 160,307					\$ -	\$ -	\$ 160,306	Original funds from Province for payment of building; deferred over years.
R3 Interest	\$ 15,483	\$ 17,000	\$ 9,143	\$ 50,000	\$ 85,239	\$ 35,625	\$ 28,200	\$ 145,000	Expectation for rates to remain steady or rise slightly over 2024.
R4 Local Appropriations	\$ 1,316,485	\$ 1,354,480	\$ 515,444	\$ 1,379,406	\$ 706,717	\$ 1,306,363	\$ 1,097,485	\$ 1,433,185	2.5% increase in per capita fee; latest municipal population census estimate.
R5 Non-allotment Sales	\$ 202,529	\$ 175,000	\$ 103,529	\$ 200,000	\$ 94,582	\$ 171,250	\$ 180,765	\$ 200,000	Member libraries are billed directly for library materials purchased through YRL.
R6 Operating Grant	\$ 1,390,506	\$ 1,390,506	\$ -	\$ 1,390,506	\$ 1,462,572	\$ 1,403,148	\$ 1,042,139	\$ 1,462,572	Per capita increase on 2019 populations.
R7 Other Grants	\$ 26,432	\$ 26,432	\$ -	\$ 26,432	\$ -	\$ -	\$ -	\$ 27,726	On-Reserve/On-Settlement (OROS) Grant; increased in 2023.
R8 School System Levy	\$ 142,422	\$ 156,392	\$ 67,151	\$ 147,278	\$ 73,058	\$ 153,833	\$ 128,699	\$ 147,761	2.5% increase in per student fee; student populations have declined.
R9 Workshops	\$ 32,450	\$ 32,450	\$ 3,000	\$ -	\$ -	\$ 15,488	\$ 12,405	\$ 12,000	Status quo; based on known actuals.
TOTAL REVENUE	\$ 3,346,834	\$ 3,325,260	\$ 754,272	\$ 3,366,622	\$ 2,571,668	\$ 3,257,456	\$ 2,618,819	\$ 3,816,550	

EXPENSES Part 1	2021 Spent	2022 Budget	2022 Spent	2023 Budget	2023 Received	2019-2022 Average Budget	2019-2022 Average Spent	2024 Projected	Notes
<i>Amortization of Capital Assets</i>	\$ 271,740	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 233,732	
E1 Bank Charges & Miscellaneous	\$ 1,696	\$ 2,200	\$ 2,083	\$ 2,200	\$ 866	\$ 1,867	\$ 1,396	\$ 2,310	5% increase.
E2 Building Maintenance	\$ 38,730	\$ 44,000	\$ 42,108	\$ 46,000	\$ 32,309	\$ 42,625	\$ 41,888	\$ 48,300	5% increase.
E3 Membership Support	\$ 1,247	\$ 2,500	\$ 1,296	\$ 2,500	\$ 477	\$ 1,813	\$ 1,031	\$ 2,500	Remains the same.
E4 Delivery	\$ 39,729	\$ 42,500	\$ 45,305	\$ 44,625	\$ 21,681	\$ 46,875	\$ 37,754	\$ 46,856	5% increase.
E5 Employee Benefits	\$ 1,630,359	\$ 278,235	\$ 258,305	\$ 294,973	\$ 146,548	\$ -	\$ -	\$ 369,170	2% COLA increase plus 10% increase in benefits.
E6 Employee Salaries	\$ 10,495	\$ 10,700	\$ 11,407	\$ 1,627,211	\$ 733,612	\$ 10,588	\$ 10,249	\$ 1,922,834	2% COLA increase.
E7 Insurance	\$ -	\$ -	\$ -	\$ 20,000	\$ 14,159	\$ 1,775	\$ -	\$ 20,000	Remains the same.
E9 Inter-library Loan Expenses	\$ 90,315	\$ 121,200	\$ 91,388	\$ 120,000	\$ 75,229	\$ 112,950	\$ 88,390	\$ 135,000	Increase based on anticipated changes in subscription renewals and licenses for IT support for public computers.

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Yellowhead Regional Library DRAFT 2024 Budget - All Funds

