

MUNICIPAL LEADER

The Magazine of the
ASSOCIATION
OF MANITOBA
MUNICIPALITIES

WINTER 2011

SPECIAL REPORT

Infrastructure

PLUS
Meet the
AMM EXECUTIVE





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On the Cover:

Infrastructure continues to be a major issue for municipalities. This edition's special report provides an update. Leading the change for improved infrastructure will be AMM's new Executive.

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AMM MISSION STATEMENT

The Association of Manitoba Municipalities identifies and addresses the needs and concerns of its members in order to achieve strong and effective municipal government.



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President of the Manitoba Municipal
Administrators' Association

Plans and people IN PLACE FOR 2011



Doug Dobrowolski, President

Where did 2010 go? Some years seem to pass by in the blink of an eye and for me, 2010 was such a year. In terms of our lobbying, we had some wins, like the sewage ejector issue and, more recently, the Federal Government's decision to extend the completion date for infrastructure stimulus projects to October 31, 2011. It is rewarding when other orders of government listen and react to the needs of municipalities, as they did in these situations. Naturally, there are many issues awaiting a similar sort of positive reaction, and I look forward to pushing those issues forward throughout the coming year.

One of the first meetings we have as a board each year is our annual Strategic Planning Session, and this session took place on January 6 and 7. Not surprisingly our major priority going forward this year will be October's provincial election. Our focus throughout the coming months will be placing our issues at the forefront of ALL political parties in Manitoba, and ensuring our needs are a part of all their platforms.

We are currently finalizing our pre-election strategy and our members will not only be involved, but will be an essential component to this strategy. One of the things we will need our membership to do throughout the year is to help us push your local candidates to address the core challenges of municipalities. This issue's Special Report on Infrastructure features an article on this topic, so please review it and make sure your local candidates are fully aware of the challenges facing municipalities.

Our strategic planning session was a first for our four new board members, and you can get to know them in this issue's Municipal Profile, along with Urban Vice-President **Eileen Clarke**, Rural Vice-President **Roger Wilson** and yours truly. I am very pleased to be working with both Roger and Eileen on the Executive Committee this year. I am confident our Execu-

*Our major
priority going
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provincial
election.*

tive will be a strong, effective representative of the AMM Board.

I'd also like to say thank you to **Shirley Kalyniuk** for her hard work and dedication over the past four years as Urban Vice-President. Shirley and I spent a great deal of time together on the Executive and I am so pleased she will continue on the Board as Midwestern Urban Director.

Thanks also to the staff of the AMM for their efforts throughout the year. Their hard work and dedication to the AMM shows in everything we do.

Of course a personal highlight in 2010 was being acclaimed to serve as your President for a third term, and I thank our membership for their support, along with my council and my family, as it is only with their encouragement I am able to do this job.

Happy New Year!

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The AMM is HERE FOR YOU!



Joe Masi, Executive Director

Wasn't that a Convention? For four days in late November, Manitoba municipal officials came together to socialize, to network, to debate, and to be educated, entertained, and enlightened. For those of you who are new to elected life and to the AMM, I hope you found the 12th Annual Convention as worthwhile and interesting as I did. I do know your attendance and participation was outstanding, and it is always exciting to welcome a number of newly elected officials into the fold. As one delegate said, "It's been a great team building exercise for our council;" and that is exactly as it should be.

Now that Convention is over, please continue to use the AMM as a resource. We are here for you – it is as simple as that. Our office is only a phone call or an email away, and our website is a one-stop shop of up-to-date AMM information. Our blog and our Facebook page provide a venue for discussion and feedback, and our bi-weekly news bulletins provide updates on our lobbying activities and upcoming events.

Some of those events will be here before we know it:


- Mayors, Reeves and CAOs meetings begin in mid-March. Held in each of the AMM's seven districts, these meetings are an opportunity for heads of council and their top administrators to come together to share information with the AMM and each other.
- April brings the Municipal Officials Seminar in Brandon. This event offers a host of policy and professional development sessions for our members, in addition to Manitoba's largest one-day municipal trade show.
- June District Meetings run from the 9th to the 17th this year, with resolutions being carried during these meetings going forward to the Annual Convention. Elections for directors will be held in each district this year as well.

*I personally
look forward to
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with municipal
officials.*

- Of course, our final event of the year will be the 13th Annual Convention in Brandon.

In addition to these group events, throughout the year municipal visits will take place in all seven districts, beginning with the Western District in early February. The AMM makes it a priority to visit each municipality at least once during each four-year election cycle, and these visits are extremely valuable as they allow us to hear your issues firsthand. After an election year, they become even more valuable as they allow us to meet the new members of your council face to face. I personally look forward to each and every opportunity I have to meet with municipal officials.

In closing, I'd like bid farewell to Senior Policy Analyst **Rachel Philippe**, whose last day with the AMM was December 16. Rachel was with the AMM for almost seven years and her policy work for the AMM was of the highest quality. We wish her well in her future endeavors.

See you soon! 

Joe Masi

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INTERNATIONAL QUALIFICATION RECOGNITION - IMMIGRANT PROFESSIONAL RECOGNITION

The Office of the Manitoba Fairness Commissioner (OMFC) has launched a website designed to help regulated professions make it more efficient and faster for immigrant professionals to establish their careers in this province. Many immigrants are highly trained professionals who arrive here with a wealth of valuable experience that would benefit Manitobans and enrich the economy. Therefore, it is critical that these individuals do not face obstacles to practicing their professions in Manitoba due to delays in obtaining recognition for their qualifications. The OMFC works co-operatively with Manitoba regulators to ensure their registration practices are transparent, objective, impartial and fair, as well as comply with *The Fair Registration Practices in Regulated Professional Act*. The new website of the OMFC is at www.manitobafairnesscommissioner.ca.

TRAINING AND APPRENTICESHIP EXPANSION

On October 1, 2010, Brandon's Assiniboine Community College (ACC) officially opened the Len Evans Centre for Trades and Technology. The new facility features the redeveloped Pine Ridge building and two newly constructed shop buildings on the site of the former Brandon Mental Health Centre. All of ACC's existing trade certificate and diploma programs have moved to the new site, along with apprenticeship offerings. The expansion allows more residents of Western Manitoba to study and learn their professions

closer to home. The facility will accommodate more than 1,400 students including more than 700 new apprenticeship spaces.

ACC is also working with the provincial and federal governments, Red River College and the University College of the North to develop an innovative new process to deliver apprenticeship training in modules. This is in response to the number of foreign-trained workers who require upgrading or a set of specific skills before they can become certified journeypersons in Manitoba. The intention is to make it possible for people to bridge training gaps and help them become certified more quickly.

NEW FEATURES IN CHILD CARE

The Province recently implemented two new features that will help address municipal concerns with child care provision in Manitoba. As of December 1, 2010, child care workers in Manitoba will be eligible for a pension plan as part of a Workforce Stability Strategy. For centre-based workers, the Province will match employee payments of four per cent of salaries to a defined-contribution pension plan and for home-based child-care providers, the Province will reimburse 50% of annual RRSP contributions up to \$1,700. As well, both centre-based workers and home-based providers will receive a retirement benefit equivalent to four days pay per year of service to a maximum of 10 years at age 65 (or from 55 to 65 with age and years of service totalling at least 80). When fully implemented, the Province will provide up to \$6.6 million per year to fund the program.



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The second new addition to Manitoba child care services is an online child care registry functioning as a pilot project in Brandon. Parents in Brandon are trying out a centralized registration system that is intended to be expanded province-wide by the end of 2011. The registry is expected to simplify the process of finding child care by allowing parents to enter information about children and care requirements just once. Children will then be added to the wait list of as many child care facilities as the parents choose. The online tool also supplies current information on all available licensed providers; provides updates when child care providers are accepting applications; enables parents to make changes to their contact information or child care needs for all providers at one time; and allows child care centres to see the most up-to-date list of children waiting for care in order to fill any openings.

MANITOBA/NUNAVUT MOU


As part of Manitoba's Northern Development Strategy, the University of Winnipeg and the Province of Manitoba hosted an Arctic summit in November 2010. On the first day of the summit, Manitoba and Nunavut signed an agreement to improve health services, economic development, transportation and tourism initiatives. The agreement allows a steering committee to work on an implementation plan on the following priorities as identified by both premiers:

- Health: opportunities for enhanced services and improved patient care through collaboration between the Department of Health and Social Services (HSS) and the Churchill Regional Health Authority

- Renewable Energy: sharing best practices and technology;
- Economic Growth: co-operation, consultation, joint tourism development and marketing projects
- Transportation: initial consultations on a cost-benefit study on a Manitoba-Nunavut all-weather road
- Exchange opportunities in areas of culture, education, and sporting activities

GREEN VEHICLES

A new partnership between the Province of Manitoba and the AMM will explore ways to use the next generation of environmentally friendly vehicles safely in Manitoba communities. The study will include electric or alternatively fuelled vehicles that have zero or very low emissions. The AMM and the Province will form a working group to explore how best to move forward on the use of new, environmentally friendly vehicles as part of the range of potential options in the sustainable transportation sector.

