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Upcoming

Christmas Day

December 25th

Saskatchewan Association of Northern Communities

NEW NORTH

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Monthly Newsletter
November 2018

Municipal Elected Officials to Lose Their Tax Exemptions Jan 1

The federal law that has enabled elected officials to exempt one third of their municipal-related income from taxation is being eliminated as of January 1, 2019, meaning that local governments across the north will have to decide whether or not to top-up elected officials' remuneration to account for the loss.

The tax exemption has been in place since the 1940s, and was introduced as a way for elected officials to offset expenses related to government work that they may not have been adequately reimbursed for.

The exemption initially applied to MLAs, but was extended to municipal officials in the 1950s.

The federal government advanced the legislation making the change in March 2017.

Reimbursements for specific expenses, accompanied by receipts, are not taxable, and will remain so. The federal government took the view that a special allowance-like honoraria and such-substitutes for a salary, and therefore should be treated as a taxable benefit.

We don't have any data to estimate how much this change will cost northern municipalities if councils decide to compensate officials for the loss of the exemption by increasing their stipends.

Typically, northern municipalities will pay officials \$150 to \$200 per meeting. Some officials also take a monthly allowance of anywhere between a few hundred dollars to \$6,000.

Overall, it is thought that total councillor remuneration will need to increase by about 10% across the board to keep officials at their current levels.

In larger municipalities, like cities, where being a councillor is very much a part-time job, the impact of this change will have a noticeable impact on a municipality's budget.

The City of Saskatoon has come under fire for deciding to increase their total remuneration envelope by \$122,000 a year, with the mayor seeing a \$21,000 increase, and each of the councillors getting a \$10,000 bump.

The government said that they removed the exemption because they couldn't see why it should apply to elected officials, and no one else.

In reality, this is merely a cost-shift. The irony of the federal government's move is that the local taxpayers will now likely have to pick up a greater proportion of the bill for councillor remuneration. ■

NewNorth News & Updates

New North Waterworks: April 10 & 11

The New North Waterworks Workshop—better known as the Annual Cammo & Baseball Cap Wearing Convention—is tentatively scheduled for April 10 & 11, at the Coronet in Prince Albert.

The workshop is where most northern municipal and First Nations water operators obtain the quota of CEUs they need to maintain their operator certifications.

While we don't have an agenda yet, we imagine there'll be presentations on things incomprehensible to most

normal people related to the operation of water and wastewater facilities.

As a companion piece to the workshops, we also work with Prince Albert Polytechnic to provide an opportunity for operators to take their Challenge Exams.

The New North Waterworks is open to anyone willing to pay the registration fee, and baseball caps and cammo gear is provided at the door on a loan basis for the duration of the event. ■

Northern Capital Grants Program Renewed

The much-loved Northern Capital Grants program provided by the Northern Municipal Trust Account has been renewed, and is now expanded.

The program has typically delivered funding to northern municipalities for capital purposes—hence the name—and can be spent on any number of things, although a large portion seems to go toward equipment to move dirt around. Municipalities have to come up with 20% of the needed funds themselves, which makes this program a little more expensive for communities than, say, the Northern Water and Sewer Program, but what are you going to do.

The 2013-2018 program ended in September, with quite a number of communities not having taken advantage of it.

Fear not. Following a review by a special committee of the NMTA Management Board, it looks as if the program will not only be renewed, but that the money that was left over from the old one will be added to the new one, creating a new and enhanced program.

Eligibility criteria will remain more or less the same with, we hope, one or two minor tweaks to make the application process slightly easier. ■

Draft NMA Amendments In the Wild

For the last 6 months or so, the Ministry of Government Relations has had an open call for any suggested amendments to *The Northern Municipalities Act*. It is thought the Act might be opened in the Fall session of the legislative assembly.