EXPENSES Part 2	2021 Spent	2022 Budget	2022 Spent	2023 Budget	2023 Received	2019-2022 Average Budget	2019-2022 Average Spent	2024 Projected	Notes
E9 Library Grant Disbursements	\$ 56,016	\$ 56,016	\$ 56,016	\$ 56,016		\$ 56,016	\$ 56,016	\$ 60,486	Increase based on new population figures.
E10 Library Supplies & Shipping	\$ 21,527	\$ 29,000	\$ 15,907	\$ 22,000	\$ 9,994	\$ 28,181	\$ 18,436	\$ 25,000	5% increase.
E11 Memberships	\$ 16,725	\$ 20,600	\$ 12,789	\$ 20,600	\$ 13,003	\$ 18,325	\$ 14,224	\$ 20,600	Remains the same.
E12 Office Supplies & Equipment	\$ 18,130	\$ 27,400	\$ 22,714	\$ 23,000	\$ 7,267	\$ 34,238	\$ 24,346	\$ 23,000	Remains the same.
E13 OROS Grant		\$ 26,426	\$ 26,426	\$ 26,426	\$ 22,717	\$ 26,426		\$ 27,726	OROS Grant increased in 2023.
E14 Printing & Promotion	\$ 4,732	\$ 4,750	\$ 4,203	\$ 4,750	\$ 2,285	\$ 4,833	\$ 3,381	\$ 5,500	5% increase.
E15 Professional Services	\$ 115,327	\$ 143,000	\$ 125,213	\$ 137,500	\$ 86,344	\$ 117,125	\$ 106,742	\$ 140,500	Includes fees for auditor, Focus Communications and legal.
E16 Purchases - Allotment	\$ 349,700	\$ 333,602	\$ 342,210	\$ 324,334	\$ 168,956	\$ 324,295	\$ 327,781	\$ 330,000	Increase based on new population figures.
E17 Purchases - HQ Collections	\$ 216,217	\$ 222,500	\$ 216,174	\$ 215,000	98851	\$ 225,625	\$ 222,088	\$ 239,250	Increase based on CRS budget request.
E18 Purchases - Non-allotment	\$ 203,637	\$ 175,000	\$ 191,218	\$ 200,000	\$ 125,356	\$ 171,250		\$ 200,000	Remains the same.
E21 Special Projects Fund*	\$ 95,184								
E19 Staff Travel/Recruitment	\$ 4,461	\$ 6,000	\$ 5,681	\$ 10,000	\$ 3,626	\$ 9,833	\$ 13,872	\$ 10,000	Remains the same.
E20 Staff Professional Development	\$ 7,121	\$ 24,137	\$ 19,867	\$ 24,000	\$ 16,035	\$ 22,629	\$ 7,883	\$ 33,800	Includes director's continuing education contract amount; more in person events.
E21 Telephone & Utilities	\$ 81,892	\$ 96,200	\$ 84,375	\$ 96,200	\$ 47,812	\$ 100,788	\$ 78,658	\$ 100,000	Utilities cost increase.
E22 TRAC Expenses	\$ 195,537	\$ 197,000	\$ 201,814	\$ 206,000	\$ 195,410		\$ 184,298	\$ 200,000	Decrease based on actual costs.
E23 Trustee Expenses	\$ 14,716	\$ 22,500	\$ 22,584	\$ 20,000	\$ 17,748	\$ 41,375	\$ 29,658	\$ 30,000	Increase based on post covid actual cost.
E24 Workshops	\$ 9,186	\$ 20,500	\$ 20,076	\$ 22,000	\$ 13,985	\$ 22,125	\$ 14,745	\$ 22,000	Remains the same; includes in person conference, inflation and hosting cost.
TOTAL EXPENSES	\$ 3,494,418	\$ 3,378,016	\$ 3,269,060	\$ 3,685,335	\$ 1,854,270	\$ 1,421,555	\$ 1,282,836	\$ 4,248,564	

All Funds: Surplus (Deficiency)	\$ (147,584)							\$ (432,014)
Revenue Over Expenses								
General Fund: Surplus (Deficiency)	\$ 59,033							\$ (358,588)

Reserve Fund Transfer to Operational Contingency Fund

Purchases - Capital Assets

Aruba access points replacement	\$ 82,420
MAC address authenticator	\$ 52,106
OWL or similar product for Learning L	\$ 3,500
Boardroom TV screen	\$ 10,060
Learning Lab interactive whiteboard	\$ 8,776
Laptop mobile lab replacement	\$ 7,000
Sub-total	\$ 163,861

Special Projects

Licenses for IT support for public com	\$ 24,000
Total Assets Expense	\$ 187,861

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**Yellowhead Regional Library
2024 Budget with Projections for 2025 and 2026**

REVENUE		2023	2024	2025	2026
R1	Additional Allotment	\$ 95,000	\$ 150,000	\$ 157,500	\$ 165,375
R2	Additional Services	500	-	-	-
R3	Contract Services	78,000	78,000	78,000	78,000
R4	<i>Deferred Gov't Contributions</i>	<i>160,300</i>	<i>160,306</i>	<i>160,306</i>	<i>160,306</i>
R5	Interest	25,000	145,000	145,000	145,000
R6	Interest GIC	25,000		-	-
R7	Local Appropriations	1,379,406	1,433,185	1,476,180	1,520,466
R8	Non-allotment Sales	200,000	200,000	210,000	220,500
R9	Operating Grant	1,390,506	1,462,572	1,462,572	1,462,572
R10	Other Grants	26,432	27,726	27,726	27,726
R11	School Division Levy	147,278	147,761	152,194	156,760
R12	Workshop Revenue	0	12,000	12,000	12,000
TOTAL REVENUE		\$ 3,527,422	\$ 3,816,550	\$ 3,881,478	\$ 3,948,705

EXPENSES

E1	<i>Amortization of Capital Assets</i>	\$ 222,100	\$ 233,732	\$ 245,406	\$ 245,406
E2	Bank Charges and Miscellaneous	2,200	2,310	2,368	2,427
E3	Building Maintenance	46,000	48,300	49,508	50,745
E4	Delivery	44,600	46,856	48,028	49,228
E5	Employee Benefits	295,000	369,170	387,628	407,009
E6	Employee Salaries	1,627,200	1,922,834	1,961,290	2,000,516
E7	Insurance	20,000	20,000	20,000	20,000
E8	Leases and Licenses	120,000	135,000	135,000	135,000
E9	Library Grant Disbursement	56,016	60,486	60,486	60,486
E10	Library Supplies	22,000	25,000	25,000	25,000
E11	Membership Support	2,500	2,500	2,500	2,500
E12	Memberships	20,600	20,600	20,600	20,600
E13	Office Supplies and Equipment	23,000	23,000	23,000	23,000
E14	On-Reserve/On-Settlement Grant	26,426	27,726	27,726	27,726
E15	Printing and Promotion	4,750	5,500	5,500	5,500
E16	Professional Services	137,500	140,500	144,013	147,613
E17	Purchases - Allotment	324,392	330,000	330,000	330,000
E18	Purchases - HQ Collections	215,000	239,250	245,231	251,362
E19	Purchases - Non-allotment	200,000	200,000	200,000	200,000
E20	<i>Special Project Fund</i>	<i>90,000</i>	<i>-</i>	<i>-</i>	<i>-</i>
E21	Staff Professional Development	24,000	33,800	33,800	33,800
E22	Staff Travel Expenses/Recruitment	10,000	10,000	10,000	10,000
E23	Telephone and Utilities	96,200	100,000	100,000	100,000
E24	TRAC Expenses	206,000	200,000	200,000	200,000
E25	Trustee Expenses	20,000	30,000	30,750	31,519
E26	Workshops	22,000	22,000	22,000	22,000
TOTAL EXPENSES		\$ 3,877,484	\$ 4,248,564	\$ 4,329,834	\$ 4,401,437

