

Town of Redcliff

Municipal Inspection

Report

May 2013

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Government of Alberta ■

Municipal Affairs

Alberta Municipal Affairs (2013) Town of Redcliff Municipal Inspection Report
Edmonton: Alberta Municipal Affairs (December 2011)

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1 Executive Summary

In July of 2011, the former Minister of Municipal Affairs ordered an inspection to be conducted on the affairs of the Town of Redcliff. This came as a result of a request from council and a sufficient petition from the residents of the Town of Redcliff (Town).

Municipal Affairs inspectors undertook a review of the Town of Redcliff's management and operations by conducting interviews with council, staff, and residents, reviewing key files and guiding documents, and observing a council and council committee meeting. Through this, the inspectors found that the Town of Redcliff has been managed and operated for the most part, in a manner that is generally in accordance with Section 3 of the *Municipal Government Act (MGA)*. However, in some instances the Town has been managed and operated in an irregular and improper manner.

The concerns brought forward by residents are indicative of distrust in council and administration that has been festering for 20 years. Further, many of the specific concerns brought forward date back many years and significantly pre-date the current council and Chief Administrative Officer (CAO). The inspection reviewed these concerns with respect to comparison to current policy or practice, but limited any recommendations to the timeframe of the current council.

This report makes 41 recommendations that will endeavour to assist the Town in addressing these matters. Additionally, a recommendation has been made to the Minister to issue directives to address those items that are of a more serious nature or a direct contravention of the *MGA*.

It should be noted that the management and release of this inspection has been delayed due to a number of factors that have been beyond the control of the Town. Since the onset of this process, the Town has taken many steps towards improving their operations.

2 Purpose & Scope

The purpose of this inspection report is to identify current situations in which the Town of Redcliff's governance and administrative practices are not optimal or are in direct contravention of the *MGA* and to propose municipal best practices to replace them. The purpose of the Report is not to find fault or to assign blame.

The inspectors are required to report on the findings of this review and on matters that fall within the requirements of the *MGA*. If, because of an inspection, the Minister considers that the Town has been managed in an “irregular, improvident, or improper” manner, the Minister may, by order, direct the Town to take any actions he considers necessary.

The terms irregular, improvident, or improper are defined according to Funk and Wagnall's standard dictionary as:

- Improvident: 1. Lacking foresight; incautious; rash.
 2. Taking no thought of future needs; thriftless.
- Improper: 1. Deviating from fact, truth, or established usage.
 2. Not conforming to accepted standards of conduct or good taste.
 3. Unsuitable.
- Irregular: 1. Not according to established rules or procedure.
 2. Not conforming to accepted standards of conduct.

There is currently legal action pending between the Town and the petition representative; these matters will therefore not be discussed in this report.

The inspectors spoke with a number of residents and community leaders and their issues ranged from specific concerns with operations to being genuinely pleased with the direction of the Town.

Further, many of the specific concerns brought forward through the interview component of the inspection date back many years and significantly pre-date the current council and Chief Administrative Officer (CAO). For the most part, the inspection reviewed these concerns with respect to comparison to current policy or practice, but limits any recommendations to the timeframe of the current council.

3 Background

Situated approximately 10 kilometres northwest of Medicine Hat, the Town of Redcliff is home to 5,588 people residing in 2,195 dwelling units (2012 statistics). The municipality was originally incorporated as a Village by Ministerial Order on November 15, 1910, and incorporated as a Town on August 31, 1912. In 2010, the Town employed the equivalent of 37 full-time positions. Redcliff maintains 91 kilometres of roads, 84 kilometres of water mains and 75 kilometres of waste-water mains.

Redcliff had a long period of stable governance and administration until a series of changes came about in the past three to four years. Councillor turnover was low for two to three decades. A former CAO had held the position for close to 30 years.

A 28-year Treasurer retired in May 2011. When the former CAO left in 2008, there was a period of interim CAOs before the current CAO began in mid-2010.

New CAOs often initiate significant levels of organizational change in their first two years. In Redcliff however, considerably more organizational change than usual has taken place for several reasons:

- Changes are often needed in any organization after the departure of a top executive that has been in the position for several decades.
- An extended period of interim administrations produces a certain level of instability that needs to be addressed.
- The Town hired a contractor to carry out an organizational review that was completed in February 2011 and which included several recommendations for change. For the most part, the recommendations have been, or are being, acted upon.

The level of change required within the Town in the past few years has placed a very heavy burden on the Town's corporation at all levels. This is no one's fault. It is a reality based on a broad perspective of the organization's history. With the preparation of this Inspection Report, still more change will be necessary.

It does not come as a surprise then, that a group of citizens formally expressed concerns on the Town's governance and operations at a council meeting on January 31, 2011. One particular concern presented to council was the extent to which they used in camera meetings, including the public's lack of awareness of why they were doing so.

On May 9 of that same year, council passed the following resolution:

“Councillor Solberg moved...that the Town of Redcliff write to the Minister of Municipal Affairs requesting under Section 571(1) of the Municipal Government Act an inspection on the matter of closing parts of council meetings to the public.”

The Minister replied on June 8, 2011 indicating that:

“A municipal inspection would not look at only one aspect alone, such as the issue of in-camera sessions during a council meeting....I would like to ask that your council please reconfirm the request for a municipal inspection based on the information provided in this letter regarding what a municipal inspection would include.”

Council reconfirmed their request in a letter dated June 29, 2011 indicating their hope that the Minister could expedite his decision.

Around the same time, a group of Town residents circulated a petition that was forwarded to the Minister of Municipal Affairs on June 15, 2011, being worded as follows:

“The purpose of this petition is to have the Minister of Municipal Affairs of the Province of Alberta conduct an inquiry into the administrative operations and capital expenditures of the Town of Redcliff.

The objective of this petition is to ensure that the Town of Redcliff is properly managing Town affairs in a manner that is in the best interest of its citizens.”

The population for the Town of Redcliff in 2011 (when the petition was received by the Minister) was 5,096. Section 572.1(a-i) of the *MGA* requires that petitions for an inquiry be signed by at least 20 per cent of a municipality’s population; therefore, 1,020 names were required.

Municipal Affairs determined that 1,219 of the 1,254 signatures on the petition were valid. Signatures determined to be invalid were those whose printed or written names were illegible or incorrectly addressed. Since the required number of valid signatures was met, the petition was deemed sufficient. Of note, the number of valid signatures represented almost twice the number of votes cast during the October 2010 Redcliff municipal election (636).

On July 25, 2011, the (former) Minister advised the petitioner and town council that he would be ordering an inspection. In letters dated November 25, 2011 Minister Griffiths advised that he appointed Mr. John Szumlas and Mr. Richard Barham of Activation Analysis Group Inc. (AAGI) as the inspectors pursuant to Section 571 of the *MGA*, to conduct an inspection of the management, administration and operations of the Town of Redcliff.

In the same letter, the Minister also expressed his belief that:

“... The information from the inspection will help the Council and Administration in the Town in dealing with the issues it faces. In addition, the inspector’s report may assist in educating the public on municipal government needs.”

In early 2013, the Minister concluded the appointment of Mr. Szumlas and Mr. Barham as inspectors and appointed Municipal Affairs staff, Ms. Desiree Kuori and Ms. Aleks Nelson as inspectors to complete the inspection report. In February and March 2013 Ms. Kuori and Ms. Nelson, assisted by Ms. Sue Armstrong (Senior Planning Advisor, Alberta Municipal Affairs) spent several days in the Town reviewing documentation and conducting interviews with council, staff and residents who requested an appointment to speak to the inspectors.

4 Council

4.1 *Council Composition*

Council is currently composed of six councillors and a Mayor who is elected at large as per Section 150 of the *MGA*. The general municipal election in 2010 brought about some change to the council chambers in that two new members were elected. Five of the seven members were returning incumbents. The council members for the Town of Redcliff are as follows;

Chere Brown -	Councillor
Cathy Crozier -	Councillor
Robert Hazelaar -	Mayor
Dwight Kilpatrick -	Councillor
Ernie Reimer -	Councillor
Eric Solberg -	Councillor
Jim Steinke -	Councillor

4.2 *Role of Council*

A councillor's general duties are outlined in Part 5 of the *MGA*. The role of council is primarily to set policy while it is the role of administration to implement council's policies.

The inspectors met with each councillor and the Mayor individually and asked a similar set of questions on their view of the Town and its operations. It was heard that, for the most part, council gets along well and that discussion around the table is fairly informal. Based on responses to the questions that were asked, it was clear to

the inspectors that some of the councillors did not fully understand their role or responsibilities as an elected official. For example, recently administration brought forth a policy for council's consideration respecting each management employee salary. Some councillors felt that it was council's role to determine the exact amount of each employee's salary. This is an administrative issue and council's role is limited to setting a salary grid for the CAO to operate within.

1. Recommendation

Council should not perform any duties of administration, in accordance with Section 201 of the *MGA*.

2. Recommendation

That all of council and senior administration attend a roles and responsibilities workshop after the general election in October 2013.

4.3 Councillor Orientation

The inspectors heard that no council orientation was provided to council as a whole after the 2010 election. The councillor orientation was limited to new members of council receiving some written information and meeting with the Mayor and administration to discuss their role.

It is important to the growth of a council that an orientation takes place at the start of each new term. This ensures that all of council hears the same message at the same time regarding their role as an elected official and allows for an opportunity for council to begin/continue building positive relationships. It is essential that each councillor feel comfortable in sharing their perspectives and be treated respectfully.

3. Recommendation

That a councillor orientation policy be developed for implementation following the October 2013 general election.

4.4 Council Chambers

A council chamber for a municipality is the standard meeting place for all meetings of council and should be accommodating for the public to attend. Further, a council table should be set up so that all members of council are viewed to be equal. Though it is important for members of administration to attend meetings, they are there solely as a support to council if it needs clarification an agenda item.

In Redcliff, the council table is set up in a board-like fashion; that is, a long table with councillors and staff on either side of the table and the Mayor at the head of the table. There are benches for the public to sit along one wall.

There are a few concerns with the current set up:

- At least three councillors consistently have their backs to the people sitting in the gallery.
- Members of administration are intermingled with members of council, making it difficult to distinguish “who is who”.
- The Mayor, being at the “head of the table”, leads to the perception that the mayor position is more important or powerful than the rest of council.

4. Recommendation

That the council chambers be reconfigured to allow for a council table where members are viewed to be equal.

5. Recommendation

That administration sits at a separate table from the members of council and should be required to attend only the portion of the council meeting where they may be called upon to answer questions on agenda items. The CAO or designate should remain present at all times unless council specifically requests their absence.

4.5 Regular Meetings of Council

Town council meetings are held at 7:00 p.m. on the 2nd and 4th Mondays of the month with the exception of July, August and December. Regular meetings are limited to one per month during these seasonal months. The inspectors had an opportunity to observe a council meeting on February 25, 2013. They were provided an agenda package that contained background information for each agenda item. Council completed the public portion of the meeting agenda in less than 40 minutes. The in camera portion took significantly longer as council was discussing matters respecting labour issues.

Media was in attendance and there were no members of the public present.

Very little discussion occurred amongst council during the regular meeting and motions were passed almost unanimously on all items. The inspectors noted that

individual councillor participation varied in extremes. It is important that all of council participate during meetings to ensure that all perspectives are considered.

Administration was very active in the meeting and their participation was to the point of being excessive. Had the inspectors not been introduced to members of administration prior to the meeting, it would have been difficult to determine who the elected officials were at the table. The CAO and the Recording Secretary sat between councillors; the Finance Director and Town Engineer sat further down the table. Administration's participation will be discussed later in the report under 'administration'.

During the meeting the inspectors noted that council's process for requesting a recorded vote for their council remuneration (Item 6c) was not handled in accordance with Section 185 of the *MGA*. The request for the recording of the vote occurred after the question was called. How this procedure was dealt with in the minutes was also incorrect and will be covered later in the report.

6. Recommendation

That council ensures recorded votes are conducted in accordance with Section 185.

4.6 Committee of the Whole Meetings

The inspectors also had an opportunity to observe a Committee of the Whole meeting on February 25, 2013. These meetings are held on the same days as the regular council meetings; however, they are scheduled from 5:30 p.m. – 7:00 p.m.

There was no media or any community members present at this meeting. The inspectors questioned the media regarding their absence and were told that they were under the impression that these meetings were confidential.

