

2016 RESOLUTIONS

00-2016	Port of Churchill	carried
01-2016	AMM Board Structure	carried
02-2016	Municipal Officials Seminar	carried
03-2016	Taxation of Exempt Properties	carried
04-2016	Training for Public Works	carried
05-2016	Mill Rates	carried
06-2016	Public Utilities Board	carried
07-2016	Highway Traffic Board	carried
08-2016	Education Funding Model Task Force	defeated
09-2016	Modernization of The Municipal Act	carried
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11-2016	Portioned Assessment	carried
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45-2016 ***Standing Policy – Base Tax***
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NOTE: *Resolutions categorized as ‘Standing Policy’ will not be brought to the Convention floor for debate unless requested by delegates.*



AMM Resolution #00-2016

Port of Churchill

Sponsor(s)

Churchill, Town (Northern)

Department(s)

Manitoba Growth, Enterprise and Trade
Infrastructure Canada

WHEREAS for 85 years the Port of Churchill, Canada's only Arctic Seaport has been in the national interest by serving as a competitive alternative for prairie farmers to export their grain, and also provides an essential service for the resupply of the Kivalliq Region communities of Nunavut; and

WHEREAS the long-term viability and expansion of the Port of Churchill and Hudson Bay Railway is essential in order to continue to provide economic benefits to Manitoba and to the broader Canadian economy; and

WHEREAS the Port of Churchill grain season was abruptly cancelled without notice on July 22, 2016 that caused more than 100 grain elevator, port and railway employees to be off work throughout Manitoba; and

WHEREAS many farmers who traditionally had large portions of their crops shipped through the Bay Line thereby lost the opportunity to have their grain exported through the most economical port in the country for their product; and

WHEREAS the potential loss of the port and rail line would be a setback to farmers and all municipalities in the province who support the development of Canada's North; and

WHEREAS climate change and the rapid growth in all kinds of commodity traffic in the arctic will continue benefiting exporters, producers and shippers elsewhere at the expense of Manitoba producers, First Nations and municipalities unless the Port re-opens in 2017 with a new commitment to serve its traditional markets and the North; and

WHEREAS the Port should serve as an essential base of arctic operations in support of Canada's Ocean Protection Plan; and

WHEREAS the Region has formed a broad-based coalition of communities and interests called the Northern Delegation who are in support of acquiring the assets for the purpose of creating a sustainable long-term economic plan;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba and the Government of Canada to jointly act to ensure that the Port re-opens for the 2017 grain season by setting up meetings at the highest level with the current owner of both the Port and Hudson Bay Rail line and the two levels of government to negotiate an ownership transfer at the earliest opportunity; and

FURTHER BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to request the new Northern Economic Development Strategy Task Force make revitalizing the Port and Railway their number one priority by convening an urgent meeting with the Northern Delegation and the AMM Board of Directors on ways and means to ensure that the Port and Hudson Bay Rail Line reopen for the 2017 shipping season.

AMM Resolution #01-2016

AMM Board Structure

Sponsor(s)	Department(s)
Elton, RM (Western)	AMM
Cornwallis, RM (Western)	

WHEREAS due to municipal amalgamations the AMM has requested that municipal governments consider the structure of the AMM Board in relation to the number of municipal governments remaining in Manitoba to determine whether changes may be beneficial for operations while retaining adequate representation; and

WHEREAS the Councils of the RM of Elton and RM of Cornwallis have considered the work load that representatives on the AMM Board must undertake in addition to their municipal responsibilities;

Therefore Be It Resolved That

the AMM retain the current structure of the AMM Board to ensure sufficient members are in place to carry out the responsibilities required of the Executive and Directors.

AMM Resolution #02-2016

Municipal Officials Seminar

Sponsor(s)	Department(s)
Killarney-Turtle Mountain, Municipality	AMM

WHEREAS the Municipal Officials Seminar (MOS) is held in Brandon and Winnipeg on an alternating basis in mid-April; and

WHEREAS the Trade Show at the MOS contributes a huge portion of the expenses for the seminar; and

WHEREAS some suppliers have expressed that the seminar held in Brandon is more accessible;

Therefore Be It Resolved That

the AMM investigate whether it is more cost-effective to hold the Municipal Officials Seminar only in Brandon.

AMM Resolution #03-2016

Taxation of Exempt Properties

Sponsor(s)

West St. Paul, RM (Interlake)

Department(s)

AMM

Manitoba Indigenous and Municipal Relations

WHEREAS municipalities levy taxes on an annual basis; and

WHEREAS some municipalities are exempt from paying taxes to other municipalities, including school taxes; and

WHEREAS this exemption creates an inequality and potential hardship on ratepayers without the exemption;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba and City of Winnipeg to allow for taxation of exempt properties.

AMM Resolution #04-2016

Training for Public Works

Sponsor(s)	Department(s)
Mossey River Municipality (Parkland) Dauphin, RM (Parkland)	AMM

WHEREAS recent amalgamations have increased the size of public works crews forcing many municipalities to have a Head of Public Works or a similar position; and

WHEREAS individuals hired for these positions tend to have an operating background lacking experience in human resources, report writing and management skills; and

WHEREAS most courses offered are geared toward administration and local Councils;

Therefore Be It Resolved That

the AMM explore options to offer more training in human resources, report writing and management skills geared toward Heads of Public Works and staff.