All Funds: Surplus (Deficiency) Revenue Over Expenses	\$ (350,062)	\$ (432,014)	\$ (448,356)	\$ (452,732)
General Fund: Surplus (Deficiency) Revenue Over Expenses	\$ (198,262)	\$ (358,588)	\$ (363,255)	\$ (367,634)
Reserve Fund Transfer to (from) Operational Contingency Fund	\$ (198,262)	\$ (358,588)	\$ (363,255)	\$ (367,634)
Purchases - Capital Assets	\$ 175,000	\$ 163,861	\$ 34,000	\$ 34,000

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**Yellowhead Regional Library
Fund Reserves**

	General Fund	Equity in Capital Assets	Capital Fund	Operational Contingency Fund	Special Projects Fund	Total
Balance at 2022 Year End	\$ 81,154	\$ 225,926	\$ 953,026	\$ 2,026,633	\$ 129,689	\$ 3,416,428
Excess to June 30, 2023 Revenue Over Expenses	\$ 592,024					
Amortization to June 30, 2023		(118,629)				
Capital Asset Purchases		-	-			
Capital Asset Disposals		-				
Special Projects						
Deferred Contribution		80,153				
Balance at June 30, 2023	\$ 673,178	\$ 187,450	\$ 953,026	\$ 2,026,633	\$ 129,689	\$ 3,969,976

2024 Municipal Operating Grant / Library Services Grant / Appropriations

Municipality	2019 Population	Population 2022 as of January 11, 2023	2023 Appropriation at \$4.65/capita (2022 Pop Est)	Library Services Grant at \$5.60/capita (2019 Pop Est)	Allotment at \$0.75/capita (2022 Pop Est)	Operating Grant at \$4.75/capita (2019 Pop)
ALBERTA BEACH	1,018	1,097	\$5,104.89		\$822.75	\$4,835.50
BARRHEAD	4,579	4,591	\$21,364.22		\$3,443.25	\$21,750.25
BARRHEAD NO. 11, COUNTY OF	6,288	6,357	\$29,582.30		\$4,767.75	\$29,868.00
BEAUMONT ¹⁵	19,236	21,918	\$101,995.41		\$16,438.50	\$91,371.00
BIRCH COVE	45	45	\$209.41	252	\$33.75	\$213.75
BRAZEAU COUNTY	7,771	7,962	\$37,051.17	43,518	\$5,971.50	\$36,912.25
BRETON	574	506	\$2,354.67		\$379.50	\$2,726.50
CALMAR	2,228	2,484	\$11,559.29		\$1,863.00	\$10,583.00
CASTLE ISLAND	10	9	\$41.88	56	\$6.75	\$47.50
CLYDE	430	434	\$2,019.62	2,408	\$325.50	\$2,042.50
CRYSTAL SPRINGS	51	53	\$246.64	286	\$39.75	\$242.25
DEVON	6,578	6,689	\$31,127.26		\$5,016.75	\$31,245.50
DRAYTON VALLEY	7,235	6,802	\$31,653.11		\$5,101.50	\$34,366.25
EDSON	8,414	7,903	\$36,776.61		\$5,927.25	\$39,966.50
GRANDVIEW ¹⁷	114	131	\$609.61	638	\$98.25	\$541.50
HINTON	9,882	10,087	\$46,939.85		\$7,565.25	\$46,939.50
JASPER, Municipality of	4,590	4,113	\$19,139.85		\$3,084.75	\$21,802.50
KAPASIWIN	10	13	\$60.50	56	\$9.75	\$47.50
LAC STE. ANNE COUNTY	10,899	11,325	\$52,700.89		\$8,493.75	\$51,770.25
LAKEVIEW	30	35	\$162.87	168	\$26.25	\$142.50
LEDUC	33,032	35,398	\$164,724.59		\$26,548.50	\$156,902.00
LEDUC COUNTY ¹³⁵	13,780	14,547	\$67,694.46		\$10,910.25	\$65,455.00
MA-ME-O BEACH	110	73	\$339.71	616	\$54.75	\$522.50
MAYERTHORPE	1,320	1,100	\$5,118.85		\$825.00	\$6,270.00
MILLET ²⁵	1,945	1,843	\$8,576.40		\$1,382.25	\$9,238.75
NAKAMUN PARK	96	95	\$442.08	538	\$71.25	\$456.00
NORRIS BEACH	38	47	\$218.71	213	\$35.25	\$180.50
ONOWAY	1,029	927	\$4,313.79		\$695.25	\$4,887.75
Parkland County ⁵⁷	32,097	34,487	\$160,485.25		\$25,865.25	\$152,460.75
POPLAR BAY	103	110	\$511.89	577	\$82.50	\$489.25
ROSS HAVEN	160	144	\$670.10	896	\$108.00	\$760.00
Sandy Beach		270	\$1,256.45	-	\$202.50	\$0.00
SEBA BEACH	169	147	\$684.06		\$110.25	\$802.75
SILVER BEACH	65	71	\$330.40	364	\$53.25	\$308.75
SILVER SANDS	160	161	\$749.21	896	\$120.75	\$760.00
SOUTH VIEW	67	59	\$274.56	375	\$44.25	\$318.25
SPRING LAKE	699	772	\$3,592.50	3,914	\$579.00	\$3,320.25
Spruce Grove ⁵⁷	35,766	40,842	\$190,058.25		\$30,631.50	\$169,888.50
STONY PLAIN	17,842	18,567	\$86,401.53		\$13,925.25	\$84,749.50
SUNRISE BEACH	135	131	\$609.61	756	\$98.25	\$641.25
SUNSET POINT	169	159	\$739.91	946	\$119.25	\$802.75
SWAN HILLS	1,301	1,265	\$5,886.68		\$948.75	\$6,179.75
THORSBY	1,015	972	\$4,523.20		\$729.00	\$4,821.25
VAL QUENTIN	252	266	\$1,237.83	1,411	\$199.50	\$1,197.00
WABAMUN	682	-	\$0.00		\$0.00	\$3,239.50
WARBURG	766	768	\$3,573.89		\$576.00	\$3,638.50
WEST COVE	149	194	\$902.78	834	\$145.50	\$707.75
WESTLOCK	5,101	4,802	\$22,346.11		\$3,601.50	\$24,229.75
WESTLOCK COUNTY	7,220	7,229	\$33,640.15		\$5,421.75	\$34,295.00
WETASKIWIN	12,655	12,317	\$57,317.16		\$9,237.75	\$60,111.25
Wetaskiwin County No. 10 ¹²⁷	11,181	11,684	\$54,371.49		\$8,763.00	\$53,109.75
WHITECOURT ⁴⁵	10,204	9,586	\$44,608.45		\$7,189.50	\$48,469.00
WOODLANDS COUNTY ⁴⁵	4,754	4,830	\$22,476.41		\$3,622.50	\$22,581.50
YELLOWHEAD COUNTY	10,995	11,438	\$53,226.73		\$8,578.50	\$52,226.25
YELLOWSTONE	137	125	\$581.69	767	\$93.75	\$650.75
Totals	295,176	307,980	\$1,433,184.93	\$60,485.60	\$230,985.00	\$1,402,086.00