The Committee of the Whole meetings are not confidential. In fact, the meeting minutes and agenda packages can be found on the Town's website. In spring 2011, council corrected a long-standing misunderstanding about Committee of the Whole meeting practices which had always been held in camera. They were opened to the public at this time. Council's restructuring of this meeting in 2011 came as a result of an organizational review conducted by a third party, not affiliated with Alberta Municipal Affairs. Previously, there had been an administrative committee and an operations committee that met privately to discuss items that fell under the committee's purview. To streamline the process, the committees were combined into the Committee of the Whole and the meetings were made public.

While the Procedural Bylaw (1727/2012) ultimately establishes the Committee of the Whole, as required in Section 145 of the *MGA*, the inspectors were surprised to find out that the intent of these meetings is to provide administration with direction. In the inspectors' opinion there is no reason that the items on the Committee of the Whole agenda could not be dealt with at the regular council meeting.

To summarize, council may want to reconsider the need for the Committee of the Whole meetings. However, should council continue to utilize this Committee, the authority in which it operates must be reviewed. For example, Sections 93 & 94 of the Procedural Bylaw set out the ways in which the Committee of the Whole may act. These provisions should be limited to discussion, debate, and recommendation to

council, as council is prohibited from delegating certain matters as provided for in Section 203 of the *MGA*.

During this meeting, Council Committee did not make formal decisions by way of resolutions. Therefore, the decisions that were made were contrary to legislation. As an example, administration brought forth the idea of implementing automated ballot counters for the fall 2013 general municipal election. The Council Committee did not feel that it was warranted to utilize an automated ballot counting system, and the minutes are recorded to indicate that there is no action required, which is not in the form of a resolution. This is a decision of council and was not carried out in accordance with Section 180 of the *MGA*. Council may only act by resolution or bylaw. This is one example of one item on a Committee of the Whole agenda. Council has been practicing these meetings since 2011. There are no motions recorded in the minutes for these meetings.

It should also be noted, that council was very participatory in this meeting in addition to administration. Again, it would have been difficult had the inspectors not met administration prior to this meeting to identify who the elected officials were.

7. Recommendation

That council make decisions in accordance with Section 180 of the *MGA*.

8. Recommendation

That council discontinue the Committee of the Whole meetings and conduct all council matters at regular meetings of council.

4.7 In camera sessions

The use of in camera sessions was one of the primary concerns for the residents the inspectors met with in respect of the Town's operations. In camera sessions of council are part of regular council meetings but are closed to the public as per Section 197 of the *MGA*. Currently, administration outlines the reasons for going in camera on the council agenda.

Councils and their committees must conduct their meetings in public unless specific exceptions apply. Section 197(2) of the *MGA* allows meetings that are closed to the public where the subject matter falls within one of the exceptions to disclosure in Division 2 Part 1 of the *Freedom of Information and Protection of Privacy Act (FOIP)*. The exceptions include matters where disclosures could be harmful to personal privacy, individual or public safety, law enforcement, intergovernmental relations, or economic or other interests; reveal confidential evaluations, local public body confidences, or advice from officials; or disclose information that is subject to legal privilege. Additionally, council is not permitted to pass motions, other than to revert back to open session, while within the in camera portion.

A review of the Town's council meeting minutes for this term (October 25, 2010 to March 11, 2013) was conducted and during this time, council held 57 meetings which included regular, special, and organizational meetings. Of those 57 meetings, 45 meetings contained an in camera session. Of those 45 in camera sessions, 23 resulted in no decisions of council. Additionally the in camera sessions lasted from five minutes to 4.5 hours. It should also be noted that the in camera sessions were significantly longer prior to the announcement that the Minister of Municipal Affairs would be conducting a municipal inspection.

It is not within the purview of this inspection to inspect the content of past council discussions held in camera.

9. Recommendation

That council ensures that the reasons for going in camera are in accordance with Division 2, Part 1 of *FOIP*. Furthermore, that council resolutions provide the reason for moving into camera in accordance with *FOIP*.

4.8 The Position of Mayor

All members of council have the duties imposed by Section 153 of the *MGA*. In addition, the Mayor also has the duties outlined in Section 154 of the *MGA*.

The current Mayor has been the elected Mayor for the Town for the past two terms (almost six years). Prior to serving as Mayor, he served as a councillor for a number of terms.

There is a perception amongst other councillors that the position of Mayor is more “important” than the councillor position. The inspectors also heard the comment that “the Mayor has a bigger target on his back.” The perception of the Mayor being more important is certainly reinforced by the fact the Mayor has an office in Town Hall where he meets with residents while individual councillors meet with residents in coffee shops or in their homes. In addition, there is no picture of the council displayed in the Town Hall, only a picture of the Mayor. Further, the Mayor sits at the head of the council table.

The inspectors were told this situation has existed for many years. It is the inspectors' opinion, to support the view of council acting as a strong and effective team, that all members of council should be shown to be equal; as such, all members of council should either have their own office, or they could share a common office on an as needed basis. The picture on the wall when entering the Town Hall should be of the whole team, and not just one member of it.

10. Recommendation

That equal access to office space be provided for all of council.

11. Recommendation

That the council review how it communicates to the public about the role of council and the council's corporate responsibility for the decisions they make.

4.9 Pecuniary Interest

Alberta's municipal councillors have a strong record of public service to their communities. As elected officials, they are responsible for upholding the public interest ahead of any private interests they may have. Section 172 of the *MGA* states that a councillor may not take part in the decision making process and must leave the room in which the meeting is being held on any matter in which the councillor has a pecuniary interest. A pecuniary interest is an interest in a matter which could monetarily affect a councillor as defined in Section 170 of the *MGA*.

During the interview process, it became apparent that some councillors have voted on matters that should have been considered as a pecuniary interest to that councillor.

When a pecuniary interest does exist under the *MGA*, it is the duty of the elected official in question to follow appropriate procedures. These procedures are listed under Section 172 of the *MGA* which governs the disclosure of pecuniary interest by councillors.

In the event that a councillor has a pecuniary interest he or she must:

- disclose the conflict prior to the discussion;
- abstain from discussion on the matter;
- abstain from voting; and
- leave the room until discussion and voting are concluded.

An example occurred at the April 11, 2011 council meeting where Councillor Crozier abstained from discussion and voting on a matter regarding the building discipline accreditation, but did not remove herself from the room.

Another example occurred at the September 10, 2012 council meeting where Mayor Hazelaar abstained from discussion and voting on a matter regarding the sale of the old RCMP building, but did not remove himself from the room.

If a councillor does not declare a pecuniary interest and an elector in the municipality or council believe that a councillor does have a pecuniary interest it is up to the elector to make an application to the courts. The courts have the authority to determine whether a pecuniary interest exists and what actions should be taken as a result.

12. Recommendation

That members of council familiarize themselves with the pecuniary interest provisions of the *MGA* and comply with the requirements.

4.10 Access to Council

The inspectors heard that access to council was not always granted to residents. The new process to present to council is outlined in the Town's Procedural Bylaw 1727/2012. The current provisions authorize the discretion of the Mayor and CAO in determining how best to deal with public requests to speak to council. In order to ensure access to council by all citizens is relatively unfettered, the bylaw should be amended to remove discretionary powers of the Mayor and CAO. All citizens should have access to the council, and background/topic information should be provided within established timelines.

13. Recommendation

That council include, in the Procedural Bylaw, specific criteria regarding delegations that wish to address council, that provides for a more inclusive and transparent process that removes discretionary authority from the Mayor and the CAO.

5 Meeting Minutes

Minutes are important and vital documents. They are the legal record of what has transpired at a council meeting. As stated earlier, a review of the Town's council meeting minutes for this term (October 25, 2010 to March 11, 2013) was conducted.

The format of the minutes is consistent and generally in accordance with Section 208 of the *MGA*. The resolutions of council are currently not individually numbered. Numbering resolutions will provide a more convenient way of referencing council decisions.

When dealing with recorded votes, the minutes should show which councillors voted for, and which councillors voted against, a resolution. The following discrepancy was noted based on the February 25th regular meeting attended by the inspectors. Councillor Kilpatrick requested a recorded vote for council remuneration (Item 6c). The minutes for this request do not correctly show the recorded vote (pg. 8026); rather, the minutes simply state that the motion was carried.

The minutes for the Committee of the Whole meetings were also reviewed for the same time period. These minutes contain the recording secretary's summaries of discussion. Minutes containing summaries are at times problematic as verbatim comments cannot be captured, thus leaving the recording secretary with the task of deciding which important items to include. What is important to the recording secretary, however, may be unimportant for a member of council and vice versa. Section 208 of the *MGA* is specific in that minutes should be recorded without note or comment, which would include detailed discussion.

A concern raised from a resident was that the minutes do not contain enough detailed information regarding the discussion around agenda items; however, as stated above, minutes are required to be recorded without note or comment, which would include detailed discussion.

The current minutes for both the council and Committee of the Whole meetings track the comings and goings of non-elected attendees. Section 167 of the *MGA* requires that quorum is maintained throughout a council meeting, as such, the recording of the comings and goings of elected officials as they occur is essential to accurately demonstrate that quorum is maintained. Non-elected attendees need not be tracked.

14. Recommendation

Minutes for council and Committee of the Whole meetings should record a distinct resolution number for each decision of council.

15. Recommendation

All minutes should be recorded in accordance with Section 185 and 208 of the *MGA*.

16. Recommendation

Administration should enrol in a workshop designed to develop minute taking skills.

6 Bylaws

A bylaw is a law made under the authority of the *MGA* at the municipal level to assist in managing its affairs. Sections 7 and 8 of the *MGA* outline the general jurisdiction and powers of this authority.

A review of the Town's primary bylaws was conducted to ensure compliance with requirements under the *MGA*. In addition, the inspectors also looked for relevancy, consistency, clarity and accuracy.

The inspectors found the bylaws to be organized, consistent, and kept in a safe place. The review did find that some bylaws are not current. For example, Bylaw 1570/2008, the Designated Officer bylaw, references titles of positions that no longer exist in the organization.

Several residents were concerned about "missing bylaws" in the bylaw index and binders because certain bylaw numbers were missing. In fact, missing bylaw numbers represent bylaws that were proposed to council, but that council did not approve. Those bylaw numbers are then cancelled and not used again to avoid confusion.

Town council has recently passed Policy No.115 (2013) that directs administration to review bylaws on a cyclical basis. This should assist in developing and maintaining relevant bylaws.

Bylaws specific to planning and property taxes will be addressed in those areas later in this report.

17. Recommendation

The current index listing for the Town bylaws should be amended to show the cancelled/repealed bylaws.

7 Policies and Procedures

The policies and procedures of a municipality provide detailed direction to administration, establish minimum standards of how to deal with specific issues, and help to ensure there is equitable treatment in similar situations.

The inspectors also conducted a review of the Town's policies. This included an analysis on relevancy, consistency, clarity and accuracy. The following items of concern were found:

7.1 Policy # 042-Computer Purchase Plan Policy

This policy provides for an arrangement between the Town and its employees and elected officials to assist them in the purchase of computers. This kind of policy was fairly common in the municipal field in the early 1990's to encourage employees and elected officials to learn about and use personal computers; however, the policy contravenes Section 215 of the *MGA* which prohibits the town from providing a service or commodity to an employee that is not generally available to the public. Additionally, the policy makes provisions for a loan between the Town and the employee or elected official if the employee leaves the Town or the elected official is not re-elected or does not run for re-election. Such a loan would be in contravention of Section 265 of the *MGA*.

18. Recommendation

That council immediately cancel Policy #042-Computer Purchase Plan.

7.2 Procedure 97-026-Third Party Cheques

This procedure deals with cashing third party cheques. It appears it was a common practice for the Town to cash cheques for employees, elected officials and residents. This policy now restricts the cashing of cheques only to employees, elected officials and residents cashing government issued cheques. This procedure also contravenes Section 215 of the *MGA* as the service is not available to the general public. In addition, it is doubtful this practice falls within the mandate of the Town to provide good government.

19. Recommendation

That Procedure 97-026 be immediately cancelled.

7.3 Land Sales Policy No. 053 (2012)

The Land Sales Policy is a document approved by council that sets out parameters for the purchase of Town owned properties that the Town is offering for sale. While it is common practice for municipalities to sell property, it must be done in accordance with Section 70 of the *MGA* that sets out the provisions for a municipality to dispose of land. This Section in the *MGA* is quite clear in that if a municipality proposes to dispose of land at less than market value, it must advertise that lower price. The point of this discussion is not to dispute how the Town determines market value, but that the Town must clearly demonstrate that the price they are selling an unadvertised property for is considered market value. Additionally, if the Town is selling a property at less than market value, then the Town needs to ensure they are following the provisions in the *MGA*.