This partnership complements other environmentally friendly vehicle testing, including the University of Winnipeg's electric, low-speed utility vehicle at its downtown campus. Such low-speed utility vehicles have a maximum speed of 40 kilometres per hour and do not meet Canadian motor vehicle safety standards. For this reason, the testing is conducted in a controlled setting and the Province is considering regulations governing the use of such vehicles. As well, the University of Manitoba is testing an Interceptor hybrid vehicle that runs on electricity from a battery pack that is recharged as needed by a gas-fuelled generator while the vehicle is in operation. 



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We look forward to seeing you at the
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Upcoming EVENTS

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Officials Training – Arborg
- 28** Newly Elected Municipal
Officials Training –
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February

- 2** Newly Elected Municipal
Officials Training – Souris
- 3** Newly Elected Municipal
Officials Training – Birtle
- 4** Newly Elected
Municipal Officials
Training – Dauphin
- 23** Newly Elected
Municipal Officials
Training – Gladstone
- 24** Newly Elected
Municipal Officials
Training – Ste. Anne

March

- 1** Newly Elected Municipal
Officials Training –
Thompson

April

- 12** AMM Education
Seminar – Brandon
- 13-14** Municipal Officials
Seminar – Brandon

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Planning for GOOD GOVERNANCE



Brent McMillan, President, MMAA

The theme for the 2011 MMAA 80th Annual Conference is Planning for Good Governance and what better time to talk about planning than the beginning of a New Year.

Happy New Year everyone! I certainly hope that your holiday season has been one filled with good times, good fellowship and all the best of the season, for you and yours.

Each New Year, by tradition, many of us examine our lives and resolve to make important changes in the coming year. New Year's resolutions, however, are notorious for their ineffectiveness. No matter how well meaning the individual, it seems to be difficult and sometimes impossible to achieve the desired result. If we take a look, we realize that these failed resolutions share at least two distinctive characteristics. They are the product of good intentions! They are not the product of good planning! In our pursuit of improvement, we don't stop to consider how these results should look, specifically for our situation, nor do we consider the most productive and efficient way to achieve these desired results.

Good Governance is often treated just like a New Year's resolution. We understand the concept. We know it is desirable and, for that matter, crucial to the health of our community. It seems easy enough but we haven't yet determined what good governance specific to our community looks like and, trust me, it does not look exactly the same everywhere. If we don't know what it will look like, we most certainly haven't planned how we will get there.

Planning for Good Governance requires input from all members of the municipal team. While Council remains the ultimate



authority, being the elected voice of the people, it is essential that both staff and elected officials agree on what shape this Good Governance should take so that when the vision becomes clear, everyone buys into the concept and works

together to achieve and maintain it, true to its plan.

Plans for Good Governance must be created with certain core principles in mind. These include honesty, integrity and fairness for all. There is no doubt in my mind that those who choose to serve their community, within our municipal families, will be guided by such principles under any circumstance, and will promote these values for the community. As mentioned earlier, these Good Governance models, even with adherence to the core principles, often look different and simply achieve the results in the most appropriate way for that local government and its citizens.

I encourage all staff and elected officials alike to strive to provide the best governance possible. Consult with everyone in your organization. Listen carefully to what all the stakeholders say. Then, think about what you have learned and deliver the best Good Governance model possible for your community. ■

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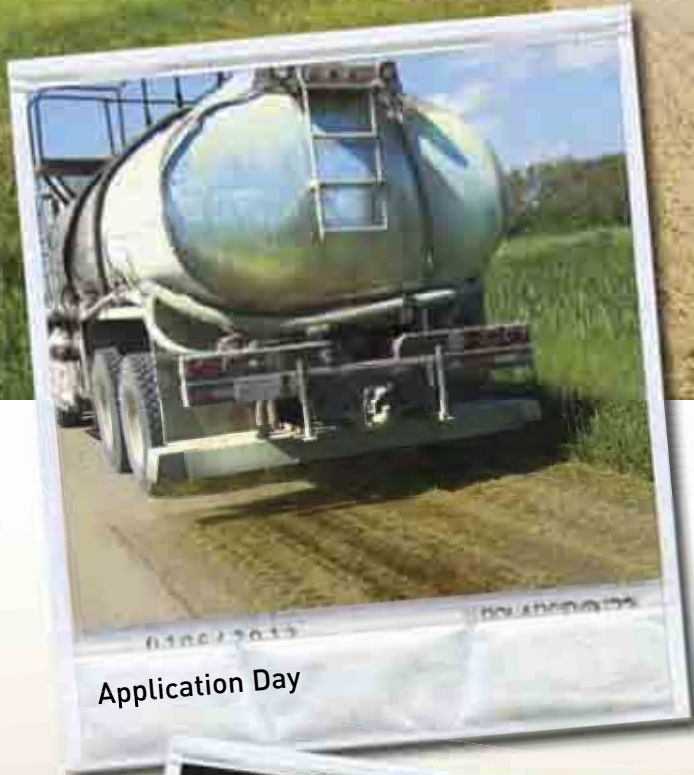


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By Lynne Bereza, AMM Communications Coordinator

Your new BOARD OF DIRECTORS

Last October's municipal election resulted in several vacancies on the AMM Board of Directors, as Alice Bourgouin (Interlake Rural), George Harbottle (Eastern Rural), Art Rempel (Eastern Urban) and Oswald Sawh (Northern) all chose to not run municipally. Those districts held by-elections during the AMM 12th Annual Convention and as a result we have four new board members around the table.

The AMM Executive has a new member as well, along with two returning members. And the resulting board vacancy was filled with a familiar face as well.

Confused yet? Read on!

AMM EXECUTIVE TEAM

The AMM Executive Committee is comprised of the President, Vice-President Rural and Vice-President Urban. According to the AMM By-laws, the team "shall possess and may exercise during intervals between meetings of the Board of Directors, all the power of the Board of Directors in the administration of the business and the affairs of the Association."

In other words, serving on the Executive requires many, many days of travel on behalf of the AMM and the members of this Committee must devote a great deal of time to the task. Members serve a one-year term and elections are held each November at the AMM Annual Convention.

MEET THE EXECUTIVE FOR 2011:

President

**Councillor Doug Dobrowolski,
RM of Macdonald**

If as they say the third time is the charm, Councillor Doug Dobrowolski must lead a very charmed life! After all, he has been uncontested to serve as AMM President for each of the past three years he has put his name forward. His most recent acclamation took place at the AMM 12th Annual Convention at the end of November, and Dobrowolski is understandably



The 2011 Executive Committee: Rural Vice-President Roger Wilson, President Doug Dobrowolski, and Urban Vice-President Eileen Clarke

"I just enjoy the work and I enjoy the people I work with."

– President Doug Dobrowolski

pleased with this show of support from the membership. "It shows confidence in my abilities to lead the organization," he says, "and it seems obviously that we are going in the right direction."

Dobrowolski, who has spent almost 19 years in municipal life as a councillor

in the RM of Macdonald, has worked his way up through the AMM channels. He served seven years as Central Rural Director followed by two terms as Rural Vice-President before stepping into the top spot in 2008. It is a stressful job at times, involving a great deal of travel and seemingly never-ending issues to deal with. But Dobrowolski's reason for sticking with it is straightforward: "There's always the cliché 'there's more to be done' but that's not why I do it. I just enjoy the work and I enjoy the people I work with."

As if leading one of the most successful municipal advocacy groups in Canada were not enough on his plate, Dobrowolski took on the added responsibility of a new business this past year, building the equestrian centre Bella Vida Stables in Domain, Manitoba. The venture is a perfect fit for Dobrowolski as horses have been a big part of the family's life for many years; but as anyone who has started a new business can attest, there have been bumps in the road. "It's hectic," he admits, "being the start-up year we've put in a lot of hours, but things have started to smooth

*"It just felt like
the time was
right for me."*

— Urban Vice-President Eileen Clarke

out." Being a family business also means Dobrowolski has plenty of help. "My wife (Kelly) and I are very proud that our daughters are taking it over which means a fourth generation on our farm."

The coming year will be extra challenging for AMM members as well, notes Dobrowolski. "The province is wet," he says, "and there are going to be flooding issues for almost all municipalities." Dobrowolski is particularly concerned with how the flood fight will affect municipal bottom lines. "The water is going to have a huge impact in municipal budgets for the year – we don't know what the reality of that is going to be."

While the expected flooding poses enormous concern, Dobrowolski also sees opportunity in 2011, in the form of October's provincial election. "This election gives us a chance as an organization to show the effectiveness of our lobbying, not only to the current government but to the opposition parties and to the general public. I think it's going to be a very exciting time for the AMM."