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2024 School Divisions at \$15.10 per FTE Student

Name	Total FTE	2024 Levy	Allotment (\$1.00/FTE)
Northern Gateway School Division			
Darwell School Library	152	\$ 2,295.20	\$ 152.00
Elmer Elson Elementary School Library	274.5	\$ 4,144.95	\$ 274.50
Grasmere School Library	122.5	\$ 1,849.75	\$ 122.50
Hilltop Junior/Senior High School Library	518	\$ 7,821.80	\$ 518.00
Mayerthorpe Junior/Senior High School Library	267	\$ 4,031.70	\$ 267.00
Onoway Elementary School Library	403.5	\$ 6,092.85	\$ 403.50
Onoway Junior/Senior High School Library	485	\$ 7,323.50	\$ 485.00
Pat Hardy Primary School Library	283	\$ 4,273.30	\$ 283.00
Percy Baxter Middle School Library	368	\$ 5,556.80	\$ 368.00
Rich Valley School Library	110.5	\$ 1,668.55	\$ 110.50
Sangudo Community School Library	104.5	\$ 1,577.95	\$ 104.50
Whitcourt Central School Library	351	\$ 5,300.10	\$ 351.00
Total	3,439.5	\$51,936.45	\$3,439.50

2024 School Divisions at \$15.10 per FTE Student

Name	Total FTE	2024 Levy	Allotment (\$1.00/FTE)
Pembina Hills School Division			
Barrhead Composite High School Library	676	\$ 10,207.60	\$ 676.00
Busby School Library	95	\$ 1,434.50	\$ 95.00
Dunstable School Library	61	\$ 921.10	\$ 61.00
École Barrhead Elementary School Library	540	\$ 8,154.00	\$ 540.00
École Westlock Elementary School Library	372	\$ 5,617.20	\$ 372.00
Eleanor Hall School Library	193	\$ 2,914.30	\$ 193.00
Fort Assiniboine School Library	87	\$ 1,313.70	\$ 87.00
Neerlandia Public Christian School Library	240	\$ 3,624.00	\$ 240.00
Pembina North Community School Library	31	\$ 468.10	\$ 31.00
Pibroch Colony School Library	21	\$ 317.10	\$ 21.00
R.F. Staples Secondary School Library	585	\$ 8,833.50	\$ 585.00
Sunny Bend Colony School Library	20.5	\$ 309.55	\$ 20.50
Swan Hills School Library	181	\$ 2,733.10	\$ 181.00
Total	3,102.5	\$ 46,847.75	\$ 3,102.50

2024 School Divisions at \$15.10 per FTE Student

Name	Total FTE	2024 Levy	Allotment (\$1.00/FTE)
Wetaskiwin School Division			
Alder Flats Elementary School Library	97	\$ 1,464.70	\$ 97.00
Buck Mountain Central School Library	171	\$ 2,582.10	\$ 171.00
Centennial School Library	142	\$ 2,144.20	\$ 142.00
Clear Vista School Library	409.5	\$ 6,183.45	\$ 409.50
Falun Elementary School Library	115	\$ 1,736.50	\$ 115.00
Griffiths-Scott School Library	271	\$ 4,092.10	\$ 271.00
Gwynne School Library	\$	-	\$ -
Lakedell Elementary School Library	65.5	\$ 989.05	\$ 65.50
Lynn Lauren Early Education School Library	28	\$ 422.80	\$ 28.00
Norwood School Library	221	\$ 3,337.10	\$ 221.00
Parkdale School Library	196.5	\$ 2,967.15	\$ 196.50
Pigeon Lake Regional School Library	260	\$ 3,926.00	\$ 260.00
Pine Haven Colony School Library	13	\$ 196.30	\$ 13.00
Pipestone School Library	86	\$ 1,298.60	\$ 86.00
Queen Elizabeth School Library	177.5	\$ 2,680.25	\$ 177.50
Silver Creek Colony School Library	12	\$ 181.20	\$ 12.00
Wetaskiwin Composite High School Library	910	\$ 13,741.00	\$ 910.00
Winfield School Library	68.5	\$ 1,034.35	\$ 68.50
Total	3,243.5	\$ 48,976.85	\$ 3,243.50

SCHOOL DIVISION TOTALS	9,785.50	147,761.05	9,785.50
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Government Oversight

- The [Alberta Libraries Act](#) requires library systems, like YRL, to be governed by a board comprised of appointed trustees from each member municipality and school division.
 - The board meets four times per year to approve the annual budget, auditor, audited financial statements, and YRL Master Membership Agreement modification recommendations.
- The [Alberta Libraries Regulations](#) require library systems to establish an executive committee of not more than 10 persons when the board has more than 20 members.
 - As per YRL policy, the 10-person executive committee comprises five seats from municipalities with 15,000+ in population, one school division seat, three seats apportioned by municipality type, and one seat open to all YRL trustees.
 - The executive committee meets six times per year to frame policy, set priorities, develop goals and objectives, and employ qualified staff to administer the library.