The inspectors noted that not all properties that are for sale by the Town are included in the Land Sales Policy. This was evident, based on a resolution passed on February 25, 2013.

“Councillor Kilpatrick moved that the Manager of Legislative and Land Services be authorized to enter into a standard land sales agreement with J. Hooft for the sale of Lot 40, Block 132, Plan 1117V for the price of \$7,000.00 plus GST conditional to consolidation of Lot 40, Block 132, Plan 1117V with Lots 38-39, Block 132, Plan 1117V. Further that the costs of consolidation to be the responsibility of the purchaser. – Carried Unanimously”

This particular property is not included in the Land Sales Policy and, as such, decreases the Town’s level of transparency.

20. Recommendation

Council ensures that all sales of Town owned land are conducted in accordance with Section 70 of the MGA.

21. Recommendation

Council should revisit the Land Sales Policy and ensure that all Town owned properties that are for sale are included.

8 Administration

Based on our observations of the town’s administration staff during the course of the inspection, the administration appears to be quite competent. In 2011, a third party was contracted to conduct an organizational review; the intent of this municipal

inspection report is not to duplicate that process, which included a review of staff performance, turnover, morale, and staffing levels.

During the interview portion of the inspection which included council, staff, and residents, the inspectors often heard that “since the new CAO came on board, things have gotten better”. The inspectors met with the CAO, David Wolanski, on several occasions and he was able to provide accurate and timely information and access to all requests.

Administration’s participation in council and Committee of the Whole meetings, as observed by the inspectors, is in excess and was even commented on during interviews with individual councillors. The role of administration is to advise and inform council on the operation and affairs of the municipality. This is best accomplished through the agenda package and not through verbal discussion at the council table.

22. Recommendation

Administration should ensure that the backup information to agenda items should be clear, complete, and concise in order to provide council with sufficient information to make decisions.

23. Recommendation

Engaging in discussion or debate with elected officials by the administrator should be limited to responding to questions from council, and clarifying the content of the administrator and staff reports. Ref. S. 207 (c) MGA

8.1 Staff evaluations

The CAO evaluation is a legislated requirement through the *MGA*. Council has fulfilled this obligation. Staff evaluations are not a requirement of the *MGA*; however, they are vital to the health of any organization. Staff evaluations have not occurred in the Town of Redcliff in the past three years. The CAO and senior management have developed a new tool and are currently in the midst of conducting the evaluations. It should be noted that completion of annual staff evaluations was recommended in the organizational review conducted in 2011.

24. Recommendation

Staff evaluations be conducted on an annual basis.

9 Access to Public Records (FOIP)

Section 6(1) of the *Freedom of Information and Protection of Privacy Act (FOIP)* stipulates that “any person has a right of access to any record in the custody or under the control of a public body” unless it contains information that is protected by the *Act*.

This speaks to Albertans’ expectation of transparency in their dealings with those that govern their public interests. The implications are that citizens should have reasonable access to information and documents pertaining to council meeting documentation as soon as it becomes available to councillors, as well as to municipal bylaws and policies, assessment and taxation processes and information, audited financial statements and financial reports and documents produced by the Town.

What is reasonable access? At a minimum, citizens should be able to access documents over the counter at the Town office in a reasonable time-frame following the request as well as to review these original copies on site. A “reasonable” time-frame varies depending on where the documents are, how long it will take to find them, and how many documents have been requested. Council has adopted Policy No. 024(2012), Release of Information, to help clarify this process.

In this electronic age, municipalities are putting more and more of their most popular documents on their websites for a couple of reasons: to make them available in the most convenient format possible for citizens, and to reduce the significant amount of staff time required to search for and/or photocopy documents.

Charging fees for handling *FOIP* requests is permitted under the *Act*. A good explanation of the fees that can be charged is available in “Freedom of Information and Protection of Privacy Act: Frequently Asked Questions for Municipalities”, which is available on the Service Alberta website or from the municipality’s *FOIP* Coordinator.

While there were concerns expressed by some interviewees about the Town’s refusal to let the public view certain documents, Section 17 of *FOIP* outlines the reasons that are harmful to personal privacy. For example, residents have asked for copies of ‘lease to own’ agreements between the Town and a lessee. These documents should be available to the public; however, any personal information such as the lessee’s name and address should be severed from the document. This ensures compliance with the above noted section. The Town would have rightly refused any requests for lessee or ownership information made by anyone other than a registered owner of the property.

The information on leaseholders, however, should have been included on the annual assessment roll which can be viewed in accordance with Section 307 of the *MGA*. It should be noted that this roll is produced annually; therefore any information on lessee(s) entering into lease agreements after the roll was produced would not be reflected until the following year. To enhance transparency and accountability, the Town's responsibility should be to facilitate the flow of information in accordance with the legislative framework, without making it arduous for interested parties.

25. Recommendation

All of council and senior administration receive relevant *FOIP* training.

10 Communication

Councillors are elected by and represent their citizens. The tone at the top, and how it percolates through the organization, will have a major influence on how residents and stakeholders respond. If council takes proactive steps to build a citizen-centred organization and to manage citizens' customer experience, they will certainly be in a much better position to take the time they need to make the necessary changes.

The "Us vs. Them" mentality can be adjusted by adopting constructive attitudes, especially in difficult situations. Rather than responding with "No, it is not possible" to a request, council should consider developing policies that would provide for equitable treatment in similar situations.

The Town's website has recently been renovated to provide residents access to a significant amount of information. A review of the Town's website was also

conducted by the inspectors, and the Town should be commended for the content stored and provided at this point. The Town has indicated that this is a work in progress and will continue to increase the breadth of information. The inspectors found the site to be easily navigated and that it contains relevant information for the public.

The Town currently funds the distribution of the local Bow Valley Commentator. A copy of the paper is placed in each mail slot through Canada Post. The Town should be commended for its efforts in this means of assisting to inform Redcliff residents. It is noted that the municipality is also responsible for a community newsletter, which provides information pertinent to the Town's services and activities.

Additionally, the Town is also discussing the implementation of Town Hall meetings. The details of this forum are preliminary at this point but the intent, based on conversations with administration and council, is to provide a more inclusive process for the residents to access council.

11 Community Expectations

Within the past few years, there has been some public pressure on the council and administration to become more accountable and transparent. Partly in response to this pressure, there have been some important changes including:

- An enhanced web site that provides current and historic information to the public.
- Elimination of certain committee (Operations and Administration) meetings which used to be held in private.

- All council and Committee of the Whole meetings are held in public, (though certain parts may be closed if allowed for in the *MGA* and *FOIP*).

Certain members of the public continue to demand that council become more transparent and accountable. Though the inspectors believe it is vitally important to conduct as much Town business in public as possible and to disclose information routinely, there are limits to the level of public participation that will still allow the council to make decisions in a timely manner. Certain matters, including land-use or some borrowing issues, are required by the *MGA* to have advertisements of proposed changes and/or public hearings so that the public can have input into high level decisions affecting the Town. These requirements do not extend to other areas of municipal business such as adequate staffing of the municipality.

A recent example is when some members of the public indicated their displeasure with a new administrative position being created. If a new administrative position is required, it is not a decision the public should have input into. In this type of situation, the CAO needs to make a case to council for the need of the new position, and the council will decide if they will include the expense for the position in the budget.

Another example is where there has been a request to hold open question and answer periods during a council meeting. Though this practice occurs in some municipalities, it should be strongly discouraged for the following reasons:

- There is no background information provided to council prior to topics being introduced.

- Without background information it is very unlikely an informed decision on a topic can (or should) be made by council.
- These types of open forums can easily degenerate into debates between council, the public and/or administration.

An appropriate level of public input into specific areas of the municipal operations that are not required by legislation to have public input might be an “Ask the Council” page on the Town web site where questions can be posed to, and subsequently answered by, the administration or council.

26. Recommendation

That council direct administration to develop a policy on public engagement in accordance with Part 7 of the *MGA*, which could include the various ways council may seek input from the public.

12 Greenhouses

12.1 Assessment & Taxation

There are resident and stakeholder perceptions that Redcliff greenhouses receive unfair favourable treatment from the Town. There are two separate matters to be addressed in this context. The first relates to the assessment and taxation of greenhouses. The second relates to a specific situation with certain greenhouses that came into the municipality’s jurisdiction as a result of annexation from Cypress County in 2009.

Under Provincial Regulation 220/2004, *Matters Relating to Assessment and Taxation*, greenhouses are assessed as agricultural lands. Section 1 of the Regulation defines farm buildings and farming operations as follows:

1. In this Regulation:

....

(b) “farm building” means any improvement (to the agricultural land) other than a residence, to the extent it is used for farming operations;

(i) “farming operations” means the raising, production and sale of agricultural products and includes horticulture....

Section 27 of the Regulation provides for exemptions to tax as follows;

27. The following are exempt from taxation under Division 2 of Part 10 of the Act:

(e) any farm building in a city, town, village or summer village, to the extent of 50% of its assessment.

Greenhouses in Redcliff are assessed as farm buildings on agricultural land. Because they are in a Town, they are exempt from taxation to the extent of 50 per cent of the property’s assessed value. Assessment and taxation laws and regulations are under provincial jurisdiction and a municipality has no discretionary capacity to change them. Redcliff is appropriately assessing and taxing greenhouses.

Secondly, when the Town of Redcliff annexed certain lands from Cypress County, an agreement was formalized by a Province of Alberta Order-in-Council (OC15-2009). It is standard practice in annexation proceedings to give property owners the time

they need to adapt to the rates in the new municipality. Included as part of the provincial Order-in-Council for the Redcliff annexation was the following clause:

For the purpose of taxation in 2009 and in each subsequent year up to and including 2023, the annexed land and the assessable improvements to it

- a) must be assessed by the Town of Redcliff on the same basis as if they had remained in Cypress County, and*
- b) must be taxed by the Town of Redcliff in respect of each assessment class that applies to the annexed land and the assessable improvements using the tax rate established by Cypress County.*

This means that until 2023, Redcliff's tax rate does not apply to the greenhouses affected by the annexation. The property tax collected by Redcliff will be based on the tax rate for agricultural lands that Cypress County has established for the year and property class in question.

In summary then, notwithstanding the perception of some that greenhouses receive favourable taxation treatment in Redcliff, town council and administration have neither the responsibility for creating the treatment nor the discretionary capacity to change it.

12.2 Utilities

The inspectors heard from some interviewees that operators of greenhouses are charged less than other consumers for water and sewer services. A review of the water utility rates bylaw (Bylaw #1730/2012) shows there is no differentiation with the type of consumer using the water service. Residential and non-residential rates are the same. However, there is a difference in rates between providing treated water

within Town limits, treated water outside Town limits and untreated water within Town limits. It is possible a greenhouse might pay a different amount for water however, based on the bylaw, this would happen only if the type of water being delivered (or location) is different.

The water utility rates bylaw (Bylaw #1730/2012) is unclear. It is difficult to understand the calculation for water consumption.

27. Recommendation

That council review the water rate bylaw and develop wording to clarify exactly how water is charged to the user.

With sewer rates, there is a difference in how certain greenhouses are treated. A greenhouse that is equipped with an irrigation recirculation system may have the sewer charge reduced by 90 per cent. Presumably, council has made this decision with the knowledge that when a recirculation system is in use the waste water does not make its way into the sanitary sewer system; rather, it is re-used to water plants. A similar situation exists in an Alberta city where the municipality exempts a ski hill from sewer charges because the water consumed is used to make snow and does not enter the sanitary sewer system.

13 Planning

13.1 Statutory Planning Authorities

Town of Redcliff Bylaw 1221/2000 establishes the Subdivision Approving Authority (SAA). It consists of all members of council. Its role is to consider and decide on applications for subdivisions in Redcliff.

The Town's Land-Use Bylaw 1698/2011 establishes the municipality's Development Authority (DA). The DA, for any development permit application, may be one of three approval entities, dependent upon the nature of the development application and the extent of discretion that may be exercised.

- The Town's Development Officer (DO), an employee, is authorized to make decisions on applications for development permits for permitted uses, some permitted uses that require a variance, and a limited number of defined discretionary uses.
- The Municipal Planning Commission (MPC), supported by Bylaw 1734/2013, consisting of one employee or municipal official and two to six residents, is delegated the authority to make decisions on most discretionary use development permits.
- Council has retained the decision making authority for development permits on lands that fall within Direct Control Districts.

The amount of discretion afforded the development permit decision making bodies is unclear in the land-use bylaw. The DO has been provided the discretion to approve variances of standards and regulations on permitted uses but no limits on the amount of discretion that the DO may exercise respecting variances are stated in the land-use bylaw. Notwithstanding, a maximum variance allowance of 10 per cent with the

exception of sizes of accessory buildings has been given to the MPC. It is unclear if the maximum variance power for accessory buildings is greater than or less than 10 per cent.