The draft amendments are now available for everyone to comment on. Some potential changes to the Act include:

- Setting maximum timeframes a council may go without holding a meeting (60 days) and without appointing an acting administrator (30 days);
- Regulation-making authority to cap council member remuneration (ie, giving the government the ability to set remuneration limits in the Regulations);
- Giving council the ability to have someone else call a special meeting when the administrator is not available

- Providing municipalities the flexibility to send out public notices in whatever way seems to work, given that the print media is dying;
- Sections that make clear the protections against reprisals available to municipal employees;
- Explicit authority for the minister to disallow, cancel or amend a decision, resolution, bylaw, fee or charge or agreement of council if not appropriately authorized, not compliant or in the public interest, following notice to council of this intention
- A whole bunch else.

Copies of the amendments have been sent to administrators. If you need one, just email us. ■

From the New North Chair

BY BRUCE FIDLER, MAYOR OF CREIGHTON

We often think of New North as a leaders organization. Quite often, this means we hear a lot about the difficulties of being a leader. What compounds the complexities of being leader in a northern municipality is the pressure to take on, and address issues, that are really beyond the capacity of most communities to really solve.

Take housing. How often do we hear about a resident coming into the town office to complain about their furnace not working. Or the lack of seniors housing. And how often do leaders hear complaints about someone getting evicted from a social housing unit because they couldn't pay their power bill. The answer is: all the time.

Leaders feel a lot of pressure to try to do something about these things, even though most of the time the best they can do is act as an advocate, or a go-between. They carry the frustrations of residents around with them, and sometimes even bear the brunt of those frustrations. Most leaders quickly realize that no good deed goes unpunished.

If there was one piece of advice I'd give to a municipal leader in the north it is this: you can't do everything, and you can't solve everyone's problems. Likewise, don't look

at what another community is doing and feel that you should be doing that, too. Municipal governments in the north do pretty extraordinary things, but we all have different levels of capacity. Work hard and do your best.

For all this talk about leadership, we don't often talk about what leadership actually is. Some of us might think of it as always being out in front, a pathfinder, the decision-maker. If we aren't at the centre of things, we might feel that we aren't really being a leader.

As hard as it is for some of us to reign in our tendencies to be at the centre of things, that's not really the complete story about what real leadership is. Sometimes, being a good leader means stepping aside to let others steer. Leading from behind, or leading from below, are concepts that I think we need to adopt if we are to be the most successful leaders. These concepts are really about the importance of building leadership capacity in everyone. If a leader is always out front, taking the oxygen away from others, then you'll quickly find no one else wanting to step up and help.

Fostering team approaches to solving community issues is what a good leader should be doing. Most of the time, I think that's exactly what we are seeing. ■

Ile a la Crosse Recognized with Sask. Municipal Award

Ile a la Crosse's establishment of a new fish processing plant has won them a Saskatchewan Municipal Award.

The plant, which began operation last year, was set up as a partnership between the Northern Village and the village's economic development arm, Sakitwak Development Corporation, as well Big Island Fisherman's Co-operative.

The 6000 square-foot facility is federally-certified, meaning that it can not only pack and process fish products, it's also able to ship them overseas. That means that northern fish is ending up on tables in Europe, which is pretty cool when you think about it.

The crucial difference between the new plant and the old one is that the new facility is able to extract every last little bit of value out of every fish caught. That means nothing is wasted. Not only can they fillet and debone, the plant is capable of processing pike roe, too.

The setting up of the plant was not without its hurdles. Because the facility needed to have a municipal water

hook-up, they needed to find land within the municipal boundaries. This meant that they had to negotiate with SaskHousing to take over one of their lots. In exchange, the village provided SaskHousing with one of their lots, which students from the High School set about building a house on. To alleviate nearby residents' concerns about the noise, the village built a 12-foot sound-proof fence.

The facility got the official go-ahead following a successful application to Western Diversification in 2015, from which the proponents received around \$1 million. The balance of the funds came from SDC.

At the recent New North Gathering, we heard that the plant had paid out more than \$1 million in wages to northern fisherman in its first year of operation.

Other recipients of Sask. Municipal Awards included a Sportsplex in Moosomin, and a Wellness Centre in the City of Melfort.