Trustee Appointments and Terms

- Each member municipality and school division may appoint a trustee and an alternate.
- These individuals should:
 - Be an elected official, a library board trustee, or a community member.
 - Strongly believe in, and be committed to, the importance of libraries.
 - Be knowledgeable and skilled in one or more areas of governance: advocacy, finance, personnel, policy and/or services.
 - Be prepared to stand for and/or to elect the executive committee.
- A continuous three-year term (or three sequential one-year terms) is recommended.

Meetings

- YRL meetings are scheduled on Mondays from 10:00 a.m. to 12:00 p.m.
 - **Oct. 16 – Board of Trustees Meeting**
 - **Dec. 4 – Board Organizational Meeting and Executive Committee Meeting**

Mission Statement

Yellowhead Regional Library (YRL) provides materials and services to public and school libraries, and other organizations, to assist them in meeting the informational, educational, cultural, and recreational needs of their communities.

For additional trustee and/or board information, please refer to the [YRL website](#) or contact Laurie Haak, Executive Assistant, at lhaak@yrl.ab.ca or 780-962-2003, extension 221.



YRL Board Appointments

Municipality or School Division			
Appointment Date		Term Length	year(s)

YRL Board Trustee			
<input type="checkbox"/>	< Select to decline appointing a YRL Board Trustee		
Name			
Mailing Address			
Home address*			
Email			
Alternate Email			
Cell		Business	
Home		Fax	

YRL Board Alternate			
<i>May attend board meetings when trustee cannot.</i>			
<input type="checkbox"/>	< Select to decline appointing a YRL Board Alternate		
Name			
Mailing Address			
Home address*			
Email			
Alternate Email			
Cell		Business	
Home		Fax	

Return to Laurie Haak at lhaak@yrl.ab.ca

* The Canada Revenue Agency (CRA) requires a home address, complete only if different from mailing address.

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**LAC STE. ANNE FOUNDATION
BOARD MEETING MINUTES
June 28, 2023
Chateau Lac Ste. Anne – Family Room
1:00 p.m.**

1. Call to Order- 1:03 p.m. by Ross Bohnet

Present: Ross Bohnet, Sandy Morton, Daryl Weber, Paul Chauvet, Marge Hanssen & Len Kwasny

Absent: Jeremy Wilhelm, Bernie Poulin

Guest: Erin Haubrich

Staff: Dena Krysik – CAO, Betty Gale – Recording Secretary, Robin Strome – Finance Officer

2. Approval of Agenda

Board Member Paul Chauvet moves:

Motion #23-024: The Board approves the agenda for June 28, 2023 as amended.

- 5cii. CLSA Dry System Failure
- 8c. 2023/24 AHS Funding Summary

Carried

3. Presentation – Regional Housing Needs Assessment

Board Member Len Kwasny moves:

Motion #23-025: The Board approves the Regional Housing Needs Assessment and authorizes the submission to the Government of Alberta as presented.

Carried

4. Board Meeting Minutes

Board Member Daryl Weber moves:

Motion #23-026: The Board approves the April 26, 2023 Board meeting minutes as presented.

Carried

5. Financial

Board Member Marg Hanssen moves:

- **Motion #23-027:** The Board approves to renew the investment to the TD Canada Trust GIC/Term deposit in the amount of \$1,959,348.62 for a term of 365 days at an interest rate of 5.25% effective July 4, 2023.

Carried

Board Member Sandy Morton moves:

- **Motion #23-028:** The Board ratifies the grant application submission to the Green Kickstarter Fund in the amount of \$10,000 to upgrade Chateau Lac Ste. Anne and Pleasant View Lodge lighting

Carried

Board Member Paul Chauvet moves:

- **Motion #23-029:** The Board approves the request to re-allocate \$9500.00 to complete the replacement of the hot water tank mixing valves and \$10,276.23 to complete the removal and replacement of the dry pipe valve at the Chateau Lac Ste. Anne Lodge.

Carried

Board Member Len Kwasny moves:

- **Motion #23-030:** The Board accepts the grant completion submission to the Canada Alberta Job Grant for the Managerial Excellence Program the management team has completed through Norquest College in the amount of \$16,000.00 as presented.

Carried

6. New/Other Business

Board Member Daryl Webber moves:

- **Motion #23-031:** The Board approves the 2023 Business Plan submission as amended.

Carried

Board Member Len Kwasny moves:

Motion #23-032: The Board approves the LSAF group benefit premium renewal effective July 1, 2023 as presented.

Carried

7. Policy Review

Board Member Sandy Morton moves:

Motion #23-033: That the Board approves the LSAF Health & Safety Commitment letter as presented.

Carried

Board Member Marg Hanssen moves:

Motion #23-034: That the Board approves the Health & Safety Committee – Terms of Reference as presented.

Carried

8. Information Items

Board Member Paul Chauvet moves:

Motion #23-035: The Board accepts items 8a, 8b, & 8c for the June 28, 2023 meeting as information.

Carried

9. In Camera

Board Member Len Kwasny moves:

Motion #23-036: The Board Moves to go into Camera at 3:04 pm.