Further, it is very unusual for the discretionary uses listed within each land use district within the land-use bylaw to be separated by decision making authority (i.e., DO or MPC); rather, the level of discretion that may be exercised is outlined in the Development Authority section of the land-use bylaw. Council may wish to re-consider the current structure of the land-use bylaw to meet best practices on discretionary authority.

28. Recommendation

That council consider revising the land-use bylaw (Bylaw 1698/2011) to detail and clarify the maximum amount of discretion the Development Officer and the Municipal Planning Commission may exercise in relaxing standards and regulations within the land-use bylaw.

29. Recommendation

That council re-consider the current structure of the land-use bylaw to meet best practices of detailing levels of discretion in the Development Authority section of the bylaw rather than separating discretionary uses in the land-use district.

Bylaw 1733/2013 establishes the Subdivision and Development Appeal Board (SDAB), the statutory authority for appeals. This Board consists of two councillors and three to five citizens at large. Its role is to consider and make decisions on

subdivision appeals where there is no provincial interest involved (Section 678 of the *MGA*) and development permit appeals.

Section 627(4)(b) of the *MGA* prohibits the appointment as a member of a SDAB of any person who carries out subdivision or development powers, duties and functions on behalf of the municipality. In the event of a subdivision appeal, since the SAA is made up entirely of council, the two councillors who sit on the SDAB may be sitting in judgment of a decision they made at the SAA.

Also, given that the MPC is comprised, in part, of one councillor, it is important that the SDAB Bylaw ensure that this member of council does not also sit on the SDAB. Bylaw 1733/2013 (SDAB Bylaw) allows for an appeal of an order issued under the *Act*, suggesting that orders issued pursuant to Sections 545 (order to remedy contraventions) and 546 (order to remedy dangers and unsightly property) may be appealed to the SDAB. However, only Stop Orders issued pursuant to Section 645 may be appealed to the SDAB. As per Section 547 of the *MGA*, orders issued under Sections 545 and 546 may only be reviewed by council.

30. Recommendation

That council amend Bylaw 1733/2013, the Subdivision and Development Appeal Board Bylaw, to ensure that the composition of the Board is meeting the requirements of Sections 627 and 628 of the *MGA*.

31. Recommendation

That council amend Bylaw 1733/2013 to limit the role of the SDAB to appeals of Stop Orders issued pursuant to Section 645 of the *MGA* only.

There is no clear reason for two statutory decision making bodies; council as the subdivision approving authority for subdivision applications and the municipal planning commission for discretionary use development permits. Council may wish to re-consider the use of a separate SAA for subdivision applications since the MPC may undertake both development permit and subdivision approval functions (Sections 623 and 624 of the *MGA*). By doing so, there would be an efficiency of one board dealing with both types of applications. It would also provide the opportunity to correct the SDAB composition issue since some of council may sit on the MPC while the other councillors may sit on the SDAB. The MPC's role could be further enhanced by becoming the recommendation body to council on planning matters rather than the Redcliff Planning Board (see discussion below).

32. Recommendation

That council re-consider its role as the subdivision approving authority and transfer the responsibilities for subdivision application decision making to the MPC. As one alternative to correcting the SDAB composition issue, councillors would either sit on the MPC or sit on the SDAB, and the remaining councillor would sit as an alternate on the SDAB.

The Subdivision Approving Authority, when rendering decisions on subdivision applications, must be cautious to not delegate the final decision on an application to another body. In a recent subdivision decision, File No. 2012SUB02, the SAA included a condition requiring that the land be re-districted since the current land use districting did not allow for the proposed use of the planned parcels in order to comply with Section 654 of the *MGA*. Land-use districting is the responsibility of

council and requires a public hearing to amend the land-use bylaw. If council does not approve the re-districting, the subdivision applicant would be unable to meet the condition of subdivision approval and the applicant would be unable to complete the subdivision. Although it appears to be a bit of chicken and egg scenario, Section 654 of the *MGA* states that the subdivision authority must not approve an application for subdivision approval unless the proposed subdivision conforms to the land-use bylaw. Hence, the re-districting should precede the subdivision application.

In another recent subdivision decision, File No. 2011SUB01, the SAA required as a condition of subdivision approval that an environmental site assessment (ESA) be provided by an environmental consulting company stating that an ESA has been conducted and that the site is acceptable for a residential development in a Horticultural district. As required by Section 654 of the *MGA*, the subdivision authority must not approve a subdivision application unless that land, in the opinion of the subdivision authority, is suitable for its intended purposes. The ESA should have been required by the SAA before it made the decision on the application rather than require it as a condition of approval to ensure that the land was suitable for residential development prior to approving the application.

33. Recommendation

That the Town's planning authorities utilize best practices when drafting conditions so that unauthorized sub delegation of their decision making authority does not occur.

13.2 Non-statutory Planning Body:

Bylaw 1414/2005 establishes the Redcliff Planning Board (RPB), a non-statutory body that consists of administrative and engineering staff, a planning contractor and one councillor. It makes recommendations to the Subdivision Approving Authority (i.e., council) on subdivision applications and makes recommendations to council on area structure plans, the urban fringe plan, the Municipal Development Plan, amendments to the land-use bylaw and other planning matters.

By having a councillor sit on the RPB, the role of the Board may undermine the intended role of the MPC and the question of bias may arise. While the RPB has no approval powers, it does make recommendations to the SAA and council on planning matters so it has considerable latitude to advise on planning matters and appears to be a key player in planning for the community.

The role of the MPC is considerably weakened because it no longer has the authority contemplated by the Act. It is essential that council avails itself of the broadest possible range of inputs. The RPB should provide a structure for technical input while the broader community perspective, including public input, is through the MPC. The RPB should be re-established as a resource and advisory body to each of the Town's planning authorities.

The composition of the RPB also brings forward a potential perception of bias. Since the council member appointed to the RPB will also sit on the Subdivision Approving Authority and may sit on the Subdivision and Development Appeal Board, there may be the appearance that the council member is sitting in judgment of their own recommendation.

34. Recommendation

That council reconsider the composition of the Redcliff Planning Board by removing council representation but retaining the technical and planning expertise of administration and the planning consultant. The RPB would act as a resource and advisory body to each of the Town's planning authorities. Council may also wish to enhance the role and responsibilities of the MPC in providing recommendations to council on planning matters to strengthen the contributions it can make to the community. The Redcliff Planning Board need not be established by bylaw as it is a non-statutory body.

13.3 Consistent Application of Costs Borne by Development

There were allegations made that a number of years ago there was differential treatment of developers related to the payment for the construction and installation of local improvements. Our review included a number of randomly and specifically selected subdivision and development files and there was no clear evidence to support these allegations. However, it may be prudent for the town council to adopt a clear and detailed policy relating to how the developer will cover the costs of required infrastructure like road improvements, sidewalks, streetlights, water and sewer lines, etc.

It has been the Town's practice to allow new development to use a local improvement bylaw to pay for the costs of the required local improvements when there are other developed lands that will benefit from the improvement. Reconciling this practice into the future may be difficult depending on the outcome of the local improvement bylaw discussion currently being undertaken by council.

35. Recommendation

Council should investigate alternate methods of dealing with the costs of development.

36. Recommendation

Council explore the benefits of modifying their standard servicing agreement to include provisions for the recovery of a proportionate share of local improvement costs from benefiting lands when a developer is required to over-size a local improvement and/or front end those costs.

37. Recommendation

Council should consider adopting an off-site levy bylaw to pay for the construction of new or expanded infrastructure.

13.4 Citizen Experience Related to Planning and Development

There were a few concerns expressed by subdivision and development applicants that they were not provided with all of the information that should have been shared by the Town when they first asked about the costs related to their applications. They were concerned that complete information about the costs was not provided upfront. Only after the initial approval were they advised of additional costs of infrastructure construction, local improvements, and engineering studies. The applicants did not exercise their right of appeal to the Subdivision and Development Appeal Board to dispute the requirement that they were responsible for all costs associated with the

extension of existing infrastructure. It appears that the concerns relate to development that pre-dated the standard servicing agreement that was adopted by the Town in 2004. The use of a standardized servicing agreement allows for information sharing and consistent application of development requirements.

Although the specific concerns relate to development that took place a number of years ago, they act as a reminder to Town administration. In order to provide excellent customer service and reduce future complaints, the Town should thoroughly outline, in detail, the steps in the approval process and all of the potential costs the developer may encounter.

13.5 Differential Treatment of Applications

Business competition has appropriately not been used as a relevant planning consideration for refusing an application. However, concerns have been expressed that similar types of uses have not been treated in a similar fashion with respect to safety codes requirements and other development requirements like drainage. In addition there have been accusations that greenhouses get a better deal. It is noted that the Town does not set provincial safety code requirements and any variation to code requirements may only be approved under appeal to the Safety Codes council.

38. Recommendation

That the Town post the Town's Construction and Design Standards on the Town's website.

14 Land Transfers

14.1 Land Transfers – Lease to own properties

Typically land is not transferred to a new owner until full payment has been made, all other conditions of the sales agreement have been met, and the purchaser requests the land transfer documents(as per purchase agreement). Additionally, it would be prudent for, and the responsibility of, the lessee to register a caveat against the property to protect their interest.

The inspectors were advised that land transfers were not always completed immediately upon the Town receiving final payment for property under lease to own agreements. The inspectors found that the Town (and the legal counsel for a lessee(s)) had made numerous attempts to contact the lessee(s) to initiate the transfer of land. As stated in the preceding paragraph, it is the responsibility of the lessee to ensure this process is completed.

The inspectors were also advised that land transfers involving third parties took place. While this is not necessarily common practice, a review of documents indicates the transactions were processed in trust through the legal counsels for each party.

14.2 Land Transfers – Municipal Records

Our review found that the municipal records for land transfers within the corporate boundaries of the Town were found to be well maintained.

The process for changing municipal property records with respect to ‘title changes’ is conducted through legal documentation that flows through Land Titles at Alberta

Registries. It is incumbent upon the municipality to ensure that the municipal records mirror the documentation provided by this entity. The responsibility lies with the registered property owner to ensure that their records are up to date with Land Titles. The only way a municipality may change a name or address on a property is if they receive legal documentation directing them to do so from the Registrar of Land Titles.

15 Town Acting as Land Developer

A few citizens articulated a concern about the municipality acting as a land developer. As long as the development is consistent with the planning framework of the Town's statutory plans, land-use bylaw, and the Town's minimum engineering standards, the decision to act as developer is council's. It would, however, be prudent for the council to complete a risk assessment before entering into future developments.

16 Financial

The Town's accounting process appears to meet the required minimum standards as set out in the *MGA*.

Councillors currently receive three regular sources of financial information:

- **Accounts Payable Listing:** This is a detailed report of each cheque issued. The report is included in most agenda packages. Council receives this report as information.
- **Bank Summary Report:** This report is a summary of the bank and investment accounts as well as monthly activity and is included in council agenda packages. Council receives this report as information.
- **Quarterly Financial Statement:** A lengthy report which shows line by line details of operational revenue and expenses (and expenditures); assets and

liabilities; and capital revenue and expenditures. This report is provided to councillors; however, it is not included in council agendas.

The Quarterly Financial Statement provides information on every line item in the Town's general ledger and is too detailed to provide meaning to readers without a good understanding of municipal financial information. As it does not form part of the Town's council agenda package and is not dealt with at council meetings, it is not available to residents. Councillors and members of the public may find the amount of information provided to be daunting.

Reports that summarize a broad overview of the Town's finances should be presented to council on a quarterly basis. A meaningful report is one that summarizes the status of revenues in relation to expenses, of capital and operating expenses (by function) in relation to their respective budgets and a summary balance. A report should also provide information on reasons for budget variances. The reports should form part of the agenda package for council meetings and thereby become available to the Town's residents.

In summary, financial information flowing to council is not always the same as that flowing to councillors. Council itself must receive all financial information that is provided to councillors in a form that they can understand and that enables them to make financially informed policy decisions for the Town.

An additional matter that deserves attention is the basement storage area at the Town office. It is mainly used for the archival storage of Town plans but there is no fire protection. Being in the basement also leaves important and historical documents

vulnerable to a flood. Given the vulnerability of these delicate and irreplaceable items, steps should be taken to minimize the risk of damage.

39. Recommendation

Administration should provide quarterly reports to council which summarize financial activities and information.

40. Recommendation

That council take action to minimize the risk of damage to the archival records currently stored in the basement of the Town office.