At the time of writing, they'd yet to send a fish to France. ■

Northern Mayor & Councillor Gathering: November 16

There are a few things more certain to make a room go deathly quiet than someone telling a scary story. With only the hissing of the gas burners under the bain marie as an accompaniment (and the occasional gasp from the audience), Shawn Tallmadge from the Ministry of Labour Relations—who was a guest presenter at the Mayor and Councillor Gathering on November 16—laid down examples after examples from his experience as an investigator of workplace harassment that were as horrifying as they were commonplace—and horrifying precisely because they were commonplace.

Apparently, incidences of workplace harassment (including sexual harassment) and bullying is on the rise in the workplace. And municipal workplaces are no exception.

It's probably a surprise to many people that, until about 10 years ago, there were no legislated protections against harassment in the workplace. Saskatchewan was just the second province to address workplace violence and personal harassment, with amendments to *The Occupational Health and Safety Act* in 2007.

Just about everyone has experienced some form of bullying or harassment at work—perhaps without consciously realizing it. On the flip side, people can be bullies and engage in harassing behaviour also without realizing they are doing it. Bullying is not necessarily an overt or aggressive action; it can also be “passive aggressive” (like deliberately, without reason, withholding information that someone depends upon), or giving someone “the silent treatment.”

There are two types of harassment covered under legislation: harassment based on prohibited grounds, and personal harassment.

Harassment based on prohibited grounds is any conduct, comment, action or gesture that is made on the basis of race, religion, colour, sex, sexual orientation, and so on, that constitutes a threat to health or safety of a worker. It also extends to sexual harassment.

Personal harassment—sometimes called bullying—is any conduct that affects a worker's psychological or physical well-being, and which the perpetrator knows, or should know, would cause them to feel intimidated or humiliated.

Typically, for something to be bullying or harassment, it has to be repeat behaviour—and to continue even after someone has said “stop.” But a single incident can also constitute personal harassment if it is serious enough, and has had long-lasting harmful effect on a worker.

However, feeling humiliated or personally affronted by someone at work doesn't necessarily mean you were bullied. Shawn Tallmadge also went through some incidences that didn't constitute bullying. For example, getting disciplined for performance issues is not bullying, no matter how bad you feel about it.



But this is where things get complicated. Being told to dress appropriately at work is not bullying, but it could be in certain circumstances (or if the policy mysteriously only seemed to apply to you). There are plenty of cases where people will couch bullying behaviour within what they consider reasonable requests related to work performance. In the case of Robert Duhaime, the grader driver with the RM of Pakrdale, who committed suicide in August 2017, the Workers' Compensation Board concluded that “there is sufficient information to attribute Robert's mental health issues and his subsequent passing ... to his employment.”

The investigation found that Robert “experienced interpersonal incidents that were excessive and unusual in comparison to pressures and tensions experienced in normal employment.”

The subject RM councillors had said they were just trying to tell how to do his job. The WCB rejected the RM's subsequent appeal of the findings.

Conflict of Interest

Also on the agenda was James Turner, the Deputy Ombudsman. While changes to the conflict of interest provisions in the various municipalities Acts in late 2015 didn't really alter in substance what constitutes a conflict of interest—or what to do in the event of one—they did make one very significant change: the amendments gave the Ombudsman's office the power to investigate conflicts of interest in a municipal setting. This new power is changing the face of municipal governance in the province—and particularly in the north.

Perhaps the key issue for municipal elected officials is that, with this new level of oversight, they need to show much greater care to protect themselves when being part of discussions, and decisions, where they might have, or be perceived to have, a “private” stake in the outcome.

There are exceptions here, of course. *The Northern Municipalities Act*, for example, doesn't think you are in a conflict of interest when setting mill rates because, despite

it impacting every councillor personally and financially, it also impacts everyone else, too.

Sometimes, this new obsession with conflict of interest can take a turn toward the absurd. We have heard about cases where it is asserted that a councillor is in a conflict if they bring forward or vote on an issue that council thinks touches on “personal beliefs” (whether to hoist a rainbow flag, for example).

One of the key messages of the Deputy Ombudsman’s presentation was that there is nothing wrong with having a conflict of interest (it was later echoed by Minister Kaeding—which makes us think it could be a speaking point).