**Urban Vice-President
Mayor Eileen Clarke,
Town of Gladstone**

Mayor Eileen Clarke may be 'retired,' but a more appropriate description of her life over the past several years may be "shifting gears." And if that is so, she is quickly shifting into high gear.

Clarke is the former owner of the jewelry and gift shop *Clarke's of Gladstone*, which she ran for 33 years until 2005 (she and husband Bob also own and operate *Clarke's Funeral Home*). A decision to run for mayor in 2006 followed by an election to the AMM Board in 2007 set her on a very different course, however, and she often says she is now busier than she has ever been. She is set to become busier still as the newly elected Urban Vice-President of the AMM. She explains the decision to take the leap to the executive level of the AMM stems from "becoming much more familiar with a lot of the issues that face municipalities, having been in municipal politics for four years now

and as a director of the AMM."

Clarke is also a champion for the age-friendly movement, and acknowledges her involvement with age-friendly initiatives has expanded her horizons. "Over my four year term I've had the opportunity to work with the Public Health Agency of Canada and the International Federation of Aging, and many other national government affiliated agencies which really opened my eyes to where Manitoba sits on a lot of the issues. Manitoba is really moving forward in a very positive way, which intrigues me."

While Clarke is ready to take the next step – "I am very committed to serving not just my own community, but others" – she is also indebted to her Midwestern District colleagues. "I really appreciate the support of the Midwestern district over the past three-and-a-half years. I've made a lot of new friends, in a totally different field than my past (as owner-operator of a business). I went into the election with no expectations, but felt confident in my abilities. It just felt like the time was right for me."

Obviously, the membership agreed. As Urban Vice-President, Clarke will continue to represent the AMM on the Healthy Aging Secretariat and sit on all AMM internal committees. And, she echoes President Dobrowolski in her assessment of the challenges upcoming in the New Year. "Flooding this spring is going to be a huge challenge for many of our municipalities. It is going to certainly overtake a lot of other issues. Between that and the provincial

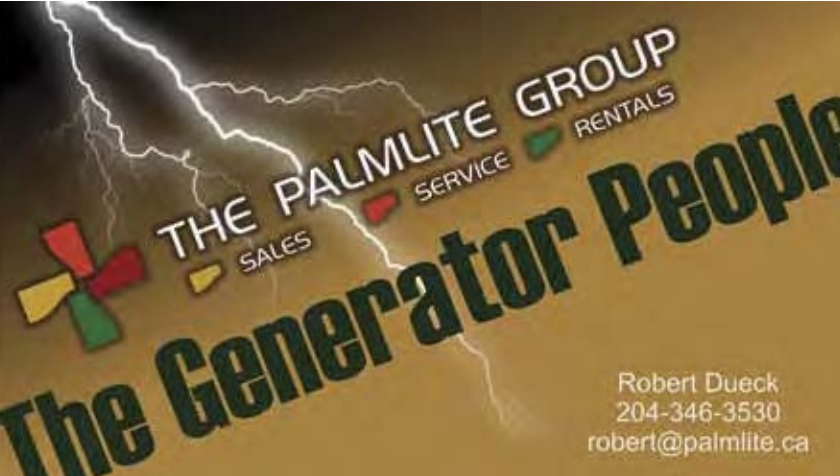


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election, there will be some major focuses on certain things.”

Clarke is up for the challenge however. “I don’t have to know what tomorrow brings,” she explains. One thing she does know for sure? “It won’t be a ho-hum sort of year. I don’t think anyone can foresee what lies around the next corner.”

Rural Vice-President

Reeve Roger Wilson, RM of Birtle

Roger Wilson, serving his third term as AMM Rural Vice-President, is as interested and excited to be a municipal elected official today as he was back in 1992 when first elected to serve on his local council. While he admits there is always more to learn, he has found a comfort level after two years on the AMM Executive. “You could argue that the first year is purely a learning experience,” he explains. “The second year you’re actually getting an understanding of what the function is, and by the third year, you’d better be at a place where you understand your job.”

Right on schedule, after two years in his position, Wilson says he is “fairly comfortable in knowing what my job is, and that is – along with the rest of the executive – to be the spokesperson for the membership, vetted through the board. It should be just that simple.” While lobbying government is seldom simple, Wilson believes the importance of relationships cannot be understated. “I think one of the most important aspects of what I’ve learned is everything we do comes down to how we

manage the relationship we have with our members and with the people we lobby.

“We need to understand the issues, the background, and be able to effectively go forward with that when we speak with Ministers and senior bureaucrats.”

Wilson joins the rest of the Executive in pointing to spring flooding as one of the issues that will be “huge for all of Manitoba” going forward. He also notes the recent convention resolution regarding bipole III will require discussion with government. “We certainly have direction from our membership to make it an issue.”

Wilson says encouragement from people back home make it possible for him to serve as Rural Vice-President. “Without the support of my council and administration, I wouldn’t be able to do this,” he says. Family support is important too. Wilson’s family has a cow/calf operation, and though his father is 90 years old, “Dad’s very active. Right now he’s at home keeping an eye on the place. That’s what keeps him young.”

It’s not hard to see what keeps Wilson young, as his enjoyment in municipal politics and the challenges it presents is clearly evident. “In the years that I have been in local government, we’ve seen the theme of so many of our conventions being “change” (and Wilson would know – he has attended 18 in a row!) In the future, he sees municipalities taking on a larger role in peoples’ everyday lives. “I think local governments, are going to be called upon more and more. We will be far more relevant to the people because of the information age in which we live.”

AND THE DIRECTORS ARE...

Northern Director

Mayor Jim Goymer, Town of Gillam

Newly acclaimed Northern Director Jim Goymer is originally from Edmonton, but has been in Gillam since 1973 when he arrived for a three-year job and “never left.” An employee of Manitoba Hydro since 1976, Goymer was briefly involved in local politics in the early ‘80s, but became too busy for council working full time, running his own business (he’s dabbled in everything from dry cleaning to movie rentals to burgers and fried chicken), and raising four children.

Goymer found the time to return to civic politics in the late 1990s and was elected Mayor of Gillam in the 2010 election. When asked why he chose to run for



“There is a lot of land use development coming up in our town.”

– Mayor Jim Goymer, Town of Gillam

an AMM board position, he explains: “My deputy Mayor kind of pointed at me and I foolishly raised my hand!”

All kidding aside, Goymer is looking forward to seeing what the rest of the province is doing, and admits the issues facing his community differ from those in the south. “Our issue in Gillam is development – we’ve run out of affordable lots and have maybe two commercial lots. So there is a lot of land use development coming up in our town.”

“Flooding, beavers, those sorts of things are all new to me.”

Eastern Rural Director

Mayor Robert Stefaniuk, RM of Ritchot

When asked how his first AMM meeting since 2003 felt, Bob Stefaniuk said, “It feels like I never left – but the meetings go much faster.” Stefaniuk previously served on the AMM Board of Directors from 1999-2003, and has served as Mayor of Ritchot since 1995.

“I’m fairly comfortable in knowing what my job is.”

– Rural Vice-President Roger Wilson



“I like the level of professionalism the Board uses to achieve results in lobbying”

– Mayor Robert Stefaniuk, RM of Ritchot

Retired from a career in the aerospace industry (27 years with Bristol), Stefaniuk was born and raised in Selkirk and has been in St. Adolphe since 1978. He and wife Marguerite have three grown children and five grandchildren.

Why return to the AMM board now, especially with four brand new councillors serving under him in Ritchot? “I always liked the board and I like the level of professionalism it uses to achieve results in lobbying,” he explains, adding his new council is a “very clever group.”

Besides looking forward to interacting with municipalities and being involved with the province (“I love those sorts of things”), Stefaniuk’s reason for running is simple. “The opportunity came up and I said “why not? Ergo, here I am!”

**Interlake Rural Director
Councillor Trevor King,
RM of Woodlands**

Although encouragement from other dele-



“It’s a different level than your own council.”

– Councillor Trevor King, RM of Woodlands

gates was one factor that helped Trevor King make the decision to run for the AMM board, a strong interest in local government sealed the deal. “I thought it was a good opportunity,” he says. “It’s a different level than your own council.”

King operates a farm in his area and is the busy father of four sons (“all hockey players”) with wife Kim. While acknowledging the board will add another responsibility to an already busy schedule, he is very concerned – as many are – with what spring will bring to his corner of Manitoba. “One major issue for us in the Interlake is going to be the water.”

King is in his second term as Councillor for the RM of Woodlands.

**Eastern Urban Director
Mayor Chris Goertzen,
City of Steinbach**

Chris Goertzen is serving his second term as Mayor of the City of Steinbach, and has the distinction of being the youngest Mayor of that city since its incorporation.



“I think it is important that the Eastern district has a strong voice.”