AMM Resolution #05-2016

Mill Rates

Sponsor(s)

Morden, City (Central)

Department(s)

AMM

WHEREAS property valuations are determined every two years and are the means of applying a mill rate against those valuations to determine tax revenue; and

WHEREAS it is not uncommon for valuations of differing classifications to increase/decrease in value at different rates; and

WHEREAS municipalities attempt to smooth any spikes in valuation by adjusting the mill rate; and

WHEREAS large valuation increases in one classification could see the tax share change dramatically between property classifications; and

WHEREAS in the spirit of taxing as low and as fairly as municipalities can;

Therefore Be It Resolved That the AMM undertake a study on the application of differential mill rate categories.

AMM Resolution #06-2016

Public Utilities Board

Sponsor(s)

Cartier, RM (Central)

Department(s)

AMM

WHEREAS municipalities have the ability under Sections 250 and 252 of *The Municipal Act* to acquire, establish, maintain and operate services, facilities and utilities; and

WHEREAS under Section 143 of *The Planning Act* a local Council may, by by-law, set levies to be paid by subdivision applicants to compensate a municipality for the capital costs specified in the by-law that may be incurred by the subdivision of land; and

WHEREAS some municipalities have imposed fees to help compensate for the equity built up by utility customers through either a surcharge on property tax or water and/or sewer rates or newly-required capital costs because of the greater demand for services arising from the development of the area or by ratepayers who have requested connection to municipal utility services to which a by-law will apply; and

WHEREAS municipalities from time to time have new ratepayers hooking on to existing water and sewer services and in the interest of equity and fairness to all ratepayers, municipalities need and require flexibility to implement defensible system development charges and/or connection fees when the need arises; and

WHEREAS the Public Utilities Board requires municipalities to seek written authorization before any charges can be imposed;

Therefore Be It Resolved That

the AMM obtain a legal opinion on behalf of all Manitoba municipalities as to the Public Utilities Board's authority in regulating System Development Charges and Utility Connection Fees.

AMM Resolution #07-2016

Highway Traffic Board

Sponsor(s)

Taché, RM (Eastern)

Department(s)

Manitoba Infrastructure
AMM

WHEREAS the Manitoba Highway Traffic Board was established to ensure the safety of the travelling public and protection of highway infrastructure through the administration of *The Highways Protection Act* and portions of *The Highway Traffic Act*; and

WHEREAS the Manitoba Highway Traffic Board is responsible for the approval and issuance of permits for access onto provincial highways, the development and structures adjacent to provincial highways, establishing speed limits throughout the province including municipal roadways, approval of municipal weight by-laws, bridge closures and restrictions as well as highway classification and by-laws for parking in alleyways, all of which affect municipal operations; and

WHEREAS the Manitoba Highway Traffic Board is compromised of no less than three members appointed by the Lieutenant Governor in Council; and

WHEREAS special circumstances, settlement patterns, population trends, and other interests within local jurisdictions may exist whereby the current manner of appointing members to the Highway Traffic Board does not reflect the needs of Manitoba municipalities;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to establish a position on the Manitoba Highway Traffic Board for the appointment of a member from the AMM to represent municipal interests.

AMM Resolution #08-2016

Education Funding Model Task Force

Sponsor(s)

Morris, RM (Central)

West St. Paul, RM (Interlake)

Department(s)

Manitoba Education and Training

Manitoba Indigenous and Municipal Relations

WHEREAS the education funding model in Manitoba has been in existence for many years and is in need of a major review; and

WHEREAS education has traditionally been jointly funded by a portion from the provincial government and a portion from local municipal governments; and

WHEREAS in accordance with The Public Schools Act municipalities shall, in respect of real and personal property that is assessable property and that is within the municipality and the school division, fix and impose a tax sufficient to raise the amount that is apportioned to the municipality; and

WHEREAS educational tax increases continue to create hardships on all ratepayers and are unsustainable; and

WHEREAS several organizations such as the Association of Manitoba Municipalities (AMM), Manitoba Municipal Administrators' Association (MMAA), Manitoba School Boards Association (MSBA) and Manitoba Association of School Business Officials (MASBO) are involved in the process of creating the financial plans for school divisions, levying for and collecting taxes;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to establish a Task Force to comprehensively review how education is funded in Manitoba; and

FURTHER BE IT RESOLVED THAT such a Task Force include representatives from AMM, MMAA, MSBA, MASBO and other stakeholders as the provincial government deems appropriate; and

FURTHER BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to ensure the Task Force's review includes such options but not limited to the following:

- Removing the educational tax levy from the municipal tax bill;
- Funding the entire educational system from general revenue ensuring that all taxpayers are taxed on their ability to pay;
- A full and complete review to determine if amalgamation can reduce duplication in service and create efficiency by having less school divisions in Manitoba;
- A complete review of the equalization payments and how they currently do not reflect in a fair and equitable manner the current growth and declining student divisional populations creating an unfair burden for funding educational taxes for all Manitobans who own property.

AMM Resolution #09-2016

Modernization of The Municipal Act

Sponsor(s)

Morden, City (Central)

Winkler, City (Central)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS *The Municipal Act* was assented to on November 19, 1996, some 20 years ago; and

WHEREAS in the last 20 years only pieces of the *Act* have been amended on an as needed basis; and

WHEREAS in the last 20 years systems and styles of government have modernized; and

WHEREAS a more robust, forward thinking *Act* is required to meet the needs of our taxpayers

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to undertake a complete review of *The Municipal Act*.

