Municipal Government Act Review

What We Heard: A Summary of Consultation Input

Municipal Elected Officials Session Held in Grande Prairie on April 4, 2014

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Developed by KPMG for Alberta Municipal Affairs





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Introduction

Purpose

This document provides a summary of what was heard during a consultation session for the *Municipal Government Act* (MGA) review. The summary below includes the comments and opinions of the participants of the Municipal Elected Officials Session held in Grande Prairie.

These contributions have not been reviewed or edited for accuracy. Comments recorded here reflect the opinions of individuals offered in person and recorded by session facilitators; they do not necessarily represent the opinion of the Government of Alberta.

The input summarized below will be considered by Alberta Municipal Affairs as part of the review of the legislation. Municipal Affairs would like to thank the participants of this session, as well as all Albertans participating in the review of the MGA. Any inquiries related to this summary or to the consultation process should be directed by email to the MGA Review Team at mga.review@gov.ab.ca.

The Municipal Government Act Review

The MGA is designed to help build strong, prosperous and sustainable communities throughout Alberta. Alberta Municipal Affairs is reviewing and refreshing the MGA to address evolving circumstances and priorities in Alberta's many communities, and to ensure the MGA continues to meet its objective. A successful MGA review process will continue to position Alberta as the leading Canadian jurisdiction in terms of municipal legislation, having incorporated sound thinking, input and research into a clear Act that meets the needs of the Province and municipalities. In order to achieve this vision, an inclusive and comprehensive engagement process was developed to ensure stakeholders across the province have opportunities to provide input to the review.

As part of the MGA review, regional consultations were held in eleven locations around the province to give Albertans an opportunity to provide input face-to-face. In each location, different types of sessions were held, including Technical Sessions, a Business and Industry Session, a Municipal Administrators Session, an Elected Officials Session, and a Public Open House.

These engagements were conducted in February 2014 to April 2014 in 11 locations throughout the province. Each location was held over 3 days in the following locations:

- Brooks
- Calgary
- Edmonton
- Edson
- Fort McMurray
- Grande Prairie
- Lethbridge
- Medicine Hat
- Peace River
- Red Deer
- Vermilion

Sessions were promoted via news releases, direct email invitations, social media, and by the Minister of Municipal Affairs at stakeholder conventions. Information on regional session locations, dates and registration were on the MGA Review website.

Input to the MGA Review has also been provided through other channels, including the MGA Review website (mgareview.alberta.ca), the MGA Review Consultation Workbook, and official submissions.

Session Overview

Session	Municipal Elected Officials Session
Location	Muskoseepi Park, Grande Prairie
Date	April 4, 2014
Number of Participants	39

• This session was open to current municipal elected officials. Participants were asked to register in advance in order to receive background materials before the session.

Regional Consultation Methodology

How sessions were organized

Regional consultations were structured around one or more of the three themes of the MGA Review:

- Governance and Administration
- Assessment and Taxation
- Planning and Development

Participants were provided with agendas in advance, which identified a list of potential topics for discussion. These topics were taken directly from the MGA Review Consultation Workbook. Several of the topics for discussion appear under more than one of the three themes of the review because they are relevant to more than one theme (e.g. public participation). The agenda is attached as Appendix A.

At this session, participants provided input through facilitated table discussions. The goal of the facilitated conversations was to give the opportunity to all participants to discuss the issues that mattered most to them. Given the large size and scope of the MGA, participants at each table were asked to focus their discussion on those topics that they felt were most important to provide input on, using the list provided in advance. In addition, this session included time for "open discussion" during which participants could provide any additional input that they felt was important to the review. Table facilitators and note takers included staff from Municipal Affairs, KPMG and ADR Education.

Capturing input and reporting

Input from session participants was captured on flipcharts by facilitators during the discussion. It was explained to participants that:

- Comments were being recorded on flipcharts so that they could be captured and considered by Municipal Affairs as part of the review of the MGA.
- Comments would not be attributed to individuals or organizations.
- Other avenues were also available to provide written input to the review.

The summary below documents the input heard from participants and recorded on flipcharts. These comments have been transcribed and organized according to the list of topics for discussion; they have not been screened for accuracy and do not reflect consensus of participants. As a result, comments and opinions listed may be contradictory. Comments that apply to issues outside of the scope of the review (e.g., suggested changes to other legislation) have been removed.

It is important to emphasize that this summary reflects the input heard from participants, and does not necessarily reflect the position of the Government of Alberta.