– Mayor Chris Goertzen, City of Steinbach

He also is happy to be carrying on a bit of an AMM tradition, in that the Eastern Urban director has been from Steinbach since the AMM’s inception. “I think it is important that the Eastern district has a strong voice, and Steinbach is obviously the hub of the Eastern District in many respects,” he says. His own council was encouraging for similar reasons. “Steinbach has a good reputation on the AMM Board of Directors and obviously Council wanted to see that continue.”

Born and raised in Steinbach, Goertzen’s interest in municipal politics was instilled at a young age since his father was a municipal councillor for 26 years. He was first elected to serve as a councillor in 1992. Since 1997, Goertzen and his brother Robert have owned and operated a specialty grocery store and café, *Main Bread and Butter*.

Mayor Goertzen successfully balances his busy political life with his store ownership and his family – wife Annalee Schellenberg and their son, Otto.



Mayor Shirley Kalyniuk accepts a bouquet from President Dobrowski for serving four terms as AMM Urban Vice-President.

**Midwestern Urban Director
Mayor Shirley Kalyniuk,
Town of Rossmore**

Midwestern Urban Director is a familiar position for Shirley Kalyniuk. She served in this role between 2001 and 2006, before being elected to serve as Urban Vice-President for four consecutive terms. This past year, however, Eileen Clarke was elected to that post and coincidentally – and perhaps conveniently – vacated the one position on the AMM Board of Directors Kalyniuk was eligible to fill – Midwestern Urban Director.

Kalyniuk put her name forward for that position, was handily acclaimed, and

as fate would have it, will remain on the AMM Board of Directors.

The long-time Mayor for the Town of Rossmore clearly still has much to offer. “I have always accepted change and am ready to move forward into the next year. Having been a director prior to being Vice-President, this position isn’t new to me. But, with the many newly elected council members I feel I can be there for everyone, as a mentor as well as a good friend and advisor. I am open-minded, a good listener, receptive to ideas and I promise to work with/for the Midwestern members.”

*“I feel I can be there
as a mentor as well
as a good friend
and advisor”*

– Mayor Shirley Kalyniuk, Town of Rossmore

Kalyniuk feels her experience on the AMM Executive will be valuable in her new role. “I have learned a lot about the municipal world and have a much better understanding of how municipal politics works. This now provides me with a keener sense of how to better assist municipal councils and help them communicate their issues to the right government departments.”

“With a provincial election coming in October this will be an extremely interesting time for the AMM. I am so looking forward to a super, exciting 2011 and welcome the challenges we in Manitoba are all facing.”



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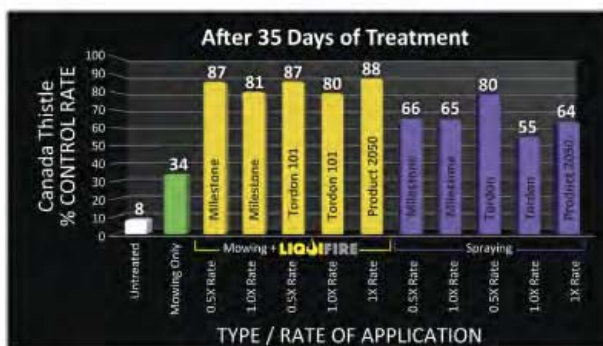
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“Once Elected What Is Expected?” NEW COUNCIL SEMINARS BEGINNING IN THE NEW YEAR



By Donna Belbin, AMM Events Coordinator

Newly Elected Municipal Official Training Seminars, offered by Manitoba Local Government, in partnership with the Association of Manitoba Municipalities, are fast approaching. The one-day seminar, to be presented in nine different communities across the Province, will explore and discuss many of the challenges and issues that councils will face during their four-year term of office. For newly elected members, the seminar will be a good introduction to the many roles and responsibilities you will be assuming as new members of your municipal council. For returning members of council, it will be an excellent refresher.

This interactive seminar will build on the Newly Elected Officials Pre-Conference Seminar presented by Local Government at the AMM Annual Convention in November. Elected officials will have the opportunity to ask questions and discuss a broad series of municipal topics presented by ‘the experts.’ Topics will include:

Conflict of Interest: This session will help council members to understand their responsibilities under the legislation, different types of conflict of interest, and procedures they must follow if they believe that have a conflict.


Municipal Finance: Learn about council’s role in managing the financial affairs of the municipality. The session will offer an overview of municipal budgeting, the connection to servicing and infrastructure priorities, borrowing and effective financial monitoring.

Property Assessment: This session will focus on assessment as the basis of property taxation including discussion on property inspections and council’s role in Board of Revisions.

Planning: Learn about council’s role in planning to guide and regulate land use decisions. Development plans, zoning, subdivisions and Provincial Land Use Policies (PLUPs) will be included in the discussions.

Council Meeting Procedures: This session will provide an overview of rules of procedure and the importance of your municipality’s organizational and procedural by-laws for effective decision-making. Discussions will explain proper meeting procedures and explore ways to maximize productivity at council meetings.

Emergency Measures Organization: This session will provide you with information on how to build and improve your community’s capacity to deal with emergencies and council’s roles and responsibilities.

The Role of the Ombudsman: Learn the process that the Ombudsman uses to investigate complaints, their neutral and impartial role, and what you can expect if the Ombudsman supports a complaint about your municipality. 



The AMM Education Program kicks off 2011 with the Newly Elected Municipal Officials Training Seminars, but don’t forget, there are more opportunities to include education in your schedule this year. Visit the AMM website at www.amm.mb.ca to register for any or all of our capacity-building workshops.

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January 27

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Arborg-Bifrost Community Centre,
Crosstown Ave.

January 28

Headingley

Headingley Community Hall,
5353 Portage Ave.

February 2

Souris

St. Paul United Church, 47-5th Ave.

February 3

Birtle

Birtle United Church,
684 Vince St.

February 4

Dauphin

St. Viator's Roman Catholic Church,
307 Whitmore Ave.

February 23

Gladstone

Elk's Hall, 41 Morris Ave. North

February 24

Ste. Anne

Seine River Banquet Hall, 80 Arena Road

March 1

Thompson

St. John's United Church,
52 Caribou Road

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REVIEW

By Lynne Bereza, AMM Communications Coordinator



Four days, 967 delegates, 43 resolutions, and it's all over for another year...the AMM 12th Annual Convention! From Sunday evening's early bird registration to Thursday afternoon's white-knuckle drive home (for some of us), it was a week to remember.

MONDAY, NOVEMBER 22

We kicked off the 12th Annual Convention with Monday morning's pre-conference session, Once Elected...What is Expected? This session was presented by Manitoba Local Government with help from some AMM Board members, and was very well attended by 404 newly elected and re-elected municipal officials.



Dr. James Reese

Those who did not attend the pre-conference had a chance to spend Monday morning strolling through the jam-packed Display Area. Whether chatting with displayers, entering draws, signing in at the registration desk, or just relaxing with a cup of coffee, delegates made sure the Display Area was a busy spot over the two days it was offered.

Monday continued with the Annual Business Meeting, followed by an address by the Minister of Public Safety and Manitoba's regional federal minister, the Honourable **Vic Toews**. Toews delivered a very "tough on crime" speech, focusing

on national crime prevention strategies. He also announced a \$1 million fund for public transportation infrastructure projects in Manitoba municipalities of less than 40,000 people.

The first keynote speaker was former FBI profiler, **Dr. James Reese**. Dr. Reese was thoroughly enjoyed, showing impeccable comic timing and keeping the audience in stitches, while explaining his principles for managing stress:

- Have an attitude of gratitude
- Create a challenge if you don't already have one
- Reinvent yourself daily
- Don't take everything personally
- Reduce your expectations of people

Dr. Reese, an American, also shared his personal experience of having emergency surgery a year ago at St. Boniface Hospital in Winnipeg. He praised the care he received and described being able to say "let me tell you about it" when his fellow Americans criticize our Canadian healthcare system. Not surprisingly his words received a round of applause!

The long-awaited Convention location discussion took place next, with the ensuing ballot vote leaving no room for uncertainty. Over 80% of voting delegates chose to continue to alternate the AMM Annual Convention between Winnipeg

and Brandon. AMM members' decision was no doubt due in large part to Brandon Mayor **Shari Decter-Hirst's** words during the discussion. The newly elected Mayor spoke candidly to the delegates and declared the hotel situation in Brandon well on its way to being fixed, and the audience responded.

The Icebreaker Reception took place Monday evening and everyone had a great time. Thanks again to all our sponsors – we could not put on this great event for our delegates without your generous contributions. Congratulations to the Icebreaker prize draw winner of \$500 cash, Councillor **Ken Tallaire** from the RM of La Broquerie.

TUESDAY, NOVEMBER 23

Day two of the 12th Annual Convention began with the Opening Ceremonies. In true AMM fashion, the event began precisely on time, with the Winnipeg Police Pipe Band accompanying Past-President **Ron Bell** and the AMM Board of Directors. Past-President Bell then deftly handled the 'paying of the piper' ceremony before exiting the hall.