16.1 Financial Indicator Graphs

Alberta Municipal Affairs collects data from the audited municipal financial statements which are to be submitted to the Minister by May 1 every year. Annually, Alberta Municipal Affairs prepares financial indicator graphs which compare a municipality with eighteen other Alberta municipalities that are closest in population size to the subject municipality. The most recent graphs are based on 2011 financial and population information. In 2011 the population of Redcliff was 5,096. Eighteen municipalities with populations of between 3,700 and 6,470 have been compared to Redcliff in several areas. The graphs are summarized in Appendix C.

The indicator graphs are a good way to report on the financial status of the Town; however caution should be taken when interpreting the graphs as each municipal situation is unique. Overall, the graphs indicate the Town to be in good financial

shape and able to meet its financial obligations. Services are being delivered to residents in a cost effective manner.

16.2 Financial Statements

Financial statements for the Town were reviewed for the years 2007-2011. With the exception of 2009 (where the statements were received only one day after the due date) the financial statements have been sent to the Minister on time. In all cases, the auditor has provided an unqualified opinion on the audited financial statements. A review of the management letters indicates that there are no major areas of concern to the auditor.

16.3 Grants

Over the term of the Municipal Sustainability Initiative (MSI) program, the Town of Redcliff will receive approximately \$14.1 million.

Since 2007, the Town has been allocated \$5,312,506 of MSI capital funding and \$572,633 of MSI operating funding. An additional \$1,061,792 of MSI capital and \$90,066 of MSI operating was allocated in 2013. Specifically from 2010 to 2013, Redcliff received \$4,135,474 of capital and \$354,683 of operating funding. Appendix D provides a complete list of MSI capital and operating projects. Capital projects accepted since 2010 start at CAP 2039 – Wading Pool Play Equipment, and operating projects start at OPE 2268 – Computer Hardware and Software Upgrade. To date, the Town has not submitted any 2013 projects.

In addition, a report (Appendix E) outlining MSI payments was sent to the CAO in February 2013. The report provides additional details on MSI capital and operating

projects and compliance. The Town has received its full allocations for the 2007-2012 period for both capital and operating. The 2013 allocations will be paid following legislative approval of the provincial budget and are conditional on the municipality meeting the terms and conditions outlined in the program guidelines. The use of grant funds is determined in the municipal budget, which was approved by council; there was no indication that grant funding applications or the use of grant funding was not in accordance with the approved budget.

Based on these reports, it appears that the Town is compliant with their grant submissions and current with their applications.

17 Property Assessment & Taxation

17.1 Property Tax Rate Bylaw

The tax rate bylaw, which is passed by council annually, provides the authority to the CAO to levy property taxes for the Town. Council passed Bylaw # 1722/2012 in 2012. Generally, the tax rate bylaw is well prepared with one exception; reference to Sec 364 (which allows council to exempt Machinery & Equipment assessment from taxation) is missing, and there is no other bylaw to deal with the exemption.

41. Recommendation

That administration ensures the tax rate bylaw is prepared in accordance with the *MGA*.

17.2 Tax Notices

A review was conducted of the Town of Redcliff's 2012 Property Assessment and Tax Notice. The review was to ensure compliance with the 2012 Tax Rate Bylaw, Tax Penalty Bylaw, Requisitions, and other legislative requirements.

The following concern was identified;

- The calculation on the notice for 'Taxes Payable After June 29, 2012' was incorrect if the tax roll had a credit balance prior to the posting of the tax levy. That is, the penalty calculation does not take the credit balance into account. The Town has been notified of this issue and it will be corrected for the 2013 taxation year.

It should be noted that a cross check with the financial records was also conducted to ensure that the above noted calculation discrepancy did not reach beyond the notice.

17.3 Local Improvements

A Local Improvement (LI) is defined in Section 391 of the *MGA* as “a project that the council considers to be of greater benefit to an area of the municipality than to the whole municipality, and that is to be paid for in whole or in part by a tax...” The word “project” is very broad and can include such things as roads, sidewalks, recreation facilities, etc. Owners can petition a municipality for a LI; however, the municipality typically initiates a project. In order to implement a LI, the municipality must prepare a LI plan and present it to the owners who are liable to pay the tax. These owners have the opportunity to petition against the local improvement plan. If a sufficient petition is received, the municipality may not proceed with the proposed LI plan. We inspected several local improvement bylaws and determined the processes in the *MGA* were followed.

All physical infrastructures deteriorate and consequently need to be restored. There is a cost to do so and it must be paid, at least in part, by the properties that use those services. The only guaranteed way to secure funding for these inevitable costs is the property tax. It can come either from a direct tax such as the local improvement levy or from the general municipal tax base. For this reason, the debate is not whether or not to tax, but how to tax in a manner that is most equitable and efficient.

For many years, the Town has used LI bylaws to finance the cost of replacing and refurbishing infrastructure. In the recent past, however, owners who would be liable to pay the tax have successfully petitioned against LI projects and subsequently, a few projects have not proceeded. The result is that required infrastructure refurbishment is not being done.

While this situation has reached a point where it must be addressed, the strategies to do so may not be any more popular than the existing strategy. The council is currently debating the alternative of abolishing existing LI taxes and collecting the revenue instead as a part of the general municipal tax. This alternative may be more equitable and it will allow the Town to proceed with projects that need to be done.

In summary, municipalities need to maintain infrastructure and the financial tools to accomplish projects include property taxes, LI taxes, grants and borrowings. It is up to the council to determine which projects to do and which tools to use.

17.4 Tax Recovery

Current legislation provided in the *MGA* gives the municipality the authority to enforce payment of legally levied taxes. A municipality's sustainability relies on the revenue generated from property taxes. The processes set out in the tax recovery

provisions provide for equitable treatment in the collection of the taxes. A review of the past several years has indicated that the tax recovery process has been conducted in accordance with the *MGA*. Additionally, there were no properties that actually went for public tax auction as result of this process.

18 Other Matters

18.1 Overtime Payments to Employees

The inspectors were told the municipality regularly pays overtime out to employees at a higher rate than required. A review of time sheets revealed payments were made in accordance with the collective agreement between the Canadian Union of Employees CUPE Local 46 and the Town of Redcliff (January 1, 2010-December 31, 2012).

18.2 Water Treatment Plant

The proposed water treatment plant project was also a popular item for discussion during the interview portion of the inspection. Provincial legislation gives municipal councils the authority and responsibility for decisions regarding municipal projects and services, and how to finance these projects and services. Council has determined that this is a priority for the Town and is within its authority to make that decision.

18.3 Former Employees

There was some concern expressed with respect to ‘payouts’ received by previous employees. The details of these transactions are confidential and of a legal nature that is beyond the scope of this report. It should be noted that severance payments are a common business practice when an organization parts ways with long term employees.

19 Conclusion

The inspection has determined that the Town has at times been governed in an improper and irregular manner. There are 41 recommendations noted in the report to address improper actions, direct contraventions to legislation, or simply to advocate for best practices.

The Town provides adequate services to its residents. It was clear to the inspectors through our conversations with individual councillors that council's desire is to make decisions that are in the best interests of the Town. The CAO has municipal experience and is well organized. In his first few years with the Town, he has improved the Town administrative processes and office environment.

The Minister received the petition for the inquiry because the residents had reached a significant level of frustration and distrust in the management and operations of the Town. To address this, and in addition to the recommendations made in the report, the focus of council should be to develop and foster a more inclusive and transparent relationship with the community. The inspectors believe that the municipality has already taken great strides towards this endeavour.

20 APPENDIX A

Municipal Government Act References

General jurisdiction to pass bylaws

- 7 A council may pass bylaws for municipal purposes respecting the following matters:
- (a) the safety, health and welfare of people and the protection of people and property;
 - (b) people, activities and things in, on or near a public place or place that is open to the public;
 - (c) nuisances, including unsightly property;
 - (d) transport and transportation systems;
 - (e) businesses, business activities and persons engaged in business;
 - (f) services provided by or on behalf of the municipality;
 - (g) public utilities;
 - (h) wild and domestic animals and activities in relation to them;
 - (i) the enforcement of bylaws made under this or any other enactment, including any or all of the following:
 - (i) the creation of offences;
 - (ii) for each offence, imposing a fine not exceeding \$10 000 or imprisonment for not more than one year, or both;
 - (iii) providing for the imposition of a penalty for an offence that is in addition to a fine or imprisonment so long as the penalty relates to a fee, cost, rate, toll or charge that is associated with the conduct that gives rise to the offence;
 - (iv) providing that a specified penalty prescribed under Section 44 of the *Provincial Offences Procedure Act* is reduced by a specified amount if the penalty is paid within a specified time;
 - (v) providing for imprisonment for not more than one year for non-payment of a fine or penalty;
 - (vi) providing that a person who contravenes a bylaw may pay an amount established by bylaw and if the amount is paid, the person will not be prosecuted for the contravention;
 - (vii) providing for inspections to determine if bylaws are being complied with;
 - (viii) remedying contraventions of bylaws.

Powers under bylaws

- 8 Without restricting Section 7, a council may in a bylaw passed under this Division
- (a) regulate or prohibit;
 - (b) deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways;
 - (c) provide for a system of licences, permits or approvals, including any or all of the following:

- (i) establishing fees for licences, permits and approvals, including fees for licences, permits and approvals that may be in the nature of a reasonable tax for the activity authorized or for the purpose of raising revenue;
 - (ii) establishing fees for licences, permits and approvals that are higher for persons or businesses who do not reside or maintain a place of business in the municipality;
 - (iii) prohibiting any development, activity, industry, business or thing until a licence, permit or approval has been granted;
 - (iv) providing that terms and conditions may be imposed on any licence, permit or approval, the nature of the terms and conditions and who may impose them;
 - (v) setting out the conditions that must be met before a licence, permit or approval is granted or renewed, the nature of the conditions and who may impose them;
 - (vi) providing for the duration of licences, permits and approvals and their suspension or cancellation for failure to comply with a term or condition or the bylaw or for any other reason specified in the bylaw;
- (c.1) establish and specify the fees, rates, fares, tariffs or charges that may be charged for the hire of taxis or limousines;
- (d) provide for an appeal, the body that is to decide the appeal and related matters.

Disposal of land

- 70(1) If a municipality proposes to transfer or grant an estate or interest in
- (a) land for less than its market value, or
 - (b) a public park or recreation or exhibition grounds, the proposal must be advertised.
- (2) The proposal does not have to be advertised if the estate or interest is
- (a) to be used for the purposes of supplying a public utility,
 - (b) transferred or granted under Division 8 of Part 10 before the period of redemption under that Division, or
 - (c) to be used by a non-profit organization as defined in Section 241(f).

Bylaws - council and council committees

- 145 A council may pass bylaws in relation to the following:
- (a) the establishment and functions of council committees and other bodies;
 - (b) the procedure and conduct of council, council committees and other bodies established by the council, the conduct of councillors and the conduct of members of council committees and other bodies established by the council.

Election or appointment of chief elected official

- 150(1) The chief elected official of a city or town is to be elected by a vote of the electors of the municipality unless the council passes a bylaw
- (a) requiring council to appoint the chief elected official from among the councillors,
 - (b) specifying when the appointment is to start, and
 - (c) specifying the term of the appointment.
- (2) The chief elected official of a village, summer village or municipal district is to be appointed by council from among the councillors unless the council passes a bylaw providing that the official is to be elected by a vote of the electors of the municipality.

- (3) The chief elected official of a specialized municipality is to be elected under subsection (1) or appointed under subsection (2) as specified in the order that forms the specialized municipality.
- (4) If a chief elected official is to be elected by a vote of the electors of the municipality, the *Local Authorities Election Act* applies to the election.

General duties of councillors

153 Councillors have the following duties:

- (a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
- (b) to participate generally in developing and evaluating the policies and programs of the municipality;
- (c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- (d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
- (e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
- (f) to perform any other duty or function imposed on councillors by this or any other enactment or by the council.

General duties of chief elected official

154(1) A chief elected official, in addition to performing the duties of a councillor, must

- (a) preside when in attendance at a council meeting unless a bylaw provides that another councillor or other person is to preside, and
 - (b) perform any other duty imposed on a chief elected official by this or any other enactment or bylaw.
- (2) The chief elected official is a member of all council committees and all bodies to which council has the right to appoint members under this Act, unless the council provides otherwise.
- (3) Despite subsection (2), the chief elected official may be a member of a board, commission, subdivision authority or development authority established under Part 17 only if the chief elected official is appointed in the chief elected official's personal name.