What really matters is what you do about it. The steps are in *The Northern Municipalities Act*:

- Declare that you have a conflict of interest **before** any consideration of the matter;
- Disclose what the conflict is, and why and how it might affect your impartiality as a council member;
- Abstain from voting on any question, decision or recommendation or action council is considering about the matter;
- Refrain from participating in any discussion about the matter, in or out of council;
- Leave the room until the discussion and voting is done.

It would nice if they’d come up with something with all Ds, or a handy mnemonic, but if you remember there are five things you have to do, that’s a start.

One very important tip is that you have to make sure that the meeting minutes reflect your disclosure. So, in the next meeting before the minutes are approved, ensure that your disclosure was properly recorded. Remember as well that the minutes need to reflect the actual nature of the conflict that you’ve declared.

The Ombudsman’s website has all the investigations they’ve done into conflicts of interest that they feel need to be made public. The reports are not just interesting in their own right; they also provide some handy object lessons in how to avoid getting yourself into trouble.

The Ministers

Special guests included the Minister of Highways, Lori Carr, and Warren Kaeding, Minister of Government Relations.

While the Highways minister wasn’t able to stay very long, we did find out that the major repaving work that’s to be done on Highway 155 north of Green Lake will begin next year. It also seems likely that northern airfields will get some further upgrades, too.

The minister also declared their support for the Wollaston Road to get done, and said that the province is ready and willing to put up their share of the costs as soon as the federal government is. The intent is for the communities there to benefit from the maintenance and construction contracts that come out of the project.

Minister Kaeding was also joining New North delegates for the first time, at least at this venue. The minister spoke briefly about revenue sharing—giving the impression the new deal is still up in the air—and also indicated that the government is fully intending to continue with the Northern Capital Grants Program (see earlier).

The minister heard concerns about the closing of fisheries on the westside over the non-winter months—greatly limiting the capacity of locals to make a living out of fishing.

Delegates also expressed appreciation for the effort made by the minister to attend the meeting, and urged Minister Kaeding to take the message back to his cabinet colleagues that we’d very much like to see them coming north a little more often.

Lunch was baked ham. ■

• Issues in Governance

Quorums: How do These Work?

Just about everyone knows the meaning of the word “quorum.” It’s the minimum number of members you need at a meeting to make decisions stick. A council meeting requires “50% plus one” members to be present *before a meeting convenes, and at all times during the meeting.*

What this means is that, if a member has to step out to take a phone call or whatever, you may lose the quorum.

However, there are exceptions to the quorum rule when a conflict of interest is involved.

Section 164 of *The Northern Municipalities Act* says that anyone who declares a conflict of interest pursuant to section 162 (go read that, then come back) “are not to be counted for the purpose of determining whether a quorum of the council is present when the question or matter is put to a vote.”

Furthermore, if the loss of those members result in the loss of a quorum with respect the matter at hand (ie, the thing that someone has declared a conflict of interest in), then the “remaining number of members is deemed to be a quorum for that question or matter, unless that number is less than two.”

In other words, let’s say three members of your five person council declare a conflict of interest over a matter, leaving just two councillors left. Those two are now the quorum.

In the event that one, or no one, is left, council can, by resolution, apply to court to have a judge decide whether to let them decide the matter—or not—as the case may be (s164[3]). ■



Northern Administrators Conference: November 16

The problem of getting fair and accurate property assessments done in the north was one of the topics of discussion at the Fall Northern Administrators Conference—AdminCon—at the Coronet on November 22nd.

The turnout was good—probably the best we’ve seen in 20 years of doing these—with a mix administrators, clerks and elected officials, along with everyone’s assistant administrators—showing up for a day of robust discussions, cheese cake, and robust discussions about cheese cake.

SAMA CEO Irwin Blank was first up, and gave an overview of what SAMA does. Normally you’d expect this to be a good time to flick through a Canadian Tire catalogue on your phone or test the resiliency of a melamine table with your forehead, but actually it was pretty riveting stuff. SAMA uses a market-based algorithm to get values of residential properties in most places, including the north, and this is obviously fairly problematic, due to the absence of actual housing markets in most northern communities. In these situations, they tend to try to pull in the value of sales in like communities until they come up with some kind of baseline valuation that they can then apply more or less indiscriminately. It’s not perfect—far from it—but it’s what we are stuck with.