Carried

Board Member Len Kwasny moves:

Motion #23-037: The Board Moves to come out of Camera at 3:24 pm.

Carried

10. Date Place & Time of Next Meeting

All Board members move:


Motion #23-038: The next Board Meeting is to be determined.

Carried

11. Adjournment


The Chair declares that as all matters have been attended to the meeting is now adjourned at 3:26 pm.

Carried



Chairperson

Sept 20/23
Date



Chief Administrator Officer

Sept 29/23,
Date



WED., OCT 18TH

ST. ALBERT CENTRE/CENTURY CASINO - (10:30 – 3:30) St. Albert Centre/Century Casino.
 OPEN TO THE PUBLIC – Bus \$18.00.

WED., OCT 25TH

A DAY IN SPRUCE GROVE – Bus \$18.00 – OPEN TO THE PUBLIC.



- Tri Leisure,
- Medical Appointments,
- Walmart, Westland Market and Superstore

WED., NOV 1ST

(SEATS ARE SELLING FAST)

WEM/IKEA - (WEM 10:45 – 3:30/IKEA 11:15 AM – 2:00 PM) OPEN TO THE PUBLIC – Bus \$18.00

WED., NOV 15TH

ST. ALBERT CENTRE/CENTURY CASINO/COSTCO - (COSTCO 2:15 – 3:15) OPEN TO THE PUBLIC – Bus \$18.00.

THUR., NOV 16TH

CROCODILE ROCK: THE LEGEND OF ELTON JOHN - Join EEB in this evening performance. He's one of the all-time great rock legends, with hit after hit all across the world. Now the story of the Rocket Man is getting the Jubilations Dinner Theatre twist! **Book your seat on Tuesday, October 24th maximum 2 seats per booking. Cost \$85.00 per person** (includes transportation & dinner theatre) Seniors 50+ Pickup TBA

WED., NOV 22ND

A DAY IN SPRUCE GROVE – Bus \$18.00 – OPEN TO THE PUBLIC.

- Tri Leisure,
- Medical Appointments,
- Walmart, Westland Market and Superstore

THUR., NOV 30TH

BUTTERDOME CHRISTMAS CRAFT SALE – Tim Hortons for our morning coffee stop –. Signatures Butterdome Craft Sale is a uniquely Canadian handmade marketplace in Edmonton that features the works of over 220 artists, artisans, makers, and designers from coast-to-coast. It is an annual tradition where visitors can meet passionate creators in person, hear their stories, and feel their works first-hand. Join us at the University of Alberta's Butterdome for an unforgettable experience and shop for handmade that lasts a lifetime.

Book your seat on Tuesday, October 31st maximum 2 seats per booking Cost \$42.00 (bus & admission) – Lunch your cost. Arrival time to Butterdome approximately 11:00 am Departure 3:00 pm. Seniors 50 + Pickup location Alberta Beach 50+ Club 9:30 am



WED., DEC 6TH

WEM/MUTTART CONSERVATORY - (WEM 10:45 – 3:30/11:15 – 2:00) Bus \$18.00. – OPEN TO THE PUBLIC

WED., DEC 13TH

ST. ALBERT CENTRE/CENTURY CASINO - (10:30 – 3:30) St. Albert Centre/Century Casino. OPEN TO THE PUBLIC – Bus \$18.00.

WED., DEC 20TH

A DAY IN SPRUCE GROVE -Let's celebrate together with an EEB Christmas Luncheon at Swiss Chalet- Bus \$18.00, lunch your cost. OPEN TO THE PUBLIC.

- Tri Leisure,
- Medical Appointments,
- Walmart, Westland Market and Superstore



Contact Lorna at (780) 905-3934

Office Hours Monday – Thursday 9:00 am – 4:00 pm
 To receive an EEB monthly schedule send your email address to eastendbus@gmail.com
 Schedule is also available on www.lsa.ca or www.onoway.ca

BOOKING POLICY

BOOK YOUR EXCURSION BY PHONE ONLY

- 9:00 am – 10:00 am **NEVER** experienced this excursion advertised before with EEB and live in the service area

Excursions are intended for EEB service area residents who are 50+ (example dinner theatres, overnight trips etc.)
 If you do not live in the service area you may leave your name for the waiting list on or after booking day.

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Hello YRL Member Municipal Administrators and School Division Superintendents and Principals,

Please share with anyone in your network who is connected to public and/or school libraries.

Registration is open for the [2023 Stronger Together Library Conference](#).

- [Friday, Nov. 3](#): Online conference **\$10 OR Free** when registering for Nov. 9 or 10
- [Thursday, Nov 9](#): [Alberta Library Trustees' Association Symposium](#) for library board trustees **\$85** (member rate)
- [Friday, Nov. 10](#): Stronger Together Conference for public and school library staff and library board trustees **\$85** (member rate)

The conferences on Nov. 9 and 10 will take place at the [River Cree Resort and Casino](#). The non-member rate for each of the in-person days is \$100.

If you have any questions or would like more information, please do not hesitate to contact me.

Thank you and we look forward to seeing you at the conference!

Laurie Haak

SHE/HER

Executive Assistant

P: 780-962-2003 EXT 221

yrl.ab.ca | Box 4270, Spruce Grove, AB T7X 3B4



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Register today for the

2023 ANNUAL CONFERENCE Stronger Together

Online November 3

In-person November 9+10



Enhance your professional development, and advance your library's goals, with a series of learning opportunities at this year's Stronger Together Conference, November 3 (online), 9 and 10 (at the River Cree Resort and Casino).

2023 Stronger Together




There are many issues facing libraries today, and an equal number of opportunities to position libraries as community hubs where learning and fun come together. Hear about the latest in advocacy, programming, safety and operations; meet colleagues from across the province, and share in meaningful dialogue.