Mayor **Sam Katz** brought greetings from the City of Winnipeg and spoke of how municipalities must "constantly struggle to stretch our only consistent revenue stream – property taxes" while playing

REVIEW

catch-up with our municipal infrastructure after decades of neglect. President of the Manitoba Municipal Administrators' Association, **Brent McMillan**, also brought greetings, and Executive Director **Joe Masi** directed the audience to recognize those municipal officials who passed away last year.

President **Doug Dobrowolski** then delivered his annual address to delegates, sharing our successes over the past year and highlighting some of our challenges for the upcoming year. His final words to delegates reiterated the importance of working as a team: **"Remember - YOU are the AMM.** Only by working together as a united group can we hope to see progress on our issues."

"The spotlight is shining on us this week, and the Province and the media are paying attention to what we are saying and doing. And so they should – when joined together, we are a formidable group which, as we've seen, enjoys some pretty impressive strength when we work together." – President, Doug Dobrowolski

We then heard from our Minister of Local Government, **Ron Lemieux**, who began by recognizing the sacrifices elected officials make and asking delegates to join him in thanking everyone who put their names forward in the last municipal election. Minister Lemieux focused on two main priorities during his speech - the need for economic growth in communities outside of Winnipeg, and the issue of climate change/global warming. Fittingly after a speech heavy on the importance of municipal-provincial partnerships, Minister Lemieux turned the stage over to his special guest, **Carlos Moreno**, the Under Secretary of Local Government from Hidalgo, Mexico.

"Slashing, hacking and cutting budgets – it's not our way. But it does create some challenges."

– Minister of Local Government, Ron Lemieux

Keynote Speaker **Dr. Samantha Nutt**, founder of War Child Canada, took to the Convention stage next. Her powerful address began and ended with the same thought: "We can do better. We can be better. If only we have the courage to try." Dr. Nutt is obviously not short on courage as we heard while listening to a shocking audio clip of her evacuation from the Democratic Republic of Congo several years ago. Dr. Nutt's key message – "what is your why?" – certainly resonated with each person in the room.

One important event scheduled to take place Tuesday afternoon, the Presidential election, was not necessary after all. With only one nomination for the position, Doug Dobrowolski was acclaimed to serve his third term in this post. President Dobrowolski told delegates he is looking forward to another year of "hard, instructive and satisfying work on your behalf."

The first resolutions session of the 12th Annual Convention took place on Tuesday, with delegates making it to #16 on the list. Generating the most discussion – and carrying handily – was resolution # 14 regarding Bipole III.

WEDNESDAY, NOVEMBER 24

"And can you believe someone had the audacity to write this book on me called, 'Pinball - The Making of a Canadian Hero.' Can you believe that? Well check this out. You councillors, mayors, other servants – your job is to support the foundation of who we are... So if I'm a hero, what are you?"

– Keynote Speaker, Michael "Pinball" Clemons

Wednesday's agenda kicked off in high gear – possibly the highest gear AMM delegates have ever seen – with the appearance of Keynote Speaker **Michael "Pinball" Clemons**. From start to finish, the Canadian Football League Hall of Famer's 'substance over style' theme enthralled the audience, as he skillfully had us clapping, shouting, and believing



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REVIEW

each and every one of us is “more than a hero.” This is Clemons’ reasoning: “When I look back at the substance of what I actually did as a football player, I’ve come to the humble conclusion that all I did was run with a piece of leather... for a few miles. And it took me 12 years to do it.” A class act through and through, Clemons stayed for well over an hour after his keynote concluded to sign autographs and pose for photos with delegates.

Delegates then heard from Progressive Conservative Leader **Hugh McFadyen** (who had the unenviable task of taking the stage immediately following Pinball!) and Manitoba Liberal Party Leader **Dr. Jon Gerrard**.

Premier **Greg Selinger** then dropped in to deliver an unscheduled announcement to delegates, that being the release of the Province’s 2011-12 construction tendering schedule and the creation of a new Municipal Bridge Program.

Resolutions session #2 and 3 were concluded early in the afternoon, bringing



the two-day total number of resolutions debated to 43. This counted three late resolutions, including one submitted by the City of Thompson in response to Vale’s proposed closure of its Thompson nickel refinery and smelter by 2015. The resolution, calling for the AMM to “lobby the provincial and federal governments to support and protect resource-based industries and jobs in rural and northern Manitoba,” was carried.

Other late resolutions were #41, calling on the AMM to lobby the

Province of Manitoba to reinstate the Community Profiles website, and #43, asking the AMM to lobby the Province to change the eligibility criteria of the flood proofing initiative to include both permanent and seasonal properties. Both were carried.

Resolutions defeated were #1, #16, #17, #18, #27, #29, and #38. Resolution #37 was withdrawn, and all other resolutions were carried. (A complete list of resolutions is available at www.amm.mb.ca/Convention2010.html.)

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Past President Ron Bell (L) receives Honorary Life Membership Award from President Doug Dobrowski

REVIEW

A number of elections took place Wednesday afternoon as well. With only one nomination for AMM Rural Vice-President, Roger Wilson was acclaimed to serve his position for another year. An election did take place for Urban Vice-President, with **Eileen Clarke** defeating incumbent **Shirley Kalyniuk**. In the two by-elections that took place on Wednesday, Councillor **Trevor King**, RM of Woodlands, was elected to serve as Interlake Rural Director, and Mayor **Jim Goymer**, Town of Gillam was elected to serve as Northern Director.

Wednesday evening's Gala was a spectacular event. Premier Selinger gave his official address to AMM delegates and all 1,109 people who attended enjoyed a fine meal. This year's Honourary Life recipient was AMM Past-President Ron Bell, who spoke without notes and delivered heartfelt comments to the huge crowd. (According to comedian **Gerry Dee**, who followed, Ron also said the word "community" 24 times!) Congratulations

to Ron for receiving this well-deserved recognition.

A special award was also presented to **Art Elias** of HED Insurance and now Western Financial Group. Art worked diligently for many years to ensure AMM members have the best possible insurance protection they can have, and noted the importance of listening in his address: "I learned long ago if municipal officials are speaking, I had better listen because chances are they have something important to say!"

THURSDAY, NOVEMBER 25

The final day of the AMM Annual Convention is always widely anticipated due to the Ministerial Forum, and this year's forum included a good turnout of Ministers (see sidebar). As is the case almost every year, there is a 'hot button' issue and without a doubt this year it was Bipole III. After passing a resolution to oppose its construc-

tion on the west side of the Province the day prior, the issue continued to ruffle feathers, as evidenced in this question: "Premier Selinger spoke against the AMM's Bipole resolution the day it was passed. What is the point of our resolutions process if the Province won't even take them into consideration?"

Premier Selinger responded by explaining that the west-side line will position Manitoba Hydro as a premium product in the export market, minimize risk and maximize economic opportunity. He said we have a "world-class opportunity not only to protect the environment but to promote ecotourism which is one of the fastest growing sectors of economic activity around the globe."

The Premier's bottom line was this: "We take your resolution seriously, and we'll look at how to work both with the landowners who are affected and Manitoba Hydro will try to put the line in such a way that it minimizes any negatives, with compensation, but as the Provincial Government who is responsible for the

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REVIEW

"We respect your views but we have to take our responsibility seriously and make sure we don't put ourselves in a situation where we are all worse off by losing our export markets and our opportunities for economic development. If we do that rates will go up for everyone and you'll be back here with other resolutions." – Premier Greg Selinger

RESOLUTIONS RECAP

Total Resolutions	40
Late	3
Withdrawn	1
Defeated	7
Carried	35

crown corporation we will be responsible if things go wrong, not the Association of Manitoba Municipalities.

In total 31 questions were asked and answered during this year's Ministerial Forum, on topics including:

- Gas tax funding
- Operating grants for museums and libraries
- Education tax on property
- Infrastructure
- Derelict yards and buildings by-law enforcement
- Community Places Program
- Attendance of MLAs and Ministers at Convention
- Health care
- Tax increment financing
- CentrePort
- Beaver management
- Culvert replacements
- PSAB
- Flooding
- Funding for lagoon capacity
- Rebate system for


education tax on farmland

- Engineering costs of water projects
- False alarms for vehicle accidents
- Drainage
- Supportive housing
- Low-level crossings
- Small airport assistance
- Time commitment of peace officers escorting patients to facilities
- Zoning applications

Minister Lemieux did an admirable job chairing the session, and AMM delegates appreciated having a solid two hours of 'face time' with the Provincial Cabinet. It is an opportunity few associations are given, and one our members value.

The final order of business of the 12th Annual Convention was to draw for the Grand Prize of a \$2,000 travel voucher sponsored by Western Financial Group and the AMM. Congratulations to **Cindy Marzoff** from the RM of Shellmouth-Boulton.