AMM Resolution #10-2016

Support for Municipal Planning

Sponsor(s)

Lakeshore, RM (Parkland)
Dauphin, RM (Parkland)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS there is presently a lack of recognition for the pivotal role municipal and local planning district authorities play in decision-making under The Planning Act, with the key issue being the increasing depth of process and the length of time that every development is subject to under the current Planning Act; and

WHEREAS there is a decreasing level of support for municipal planning initiatives, including the integration of GIS (Geographic Information Systems) mapping as well as a lack of availability of trained engineering, planning, mapping and development control personnel in most planning districts, especially in rural areas; and

WHEREAS the key to the administration of planning initiatives at the municipal level must be the consistent and professional provision of advice, management of processes and issuance of development approvals; and

WHEREAS Development Plan Reviews of several municipalities are being held up due to the demand on the provincial Digital Mapping department; and

WHEREAS this delay is costing municipalities thousands of dollars in lost revenue as subdivision application approvals will not occur until the Development Plan Reviews are complete;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to:

- Immediately reduce the processes and requirements under The Planning Act that delay development initiatives from subdivision of land to zoning by-law amendments;
- Recognize the essential role of local authorities under The Planning Act and endeavor to accommodate and implement local decisions;
- Provide local planning support and GIS services to enable municipal integration of GIS in planning and many other key municipal service areas such as assigning civic addressing in rural areas;
- Consider sustainably funding joint municipal agencies to enable them to afford and retain
- professional staff to service rural areas, and implement a provincial training and certification program for Development Officers; and

FURTHER BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to increase staffing in their Digital Mapping Department to alleviate the delays that have been occurring over the last several years.

AMM Resolution #11-2016

Portioned Assessment

Sponsor(s)

Piney, RM (Eastern)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS portioned assessment was introduced into legislation in 1990, with amendments in the percentage of portioning up to 2003; and

WHEREAS property classes and percentages have remained unchanged since 2003; and

WHEREAS the value of some classes of land have increased in value at varying rates over the years since 2003; and

WHEREAS the portioned assessment on certain classes is disproportionately low given the intended use of the property; and

WHEREAS rural small businesses are negatively impacted by higher portioned assessments and railways benefit from low portioned assessment;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to review property classifications and the percentages of portioned assessment.

AMM Resolution #12-2016

Development Cost Charges

Sponsor(s)

Morden, City (Central)

Winkler, City (Central)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS Manitoba is one of only a few provinces that does not enable local authorities to levy development cost charges at the Development Permit stage; and

WHEREAS this shortcoming discourages local authorities from aligning their zoning regulations to their district or municipal development plans and secondary plans; and

WHEREAS the practice potentially results in dissuading property owners from developing their lands and/or delaying desired developments from proceeding;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to amend The Planning Act to grant local authorities the power to levy development cost charges at the Development Permit stage.

AMM Resolution #13-2016

Tax Collection

Sponsor(s)

Mountain, RM (Parkland)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS municipal funding sources are limited, primarily dependent on assessment and property tax revenue; and

WHEREAS the collection process for non-payment is heavily regulated, expensive, cumbersome and time consuming;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to amend The Municipal Act, related to the collection of property taxes, to provide alternative collection methods, including applying tax arrears to other properties held in the same person's name.

AMM Resolution #14-2016

Lease Agreements for Capital Property

Sponsor(s)

Swan River, Town (Parkland)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS Section 172 (c) of *The Municipal Act* considers the lease of capital property beyond three years to be borrowing, with the required notices and public hearings to be followed; and

WHEREAS Section 172 (c) does not allow for the most favourable lease terms to be entered into on smaller expenses such as photocopiers and small capital equipment without going through the public hearing process. This requirement causes undo administrative red tape;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to change the terms outlined under Section 172 (c) of *The Municipal Act* to only apply to lease agreements for capital property valued above \$20,000.

AMM Resolution #15-2016

Reassessment of Land

Sponsor(s)

Coldwell, RM (Interlake)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS the current method of reassessment of land in the province is on a two-year cycle, however some municipalities have not had all of their land physically reassessed in years; and

WHEREAS this two-year cycle often means that certain areas within a municipality are targeted for each reassessment, resulting in Town or Urban areas having a substantial increase in one reassessment year and the Rural having a substantial increase in the next reassessment year; and

WHEREAS although it appears this is fair, the fluctuation in assessment causes a huge burden to municipalities with high fluctuations of taxes in these areas that then need to be explained to ratepayers or mill rates adjusted so that one area is not impacted so dramatically; and

WHEREAS it appears that not all land within a municipality is receiving fair adjustments due to the time or staffing constraints of the provincial assessment branches - only areas that have;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to reassess the current methods used for municipal assessments that involve municipal input to ensure that a municipality has an equal base line of assessment for all land to ensure that a tax shift is equally distributed across the municipality.

AMM Resolution #16-2016

Tax Sale Auctions

Sponsor(s)

Reynolds, RM (Eastern)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS The Municipal Act allows for the sale of property for non-payment of taxes; and

WHEREAS landowners have until the start of the Tax Sale Auction to redeem the property from Tax Sale; and

WHEREAS the auctioneer and bidders attend the auction only to be told the property was redeemed; and

WHEREAS potential bidders must obtain cash or a certified cheque for the required deposit or full purchase price and take time out of their regular schedule to attend the auction, only to be told the auction is cancelled due to the last minute redemption of the property;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to set the redemption deadline at least one week prior to the Tax Sale Auction to avoid: the unnecessary work for municipal office staff; the attendance of the auctioneer and bidders; and the need for bidders to take time off work and to carry large sums of cash or certified cheques to an auction that may be cancelled last minute.