How the Summary of Responses is Organized

Input from session participants is organized according to the three themes for the review:

- Governance and Administration
- Assessment and Taxation
- Planning and Development

Within these themes, comments are organized according to the applicable topics for discussion, using the list provided to participants in advance. In some sessions, not all themes may have been discussed.

Summary of Input

General Comments about the MGA

The following input was received and documented related to the MGA in general. Comments from participants included that:

- The MGA should use plain language. The MGA needs to be written for those who
 are using it, like the general public and local councillors.
- The MGA needs to be reorganized to make it more user-friendly.
 - The organization of the MGA is not intuitive. It can be difficult for users to crossreference information.
 - The MGA should be organized by subject area.
 - A MGA user guide should be created.
- The "grey areas" for interpretation should be removed from the MGA. Currently, municipalities have to rely too much on legal interpretation. There is a need for more clarity and interpretation within the MGA itself. However, the MGA should maintain municipal flexibility.
 - Municipalities are satisfied with the support that they receive from their legal firms.
 - More Municipal Affairs employees are needed to better support communities in interpreting the MGA.
 - A search engine should be created to allow for electronic access to specific information.
- The MGA is working well and should only be tweaked and updated to meet new and future needs. The MGA is never going to be perfect, but can be tweaked to be improved.
- The MGA must be modernized at more frequent and regular intervals. The Province should ask municipalities more regularly about how well the MGA is working.
- The contents and timelines of the MGA review should not be politically driven.
- The Municipal Affairs website should be more helpful to explain municipal processes, such as assessment.

Governance and Administration

The following input was received and documented related to governance and administration.

Municipal Powers, Structures, Annexations and Other Changes

Municipal powers

Comments from participants included that:

- The municipal powers outlined in the MGA are generally working well, but should be modernized.
- Natural person powers are important to maintain.
- Natural person powers are good, but they can also make it less clear for municipalities as to what their responsibilities are. The previous version of the MGA was more prescriptive, which made municipal responsibilities clearer.
- The wide range of interpretations of the MGA and municipal responsibilities is currently not working very well.
- The MGA needs to be clearer about who is responsible for which decisions. There
 needs to be a clearer connection between the decisions that local councils make and
 the decisions that courts can make.

Municipal structures

Comments from participants included that:

- Municipal structures need to account for shadow populations, who are using services in a municipality but are not factored into the population, revenue or cost sharing.
- Clarification is needed on the definition of different municipal structures, especially how they interact with each other.
- Current municipal structures are archaic, unsustainable, and some are only viable on the backs of residential landowners who shoulder the costs.
- Municipalities would like to see the municipal structure and revenue model change to recognize the concept of "one taxpayer."

Fundamental changes and municipal restructuring

- Specific provisions or procedures are needed that enable municipal restructuring.
 The current municipal restructuring system is set up to limit boundary changes.
- Annexation decisions need to be based on need. However, "need" is difficult to determine.
 - Clearer requirements about whether annexation is needed should be defined and considered, such as the availability of other land.

- A body independent from the Province could assess the infrastructure needs of a municipality to determine the costs and needs associated with annexation.
- The number of recent annexations may reflect other financial challenges for urban municipalities, such as the cost to clean up brownfield sites.
- The annexation process takes too long and needs an overhaul.
- Municipalities without contiguous boundaries should be able to look for efficiencies to better service the region. Non-contiguous amalgamation should be allowed under the MGA.
- Viability options should be looked at, such as the Manitoba model that dissolved or amalgamated all municipalities with populations under 1,000.
- Absorbing municipalities do not have a say in the dissolution process, and are not provided with funding from the Province. They should be compensated for costs of absorbing another municipality.
 - The MGA should require the Province to consult with both the village and the absorbing municipality before dissolution occurs.
 - Municipalities want financial support from the Province when absorbing a village that has infrastructure debt. Municipalities must be held accountable for where this additional money goes.
 - The provision that an absorbed municipality can pay a different tax rate must be maintained.
- The Province needs to be proactive and provide incentives to ensure municipalities are sustainable.
 - The MGA should outline preventative measures regarding debt and dissolution.
- The term "non-viable" should be more clearly defined.
 - If a community is deemed non-viable, the minister should have the power to determine what should happen to that municipality.
 - Regular municipal inspections would help determine if a municipality is viable.
- The viability review process and dissolution process both need to be re-examined to consider municipalities that do not want to amalgamate or dissolve. These processes should also be streamlined.
- A mechanism for easier, less combative dissolution or amalgamation would make it
 easier for municipalities to do it themselves. Provisions are needed to allow
 cooperative requests for dissolution. This should be easier, quicker and less onerous
 to achieve.