Several more by-elections took place after Thursday's Convention adjournment. Congratulations to newly elected Eastern Urban Director Mayor **Chris Goertzen**, City of Steinbach; Eastern Rural Director Mayor **Robert Stefaniuk**, RM of Ritchot; and Midwestern Urban Director, Mayor **Shirley Kalyniuk**, RM of Rosburn.

All in all, the AMM 12th Annual Convention succeeded in highlighting the need for leadership both within Manitoba's municipalities and from other orders of government, particularly as we move toward a provincial election less than a year from now. The key 'take home' message heard by delegates at the AMM 12th Annual Convention was clear, whether it came from a keynote speaker, a political leader, or a fellow delegate: *Know what drives you, and with persistence, success will come.* 

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Thank you to the sponsors of the AMM 12th Annual Convention – we couldn't do it without your support!

REVIEW

Ministerial Forum

The following members of Provincial Cabinet participated in this year's Ministerial Forum:

- **Premier**
Greg Selinger
- **Minister of Health**
Theresa Oswald
- **Minister of Justice and Attorney General**
Andrew Swan
- **Minister of Entrepreneurship, Training and Trade**
Peter Bjornson
- **Minister of Finance**
Rosann Wowchuk
- **Minister of Labour and Immigration**
Jennifer Howard
- **Minister of Housing and Community Development**
Kerri Irvin-Ross
- **Minister of Water Stewardship**
Christine Melnick



(L-R) Steve Ashton, Minister of Infrastructure and Transportation; Eric Robinson, Minister of Aboriginal and Northern Affairs; and Premier Greg Selinger respond to questions at the Ministerial Forum.

- **Minister of Culture, Heritage and Tourism**
Flor Marcelino
- **Minister of Agriculture, Food and Rural Initiatives**
Stan Struthers
- **Minister of Local Government**
Ron Lemieux
- **Minister of Infrastructure and Transportation**
Steve Ashton
- **Minister of Family Services and Consumer Affairs**
Gord Mackintosh
- **Minister of Aboriginal and Northern Affairs**
Eric Robinson

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Finalists will be highlighted in the *Municipal Leader* magazine and the award recipient will be recognized at the Municipal Officials Seminar & MTCML Trade Show held at the Keystone Centre in Brandon April 13 & 14, 2011. The winning municipality or municipalities will receive a framed print or painting featuring a local Manitoba artist.



APPLICATION DEADLINE: 4:30 PM Wednesday, March 16, 2011

Additional information is available.

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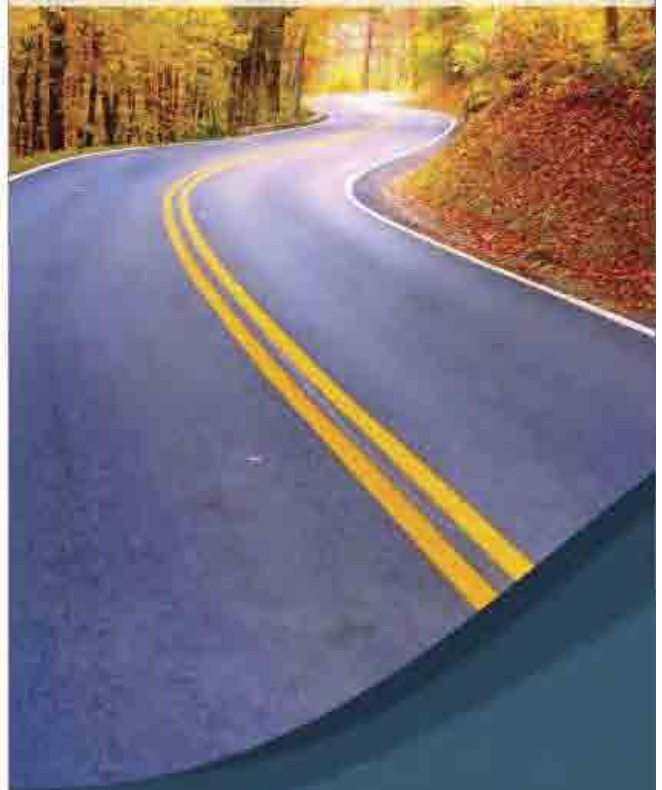
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Good news for MUNICIPALITIES

By Tyler MacAfee, AMM Director of Policy & Communications

The 5th and likely final session of the 39th Legislature began on November 16 with a Throne Speech that reminded everyone that an election wasn't far off.

This year's speech has some good news for municipalities. More funding for drainage, especially in the Interlake, help with bridges and a new rec centre program




are all good signs. The Throne Speech was largely silent however on the big issues facing municipalities – infrastructure, added responsibilities and the need for alternate revenues.

A total of 14 bills were introduced in the fall sitting, with a couple having an impact on municipalities. Bill 4 – The Retail Business Holiday Closing Amendment Act will extend the hours a business can be open when Boxing Day falls on a Sunday, like this past Boxing Day. Municipalities that wish to vary from the Provincial standard will have to pass a by-law to this effect. Bill 5 amends the City of Winnipeg Charter to allow the City to designate buildings as being of special architectural or historic interest, something already allowed in The Municipal Act.

Of most interest to municipalities this session is Bill 11 – The Planning Act Amendment, which enables the Province to make regulations about the process and procedures to be used by a Technical

Review Committee (TRC) when reviewing a conditional use application for a large-scale livestock operation. The TRC and its process has been an issue for municipalities and something AMM has raised consistently with the Province as being in need of change. The AMM is pleased to see progress made and will now turn our attention to working with the Province in the development of the regulations.

Another Bill of interest to AMM is Bill 15 – The Firefighters and Paramedics Arbitration Amendment Act which extends the dispute resolution process under this act to all unionized firefighters, regardless of whether they are employed full time or not. This Bill was introduced at the end of the fall session and AMM will be getting a full update on the bill prior to the spring session.

Before the Legislature adjourned on December 9, nine bills were passed and five were carried over to the spring sitting. 



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- employee-employer relations in the context of federal, provincial and municipal governments

Municipal Infrastructure

- partnership (private and public), services agreements and the construction and financing of services
- large project construction of public services including water treatment plants, waste water treatment plants, and municipal infrastructure
- development and review of commercial contracts; development and review of construction contracts; energy and technology issues
- public utilities hearings

Planning

- proceedings dealing with official plan, zoning and licensing issues; planning law and land assessment issues
- mining regulations, and management of natural resources including oil and gas rights, mineral and gravel regulations

Environmental

- representation of government departments and corporations, municipalities and individual companies on environmental issues

Contaminated Sites

- dealing with issues related to contaminated land including remediation of contaminated property
- purchase and sale of remediated and contaminated properties
- environmental assessment processes and approvals and general advice relating to waste management and disposal, and experience on negotiating waste management and disposal issues
- the transportation, handling and disposal of hazardous substances and municipal and hazardous waste management
- environmental insurance, lender protection and liability

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Women

in Municipal Government Networking Opportunity

As with any new initiative, it was difficult to know what to expect from the *Women in Municipal Government Networking Opportunity* held on Tuesday, November 23 at the Winnipeg Convention Centre. As the first quasi-official event stemming from the AMM's report of June 2010, *Ballot Box Barriers: An action plan for engaging more women in the municipal democratic process*, organizers were unsure how the event would be received by our delegates.

There was no need to worry, however, as 57 people joined us for refreshments, conversation and plenty of laughter at the end of a very busy day at the AMM 12th Annual Convention. While the majority of participants were indeed women, both of the newly-elected and veteran variety, several men attended as well (including




the **Honourable Ron Lemieux**, Minister of Local Government).

Initially, this event was planned to address one of the solutions suggested in *Ballot Box Barriers*, that being to "promote role models, success stories and connect women with mentors." It succeeded in doing just that. As people flooded into the room, they were asked



to wear a colour-coded name badge – blue for newly elected, red for re-elected, so veteran women could be easily recognized. However, it soon became apparent who was new and who had experience, as women from both camps were eager to share their experiences.

Chair of the AMM's Women in Government Task Force, **Shirley Kalyniuk**, gave a brief presentation (see sidebar) and then opened the floor to comments. Impromptu speakers included newly elected mayors **Shari Decter-Hirst** (City of Brandon) and **Lynn Greenberg** (RM of Gimli), Minister Lemieux, MLA **Leanne Rowat**, AMM Directors **Maxine Chacun** and **Betty Nykyforak**, and newly elected Councillors **Liz Driedger** (City of Portage la Prairie) and **Ila Buchanan** (RM of Woodlands), to name a few.

We sincerely appreciate everyone who came out, shared their experiences, and supported each other in what is, after all, a shared goal for each and every elected official: to serve one's community to the best of one's ability. There is no doubt that the women and men who attended this networking opportunity, whether newly elected or veteran, are leaders in that respect. The AMM looks forward to implementing its action plan in conjunction with future AMM events, and continuing to move this issue forward. 