AMM Resolution #17-2016

Compensation for Updating Land Titles

Sponsor(s)

Roblin, Municipality (Parkland)
Wallace-Woodworth, RM (Western)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS the Province of Manitoba mandated amalgamation on a large number of municipalities; and

WHEREAS these forced amalgamations have resulted in considerable uncompensated expenses; and

WHEREAS in 2015 the Province of Manitoba began to acknowledge the costs associated with amalgamation and started to provide compensatory funding to newly-amalgamated municipalities; and

WHEREAS the costs associated with changing the legal names of land titles documents were not eligible for reimbursement; and

WHEREAS the Province of Manitoba recommends that municipalities change the names of the records at some point in the future at a cost of \$80.00 per application.

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to provide compensatory funding to newly-amalgamated municipalities to alleviate the costs associated with changing the legal names of land titles documents.

AMM Resolution #18-2016

Municipal Audit Costs

Sponsor(s)

Yellowhead, RM (Midwestern)
Minnedosa, Town (Midwestern)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS local Council sub-committees often fundraise to remain viable and function throughout the year; and

WHEREAS the Province of Manitoba requires municipal-related committees to have a financial audit at the end of their fiscal year; and

WHEREAS audit fees in many cases represent a large portion of committee budgets; and

WHEREAS the Public Sector Accounting Board (PSAB) has strict guidelines and regulations for the auditing of municipally supported groups such as community libraries, museums, halls and other not-for-profit groups that may receive funding from municipal corporations; and

WHEREAS PSAB requirements have resulted in audit firms having to commit additional staff and time to complete these audits and integrate those audits into the respective municipal reporting systems; and

WHEREAS audit costs continue to increase and are posing a financial hardship on various volunteer municipally supported organizations and not-for-profit groups, which in turn has a negative impact on a municipality's financial position;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to amend the requirements for small municipal committee audits; and

FURTHER BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to engage the federal government to discuss a methodology to reduce the regulations and work required for the groups noted above with the goal to reduce the associated audit costs.

AMM Resolution #19-2016

By-law Contravention Fines

Sponsor(s)

Dufferin, RM (Central)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS *The Water Rights Act* allows a Water Resources Officer to enforce the *Act* through Section 23(1) which states; a person who contravenes or fails to comply with a) a provision of this *Act* or the regulations; or b) an order made under this *Act*; or c) a condition of a license or permit issued under this *Act*; is guilty of an offence and liable on summary conviction to a fine of not more than \$10,000 or to imprisonment for not more than three months or both and, where the person is a corporation, to a fine of not more than \$25,000; and

WHEREAS *The Municipal Act, Fees, Discounts, and Penalties Regulation 50/97* states that the maximum fine for by-law contravention under Section 3 for the purpose of sub-clause 236(2)(b)(ii) of *The Municipal Act*, the maximum fine that a Council may impose in respect of a contravention of a by-law is \$1,000;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to change the maximum fine for Councils to impose to \$10,000 so that through their by-laws may enforce fines that are current and appropriate.

AMM Resolution #20-2016

Corporate Land Purchases

Sponsor(s)

Rosburn Municipality (Midwestern)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS municipalities have seen an increase of land purchases by corporations involved in conservation of habitat for wildlife, endangered species and tall grass prairies; and

WHEREAS municipalities support good land stewardship and conservation practices that do not adversely affect neighbouring land or municipal infrastructure; and

WHEREAS such corporations often retain the property in natural state without any improvements resulting in low assessments, low property taxes and limited maintenance; and

WHEREAS it is the most beneficial for municipalities to have families reside on and farm these lands as families normally make improvements to the land and erect buildings including housing and other structures, thus generating essential tax revenue, and families contribute to the general well-being of their community by virtue of stabilizing school enrollments; ensuring the existence of health care facilities in their communities and maintaining the vitality within the local business community; and

WHEREAS corporations often pay an inflated price for land to remove from or limit agricultural production to allow natural state growth creating inflated assessments for other production

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to implement a special assessment class (CON) for any corporation purchasing land with a conservation mandate and designate a different portioning than agricultural (35%) to allow for extra funding for concerns arising from limited maintenance.

AMM Resolution #21-2016

Removal of Engineering Services

Sponsor(s)

Pinawa, LGD (Eastern)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS many municipalities are facing infrastructure replacement and repairs due to aging water and sewer lines; and

WHEREAS the Manitoba Water Services Board will partially fund up to \$60,000.00 or 30% of the replacement and repair costs of said infrastructure; and

WHEREAS the Manitoba Water Services Board requires municipalities to obtain engineering services to prepare the final design drawings and tender document in order to qualify for funding; and

WHEREAS engineering services have not been previously required and reduces the net benefit of the grant; and

WHEREAS this additional cost can be cost prohibitive to successful infrastructure replacement projects;

Therefore Be It Resolved That

the AMM lobby the Manitoba Water Services Board to remove this requirement in order to qualify for funding.