SAMA doesn’t necessarily rely on the information they get from ISC or MLS to determine property values. They also talk to municipal administrators, because they know everything that’s going on. The administrators in the room seemed to think this was a pretty good practice.

When it comes to assessing industrial property, and especially something like a mine, things get even more complicated, because assessed value is related to what the thing actually does, like extract uranium or huge amounts of money or whatever. With Cameco shutting a couple of sites in the north, we are expecting to see their assessed values fall by \$100 million or more. Irwin Blank thought that Cameco may, as a result, be contributing around \$1 million to \$3 million less in property taxes from now on. Those property taxes go to the NMTA, which uses the money to provide programming to northern communities (such as the treasured Northern Capital Grants Program, the Northern Subdivision Program, the Northern Water and Sewer Program, and much more).

With issues in ethical conduct in municipal governance so firmly on the agenda at the moment, we thought it was a good time to bring in a law-talking guy who could lead municipal administrators through one particular municipal governance minefield. That man was Steven Dribnenki, SUMA’s legal advisor. The minefield: conflict of interest law.

Sensing the sombre mood, Steve did his best work in rallying the troops to the topic at hand, which wasn’t that difficult in the end because firstly, this is Steve we are talking about, and secondly, conflict of interest law is really quite interesting in itself, and so much more interesting in the northern and smaller communities because of everyone’s relationships with each other.

The discussion that followed was where it was at. We learned that municipalities in the north are apparently finding unique ways of navigating conflict of interest rules.

For example, because of the difficulty of filling positions where every applicant is related to an elected official in some way or other, one community now uses an independent HR person to make a recommendation on an appointment, taking it out of the hands of council.

Heading to lunch, Allan Laird, from the Ministry of Government Relations, presented a “draft of the draft” of *The Northern Municipalities Act* amendments, which we think we’ll see proper open and public consultation on in the next few weeks.

Following lunch, Dee Johns from Northern Municipal Services provided a quick overview of an extremely useful resource that many of us may not know about: the planning for growth website.

The website has had extensive updates over the last little while, and is heading toward being a one-stop-shop for information about anything related to northern municipal governance, administration and planning. There, you will find links to just about every bit of legislation northern municipal officials need to know about, and maps and statistics related to every community. Check it out at www.planningforgrowthnorthsk.com.

The final session for the day was focused on discussion around the new proposed Northern Administrators Association, which we think will get going very shortly.

Lunch was roast beef.■

SaskPower Tweaks Their Net Metering Program

When SaskPower announced earlier in the year that they would be making changes to their suite of programs to encourage the growth of renewables—perhaps to include community-energy projects—it was anticipated that something pretty neat might be in the offing.

There isn't, at least not yet. The old program, which was to come to an end on November 30, has simply been renewed, with a couple of changes.

Firstly, you can now “bank” excess generation for three years, instead of the one year in the old program.

And secondly, customers can sign up to the program for 10 years, rather than two.

The way net metering works is that any excess power credits you generate via your solar array (or whatever you are using) are carried forward to the next month, and applied to that month's power bill.

Net metering is not to be confused with net billing. Net billing is where you sell your excess energy back to the grid at a pre-determined price. ■

NDP Puts Up Bill for Provincial Suicide Prevention Strategy

The provincial NDP is getting in on the bill-making with their Act Respecting a Provincial Strategy for Suicide Prevention, introduced by northern MLA Doyle Vermette during November.

The Bill puts the onus on the Saskatchewan Health Authority to “establish a provincial strategy for suicide prevention.”

The things the SHA would be required to do include, among other things:

- Disseminating information about suicide, including about its prevention;
- Making public statistics about suicide;
- Defining best practices for preventing suicide.

Two years after the Act comes into force, the SHA would have to include in their annual report everything they are doing with respect suicide prevention.

