

Western/Northern Regional Meeting

PMA held a joint Western/Northern regional meeting at the Deer Lake Motel on Friday, June 17, with 37 administrators in attendance.

A presentation was held outlining the recent operational and administrative amendments to the *Municipalities Act, 1999*. A summary of these changes are:

Subject	Summary description of change
Pension and Group Benefits	The Act has been amended to allow Councils discretionary authority to establish pension and group benefits for councilors. Any municipal contributions made to councilor's pension / group benefits are included as "remuneration" within the guidelines of the <i>Municipal Councilor Remuneration and Reimbursement Regulations, 2000</i> . In addition, any municipal pension plan on a go-forward basis must be defined-contribution rather than defined-benefit.
Grants for Charitable Causes	The Act has been amended to allow Councils to provide a grant to charitable or philanthropic causes, but excludes contributions to political parties or candidates in federal/provincial/municipal elections. This requires a 2/3 vote of councillors in office.
Minimum Property Tax	The Act has been amended to allow a municipality to impose, by regulation a separate minimum real property tax for: (i) vacant land and; (ii) land upon which there is no building used for residential purposes that does not exceed a specified square meterage.
Tax Sales	The Act has been amended to authorize a municipality to provide property conveyed free from encumbrances (except for easements and claims of the Crown) to a purchaser upon sale of property by a municipality for tax arrears. A municipality will need to identify registered encumbrancers and send them, as well as the owner of the real property subject to the tax sale, a notice of arrears as well as placing advertisements in accordance with the provisions in the Act. Where the proceeds of the tax sale leave a balance of more than \$200 after deducting the municipality's tax arrears and expenses, a municipality is required to send to registered owners, mortgagees, judgment creditors, lienholders or others a written notice of the balance to allow them to make a claim. Use of the municipality's lawyer may be advisable in a tax sale situation.
Adverse Possession	The Act has been amended to protect municipal real property from adverse possession by a third party, otherwise known as "squatters' rights". This will prevent municipalities from having their title extinguished due to adverse possession.

Response to Emergencies	The Act has been amended so that municipalities no longer need Ministerial authorization for their fire departments to respond to emergencies other than fires. Councils may now provide this approval.
Disposal of Municipal Property	The Act has been amended to authorize a municipality to sell surplus or unused real or personal property. Where real and personal property is valued in excess of \$500, it may be sold by advertised public tender or auction. Where real and personal property is valued below \$500 or a purchaser was not found in the public tender / auction process, it may be sold by private sale.
Municipal Budgets	The Act has been amended so that expenditures in municipal budgets shall not exceed anticipated revenues and a capital reserve can be established without requiring Ministerial approval.
Audited Financial Statements	The Act has been amended to require annual financial statements to be consistent with the standards of the Public Sector Accounting Board, consistent with the requirements of the Gas Tax Program.
Municipal Departments	The Act has been amended so to authorize councils to create departments and department heads as they deem appropriate, providing them flexibility in structuring their operations.
Appointment of Auditor	The Act has been amended so that the notification of the Minister with respect to the appointment of an auditor by a municipality is no longer required.
Report on Insurance Coverage	The Act has been amended so that auditors are required to report on the adequacy of insurance coverage for municipal property. This will provide municipalities with valuable information on the appropriateness of their coverage levels.
Approval to Borrow	The Act has been amended to require Ministerial approval before a municipality enters into a capital lease agreement for 3 years or more.
Supplementary Assessment	The Act has been amended to provide for full integration and consistency with the provisions of the <i>Assessment Act, 2006</i> in regards to supplementary assessments.
Definition of Real Property	The Act has been amended to provide for consistency with the <i>Assessment Act, 2006</i> in regards to the definition of "real property".
Debt Collection Mechanism	The Act has been amended to allow municipalities to use all lawful means of civil debt collection, such as collection agencies, and to be reimbursed for the reasonable costs of such collection.
Interest Charges	The Act has been amended to include in the statutory lien any interest owing in relation to outstanding taxes.
Written Permits	The Act has been amended to require a municipality to issue written permits in relation to sales from stands/vehicles and the erection of signs. Permits were required for these activities previously, but it was not clear that they had to be in writing.
Issuance of Cheques	The Act has been amended so that a Ministerial Order is no longer required to issue a cheque where a comptroller has been appointed.
Poll Tax	The Act has been amended to require that an employer in a municipality provide both the names and addresses of its employees as well as the dates on which their employment began.

The link to the bill making the amendments is: <http://www.assembly.nl.ca/business/bills/bill1107.htm>

The link to the consolidated version of the *Municipalities Act, 1999*, which now includes the amendments in force, is: <http://assembly.nl.ca/Legislation/sr/statutes/m24.htm>

PMA Board of Director's Meeting

While in Deer Lake, the PMA Board of Directors held a Board meeting to discuss current issues and future plans for the association.

1) Committees:

- Work plans have been developed and submitted by all committees, outlining what each one hopes to accomplish in the coming year. These plans are based upon individual committee Terms of Reference and the goals and objectives in our Strategic Plan.

2) Training:

- Development is underway on a two day Proposal Writing & Project Management piece. A partnership has been formed with the Newfoundland and Labrador Regional Economic Development Association (NLREDA) and the provincial government (INTRD & MA), to develop a two-fold program that would be distinct for both urban and rural municipalities. The anticipated roll out will take place in Fall 2011, with regional sessions being held.

-Discussion was also held around holding additional regional meetings. It was agreed that the Education and Training committee will develop a schedule to hold one additional meeting, per region, each year.

-In an attempt to reach a larger audience with information, PMA is going to investigate the process for online learning, ie; webinars, teleconferencing, etc.

-Beginning in 2012, PMA will be hosting 4 workshops on the Climate Change Adaptation Toolkit. This half day workshop will be focused on how climate change is linked to sustainable municipal infrastructure. These workshops will be held in conjunction with regional meetings.

- PMA has partnered with the CCRC in the application for funding to the Federal Rural Secretariat's Community Development Program to conduct ICSP follow-up seminars. It is anticipated that beginning Fall 2011, 9 regional workshops will be held over the span of a year, discussing the ICSP process.

- 3) **CAMA Conference 2011:** President Derrick Bragg and Executive Director Krista Planke attended the Canadian Association of Municipal Administrators conference in Halifax from May 30-June 1. During that time, we participated in the Inter-Provincial Municipal Professional Association meeting where we learned that most provinces are encountering the same issues of recruitment & retention, claims of harassment, and the sharing of services. As discussion took place around different initiatives provincial associations are working on, it left us feeling very positive about the work we're doing in NL, and that, in many ways, we are light years ahead of other provinces.

Further to that, as first time attendees, it was an excellent opportunity to not only see firsthand their convention format, but to also solicit ideas for our own convention.

- 4) **Summer Student:**
Beginning July 4, PMA will have Jennifer O'Keefe join us for an 8 week summer placement. Jennifer is a 2nd year MUN student who we look forward to having as part of our team.
- 5) **Municipal Census:**
Municipal Census 2011 has been developed and was forwarded to you via email from MNL. It is very important that you take time and complete the survey as both PMA and MNL will be using this data. Those that are unable to access it online will be contacted by MNL in the coming weeks to conduct it via telephone. Your cooperation is very much appreciated.

A sincere thank you to the PMA membership who support the activities of our association. For further information on the activities of PMA, please contact Krista Planke, Executive Director, at 726-6405 or email at nlama@nlama.ca.

HAVE A WONDERFUL & SAFE SUMMER!!!!