AMM Resolution #22-2016

Unorganized Areas

Sponsor(s)

Flin Flon, City (Northern)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS municipalities adjoining unorganized territories frequently provide costly services such as fire and police protection, recreational facilities, and other municipally subsidized services in terms of recycling centres, libraries and cemeteries; and

WHEREAS those unorganized territories are not represented by a municipal government, there is often no authorized legal representative of the unorganized areas to deal with when it comes to addressing issues such as access to municipal services and corresponding contributions; and

WHEREAS the Province of Manitoba has the legal authority to negotiate on behalf of and collect monies from residents of unorganized territories; and

WHEREAS the Province of Manitoba frequently plays a passive role in resolving issues that arise relative to the provision of municipal services to residents of unorganized territories,

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to engage in a more active way to resolve issues relative to the provision of services by municipalities to residents of surrounding unorganized areas, and that it shall act in a representative capacity in order to facilitate such discussions and their resolution.

AMM Resolution #23-2016

Local Urban Districts

Sponsor(s)

Mountain, RM (Parkland)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS *The Municipal Councils & School Boards Elections Act* Section 40(2) specifies a person may not hold or be nominated for office on two elected authorities at the same time:

40(2) A person who holds office on an elected authority may not be nominated in a by-election to which this Act applies unless the member resigns his or her office at least 42 days before the election day for that by-election; and

WHEREAS Section 1 of *The Act* defines "elected authority" as a municipal council or a school board; and

WHEREAS a Local Urban District (LUD) is a formal, elected committee of a municipal council, to which *The Municipal Act* [113(2)] and *The Municipal Councils & School Boards Elections Act* generally apply; and

WHEREAS currently it appears possible for a person to be nominated and/or hold two elected positions simultaneously on a LUD and municipal council, with the potential to create additional costs in subsequent rather than concurrent by-elections; and

WHEREAS this is likely an oversight and unintended consequence of the legislation;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to amend Section 1 of *The Municipal Councils & School Boards Elections Act* to include a LUD Committee as an "elected authority."

AMM Resolution #24-2016

Election Eligibility

Sponsor(s)

Mountain, RM (Parkland)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS rural municipalities struggle with limited resources; and

WHEREAS this financial burden is compounded by the lack of continuity on Council, with new councillors having limited experience, training, and knowledge; and

WHEREAS taxpayers expect Council to be good stewards of the public purse, with municipal resources being used responsibly and efficiently; and

WHEREAS by-elections create a drain on municipal financial resources and personnel which could be allocated elsewhere;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to amend *The Municipal Act*, either Eligibility for Nomination and Election [MA, 90-91], Disqualification [MA, 94], or Vacancies and By-Elections [MA, 102-105], so that a Council member who resigns is eligible to be elected at the next general municipal election (provided he/she is otherwise eligible for nomination), but is ineligible to be elected in any prior by-election.

AMM Resolution #25-2016

Conflict of Interest

Sponsor(s)

West St. Paul, RM (Interlake)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS many municipal councillors are elected to Council with no formal training or education regarding Manitoba Statutes such as *The Municipal Act* or *The Municipal Council Conflict of Interest Act*; and

WHEREAS many councillors serve only one or two terms on Council and may not obtain sufficient training to deal with municipal council conflict of interest issues;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to improve legislative requirements regarding municipal conflict of interest and appoint an independent office to investigate conflict of interest situations consistent with the recommendations that were put forth by the Law Reform Commission.

AMM Resolution #26-2016

Code of Conduct

Sponsor(s)

Oakland-Wawanesa, Municipality

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS *The Municipal Act* sub-section 101(1) requires each member of Council to take an Oath of Office after being elected at a general election or bi-election, obligating the faithful execution of the responsibilities of office; and

WHEREAS *The Municipal Act* Section 84.1 requires all municipalities to establish a Code of Conduct for Council members and Council members have a duty to comply with the Code; and

WHEREAS the Code of Conduct for Council members establishes the standards and values that Council members are expected to uphold in carrying out the duties under *The Municipal Act*, providing clear guidelines on acceptable behaviour for Council members; and

WHEREAS *The Municipal Act* sub-section 84.1(3) enables Council to censure (publicly reprimand) a member who breaches the Code of Conduct; and

WHEREAS *The Municipal Act* does not provide a method to manage continued violations of the

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to amend *The Municipal Act* to provide municipalities with a more comprehensive process for addressing continuous Code of Conduct breaches by a Council member.

AMM Resolution #27-2016

Recreational Facilities

Sponsor(s)

Glenboro-South Cypress,

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS due to existing municipal boundaries, ratepayers often live in one municipality but consider a community in a neighbouring municipality as their service centre, and consequently utilize recreational facilities located in those communities; and

WHEREAS some municipal governments provide levies or grants to recreational facilities in communities of neighbouring municipalities as a result of the above, while others fund those located within their own municipality, creating an imbalance in the way that recreational facilities are funded across the province;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to develop a systematic process whereby all municipalities fund recreational facilities in a fair and equitable manner.

AMM Resolution #28-2016

Crown Land

Sponsor(s)

Flin Flon, City (Northern)
Alexander, RM (Eastern)

Department(s)

Manitoba Sustainable Development

WHEREAS municipalities have often encountered delays, expenses and other complications in obtaining provincial Crown Lands located within municipalities, through subdivision or otherwise; and

WHEREAS any expense that is incurred by a municipality is ultimately payable by the same taxpayer;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to simplify the processes by which a municipality may obtain Crown Land, and to make such purchases more affordable.