Municipal Governance and Administration

Municipal governance

- An orientation process for new councillors is needed.
 - New councillors struggle to understand roles and responsibilities, as the learning curve is steep and expectations are high.

- The Province should provide all councils with mandatory education after an election.
- Councillors should have the option to obtain additional training after they are elected.
- The "grey area" between the council and administration needs to be more clearly defined.
- The relationship between the chief administrative officer and elected officials is working well.
 - The MGA is clear about the separation of council and the chief administrative officer. However, some councils misinterpret the MGA, and there are few compliance measures or enforcement.
- It has worked really well for council and the chief administrative officer to sign a covenant outlining expectations and responsibilities.
- If a councillor from one community works for another community, they should not be able to participate in regional collaboration.
- There must be stiff consequences, such as termination, for when a councillor leaves a meeting without voting.

Municipal administration

- The current administrative process and structure is working well. There is currently a clear separation of roles in the MGA, and these provisions need to stay the same.
 - Municipal employees responsible for operations only need one "boss." This helps achieve good accountability.
- The MGA needs to more clearly define the role of the chief administrative officer to
 ensure that all pertinent information is being shared with council. The chief
 administrative officer can limit council's ability to be informed about what is
 happening in the municipality.
 - There need to be more avenues outlined in the MGA for council to control or to be informed about municipal services, even if it is within the jurisdiction of the administration.
 - o Council needs to have more flexibility to ask questions of administration.
- Councils need a method to hold the chief administrative officers accountable, and an escalation process for issues.
 - It takes too much time, frustration, hassle and expense to remove chief administrative officers who aren't working out.
 - For example, hiring by the chief administrative officer is an area where more oversight would be appropriate.
- It is a "slippery slope" for elected officials to interfere with administration.
 - It has worked well for chief administrative officers to explain hiring intentions to council to defend the candidate and hiring process.
 - Hiring accountability works under the current MGA if the municipality builds it into policy or bylaws.

Municipal Finances

Financial administration

Comments from participants included that:

- The financial administration provisions in the current MGA are working reasonably well, overall.
- There are costs associated with oil and gas developments, such as the need for infrastructure, that are causing long-term financial pressures and strain on municipalities.
 - A percentage of oil and gas royalties needs to be returned to the municipality.
 - There needs to be more municipal enforcement, power and consultation in dealing with mineral rights.
- The MGA needs to be more flexible regarding what a municipality may to invest in.
- A reference framework should be created in the MGA to mitigate financial and investment risks for municipalities.
- The current clause on not taxing for the benefit of another municipality is contradictory in the context of pressures for cost sharing and collaboration. This clause should be removed from the MGA.

Regional funding approaches

- Revenues need to be shared regionally.
 - o Economic development should benefit the entire region.
 - Any revenue sharing across the province must consider existing cost sharing agreements between municipalities.
 - There needs to be a balance of revenue across the province to share in Alberta's wealth.
 - Cost-sharing agreements need to benefit both rural and urban municipalities.
 Urban residents use rural services while hunting and fishing so funds should flow both ways.
 - Currently, municipalities are pitted against each other to compete for limited bridge funding and work.
- As the line between rural and urban communities becomes blurred, the MGA may need to provide incentives for municipalities to provide services regionally.
 - New and different models of regional service delivery are needed. There is no need for an urban/rural divide.
- Regional partnership depends on the council of the day and the desire to work together, so there must be something in the MGA to ensure partnerships continue.
- Instead of revenue sharing, municipalities should engage in cost sharing. The MGA should provide more direction regarding cost sharing.
- Sharing linear property tax revenue would not work well. Only Edmonton and Calgary would benefit if redistribution was based on population.

- Incentives to encourage regional collaboration are needed. Incentives are preferred to forced or mandatory collaboration.
- Current intermunicipal funding agreements are working well.
- Municipalities must be cautious about entering into long-term cost sharing or funding agreements, as they don't know if and when the Province will change revenue or funding rules.

Municipal revenue sources

Comments from participants included that:

- Municipalities need more revenue.
- Taxation tools like a gas or hotel taxes may benefit large urban municipalities, but aren't feasible for smaller municipalities. These new taxes won't solve sustainability problems for small municipalities. There need to be other tools for smaller municipalities to raise their revenues, as well.
- Municipal Sustainability Initiative funding must be outlined in the MGA as a commitment from the Province to financially support municipalities through grants.
 - Municipal Sustainability Initiative funding should be increased to support smaller municipalities.
- Municipal Sustainability Initiative funding should not be tied to regional collaboration, as municipalities have their own individual issues. More flexible guidelines for Municipal Sustainability Initiative funding are needed, which should be based on need and not population.
- Library funding from the Province is no longer adequate and should be updated more frequently.