Quorum

167(1) Except as provided in this or another enactment, the quorum of a council is

- (a) the majority of all the councillors that comprise the council under Section 143, or
 - (b) if there is a vacancy on the council and the council is not required to hold a by-election under Section 162 or 163, the majority of the remaining councillors that comprise the council under Section 143.
- (2) For the purposes of quorum, a councillor is deemed to be absent for a vote if, under this or any other enactment,
- (a) the councillor is required to abstain from the vote, or
 - (b) the councillor is permitted to abstain from the vote and does abstain.

Pecuniary interest

- 170(1) Subject to subsection (3), a councillor has a pecuniary interest in a matter if
- (a) the matter could monetarily affect the councillor or an employer of the councillor, or
 - (b) the councillor knows or should know that the matter could monetarily affect the councillor's family.
- (2) For the purposes of subsection (1), a person is monetarily affected by a matter if the matter monetarily affects
- (a) the person directly,
 - (b) a corporation, other than a distributing corporation, in which the person is a shareholder, director or officer,
 - (c) a distributing corporation in which the person beneficially owns voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which the person is a director or officer, or
 - (d) a partnership or firm of which the person is a member.
- (3) A councillor does not have a pecuniary interest by reason only of any interest
- (a) that the councillor, an employer of the councillor or a member of the councillor's family may have as an elector, taxpayer or utility customer of the municipality,
 - (b) that the councillor or a member of the councillor's family may have by reason of being appointed by the council as a director of a company incorporated for the purpose of carrying on business for and on behalf of the municipality or by reason of being appointed as the representative of the council on another body,
 - (c) that the councillor or member of the councillor's family may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor or member of the councillor's family may be entitled by being appointed by the council to a position described in clause (b),
 - (d) that the councillor may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor may be entitled by being a councillor,
 - (e) that the councillor or a member of the councillor's family may have by being employed by the Government of Canada, the Government of Alberta or a federal or provincial Crown corporation or agency, except with respect to a matter directly affecting the department, corporation or agency of which the councillor or family member is an employee,
 - (f) that a member of the councillor's family may have by having an employer, other than the municipality, that is monetarily affected by a decision of the municipality,
 - (g) that the councillor or a member of the councillor's family may have by being a member or director of a non-profit organization as defined in Section 241(f) or a service club,
 - (h) that the councillor or member of the councillor's family may have
 - (i) by being appointed as the volunteer chief or other volunteer officer of a fire or ambulance service or emergency measures organization or other volunteer organization or service, or
 - (ii) by reason of remuneration received as a volunteer member of any of those voluntary organizations or services,

- (i) of the councillor, an employer of the councillor or a member of the councillor's family that is held in common with the majority of electors of the municipality or, if the matter affects only part of the municipality, with the majority of electors in that part,
- (j) that is so remote or insignificant that it cannot reasonably be regarded as likely to influence the councillor, or
- (k) that a councillor may have by discussing or voting on a bylaw that applies to businesses or business activities when the councillor, an employer of the councillor or a member of the councillor's family has an interest in a business, unless the only business affected by the bylaw is the business of the councillor, employer of the councillor or the councillor's family.

(4) Subsection (3)(g) and (h) do not apply to a councillor who is an employee of an organization, club or service referred to in those clauses.

Disclosure of pecuniary interest

172(1) When a councillor has a pecuniary interest in a matter before the council, a council committee or any other body to which the councillor is appointed as a representative of the council, the councillor must, if present,

- (a) disclose the general nature of the pecuniary interest prior to any discussion of the matter,
- (b) abstain from voting on any question relating to the matter,
- (c) subject to subsection (3), abstain from any discussion of the matter, and
- (d) subject to subsections (2) and (3), leave the room in which the meeting is being held until discussion and voting on the matter are concluded.

(2) If the matter with respect to which the councillor has a pecuniary interest is the payment of an account for which funds have previously been committed, it is not necessary for the councillor to leave the room.

(3) If the matter with respect to which the councillor has a pecuniary interest is a question on which, under this *Act* or another enactment, the councillor as a taxpayer, an elector or an owner has a right to be heard by the council,

- (a) it is not necessary for the councillor to leave the room, and
- (b) the councillor may exercise a right to be heard in the same manner as a person who is not a councillor.

(4) If a councillor is temporarily absent from a meeting when a matter in which the councillor has a pecuniary interest arises, the councillor must immediately on returning to the meeting, or as soon as the councillor becomes aware that the matter has been considered, disclose the general nature of the councillor's interest in the matter.

(5) The abstention of a councillor under subsection (1) and the disclosure of a councillor's interest under subsection (1) or (4) must be recorded in the minutes of the meeting.

(6) If a councillor has disclosed a pecuniary interest at a council committee meeting and council considers a report of the committee in respect of which the councillor disclosed a pecuniary interest, the councillor must disclose the pecuniary interest at the council meeting and subsection (1) applies to the councillor.

Methods in which council may act

180(1) A council may act only by resolution or bylaw.

(2) Where a council or municipality is required or authorized under this or any other enactment or bylaw to do something by bylaw, it may only be done by bylaw.

(3) Where a council is required or authorized under this or any other enactment or bylaw to do something by resolution or to do something without specifying that it be done by bylaw or resolution, it may be done by bylaw or resolution.

Recording of votes

185(1) Before a vote is taken by council, a councillor may request that the vote be recorded.

(2) When a vote is recorded, the minutes must show the names of the councillors present and whether each councillor voted for or against the proposal or abstained.

Public presence at meetings

197(1) Councils and council committees must conduct their meetings in public unless subsection (2) or (2.1) applies.

(2) Councils and council committees may close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.

(2.1) A municipal planning commission, subdivision authority, development authority or subdivision and development appeal board established under Part 17 may deliberate and make its decisions in meetings closed to the public.

(3) When a meeting is closed to the public, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a meeting held in public.

Council's principal role in municipal organization

201(1) A council is responsible for

- (a) developing and evaluating the policies and programs of the municipality;
- (b) making sure that the powers, duties and functions of the municipality are appropriately carried out;
- (c) carrying out the powers, duties and functions expressly given to it under this or any other enactment.

(2) A council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the chief administrative officer or a designated officer.

Delegation by council

203(1) A council may by bylaw delegate any of its powers, duties or functions under this or any other enactment or a bylaw to a council committee, the chief administrative officer or a designated officer, unless this or any other enactment or bylaw provides otherwise.

(2) A council may not delegate

- (a) its power or duty to pass bylaws,
- (b) its power to make, suspend or revoke the appointment of a person to the position of chief administrative officer,
- (c) its power to adopt budgets under Part 8,
- (d) its power with respect to taxes under Section 347, and
- (e) a duty to decide appeals imposed on it by this or another enactment or bylaw, whether generally or on a case by case basis, unless the delegation is to a council committee and authorized by bylaw.

(3) The council when delegating a matter to a council committee, the chief administrative officer or a designated officer may authorize the committee or officer to further delegate the matter.

Performance of major administrative duties

208(1) The chief administrative officer must ensure that

- (a) all minutes of council meetings are recorded in the English language, without note or comment;
- (b) the names of the councillors present at council meetings are recorded;
- (c) the minutes of each council meeting are given to council for adoption at a subsequent council meeting;
- (d) the bylaws and minutes of council meetings and all other records and documents of the municipality are kept safe;
- (e) the Minister is sent a list of the councillors and any other information the Minister requires within 5 days after the term of the councillors begins;
- (f) the corporate seal, if any, is kept in the custody of the chief administrative officer;
- (g) the revenues of the municipality are collected and controlled and receipts are issued in the manner directed by council;
- (h) all money belonging to or held by the municipality is deposited in a bank, credit union, loan corporation, treasury branch or trust corporation designated by council;
- (i) the accounts for authorized expenditures referred to in Section 248 are paid;
- (j) accurate records and accounts are kept of the financial affairs of the municipality, including the things on which a municipality's debt limit is based and the things included in the definition of debt for that municipality;
- (k) the actual revenues and expenditures of the municipality compared with the estimates in the operating or capital budget approved by council are reported to council as often as council directs;
- (l) money invested by the municipality is invested in accordance with Section 250;
- (m) assessments, assessment rolls and tax rolls for the purposes of Parts 9 and 10 are prepared;
- (n) public auctions held to recover taxes are carried out in accordance with Part 10;
- (o) the council is advised in writing of its legislative responsibilities under this Act.

(2) Subsection (1)(a) to (d) and (o) apply to the chief administrative officer in respect of council committees that are carrying out powers, duties or functions delegated to them by the council.

Prohibition of certain agreements with employees

215(1) An agreement made on or after January 1, 1995 between a municipality and an employee of a municipality in which the municipality is to provide a service or commodity to the employee is void.

(2) This section does not apply to an agreement

- (a) in which the municipality provides a service or commodity that the municipality supplies to the public generally, or
- (b) respecting the employee's employment.

Loan bylaws

265(1) A municipality may only lend money to a non-profit organization, one of its controlled corporations or the designated seller within the meaning of Section 30(1) of the Gas Distribution Act, SA 1994 cG-1.5 as it read on June 30, 1998, if the loan is authorized by bylaw.

- (2) The bylaw authorizing the loan must set out
- (a) the amount of money to be loaned and, in general terms, the purpose for which the money that is loaned is to be used;
 - (b) the minimum rate of interest, the term and the terms of repayment of the
 - (c) loan;
 - (d) the source or sources of the money to be loaned.
- (3) The bylaw that authorizes the loan must be advertised.

Inspection of roll

307 Any person may inspect the assessment roll during regular business hours on payment of the fee set by the council.

Order to remedy contraventions

545(1) If a designated officer finds that a person is contravening this or any other enactment that the municipality is authorized to enforce or a bylaw, the designated officer may, by written order, require the person responsible for the contravention to remedy it if the circumstances so require.

- (2) The order may
- (a) direct a person to stop doing something, or to change the way in which the person is doing it;
 - (c) direct a person to take any action or measures necessary to remedy the contravention of the enactment or bylaw, including the removal or demolition of a structure that has been erected or placed in contravention of a bylaw, and, if necessary, to prevent a re-occurrence of the contravention;
 - (c) state a time within which the person must comply with the directions;
 - (d) state that if the person does not comply with the directions within a specified time, the municipality will take the action or measure at the expense of the person.

Order to remedy dangers and unsightly property

546(0.1) In this section,

- (a) “detrimental to the surrounding area” includes causing the decline of the market value of property in the surrounding area;
 - (b) “unsightly condition”,
 - (i) in respect of a structure, includes a structure whose exterior shows signs of significant physical deterioration, and
 - (ii) in respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep.
- (1) If, in the opinion of a designated officer, a structure, excavation or hole is dangerous to public safety or property, because of its unsightly condition, is detrimental to the surrounding area, the designated officer may by written order
- (a) require the owner of the structure to
 - (i) eliminate the danger to public safety in the manner specified, or

- (ii) remove or demolish the structure and level the site;
 - (b) require the owner of the land that contains the excavation or hole to
 - (i) eliminate the danger to public safety in the manner specified, or
 - (ii) fill in the excavation or hole and level the site;
 - (c) require the owner of the property that is in an unsightly condition to
 - (i) improve the appearance of the property in the manner specified, or
 - (ii) if the property is a structure, remove or demolish the structure and level the site.
- (2) The order may
- (a) state a time within which the person must comply with the order;
 - (b) state that if the person does not comply with the order within a specified time, the municipality will take the action or measure at the expense of the person.

Review by council

547(1) A person who receives a written order under Section 545 or 546 may by written notice request council to review the order within

- (a) 14 days after the date the order is received, in the case of an order under Section 545, and
 - (b) 7 days after the date the order is received, in the case of an order under Section 546, or any longer period as specified by bylaw.
- (2) After reviewing the order, the council may confirm, vary, substitute or cancel the order.

Inspection

571(1) The Minister may require any matter connected with the management, administration or operation of any municipality or any assessment prepared under Part 9 to be inspected

- (a) on the Minister's initiative, or
 - (b) on the request of the council of the municipality.
- (2) The Minister may appoint one or more persons as inspectors for the purpose of carrying out inspections under this section.
- (3) An inspector
- (a) may require the attendance of any officer of the municipality or of any other person whose presence the inspector considers necessary during the course of the inspection, and
 - (b) has the same powers, privileges and immunities as a commissioner under the Public Inquiries Act.
- (4) When required to do so by an inspector, the chief administrative officer of the municipality must produce for examination and inspection all books and records of the municipality.
- (5) After the completion of the inspection, the inspector must make a report to the Minister and, if the inspection was made at the request of a council, to the council.