AMM Resolution #29-2016

Recycling

Sponsor(s)

Yellowhead, RM (Midwestern)
Gimli, RM (Interlake)

Department(s)

Manitoba Sustainable Development

WHEREAS recycling has positive impacts on the environment and the lives of all Canadians; and

WHEREAS municipalities are stewards of the environment and should help promote and educate communities on healthy environmental practices, including the positive impact of recycling; and

WHEREAS through the offering of manageable recycling practices and incentives we can help promote recycling and reduce unnecessary dumping at our landfills sites, which will benefit local communities that manage these sites and their increasing budgets; and

WHEREAS other provinces offer refunds on certain recyclable materials which help promote the habit of recycling; and

WHEREAS municipalities in Manitoba handle glass and plastic containers as part of their recycling programs; and

WHEREAS no market exists for glass and the cost of handling plastic exceeds revenue received; and

WHEREAS nine other provinces in Canada have a bottle collection program that is successful in keeping containers off streets, roadsides, and landfills; and

WHEREAS these provinces have placed a levy on these containers, paid at the time of purchase, resulting in revenue that goes toward paying for items returned;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to review other provincial recycling practices and programs and to consider offering refunds on recyclable materials to help promote recycling in Manitoba which will help ensure a better environment for all Manitobans and future generations; and

FURTHER BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to join the rest of Canada by creating a return program and regional return sites for glass and plastic containers.

AMM Resolution #30-2016

Participation in Conservation Districts

Sponsor(s)

Two Borders, Municipality (Western)

Department(s)

Manitoba Sustainable Development

WHEREAS municipalities require accurate and up-to-date information to plan projects pertaining to water movement and retention; and

WHEREAS Manitoba Conservation Districts have the capability to offer culvert inventories for surface water management; and

WHEREAS inter-municipal construction is stalled by the failure of neighbouring municipalities to participate;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to encourage applicable municipalities to participate in Inter-Municipal Conservation Projects.

AMM Resolution #31-2016

Saskatchewan Drainage Issues

Sponsor(s)

Russell-Binscarth, Municipality

Department(s)

Manitoba Sustainable Development

WHEREAS Manitoba municipalities located along the Manitoba/Saskatchewan border have faced significant financial hardship and substantial infrastructure damage due to water drainage practices in Saskatchewan; and

WHEREAS the drainage policies of Saskatchewan have allowed for significant modification to drainage patterns impacting the volume and speed of water flow experienced in Manitoba; and

WHEREAS the current situation has created wealth through improved farmland for Saskatchewan, at the same time increasing Manitoba costs on infrastructure and reducing farmland assessment due to flooding and land being taken out of production; and

WHEREAS discussions on a local level have proven unsuccessful in dealing with the water drainage issue; and

WHEREAS the issue of water crossing provincial boundaries needs to be addressed by the Province of Manitoba; and

WHEREAS impacted municipalities understand that initiatives are in place that are looking at long-term solutions to the problem, but the need for support is immediate;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to negotiate an agreement with the Province of Saskatchewan to stop the enhanced draining that is occurring and destroying infrastructure within municipalities in Manitoba; and

FURTHER BE IT RESOLVED THAT a compensation fund be established for Manitoba municipalities impacted by drainage from Saskatchewan to help offset infrastructure repair costs and assessment losses.

AMM Resolution #32-2016

Consultation on Waterway Projects

Sponsor(s)

Yellowhead, RM (Midwestern)

Department(s)

Manitoba Sustainable Development

Manitoba Infrastructure

WHEREAS municipalities must obtain a license from Manitoba Sustainable Development for culvert replacement, runway cleaning or drainage projects; and

WHEREAS Manitoba Infrastructure is not required to go through this process for waterway projects on provincial highways and provincial trunk roads; and

WHEREAS on occasion Manitoba Infrastructure projects have resulted in damage to downstream municipal infrastructure as a result of increased water flows;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to make it mandatory for Manitoba Infrastructure to consult with Manitoba Sustainable Development when working on waterway projects.

AMM Resolution #33-2016

Funding for Impacted Waterways

Sponsor(s)

Two Borders, Municipality (Western)

Department(s)

Manitoba Sustainable Development

WHEREAS many Manitoba municipalities have experienced unprecedented flooding in recent years; and

WHEREAS prolonged and significant flood events result in wide scale destruction of trees and bushes in river and creek riparian areas; and

WHEREAS debris inevitably causes damage and blockages at provincial and municipal bridges and culverts resulting in further flooding;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to provide funding to affected Conservation Districts for the purpose of removing flood-related debris in impacted waterways.

AMM Resolution #34-2016

Public Hunting on Agricultural Lands

Sponsor(s)

Lac du Bonnet, RM (Eastern)

Department(s)

Manitoba Sustainable Development

WHEREAS agricultural producers lease Crown Land for agricultural purposes from the Province of Manitoba and assume all risk of liability; and

WHEREAS Manitoba Sustainable Development continues to permit public hunting and other activities on agricultural leased land putting the producers at unwarranted risk of economic liability, soil contaminants from foreign off-road vehicles, and creating a safety hazard during times of fall harvest and field work where producers are unaware of hunting activity on the leased land;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to develop a policy to direct Manitoba Sustainable Development to obtain permission from the leasee prior to permitting public hunting on agricultural leased lands to protect agricultural practices, soil integrity and agricultural producers from harm.