The Bill also makes a special mention of the lack of access to mental health and addictions services in the north. ■

Province's Mid-Year Update Maintains Upbeat Forecast

Say what you will about the fiscal management of the provincial government, or how they are doing it (ie, fudging numbers, slashing and burning, etc) the fact that they are in sight of a balanced budget is fairly remarkable.

The mid-year update is not as rosy as the first quarter one. However, barring a disaster, it looks like they might come close to hitting their projected deficit target of \$363 million. At mid-year, they think the deficit will be \$348 million. That's actually a slightly less impressive figure than the \$306 million they were thinking back in the summer.

With that said, the second half could actually be a tough one, given how badly oil is doing right now. In fact, the

mid-year update comes with backgrounder that seems to be preparing us for a third quarter blow out, caused by the “light-heavy” price differential. In the last little while, that differential has grown substantially—much greater than the province forecast.

Perhaps a little oddly, despite the likelihood that the effective oil price is probably going to skewer their budget projections, one of the key messages in the update is that the province has finally found a way to wean itself off its heavy reliance of non-renewable resource revenues.

If only that could ever be the case. ■

Province Conducting Weirdly Secretive Library Review

Among the many very strange cuts the province has made in achieving their spending targets, the one that really stood out was cutting provincial funding to libraries.

The government reversed their decision following protests that included “read-ins” on the legislative assembly lawns (sit-ins, but with a kid reading on your lap—very cute).

When the province went back on their cuts, they said that they would revisit library funding at some later date.

It seems that date has come.

So far the review of the provincial library system has not been open to the public. Some library boards, perhaps concerned that no public consultation process was ever going to take place, took it upon themselves to make the public aware of the review.

The government is now saying that the consultation with library boards was just the first part of the process, and that public forums will soon follow. We look forward to that. ■

From the CEO
MATT HELEY

SaskHousing is extending their deadline for “expressions of interest” for new rental housing development proposals.

Along with that, they are also asking more generally if anyone has some good ideas for any kind of new housing program.

Hopefully, they are extending the deadline because they are getting so many great ideas that they don't ever want them to stop.

It's more likely that there were some stakeholders who didn't know the EOI was out there, and would like more time to respond.

Either way, this is a good opportunity for us to assess what has been working, and not working, to develop northern housing policies that meet the needs of residents across the housing spectrum.

One flaw in the rental development program is that it really only meets

the needs of larger communities that have the resources to put together big projects. There doesn't seem to be anything that would help small communities who want a couple of new houses for seniors, for example.

No program effectively addresses the need for greater home ownership in the north, either.

And there doesn't seem to be anything out there that helps homeowners (or landlords) do major repairs. This is a huge gap, and something that needs to be addressed right away. If we want the current stock of housing to last another 50 years, we need to ensure the stock is being maintained.

On another tangent, in a few years, the federal government will, hopefully, be bringing in its new Canada Housing Benefit. This will be cost-shared with the province, and is effectively a replacement for the rental housing supplement the province cut in their last budget.

We would like to see the benefit as having a broader application than the rental supplement, though. The cost of living in the north, as we all know, is very high. What makes it so high is not just the cost of groceries and everyday things like that. Energy is also very expensive. A housing benefit should address the total cost of actually occupying a house, which means including the cost of heating it, not just the cost of renting.

The benefit could also be extended to those who own their homes (perhaps within an income threshold). One of the issues that was found with previous home-ownership programs—especially those aimed at low-income earners—is that once in their new homes, owners didn't necessarily have the disposable income to maintain them—or pay their taxes. A housing benefit that supplemented property taxes, say, would be a real benefit to northern municipalities. ■

About New North ...

Since 1996 New North has been the voice of the municipalities of Northern Saskatchewan. Our goal, as defined by our mission statement, is to advocate, negotiate and initiate improvements in well-being of the residents of the Northern Saskatchewan Administration District. Organized on the basis of strength through unity, New North partners with all northern stakeholders, from government and non-government agencies, associations and First Nations, to enhance the quality of life, create opportunities and build better futures for the people of the north.

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