Inquiry

572(1) The Minister may order an inquiry described in subsection (2) if the Minister receives

- (a) a sufficient petition requesting the inquiry that is signed,
 - (i) in the case of a municipality other than a summer village, by electors of the municipality equal in number to at least 20% of the population, and

- (ii) in the case of a summer village, by at least 20% of the electors of the summer village,
 - or
 - (b) a request for the inquiry from a council.
- (2) An inquiry may be conducted into
 - (a) the affairs of the municipality,
 - (b) the conduct of a councillor, or an employee or agent of the municipality, or
 - (c) the conduct of a person who has an agreement with the municipality relating to the duties or obligations of the municipality or a person under the agreement.
- (3) The Minister may appoint one or more persons to conduct an inquiry under this section.
- (4) The person or persons appointed to conduct an inquiry are entitled to the fees and expenses specified by the Minister and the Minister may direct who is to pay for the inquiry.
- (5) The person or persons appointed to conduct an inquiry have all the powers and duties of a commissioner appointed under the Public Inquiries Act.
- (6) The person or persons appointed to conduct an inquiry must report to the Minister and the council and, if there was a petition under subsection (1)(a), to the representative of the petitioners.

Subdivision Authority

623(1) A council must by bylaw provide for a subdivision authority to exercise subdivision powers and duties on behalf of the municipality.

- (2) A subdivision authority may include one or more of the following:
 - (a) any or all members of council;
 - (b) a designated officer;
 - (c) a municipal planning commission;
 - (d) any other person or organization.

Development authority

624(1) Subject to Section 641, a council must by bylaw provide for a development authority to exercise development powers and perform duties on behalf of the municipality.

- (2) A development authority may include one or more of the following:
 - (a) a designated officer;
 - (b) a municipal planning commission;
 - (c) any other person or organization.

Appeal board established

627(1) A council must by bylaw

- (a) establish a subdivision and development appeal board, or
 - (b) authorize the municipality to enter into an agreement with one or more municipalities to establish an intermunicipal subdivision and development appeal board, or both.
- (2) An intermunicipal subdivision and development appeal board is a subdivision and development appeal board for the purposes of this Part.
- (3) Despite Section 146,
 - (a) in the case of a subdivision and development appeal board formed under subsection (1)(a), councillors may not form the majority of the board or the majority of the board or a committee hearing an appeal, and
 - (b) in the case of a subdivision and development appeal board formed under

subsection (1)(b), the councillors from a single municipality may not form the majority of the board or of a committee hearing an appeal.

(4) The following persons may not be appointed as members of a subdivision and development appeal board:

- (a) an employee of the municipality;
- (b) a person who carries out subdivision or development powers, duties and functions on behalf of the municipality;
- (c) a member of a municipal planning commission.

Stop order

645(1) Despite Section 545, if a development authority finds that a development, land use or use of a building is not in accordance with

- (a) this Part or a land use bylaw or regulations under this Part, or
- (b) a development permit or subdivision approval, the development authority may act under subsection (2).

(2) If subsection (1) applies, the development authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to

- (a) stop the development or use of the land or building in whole or in part as directed by the notice,
- (b) demolish, remove or replace the development, or
- (c) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the land use bylaw or regulations under this Part, a development permit or a subdivision approval, within the time set out in the notice.

(3) A person who receives a notice referred to in subsection (2) may appeal to the subdivision and development appeal board in accordance with Section 685.

Approval of application

654(1) A subdivision authority must not approve an application for subdivision approval unless

- (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,
- (b) the proposed subdivision conforms to the provisions of any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,
- (c) the proposed subdivision complies with this Part and the regulations under this Part, and
- (d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.

(2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,

- (a) the proposed subdivision would not
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

- (b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.
- (3) A subdivision authority may approve or refuse an application for subdivision approval.

21 APPENDIX B

Freedom of Information and Protection of Privacy Act

Part 1 Freedom of Information

Division 1 Obtaining Access to Records

Information rights

- 6(1) An applicant has a right of access to any record in the custody or under the control of a public body, including a record containing personal information about the applicant.
- (2) The right of access to a record does not extend to information excepted from disclosure under Division 2 of this Part, but if that information can reasonably be severed from a record, an applicant has a right of access to the remainder of the record.
- (3) The right of access to a record is subject to the payment of any fee required by the regulations.
- (4) The right of access does not extend
- (a) to a record created solely for the purpose of briefing a member of the Executive Council in respect of assuming responsibility for a ministry, or
 - (b) to a record created solely for the purpose of briefing a member of the Executive Council in preparation for a sitting of the Legislative Assembly.
- (5) Subsection (4)(a) does not apply to a record described in that clause if 5 years or more has elapsed since the member of the Executive Council was appointed as the member responsible for the ministry.
- (6) Subsection (4)(b) does not apply to a record described in that clause if 5 years or more has elapsed since the beginning of the sitting in respect of which the record was created.
- (7) The right of access to a record does not extend to a record relating to an audit by the Chief Internal Auditor of Alberta that is in the custody of the Chief Internal Auditor of Alberta or any person under the administration of the Chief Internal Auditor of Alberta, irrespective of whether the record was created by or for or supplied to the Chief Internal Auditor of Alberta.
- (8) Subsection (7) does not apply to a record described in that subsection
- (a) if 15 years or more has elapsed since the audit to which the record relates was completed, or
 - (b) if the audit to which the record relates was discontinued or if no progress has been made on the audit for 15 years or more.

How to make a request

- 7(1) To obtain access to a record, a person must make a request to the public body that the person believes has custody or control of the record.
- (2) A request must be in writing and must provide enough detail to enable the public body to identify the record.
- (3) In a request, the applicant may ask
- (a) for a copy of the record, or
 - (b) to examine the record.

Abandoned request

8(1) Where the head of a public body contacts an applicant in writing respecting the applicant's request, including

- (a) seeking further information from the applicant that is necessary to process the request, or
- (b) requesting the applicant to pay a fee or to agree to pay a fee, and the applicant fails to respond to the head of the public body, as requested by the head, within 30 days after being contacted, the head of the public body may, by notice in writing to the applicant, declare the request abandoned.

(2) A notice under subsection (1) must state that the applicant may ask for a review under Part 5.

Continuing request

9(1) The applicant may indicate in a request that the request, if granted, continues to have effect for a specified period of up to 2 years.

(2) The head of a public body granting a request that continues to have effect for a specified period must provide to the applicant

- (a) a schedule showing dates in the specified period on which the request will be deemed to have been received and explaining why those dates were chosen, and
- (b) a statement that the applicant may ask the Commissioner to review the schedule.

(3) This *Act* applies to a request that continues to have effect for a specified period as if a new request were made on each of the dates shown in the schedule.

Duty to assist applicants

10(1) The head of a public body must make every reasonable effort to assist applicants and to respond to each applicant openly, accurately and completely.

(2) The head of a public body must create a record for an applicant if

- (a) the record can be created from a record that is in electronic form and in the custody or under the control of the public body, using its normal computer hardware and software and technical expertise, and
- (b) creating the record would not unreasonably interfere with the operations of the public body.

Time limit for responding

11(1) The head of a public body must make every reasonable effort to respond to a request not later than 30 days after receiving it unless

- (a) that time limit is extended under Section 14, or
- (b) the request has been transferred under Section 15 to another public body.

(2) The failure of the head to respond to a request within the 30-day period or any extended period is to be treated as a decision to refuse access to the record.

Contents of response

12(1) In a response under Section 11, the applicant must be told

- (a) whether access to the record or part of it is granted or refused,
- (b) if access to the record or part of it is granted, where, when and how access will be given, and
- (c) if access to the record or to part of it is refused,

- (i) the reasons for the refusal and the provision of this *Act* on which the refusal is based,
 - (ii) the name, title, business address and business telephone number of an officer or employee of the public body who can answer the applicant's questions about the refusal, and
 - (iii) that the applicant may ask for a review of that decision by the Commissioner or an adjudicator, as the case may be.
- (2) Despite subsection (1)(c)(i), the head of a public body may, in a response, refuse to confirm or deny the existence of
- (a) a record containing information described in Section 18 or 20, or
 - (b) a record containing personal information about a third party if disclosing the existence of the information would be an unreasonable invasion of the third party's personal privacy.

How access will be given

13(1) If an applicant is told under Section 12(1) that access will be granted, the head of the public body must comply with this section.

- (2) If the applicant has asked for a copy of a record and the record can reasonably be reproduced,
 - (a) a copy of the record or part of it must be provided with the response, or
 - (b) the applicant must be given reasons for any delay in providing the copy.
- (3) If there will be a delay in providing the copy under subsection (2), the applicant must be told where, when and how the copy will be provided.
- (4) If the applicant has asked to examine a record or for a copy of a record that cannot reasonably be reproduced, the applicant
 - (a) must be permitted to examine the record or part of it, or
 - (b) must be given access in accordance with the regulations.

Extending time limit for responding

14(1) The head of a public body may extend the time for responding to a request for up to 30 days or, with the Commissioner's permission, for a longer period if

- (a) the applicant does not give enough detail to enable the public body to identify a requested record,
 - (b) a large number of records are requested or must be searched and responding within the period set out in Section 11 would unreasonably interfere with the operations of the public body,
 - (c) more time is needed to consult with a third party or another public body before deciding whether to grant access to a record, or
 - (d) a third party asks for a review under Section 65(2) or 77(3).
- (2) The head of a public body may, with the Commissioner's permission, extend the time for responding to a request if multiple concurrent requests have been made by the same applicant or multiple concurrent requests have been made by 2 or more applicants who work for the same organization or who work in association with each other.
- (3) Despite subsection (1), where the head of a public body is considering giving access to a record to which Section 30 applies, the head of the public body may extend the time for responding to the request for the period of time necessary to enable the head to comply with the requirements of Section 31.

(4) If the time for responding to a request is extended under subsection (1), (2) or (3), the head of the public body must tell the applicant

- (a) the reason for the extension,
- (b) when a response can be expected, and
- (c) that the applicant may make a complaint to the Commissioner or to an adjudicator, as the case may be, about the extension.

Transferring a request

15(1) Within 15 days after a request for access to a record is received by a public body, the head of the public body may transfer the request and, if necessary, the record to another public body if

- (a) the record was produced by or for the other public body,
- (b) the other public body was the first to obtain the record, or
- (c) the record is in the custody or under the control of the other public body.

(2) If a request is transferred under subsection (1),

- (a) the head of the public body who transferred the request must notify the applicant of the transfer as soon as possible, and
- (b) the head of the public body to which the request is transferred must make every reasonable effort to respond to the request not later than 30 days after receiving the request unless that time limit is extended under Section 14.

Disclosure harmful to personal privacy

17(1) The head of a public body must refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's personal privacy.

(2) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy if

- (a) the third party has, in the prescribed manner, consented to or requested the disclosure,
- (b) there are compelling circumstances affecting anyone's health or safety and written notice of the disclosure is given to the third party,
- (c) an *Act* of Alberta or Canada authorizes or requires the disclosure,
- (d) repealed 2003 c21 s5,
- (e) the information is about the third party's classification, salary range, discretionary benefits or employment responsibilities as an officer, employee or member of a public body or as a member of the staff of a member of the Executive Council,
- (f) the disclosure reveals financial and other details of a contract to supply goods or services to a public body,
- (g) the information is about a licence, permit or other similar discretionary benefit relating to
 - (i) a commercial or professional activity, that has been granted to the third party by a public body, or
 - (ii) real property, including a development permit or building permit, that has been granted to the third party by a public body, and the disclosure is limited to the name of the third party and the nature of the licence, permit or other similar discretionary benefit,
- (h) the disclosure reveals details of a discretionary benefit of a financial nature granted to the third party by a public body,

- (i) the personal information is about an individual who has been dead for 25 years or more, or
 - (j) subject to subsection (3), the disclosure is not contrary to the public interest and reveals only the following personal information about a third party:
 - (i) enrolment in a school of an educational body or in a program offered by a post-secondary educational body,
 - (ii) repealed 2003 c21 s5,
 - (iii) attendance at or participation in a public event or activity related to a public body, including a graduation ceremony, sporting event, cultural program or club, or field trip, or
 - (iv) receipt of an honour or award granted by or through a public body.
- (3) The disclosure of personal information under subsection (2)(j) is an unreasonable invasion of personal privacy if the third party whom the information is about has requested that the information not be disclosed.
- (4) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy if
- (a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation,
 - (b) the personal information is an identifiable part of a law enforcement record, except to the extent that the disclosure is necessary to dispose of the law enforcement matter or to continue an investigation,
 - (c) the personal information relates to eligibility for income assistance or social service benefits or to the determination of benefit levels,
 - (d) the personal information relates to employment or educational history,
 - (e) the personal information was collected on a tax return or gathered for the purpose of collecting a tax,
 - (e.1) the personal information consists of an individual's bank account information or credit card information,
 - (f) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations,
 - (g) the personal information consists of the third party's name when
 - (i) it appears with other personal information about the third party, or
 - (ii) the disclosure of the name itself would reveal personal information about the third party, or
 - (h) the personal information indicates the third party's racial or ethnic origin or religious or political beliefs or associations.
- (5) In determining under subsections (1) and (4) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body must consider all the relevant circumstances, including whether
- (a) the disclosure is desirable for the purpose of subjecting the activities of the Government of Alberta or a public body to public scrutiny,
 - (b) the disclosure is likely to promote public health and safety or the protection of the environment,
 - (c) the personal information is relevant to a fair determination of the applicant's rights,
 - (d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people,
 - (e) the third party will be exposed unfairly to financial or other harm,
 - (f) the personal information has been supplied in confidence,

- (g) the personal information is likely to be inaccurate or unreliable,
- (h) the disclosure may unfairly damage the reputation of any person referred to in the record requested by the applicant, and
 - (i) the personal information was originally provided by the applicant.