AMM Resolution #35-2016

Federal DFAA Program Changes

Sponsor(s)

St. Laurent, RM (Interlake)
Woodlands, RM (Interlake)

Department(s)

Manitoba Infrastructure
Public Safety Canada

WHEREAS in January 2015 the federal government changed the funding structure of the Disaster Financial Assistance Arrangements (DFAA), which will result in a reduction of the amount of federal money available to those affected by disasters; and

WHEREAS these changes came into effect on February 1, 2015; and

WHEREAS the Province of Manitoba has consistently been the second largest user of the DFAA program due to natural disasters and flooding events in its region; and

WHEREAS the said changes to the DFAA program will cause major and significant financial implications and downloading to the Province of Manitoba and ultimately Manitoba municipalities; and

WHEREAS a new federal government was elected in October 2015 since the changes were implemented;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba and the new federal government to repeal the DFAA program changes made by the previous federal government.

AMM Resolution #36-2016

Sewer Line Connections

Sponsor(s)

Yellowhead, RM (Midwestern)

Department(s)

Manitoba Infrastructure

WHEREAS engineering firms are recommending the installation of low pressure lines to reduce construction costs; and

WHEREAS these lines are connected to gravity flow lines in existing infrastructure in some cases; and

WHEREAS there have been several examples of sewer gas odor resulting from line connections; and

WHEREAS line replacement costs and damages from sewer gas odor place a financial burden on municipalities;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to no longer allow low pressure lines to be connected to gravity flow sewer lines.

AMM Resolution #37-2016

Mines and Minerals Applications

Sponsor(s)

Woodlands, RM (Interlake)
Lac du Bonnet, RM (Eastern)

Department(s)

Manitoba Growth, Enterprise and Trade

WHEREAS the Province of Manitoba issues quarry permits and quarry leases for mines and minerals; and

WHEREAS their process involves a circulation procedure for referral from other provincial departments but doesn't include Community Regional Planning or the affected municipality; and

WHEREAS per section 13 of *The Planning Act* states municipalities are "responsible for the adoption, administration and enforcement of the development plan by-law, zoning by-law and all other by-laws respecting land use and development for the municipality"; and

WHEREAS under *The Mines and Minerals Act* the current procedure for obtaining approval for mining and quarry operations on Crown Land does not allow for consultations with encompassing municipalities prior to authorization and permitting; and

WHEREAS a municipality has no method of opportunity to address potential conflicting land use until after the provincial licensing; and

WHEREAS mitigating issues prior to provincial licensing would benefit all stakeholders and

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to develop a circulation policy that ensures mining and quarry applications are sent out for review and comments to the appropriate municipalities including adjacent municipalities prior to issuing approval; and

FURTHER BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to include municipalities in the circulation process when considering mines and minerals applications; and

FURTHER BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to attach municipal conditions to mines and minerals 'conditionally approved' applications.

AMM Resolution #38-2016

Universal Couplers

Sponsor(s)

Fisher, RM (Interlake)

Department(s)

Manitoba Growth, Enterprise and Trade

WHEREAS the North East Interlake Emergency Management Board comprising of the RM of Bifrost-Riverton, Town of Arborg and the RM of Fisher is reviewing its emergency management services; and

WHEREAS the sizing of couplers to access water hydrants and/or fire trucks differ; and

WHEREAS time may be lost during an emergency if the right coupler is not on hand;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to legislate the requirement for a universal coupler for water hydrants and fire trucks.

AMM Resolution #39-2016

Eliminating Municipal Contributions to Income Assistance

Sponsor(s)

Thompson, City (Northern)

Department(s)

Manitoba Families

WHEREAS the Province of Manitoba amended *The Manitoba Assistance Act* legislating municipal contribution levels for income assistance; and

WHEREAS as a result of this legislative change municipalities are required to pay annual contributions to the Province of Manitoba for income assistance which is a provincial responsibility; and

WHEREAS the City of Thompson was not in favour of the legislative changes that were enacted which resulted in increased costs for municipalities; and

WHEREAS the downloading of this provincial responsibility to Manitoba municipalities is not fair and equitable;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to amend *The Manitoba Assistance Act* to eliminate the requirement for municipal contributions to income assistance.

AMM Resolution #40-2016

The Manitoba Assistance Act

Sponsor(s)

Ste. Anne, RM (Eastern)
Ritchot, RM (Eastern)

Department(s)

Manitoba Families
Manitoba Indigenous and Municipal Relations

WHEREAS Manitoba municipalities received a letter from Manitoba Employment and Income Assistance, dated January 20, 2016, announcing changes to The Manitoba Assistance Act, specifically Section 16.3: Promotion of Employment Opportunities, which states, “Every municipality must identify and promote employment opportunities for recipients of income assistance and general assistance in accordance with the terms of an agreement to be reached between municipalities and the minister”; and

WHEREAS a Memorandum of Understanding was reached in consultation with the AMM which describes municipal obligations, including the requirement to designate a community liaison and provide quarterly activity reports to the government advising of available employment opportunities in municipalities; and

WHEREAS most rural municipalities, particularly those with agricultural communities, have extremely limited employment opportunities; and

WHEREAS municipal boundaries do not necessarily define or factor into an individual’s search for employment; and

WHEREAS many municipalities do not have the resources, knowledge and/or qualifications to determine where employment opportunities are available, as the information is more likely available at the provincial government level; and

WHEREAS Manitoba Employment and Income Assistance is a provincial branch dedicated to the development of the workforce and income support as well as employment and income assistance, to which retail sales tax funding is allocated to staff the department and complete the tasks which are now being downloaded to municipalities;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to amend The Manitoba Assistance Act to remove the new municipal responsibilities of the designation of community liaisons, collection of data pertaining to employment opportunities and provision of quarterly activity reports to government.