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A Word from the Chair



Mayor Shirley Kalyniuk

Chair, AMM Task Force on Women in Municipal Government

I was first elected to Council in Rossburn in 1983, and have served as Mayor since 1993.

Since first being elected to Council almost three decades ago, I have certainly seen a lot of changes. Back then, some people thought I should stay home and look after my children. They thought the job of councillor could not coincide with also being a mother and a wife.

Times have changed and thank goodness they have. And yet, women are still very under-represented on municipal councils. Across Canada, only 23% of municipal councils are made up of women. Here in Manitoba, that number is even lower – 14% at last count.

Some people think that encouraging more women to become involved in politics is counter-productive. However, the United Nations has defined 30% as the minimal percentage of women required for government to reflect women's concerns. For me, that puts it into perspective.

A municipal council should reflect the community it is mandated to represent. When a large segment of that community is not engaged in the process, we do not have a healthy system.

As with everything the AMM does, the development of *Ballot Box Barriers: An action plan for engaging more women in the municipal democratic process* was driven by our membership. During the 2010 AMM Annual Convention, the RM of Argyle brought forward a resolution asking the AMM to strike a steering committee to identify barriers to women's participation in municipal government, and to make recommendations on how more women could be engaged in decision-making. The resolution was carried, and the steering committee appointed soon after.


The Women in Government Task force consisted of myself as Chair along with Councillor **Russ Wyatt** and Reeve **Alice Bourgouin**, and we released the *Ballot Box Barriers* report last June. As promised, the report identifies barriers to

women's participation and offers solutions to promote women's involvement in municipal government, along with a great deal more information.

As outlined in the report, over the next four years the AMM will be looking at various steps to move this issue forward as we move toward the next municipal election in 2014. Today is one of those steps.

If you have been re-elected, congratulations and welcome back. You are the 'veterans' now, and we look forward to you sharing your experiences and knowledge with some of these newcomers.

If you are newly elected, congratulations and welcome to municipal politics. Please introduce yourselves to some of these veterans and feel free to ask them questions – it's why we are here.

We wanted to provide an opportunity for you to meet each other in an informal setting, to discuss issues and to feel a part of what is still, unfortunately, a rather small group. 

**Maybe together
we can change that.**



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A LANDMARK WITH REAL A-PEEL

By Lynne Bereza, Communications Coordinator

What do a banana and a blue jay have in common? A visit to Melita, Manitoba, otherwise known as ‘The Banana Belt of the Southwest’ will soon enlighten you. This area of the province enjoys weather that is statistically a little warmer than the rest of Manitoba and the Melita and Area Tourism Committee wanted to capitalize on this fact. Building a statue seemed like the obvious choice as these types of landmarks can literally put a community on the map.

The project has resulted in an increase in tourism, with people travelling across the country to see Sunny and Breezy.


Melita’s chosen landmark is 30 feet tall and weighs in at 6,200 pounds; and in a nod to the community’s other designation as the “Grassland Bird Capital of Manitoba,” it holds a blue jay in its right hand. (The blue jay even has the letters “IBA” on its shirt for “Important Bird Area.”)

As with any new initiative, there are supporters and there are critics and locally, quite a number of people did not embrace the idea of a banana statue. However, according to **Tanis Chalmers**, Economic Development Officer for the Town of Melita, since the statue’s unveiling in August 2010 some of the negative views have changed. “We’ve heard comments like ‘It is cute, you can’t help but smile!’ or ‘There always seems to be an out of town/province vehicle parked by the statue,’” she says. Even as the community watched the installation of the statue, the buzz around the community was generally a positive one.

A contest held to name the banana and the blue jay generated entries from all over North America, including 144 entries for the banana alone. Choosing the names was a true community affair, as once the contest closed every individual, family, organization, business and contributor was invited to a private event to decide on the names. Using a pyramid vote going from the top ten, five, three and finally down to the number one choices, the community chose the names Sunny the Banana and Breezy the Blue Jay.

From a visitors perspective, says Chalmers, there has been an enormous positive vibe surrounding the project, which generated tons of emails, website hits and telephone calls both leading up to the unveiling and beyond. "The project has resulted in an increase in tourism, with people travelling across the country to see Sunny the Banana and Breezy the Blue Jay, even changing their holiday dates just so they could see the statue!" she says. The media loved the concept and stayed with the story from the beginning. (A quick Google search reveals headlines like "Going Bananas in Melita" and "Big banana ups Manitoba town's a-peel.")

The Tourism Committee also deemed its new annual event – "Banana Days" – a success. The event was well attended by locals and visitors and plans are already under-way for 2011.

Chalmers says the Committee has plenty of other ideas to promote the site and she encourages visitors to come and see the unique landmark for themselves. "When they are here," she adds, "they may as well spend the day or the weekend. Melita offers a wonderful golf course, brand new outdoor swimming pool, museums, shopping, campground, walking trails and so much more!" 

For more information: www.melitamb.ca

Contact Chalmers: melitaedo@mts.net



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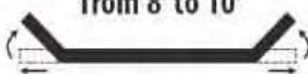
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Maintaining aging MUNICIPAL FACILITIES



Ken Fingler, Director, Risk Management, Western Financial Group

Manitoba municipalities enjoy the benefit of a great many wonderful facilities such as arenas, curling rinks, community halls and recreation complexes.

However, many of these facilities were constructed in the 1970s or even earlier and require considerable maintenance and care to ensure that the buildings and equipment remain in good and serviceable condition.

Regular maintenance becomes increasingly important as the buildings and services age. With many municipal recreation facilities being run by volunteer committees, it becomes difficult at times to find an adequate number of volunteers to keep up the building maintenance and operations.

Developing a detailed maintenance program schedule will make it much easier for volunteers to complete the tasks required even if the volunteers change from time to time.

Facility committees may need municipal assistance to ensure that these facilities are kept in good condition. Recent inspections have found that regular checks of fire alarms, exit lights, emergency lights and fire extinguishing systems often fall by the wayside if not on a maintenance schedule.

The same problems with inadequate maintenance have also been found with the building envelope and the rink refrigeration equipment. Water damage to buildings and equipment breakdown damage are among the leading types of insurance claims.

These types of claims can be avoided or at least reduced by proper scheduled maintenance and planned replacement of aging/obsolete equipment.

BUILDING / FACILITY MAINTENANCE

Develop and implement a regular inspection and maintenance program

Document all maintenance and repair work (written log sheets or book) This documentation could also serve as a basis of a defence should a third party be injured on your premises and allege lack of maintenance

BUILDING ENVELOPE

Water damage can often result in extensive damage to buildings and contents. Often water infiltration that goes on unchecked will result in mold damage that requires extensive remediation work to remove.

It is vital that the integrity of the building envelope be maintained to prevent water from infiltrating into the walls or roof space. Water damage and resultant mold build up can be prevented by sealing all seams and gaps with water resistant caulking.

As buildings age, weather sealing material dries out and shrinks reducing the effectiveness of the seals. All joints around windows, doors and roof lines need to be recaulked every four to five years to ensure the integrity of the seals. Driving rain storms can force water through even the smallest opening.

BUILDING CONDITION CHECKLIST

- Inspect for dampness, vermin, mold, beams and posts for rot
- Check foundations for cracks, shifting, water damage
- Check for moldy odors
- Inspect ceiling tiles, floors and walls for cracks, leaks, paint bubbles or discoloration
- Check areas where moisture is common (i.e. kitchens, locker rooms and bathrooms)
- Check for signs of insects and other pests
- Check roof spaces / attics and floor crawl spaces for signs of water
- Ensure that ground slopes away from

the building to drain rain water

- Direct roof drains well away from the building and away from entrances to avoid water build up in low lying areas
- Make sure that any window wells below grade are well drained and windows are sealed to reduce the possibility of water infiltration

HEATING EQUIPMENT

- Service boilers and circulation pumps monthly. Adjust for seasonal temperatures
- Inspect chimneys annually to ensure that there is no soot or creosote build up and that there is no rust from water leaking down the inside of the chimney
- Furnaces and water heaters should be checked and serviced annually to look for leaks, disconnections or deterioration

REFRIGERATION / ICE PLANTS

Many municipal arenas and curling rinks were constructed during the Centennial period in the late '60s and early '70s. The original ice plants in these facilities are now well over 30 years old and many are obsolete.

While quite a number of facilities have upgraded or replaced these ice plants, there are still a significant number that have the original equipment. It is increasingly difficult to keep these ice plants running as most of this equipment is obsolete and parts are harder and harder to obtain. This makes regular service and maintenance even more important and keeping detailed service records (log sheets/books) is absolutely essential.

There have been several incidents involving corrosion that evolved from replacing a few small parts to a major overall or replacement because of the corrosion and the obsolete parts. Checking for signs of corrosion and prompt remedial action will save on future breakdowns and repair costs.