22 APPENDIX C

Financial Indicator Graph Summary

Area of Comparison	Redcliff	Median	Comments
Residential Tax Rate	7.7	8.9	The Town's residential tax rate is lower than the median for the group. This information is somewhat skewed as local improvement bylaws exist which are not reflected in the tax rate.
Non Residential Tax Rates	14.3	14.3	The Town's non-residential tax rate is the same as the median for the group. This information is somewhat skewed as local improvement bylaws exist which are not reflected in the tax rate.
Equalized Assessment Per Capita	\$130,263	\$113,913	Equalized assessment is a measure of the property "wealth" of the community. A higher equalized assessment rate would normally be reflected in lower tax rates if service levels of comparison municipalities are equal.
Non-Residential Assessment as % of Equalized Assessment	31%	24%	Redcliff's percentage of non residential assessment shows a healthy amount of businesses in the community. Non residential assessment would typically also be reflective of the number of jobs available in the community.
Percent of Debt Limit Used	45.1%	43.3%	The Town's debt limit, which is the maximum amount the Town is able to borrow (without ministerial approval), is calculated at 1.5 times the revenue* of the Town. The Town is well within the

			regulated debt limit. *Revenue is defined in Debt Limit Regulation AR255/2000.
Percent of Debt Service Limit Used	51.0%	30.4%	The Town's debt service limit, which is the maximum amount of annual payments the Town is able to make (without ministerial approval), is calculated at .25 times the revenue* of the Town. The Town is well within the regulated debt service limit. *Revenue is defined in Debt Limit Regulation AR255/2000.
Tax Collection Rates	95.9%	96.7%	Tax collection rates are about the same as the comparison group and with the exception of 2007 (92.8%) have remained relatively steady. since 2006.
Long Term Municipal Debt per Capita	\$1,216	\$1,216	This is the amount of debt per capita owed by the Town. It is the same as median.
Revenue Sources per Capita-Net municipal Property Tax	\$864	\$892	Slightly lower than comparison Towns.
Revenue Sources per Capita-Net municipal Property Tax	\$423	\$623	Slightly lower than comparison Towns.
Revenue Sources per Capita-Sales and User Charges	\$650	\$577	Slightly higher than comparison Towns. These amounts include such items as utility charges, recreation fees etc.
Major Sources of Revenue	Tax-41% Grants-20% Sales/User	Tax-33% Grants-25% Sales/User	Taxes were on the higher side for 2011. These figures change annually depending on the mix

	Charges -31%	Charges -23%	of grants taken into account for the year.
Major Expenditures per Capita by Broad Function	Gen. Gov't- \$292 Prot. Services- \$243 Transportation- \$574 Environment- \$485 Recreation- \$199	Gen. Gov't- \$281 Prot. Services- \$243 Transportation \$521 Environment- \$509 Recreation- \$439	With the exception of recreation services, the Town spent very close to the comparison group median in 2011.
Major Expenditures per Capita- Salaries, Wages, Benefits	\$542	\$665	Lower than median.
Major Expenditures per Capita- Contracted/General Services	\$284	\$443	Lower than median.
Major Expenditures per Capita- Materials, Goods & Supplies	\$179	\$412	Lower than median.
Net Book Value as % of Total Cost of TCA	69.1%	61.6%	Higher than median. Indicates more useful life remaining in tangible capital assets than the median.
Accumulated Surplus per Capita	Unrestricted- \$569 Restricted- \$1,697 Equity in TCA- \$12,942	Unrestricted- \$282 Restricted- \$896 Equity in TCA \$8,987	Shows the Town has good reserve balances and is higher than the median of the group.

23 APPENDIX D

Municipal Sustainability Initiative – Capital

Annual Allocations:

2007	\$238,502
2008	\$534,354
2009	\$404,176
2010	\$1,012,633
2011	\$1,024,998
2012	\$1,036,051
Total	\$4,250,714

Accepted Project Profiles:

Project Number	Project Name	MSI Accepted Amount
CAP-819	Broadway Avenue East - Phase 4	\$677,000
CAP-820	Northside Functional Servicing Report	\$102,763
CAP-1670	Eastside Phase One	\$404,176
CAP-2039	Wading Pool Play Equipment	\$164,200
CAP-2058	Kipling-River Valley Trails	\$275,000
CAP-2059	East Side Phase 1-Landscaping and Park(s)	\$228,000
CAP-3021	North Side Industrial Subdivision Design/Engineering.	\$500,000
CAP-3022	4 Avenue SE (Main-5 St.) Overlay	\$358,000
CAP-3023	1 AVENUE SE (1 St – 6 St) Overlay	\$340,000
CAP-3226	2 Avenue SE (Main Street South-6 Street SE) Road Rehabilitation	\$293,800
CAP-3725	6th Avenue SE (000,400 & 600 Block)	\$97,106
CAP-3726	Master Storm System Evaluation	\$60,000
CAP-4005	Railway Avenue South (West of 1st Street, NE to 1st Street NW) Project 89	\$182,400
CAP-4006	1st Street SW (200 and Intersection at 1st Avenue) Project 96	\$348,000
CAP-4007	Distribution Pumping System Upgrade Project 102	\$292,600
CAP-4008	Sanitary System Evaluation	\$100,000
CAP-4009	Dirkson Drive - Asphalt Repairs and Levelling Project #85	\$172,500

Project Number	Project Name	MSI Accepted Amount
CAP-4010	3rd Avenue SE (Main - 1st Street SE) Overlay & Water Looping	\$52,000
Number of Project Profiles Accepted: 18		Total: \$4,647,545

This report includes Accepted projects only and does not reflect amendments in progress.

24 APPENDIX D.1

Municipal Sustainability Initiative – Operating

Annual Allocations:

2007	\$40,085
2008	\$89,015
2009	\$88,850
2010	\$88,325
2011	\$88,380
2012	\$87,912
Total	\$482,567

Accepted Project Profiles:

Project Number	Project Name	MSI Accepted Amount
OPE-88	Municipal Planning	\$40,085
OPE-589	Insurance	\$89,015
OPE-2268	Computer Hardware and Software Upgrade	\$64,000
OPE-2552	Land Use Bylaw	\$37,000
OPE-2749	Computer Hardware and Software Upgrade	\$69,300
OPE-3431	Computer Hardware and Software Upgrade	\$34,089
OPE-3432	Water Meter Reading Equipment Purchase	\$14,000
OPE-3433	Sewer Camera Purchase	\$15,000
OPE-3616	Irrigation Pump Purchase	\$25,000
Number of Project Profiles Accepted: 9	Total:	\$387,489

25 APPENDIX E

Municipal Sustainability Initiative – Capital Payments

Annual Allocations:

	2007	2008	2009	2010	2011	2012	Total
Allocation:	\$238,502	\$534,354	\$404,176	\$1,012,633	\$1,024,998	\$1,036,051	\$4,250,714
% Paid:	100	100	100	100	100	100	

Statement of Funding and Expenditures:

2007	2008	2009	2010	2011
Certified	Certified	Certified	Certified	Received

Project Applications:

Projects in Progress or in Review

Project Number	Project Name	MSI Accepted or Requested Amount	Project Application Review Status
CAP-2059	East Side Phase 1-Landscaping and Park(s)	\$228,000	Accepted
CAP-3021	North Side Construction	\$500,000	Accepted
CAP-3022	4 Avenue SE (Main-5 St.) Overlay	\$358,000	Accepted
CAP-3023	1 AVENUE SE (1 St – 6 St) Overlay	\$340,000	Accepted
CAP-3226	2 Avenue SE (Main Street South-6 Street SE) Road Rehabilitation	\$293,800	Accepted
CAP-3725	6th Avenue SE (000,400 & 600 Block)	\$97,106	Accepted
CAP-3726	Master Storm System Evaluation	\$60,000	Accepted
CAP-4005	Railway Avenue South (West of 1st Street, NE to 1st Street NW) Project 89	\$182,400	Accepted
CAP-4006	1st Street SW (200 and Intersection at 1st Avenue) Project 96	\$348,000	Accepted
CAP-4007	Distribution Pumping System Upgrade Project 102	\$292,600	Accepted
CAP-4008	Sanitary System Evaluation	\$100,000	Accepted
CAP-4009	Dirkson Drive - Asphalt Repairs and Levelling Project #85	\$172,500	Accepted
CAP-4010	3rd Avenue SE (Main - 1st Street SE) Overlay Project 82	\$52,000	Accepted

Sub-Total: \$3,024,406

Complete Fully Funded Projects

Project Number	Project Name	Expended Amount
CAP-819	Broadway Avenue East - Phase 4	\$676,999
CAP-820	Northside Functional Servicing Report	\$102,763
CAP-1670	Eastside Phase One	\$404,176
CAP-2039	Wading Pool Play Equipment	\$114,200
CAP-2058	Kipling-River Valley Trails	\$156,853
	Sub-Total:	\$1,454,991
	Total:	\$4,479,397

This report reflects the information received as of the above-noted date. Information on project applications and Statements of Funding and Expenditures received after this date is not included.

This report does not include projects that have been withdrawn. Where the project has a status of "Accepted - Amendment Pending", the requested amendment amount is displayed. For Complete Fully Funded Projects, the expended amount reflects the MSI expended on completed projects, as per your municipality's certified Statement of Funding and Expenditures.

Refer to the MSI guidelines, which can be found at www.municipalaffairs.gov.ab.ca/msi-materials-resources.cfm, for details on the requirements for payment of annual MSI allocations.

26 APPENDIX E.1

Municipal Sustainability Initiative – Operating Payments

Annual Allocations:

	2007	2008	2009	2010	2011	2012	Total
Allocation:	\$40,085	\$89,015	\$88,850	\$88,325	\$88,380	\$87,912	\$482,567
% Paid:	100	100	100	100	100	100	

Statement of Funding and Expenditures:

2007	2008	2009	2010	2011
Certified	Certified	Certified	Certified	Received

Spending Plans:

2012
Received

Project Applications:

Projects in Progress or in Review

Project Number	Project Name	MSI Accepted or Requested Amount	Project Application Review Status
OPE-2552	Land Use Bylaw	\$37,000	Accepted
OPE-2749	Computer Hardware and Software Upgrade	\$69,300	Accepted
OPE-3431	Computer Hardware and Software Upgrade	\$34,089	Accepted
OPE-3432	Water Meter Reading Equipment Purchase	\$14,000	Accepted
OPE-3433	Sewer Camera Purchase	\$15,000	Accepted
OPE-3616	Irrigation Pump Purchase	\$25,000	Accepted

Sub-Total: \$194,389

Complete Fully Funded Projects

Project Number	Project Name	Expended Amount
OPE-88	Municipal Planning	\$40,085
OPE-589	Insurance	\$89,015
OPE-2268	Computer Hardware and Software Upgrade	\$64,000
	Sub-Total:	\$193,100
	Total:	\$387,489

This report reflects the information received as of the above-noted date. Information on project applications, spending plans, and Statements of Funding and Expenditures received after this date is not included.

This report does not include projects that have been withdrawn. For Complete Fully Funded Projects, the Expended Amount reflects the MSI expended on completed projects, as per your municipality's certified Statement of Funding and Expenditures.

Refer to the MSI guidelines, which can be found at www.municipalaffairs.gov.ab.ca/msi-materials-resources.cfm, for details on the requirements for payment of annual MSI allocations