A collaborative effort, the Stronger Together Conference program has something for everyone:

November 3

A day of **online** sessions, kicked off with a plenary session by Dr. Lucy Santos Green from the University of Iowa, and featuring expert speakers on topics such as accessibility and DEI, programs for non-reader teens, a round table discussion on the future of public libraries, and much more.

November 9

An **in-person** day of sessions hosted by  **ALTA**
Alberta Library Trustees' Association
with a morning session facilitated by Ian McCormack, followed in the afternoon by dialogue on topics important to trustees.

November 10

An **in-person** day that starts with a keynote presentation by Norah Marsh on Power through Collaboration, then delivers thought-provoking presentations on topics such as 2SLGBTQ+ inclusion, artificial intelligence, safety, a closing session on the value of public debate – and more!

This packed agenda will present topics ranging from the philosophical to hands-on practical learning. Don't miss this made-in-Alberta event, affordably priced. Register for either of the in-person days (November 9 or 10) and received a FREE registration to the online sessions!

Three days | 40 speakers | Eight topic categories

REGISTER TODAY at strongertogether2023.heysummit.com

Presented by:



EMERGING TRENDS IN MUNICIPAL LAW

PRESENTED
BY



BROWNLEE LLP
Barristers & Solicitors

CALGARY February
8th, 2024

EDMONTON February
15th, 2024

Save the Date: Emerging Trends in Municipal Law 2024

Brownlee LLP cordially invites you to our annual Emerging Trends in Municipal Law seminar, aimed at delivering expert insight and understanding into the field of municipal law. Join us as we delve into the challenges, opportunities and changes that lie ahead for municipalities, while providing invaluable strategies to empower municipal success at this invite-only event.

Please mark your calendars and feel free to reach out to me at nmoyo@brownleelaw.com if you have any questions.

Stay tuned for further updates!

Emerging Trends dates:

- Feb 8th 2024 – Calgary
- Feb 15th 2024 – Edmonton

Sincerely,

Brownlee LLP

This message is sent on behalf of the Brownlee Municipal Practice Area.

You are receiving this correspondence because you have previously attended Emerging Trends in Municipal Law, or because you or your employer has utilized or expressed interest in utilizing our services.

Connect with us:

Edmonton:

2200 Commerce Place
10155 102 St. NW
Edmonton, AB T5J 4G8
(780) 497-4800
Toll Free: 1-800-661-9069

Calgary:

1500 Watermark Tower
530 – 8 Ave. SW
Calgary, AB T2P 3S8
(403) 232-8300
Toll Free: 1-877-232-8303

Vancouver:

1450 Toronto Dominion Tower
700 West Georgia St.
Vancouver, BC V7Y 1K8
(604) 416-5100



October 11th 2023

Ste Anne Regional Emergency Management Agency
Janice Christiansen and Marlene Walsh

Subject: Notice of Intent to Withdraw and Request for Amendment to Agreement Clause 25

Dear Janice and Marlene,

I trust this letter finds you well. I am writing to formally communicate Sunset Point's intent to withdraw from the Ste. Anne Summer Village Regional Emergency Management Agency, in accordance with Agreement Clause 25. As per the agreement, we are providing twelve (12) months advance written notice of our intention to modify our membership status.

Firstly, I want to express our continued commitment to the agency during this transition period. Sunset Point will remain an active member for the coming year and will actively participate in agency activities as required. We believe that this phased approach will contribute to a smooth and collaborative transition for all parties involved.

In consideration of our evolving circumstances and strategic priorities, we kindly request an amendment to Agreement Clause 25. Instead of the standard 12-month termination notice, we propose that Sunset Point be allowed to conclude its membership in the agency by January 1, 2024. This adjusted timeline aligns with our internal restructuring plans and ensures a seamless transition for all stakeholders.

Moreover, as a partner in the agency, Sunset Point wishes to express its support for any other municipality considering withdrawal from the partnership. We advocate for similar terms, allowing flexibility in the termination notice period for municipalities seeking to depart. We believe that this approach fosters a cooperative spirit within the partnership and facilitates the pursuit of individual municipalities' unique goals.

Additionally, we are aware of Alberta Beach's interest in joining the agency, and we extend our full support for their inclusion. We request that, when the notice to the province is drafted to incorporate Alberta Beach into the partnership, simultaneous action be taken to adjust the status of Sunset Point in the Ministerial order.

We are open to discussing any formal procedures or documentation required to facilitate this modified withdrawal process. Our goal is to ensure a cooperative and constructive transition during this period.

Thank you for your understanding and cooperation in this matter. We remain committed to the agency's success and look forward to contributing actively in the coming year.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Ferris".

Matthew Ferris

CAO

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Attention: Chief Administrative Officers, Municipal Clerks, and Census Coordinators

Re: Municipal Census Regulation and Municipal Census Manual

In 2019, the Government of Alberta announced its intention to move from municipal census counts to population estimates for the purposes of allocating provincial grants to municipalities. Over the last several months, former Minister of Municipal Affairs Ric McIver and I have both heard that municipalities strongly prefer that we revert to the recognition of municipal census counts. As a result of that feedback, and after consultation with my colleague the Honourable Travis Toews, President of Treasury Board and Minister of Finance, I am pleased to announce the approval of the Municipal Census Regulation and Municipal Census Manual.

The attached regulation and manual not only outline municipal census requirements, but also incorporate the feedback we have received since 2019, including updating the definitions of “usual residence” and “shadow population.” In addition, we have extended the period for enumeration, and for how long the ministry will recognize a municipal shadow population count.

The manual was developed in partnership with Statistics Canada and addresses many of the concerns identified by you, our municipal partners. The manual, when used alongside the Municipal Census Regulation, provides municipalities with the tools necessary to conduct a municipal census that is consistent with best practices and ensures an accurate population count.