AMM Resolution #41-2016

Green Team Program

Sponsor(s)

Lac du Bonnet, RM (Eastern)

Department(s)

Manitoba Education and Training

WHEREAS the Green Team Program provides employment for summer students; and

WHEREAS there is inequity between public sector and private sector funding; and

WHEREAS the private sector receives full funding based on minimum wage and the public sector receives partial funding to support summer employment opportunities for students;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to provide equitable funding for all municipalities.

AMM Resolution #42-2016

Health Cards

Sponsor(s)

Dauphin, City (Parkland)

Department(s)

Manitoba Health, Seniors and Active Living

WHEREAS for years the Province of Manitoba has directed new residents to the local municipal office to obtain information and apply for a Manitoba Health Card; and

WHEREAS the provision of health care services falls within the provincial mandate; and

WHEREAS Manitoba Health, Seniors and Active Living recently revamped its website to include a new electronic Manitoba Health Card Registration Form;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to revise its policies and/or practices by removing all references to local municipal offices providing assistance or being involved in the Manitoba Health Card registration process.

AMM Resolution #43-2016

Mandatory Utility Consultation

Sponsor(s)

Morris, RM (Central)

Department(s)

Manitoba Crown Services

Manitoba Hydro

WHEREAS Manitoba Hydro and MTS both promote the "Call Before you Dig" program; and

WHEREAS numerous Manitoba municipalities have installed rural water lines to provide potable water to their residents; and

WHEREAS there have been occasions where Manitoba Hydro has not contacted rural municipalities to ensure that their "digging" will not compromise such rural utility lines;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to make it mandatory for Manitoba Hydro and MTS to inquire with local municipal authorities to ensure no local utilities will be compromised by their "digging" activities.

AMM Resolution #44-2016

FIPPA

Sponsor(s)

De Salaberry, RM (Eastern)

Department(s)

Manitoba Sport, Culture and Heritage

WHEREAS *The Freedom of Information and Protection of Privacy Act* (CCSM, C.F. 175) Regulation 64/98 was registered on April 17, 1998; and

WHEREAS AMM Resolution #28-2010 requested amendments, including a review of and clarification of fees and chargeable times; and

WHEREAS the response from the former Minister of Culture, Heritage and Tourism in February 2011 indicated a comprehensive review would be undertaken within five years and will involve public representations;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to conduct a comprehensive review of *The Freedom of Information and Protection of Privacy Act* in consultation with the AMM and all municipalities, including a review of and clarification of fees and chargeable times.

AMM Resolution #45-2016

Base Tax – *Standing Policy*

Sponsor(s)

Flin Flon, City (Northern)

Department(s)

Manitoba Indigenous and Municipal Relations

WHEREAS an inequity is created when, under the present system of assessment based solely upon fair market value, owners of some properties pay far more for municipal services of similar or identical cost than do their neighbours; and

WHEREAS this inequity is compounded by the complexity and unreliability of available alternatives under existing municipal legislation, for recovering amounts more fairly from the parties who actually benefit from municipal projects and services; and

WHEREAS an assessment system based solely upon market value assessment fails to provide an incentive to promoting the upgrading of properties, while unfairly moving the tax burden onto property owners who do; and

WHEREAS due to local differences in economic and market conditions, some municipal tax raising arrangements are more detrimentally affected by the above noted factors than others leading to potential shortfalls in revenue where no need exist;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to amend its municipal legislation, so as to provide municipalities with the option of imposing upon all properties a base tax, reflecting the real costs of basic municipal services and benefit providing projects, with the remainder of tax revenue to be generated by market-value based assessment, as per the present model.

**** Standing Policy Note: This resolution is consistent with AMM policy and will not be brought forward to the Convention floor unless requested by delegates.***

AMM Resolution #08-2014 is identical, and was also sponsored by the City of Flin Flon.

AMM Resolution #46-2016

Noxious Weeds – *Standing Policy*

Sponsor(s)

Mossey River Municipality (Parkland)

Department(s)

Manitoba Infrastructure
Transport Canada

WHEREAS municipalities are responsible for appointing a weed inspector for the control of noxious weeds within the municipality; and

WHEREAS provincial ditches contain noxious weeds but little is done for the control of these weeds;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba and Government of Canada to ensure that noxious weeds are controlled in provincial drains and highway ditches as well as around railways.

**** Standing Policy Note: This resolution is consistent with AMM policy and will not be brought forward to the Convention floor unless requested by delegates.***

AMM Resolution #17-2005 requests the Province of Manitoba to adequately control weed growth along provincial highways and roads in order to minimize the spread of noxious weeds.

AMM Resolution #47-2016

Library Funding – *Standing Policy*

Sponsor(s)

Grandview, Municipality (Parkland)

Department(s)

Manitoba Sport, Culture and Heritage

WHEREAS libraries provide valuable services to all Manitobans; and

WHEREAS libraries are faced with ever increasing costs to provide these services; and

WHEREAS the Rural Library Operating Grant matches municipal funding up to a maximum amount that hasn't been increased since 2004;

Therefore Be It Resolved That

the AMM lobby the Province of Manitoba to increase the maximum funds available to libraries to reflect the increasing costs libraries have seen in the last 12 years and in the years ahead.

**** Standing Policy Note: This resolution is consistent with AMM policy and will not be brought forward to the Convention floor unless requested by delegates.***

AMM Resolution #15-2011 requests the Province of Manitoba to increase the per capita base rate funding for libraries as well as to re-evaluate the funding formula for library boards to better reflect the actual cost of delivering library services.