Arena managers should hire a qualified refrigeration contractor to perform main areas of service but to reduce the possibility of problems; arena staff should also perform certain checks on a **weekly basis**:

- Record refrigeration and oil pressures
- Inspect system for leaks and damage
- Check fluid levels
- Check for any signs of corrosion
- Record checks and repairs made

This aging equipment has a much higher probability of breakdown than newer equipment. If there are any signs of corrosion on the exterior of the equipment it should be scheduled for an inspection to check of corrosion on the internal components.

Should an older refrigeration unit breaks down, it is almost impossible, in many cases, to repair just the broken part because most of interior tubes are corroded and would break if repairs were attempted. This often results in the need to replace the entire compressor / refrigeration system.

ICE PLANT MAINTENANCE

Quarterly

- Review data and service records for the past three months
- Inspect complete system for leaks, damage and inadequate equipment access
- Check controls for proper operation
- Check for refrigerant in the coolant/brine

Annually

- Ice plants in excess of 20 years old should be fully inspected annually to determine the condition and viability of the equipment
- Open all compressors and chillers and internally inspect all tubes (Replace parts as necessary)
- Inspect for any corrosion on the internal tubes and components and test for wall thickness (NDT) (Replace corroded parts and tubes with thinning walls)
- Inspect refrigeration vessels, lines and joints of damage, deterioration and corrosion. (On older vessels and piping, corrosion may have taken place under the insulation. Sections of insulation must be removed to check for corrosion and thinning wall thickness)


- Inspect compressor electrical system including motor starting system. Replace parts as necessary
- Replace or top up fluids as necessary
- Inspect refrigeration lines and joints
- Inspect cooling tower fans, motors and belts
- Replace coolant/brine vstrainers and inlet screens
- Test coolant/brine for suspended solids, iron content, specific gravity and pH level

OBSELETE / INEFFICIENT EQUIPMENT

- Equipment determined to be obsolete or where parts can no longer be easily obtained should be scheduled to be replaced
- An energy efficiency test should be conducted to determine the amount of savings that could be realized by replacing old/obsolete ice plants with new high-energy efficient systems such as geo-thermal units
- These systems can often be phased-in over 2 to 4 years to budget for the availability of funding
- Recent installations have resulted in \$30,000 annual operating, maintenance and energy savings
- Energy savings often provide payback in less than three years versus a conventional system
- See case study for Miami Manitoba arena ice plant
- <http://dsp-psd.pwgsc.gc.ca/Collection/M143-4-1-4E.pdf>

SUMMARY:

Regular scheduled maintenance and planned replacement of aged equipment can greatly reduce building damage and equipment breakdown. Scheduling building and equipment servicing and/or replacement during the off-season can save money and prevent long and inconvenient down times when the facility cannot be used during peak seasons.

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By Bernice R. Bowley, Fillmore Riley

Speak no evil, REAP NO EVIL

Unlike their Provincial and Federal government counterparts, mayors, reeves and councillors can be sued for defamation for remarks made in public council or committee meetings.

Members of Parliament and the Manitoba Legislature have a protection called absolute privilege which protects them from claims alleging defamation where the alleged defamatory statements were made by members of legislative assemblies while on the floor of the assembly or communications made in the context of committee and cabinet proceedings. (This may explain some of the outrageous remarks made in the legislative assembly and parliament.)

In Manitoba, libel and slander are not commonly used legal terms. Instead, the catch-all word "defamation" is the basis of the cause of action. Defamation is the tort of making a false statement that injures someone's reputation. The statement does

not need to be derogatory; it is enough that it portrays the person falsely, in a way that tends to injure the person's reputation and expose him to public hatred, contempt, ridicule, or degradation. The false statement may be written or spoken, as simple as a statement made in front of other people, or a letter copied to other people. Defamation can also result from statements in newspapers or broadcast on radio, television and now, as commonly occurs, the internet.

A degree of publication is required for a successful defamation claim. More than one individual, other than the defamed person, must have heard or received the defamatory statement.

It must be recognized that the scope of defamation can be broad and wide sweeping. For example, the placement of a sign captioned "Corrupt Politicians" with a photograph or rendering of a particular politician below the caption

is defamatory. Calling someone a thief, in the right (or wrong) setting can be defamatory. False allegations of sexual molestation or other criminal activity are defamatory.

The courts presume that the protection of a person's reputation is of vital importance and deserving of protection. Once defamation is established, damages are presumed. There is no precise measure of damages for defamation. As a result, damage awards for defamation can be significant and courts or juries are not bound or even persuaded by the precedent awards in other cases.

However, the law of defamation in a court proceeding is technical and complex. There are various legal principles applicable to a defamation case, including:

When pleading that the statement is defamatory in its ordinary meaning, the plaintiff must specify what he perceives the statement to mean. The plaintiff is bound by the meanings he has pleaded. If the judge or jury determines that the statement does not bear the particular meanings alleged in the statement of claim, the action will fail, even if another or different negative meaning is available. The defendant is entitled to know the precise meaning attributed to the statement by the plaintiff so that he may decide whether to argue that the words do not bear that meaning, to justify the meaning as truthful or to apologize.

There are some defences available to a Mayor, Reeve or councillor named in a defamation action. Truth is generally considered a complete answer to a civil action for defamation because the very basis of defamation is the "falseness" of the comment. However, the burden of proving the truth of the statement rests with the maker of the statement and the maker must substantiate all of the material facts contained in an allegation on an objective basis, not



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on a subjective basis. This means that while the maker of a statement believes the statement made, it must be proven to be objectively true before the maker of the statement can rely on the defence of truth.

The legal effect of the defence of Qualified Privilege is to rebut the inference, which normally arises from the publication of defamatory words, that they were spoken with malice. Qualified privilege attaches to the occasion in which the communication is made, and not to the communication itself. The occasion must be one where the person who makes a communication has an interest or a duty (legal, social, or moral) to make the statement to the person to whom it is made, and the person to whom the statement is made has must have a corresponding interest or duty to receive it. That reciprocity is essential. Where the occasion is shown to be privileged, the *bona fides* of the defendant is presumed and the defendant is free to publish remarks which may be defamatory and untrue about the plaintiff. However, the privilege is not absolute and can be defeated if the dominant motive for publishing the statement is actual or express malice.

In order for the defence of Fair Comment to apply, the words objected to must be 'comment' and not statements of fact. It is necessary to distinguish statements of facts from conclusions or inferences based on other facts which are truly stated. It must be shown that the words are comment, based upon facts that are true, made honestly and fairly, and without malice, and on a matter in the public interest.

In summary, a defamation claim carries the potential for a large award of damages and the defendant must deal with difficult intricacies of defending a defamation action. Members of council should consider this when dealing with difficult rate payers who appear before Council as a delegation. The rate payer may be fractious or unreasonable, and the discussion may become heated. Despite the frustration which may be felt, remember that Council meetings are public places. Even the most off handed or reasonable seeming remarks can be problematic when made in a public setting and can result in a defamation claim. Even if the claim is ultimately dismissed, the litigation process is time consuming and possibly stressful for the defending party. Discretion may be the better part of valour. 

ABOUT THE AUTHOR

Bernice Bowley is a partner with Fillmore Riley LLP. Her practice is focused on general commercial insurance litigation, municipal law and employment law. She has appeared before all levels of court in Manitoba, as well as various administrative tribunals including the Manitoba Labour Relations Board, the Automobile Injury Compensation Appeal Commission and the Pension Appeals Commission.

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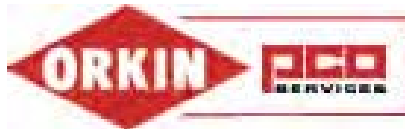
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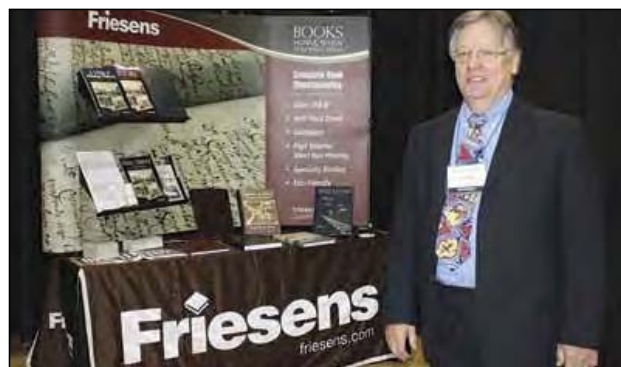
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Keynote Speaker Michael "Pinball" Clemons greets an audience member



L to R: Workshop presenters Joanne King, CAO, RM of Gimli; William Barlow, Manitoba Municipal Board; and DJ Sigmundson, CAO, RM of St. Clements



Keynote Speaker Dr. Samantha Nutt



Perry Stonehouse, Manitoba Water Stewardship with Ralph Groening, Central Rural Director



The Honourable Vic Toews, Minister of Justice



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President Dobrowolski with Keynote Speaker Dr. James Reese and Midwestern Urban Director Shirley Kalyniuk



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