Some of the more notable enhancements over previous versions include:

- standardized methodology to enumerate persons with no usual residence;
- alignment of collection methodologies to reflect best practices and key learnings from the most recent federal census;
- updates to key census definitions including usual residence and shadow population;
- standardized approach to enumerating shadow population;
- the ability to include an estimated resident count for non-contacted dwellings and refusals recognized as part of the population total;
- a mechanism to review population submissions and verify population counts; and
- several other textual changes to the included forms, templates, and materials.

The new regulation and census manual will allow municipalities to conduct a census in 2024. Following the submission of the 2024 results, my department will be reaching out to you in an effort to capture what worked well, and what could be improved.

If you have any questions or would like additional information regarding the regulation or manual, please contact a Municipal Information Advisor by email at ma.updates@gov.ab.ca or by telephone, toll-free by first dialing 310-0000, then 780-422-2555.

Sincerely,



Rebecca Schulz
Minister

Attachment: Municipal Census Regulation and Manual



ALBERTA
MUNICIPAL AFFAIRS

Office of the Minister
MLA, Calgary-Shaw

MINISTERIAL ORDER NO. MSD:001/23

I, Rebecca Schulz, Minister of Municipal Affairs, pursuant to Section 604 of the *Municipal Government Act*, make the Municipal Census Regulation as set out in the attached Appendix.

Dated at Edmonton, Alberta, this 28th day of March, 2023.

Rebecca Schulz
Minister of Municipal Affairs

FILED UNDER
THE REGULATIONS ACT

ALBERTA REGULATION 88/2023

ON APRIL 6 20 23

DEPUTY REGISTRAR OF REGULATIONS

APPENDIX
Municipal Government Act
MUNICIPAL CENSUS REGULATION

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- 2** Municipal Census Manual
- 3** Census rules
- 4** Shadow population
- 5** Review of census results
- 6** Change in geographic area
- 7** Use of census data
- 8** Expiry

Interpretation

1(1) In this Regulation,

- (a) “census day” means the date chosen by a municipal authority as the census date, occurring within a census period in which an enumeration is conducted, which can be a date prior to the start of enumeration;
- (b) “census period” means a 3-month consecutive period beginning on a date that is on or after March 1 and ending on a date that is on or before July 31 of the same year;
- (c) “municipal census” means a population count of the total number of individuals whose usual residence is in a municipal authority, conducted in accordance with this Regulation;
- (d) “shadow population” means the temporary residents of a municipal authority who are employed by an industrial or commercial establishment in the municipal authority and who have worked at least 120 hours for that employer in the 3-month period immediately preceding census day;
- (e) “temporary resident” means a person who resides in a municipal authority on census day but whose usual residence is located in another municipal authority or a place outside Alberta.

(2) For the purposes of this Regulation, the "usual residence" of a person is a location within a municipal authority with a residential street address or physical address that

- (a) is the main dwelling site of the person on census day, and
- (b) is the place where the person lives and sleeps and to which, when the person is absent from it, the person intends to return.

(3) Notwithstanding subsection (2),

- (a) the "usual residence" of a person who has been in an institution, such as a correctional institution or hospital, for less than 6 months is deemed to be the place that was the person's usual residence before the person entered the institution, and
- (b) a student who
 - (i) is in attendance at an educational institution within or outside Alberta,
 - (ii) is residing in a place temporarily for the purpose of attending an educational institution, and
 - (iii) has family members who are usually resident in Alberta and with whom the student usually resides when not in attendance at an educational institutionis deemed to reside with those family members.

Municipal Census Manual

2 The Minister, by order, shall issue a Municipal Census Manual and may amend the Manual from time to time.

Census rules

3(1) A municipal authority that wishes to conduct a municipal census must

- (a) notify the Minister's department by February 28 of the year in which the census will be conducted that the municipal authority will be conducting a municipal census and whether the municipal authority will count the

shadow population of the municipal authority when conducting the census,

- (b) choose a census period and census day before beginning enumeration,
- (c) ensure that the person in charge of the census swears or affirms the oath prescribed in the Municipal Census Manual prior to the census being conducted,
- (d) ensure that all census enumerators complete the statement of a census enumerator prescribed in the Municipal Census Manual prior to undertaking work on the census,
- (e) conduct the census in accordance with this Regulation and the Municipal Census Manual, and
- (f) submit the results of the census in the form prescribed by the Municipal Census Manual before September 1 of the year in which the census was conducted.

(2) Notwithstanding subsection (1), if a municipal authority wants to conduct a census that is not in accordance with this Regulation and the Municipal Census Manual and have the results recognized by the Minister as the population of that municipal authority, the municipal authority must receive the Minister's approval prior to February 28 of the census year.

Shadow population

4(1) Subject to subsection (2), if the shadow population in a municipal authority is

- (a) greater than 1000 persons, or
- (b) less than 1000 persons but greater in number than 10% of the permanent population,

and the municipal authority has submitted its shadow population count to the Minister in the form prescribed by the Municipal Census Manual by no later than September 1 of the census year, a municipal authority may have the shadow population count included as part of the municipal authority's population total.



(2) The Minister shall determine whether the shadow population count in a municipal authority will be included as part of the municipal authority's population total.

(3) A shadow population count that is included in a municipal authority's population total shall be removed from the municipal authority's population total on the release of the next federal census for the municipal authority.

Review of census results

5 The Minister may direct a municipal authority to provide information regarding a municipal census to the Minister, in the form and manner determined by the Minister, for the purposes of reviewing a municipal census result.

Change in geographic area

6 If the geographic area of a municipal authority changes after June 30 in a year in which the municipal authority has conducted a municipal census, the Minister may require the municipal authority to update the results of the census and submit the updated results to the Minister in accordance with the directions of the Minister.

Use of census data

7 The Minister may use the results of a municipal census and shadow population count to determine the population of a municipal authority, as published by the Minister's department from time to time.

Expiry

8 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on November 30, 2032.