Fees and levies

Comments from participants included that:

- Fees and levies are working well to fund infrastructure.
- Aggregate levies should be more frequently updated. The current rate of 25 cents per tonne is not working well and should be raised.
- The MGA should allow municipalities to impose a penalty to gravel companies who
 owe fees or levies. Recourse from the municipality or the Province is needed for fees
 owing.

Municipal Accountability, Liability, and Risk Management

Compliance and accountability

Comments from participants included that:

Accountability is lacking at all levels of municipal government.

Liability and risk management

Comments from participants included that:

 Liability provisions in the MGA that affect more than one municipality need to be clearer.

Provincial powers

Comments from participants included that:

- There needs to be more oversight from the Province to monitor and intervene as necessary regarding the sustainability of municipalities.
- It is not right that the MGA is currently only one-way in accountability. The
 municipalities are accountable to the Province, but not the other way around. The
 Province needs to be held accountable for its commitments.
- There must be a mechanism to trigger provincial intervention when councils are not performing appropriately.
 - There is a need for a new oversight mechanism for the public that is separate from Municipal Affairs.
- The MGA should mandate that all municipalities be audited by the Province.
 - There should be an audit function or inspection once per term, both on accounts and on how councils are utilizing the MGA. Using a system of checklists and suggestions for improvement would prevent problems from becoming unmanageable.
 - There needs to be a metric or measure of success that is established and that is evaluated regularly.
- Responsibilities and roles for different levels of government need to be better defined. There should be a summary of obligations for municipal, provincial and federal governments.
 - o The Province needs to honour existing agreements and commitments.
 - There should be a better definitions and explanation of how Alberta Municipal Affairs and the Province are to support municipalities.

Municipal Services and Delivery

Service provisions

- Many municipalities were set up to fail, with insufficient tax bases to provide services or maintain infrastructure.
- The Province should define what essential services are and provide associated funding.
 - The Province could provide essential services, such as water.
 - Municipalities should provide water and sewer services.
 - The MGA should require the maintenance of roadways and bridges. Funding from the Province for this infrastructure should be mandated in the MGA.

- Policing is an essential service, and should be under the MGA. Funding formulas for policing should become more transparent and understandable.
- There should be caution about putting more responsibility to provide services on municipalities in the new MGA. The MGA should remain flexible for municipalities, and the Province should continue to provide funding.
- Certain municipal services, such as policing, are based on census population, but shadow populations are currently not considered in the census. Shadow populations need to be accounted for in the census and considered when determining the financing level and services required in that municipality.
- The Province has downloaded many services to municipalities.
- Municipalities need to know what life cycles are for local bridges. The Province's role
 in information sharing should be clearly defined.

Regional Services Commissions

Comments from participants included that:

Participation in regional services commissions should remain voluntary.

Municipally Controlled Corporations

Comments from participants included that:

- The flexibility in the current MGA for municipally controlled corporations is good, but the approval process is onerous.
- There could be more resources established, such as templates and toolkits, to provide a road map for municipalities to establish controlled corporations.

Public Participation and Municipal Relations

Municipal relationships and dispute resolution

- Unsustainable small urban municipalities shouldn't have to be dependent on the charity of neighbouring counties or municipal districts. This dependency also doesn't allow long-term planning or security.
- Municipal districts benefit from services provided by urban municipalities, which are struggling to survive because the municipal district does not help fund those services.
- There needs to be a way to help different municipalities understand the disparities between municipal districts and urban municipalities.
- There should be incentives for municipalities to work together, and provincial oversight to monitor and intervene when this collaboration is not successful.
 - Arbitration and penalties should be used to manage collaboration.
 - There should be standardized rules and triggers for when provincial arbitration is necessary.
- Dispute resolution provisions in the current MGA are working well.

- There needs to be a mechanism in The MGA to deal with non-viable municipalities that refuse to collaborate. This would still need to be balanced with local democracy and autonomy.
 - The MGA should enable many options, but cooperation should still remain voluntary when viability is at stake.
 - If municipalities refuse to cooperate, provincial financial incentives can be used for encouragement, such as regional collaboration grants.
 - Joint council meetings are a good voluntary mechanism for collaboration.
- The Province should provide more tools and templates, such as memorandums of understanding, to help build intermunicipal or intergovernmental relationships.
- It is unclear how First Nations and federal organizations should interact with municipalities, especially when services in federal jurisdiction are provided by municipalities or the Province.
 - Municipalities are impacted by First Nations bands and by Canadian National railways, but it is challenging for municipalities to collaborate meaningfully with the federal government.
 - Relationships are not working well between municipalities and First Nations bands.
 - There should be guidelines for what municipalities can or cannot do within relationships with First Nations.
 - The federal government should reimburse municipalities for the costs of services provided to or used by First Nations reserves.

Public participation

- The MGA needs to include tools for municipalities to engage the public within a region on regional matters.
- The MGA needs to maintain the current flexibility for how municipalities engage the public.
- The minimum standards for public participation and notification are not effective.
 More options are needed to engage with the public.
 - Currently, it's too easy for a municipality to disregard public participation when considering decisions. The public needs more opportunities to provide input when an issue arises.
 - There needs to be a clearer process for how the public can deal with issues.
- The MGA needs to clarify when consultation with First Nations groups is and is not required.
- Petition requirements need to be clarified in the MGA. For example, it is not clear what percentage of the population of a rural ward is needed for a valid petition.
- When a petition goes forward, the minister should decide on the issue.
- There should be an obligation to explain the assessment process during public open houses.

Municipal Government Board

- Clarification is needed on the types of disputes that should go to the Municipal Government Board.
 - The MGA should outline steps to be taken for when a matter is taken to the Municipal Government Board. It should also specify when another process should be used instead.

Assessment and Taxation

The following input was received and documented related to assessment and taxation.

Taxation and Municipal Finances

Taxation

- There needs to be more flexibility for municipalities to split mill rates on non-residential assessment by setting more than two mill rates.
 - Non-residential tax rates could be split into small business, light industrial and heavy industrial rates.
 - Split non-residential tax rates should be established by the MGA so there are not "grey areas" vulnerable to appeal.
- In high-growth areas, market value assessments can fluctuate radically within an annual cycle. Currently, mill rate changes are not controlled enough in the MGA to prevent huge changes in taxes for residents.
- The MGA needs to provide more clarity on the future of the well drilling equipment tax.
 - Municipalities should have the ability to implement a local well drilling equipment tax if the Province removes the provincial one.
 - Horizontal and vertical drilling taxes should be included within the well drilling equipment tax.
- Current tax tools should be retained, and municipalities should be able to do what they know is best for their communities.
- Regardless of the value of a house, each landowner should pay a minimum tax based on service use.
- There could be a minimum tax established so properties with low value still contribute to the services they use. Properties in disrepair should not be rewarded with lower assessment sand therefore lower taxes.
- The MGA should outline differential tax rates for abandoned properties, such as brownfields. The Province should assume the cost of contaminated sites.
- The MGA should allow for different tax rates in a municipality to differentiate according to different levels of service, such as sidewalks.
- There should be more funding to the Association of Alberta Agriculture Societies from the Province, rather than a taxation tool applied on a per capita basis.
- Municipalities need to be able to tax Crown surface land leases.
 - A leaseholder should not receive linear property tax revenue. This revenue should go to the municipality and Crown. The leaseholder could perhaps receive an allowance for inconvenience.

Exemptions from Assessment and Taxation

Exemptions and other special tax treatment

Comments from participants included that:

- The MGA's current exemption provisions are working well.
- Municipalities should be able to assess and potentially tax all properties.
- Municipalities should be able to tax and collect revenue from all assessed properties.
- Exemptions make it more difficult for municipalities to raise sufficient revenue to provide the services that are used by exempted organizations.
- Exempted organizations may remain exempt from paying property taxes, but should still pay fees and levies, such as local improvement taxes.
- The Province should maintain properties and infrastructure that fall under provincial exemptions.

Market Value, Equalized and Supplementary Assessment

Market value assessment and administration

Comments from participants included that:

- · Market value assessment is working well.
- The market value assessment system assessors operate within is not working.
 - The current comparison processes within market value assessment does not work.

Equalized assessment

- The collection of education property taxes should be the responsibility of the Province.
 - If the collection of education property tax remains the responsibility of the municipality, the Province should cover the cost associated with collecting it.
 - It would be an administrative nightmare for the Province to duplicate the property tax system in order to collect the education property tax.
 - A clear definition is needed between what is a provincial tax and what is a municipal tax.
- The education property tax should be separated from property taxes.
 - It is frustrating for municipalities when the public view education property tax increases as municipal tax increases.
 - There should be a clearer differentiation on the tax bill for funds going to the municipality versus the Province.
- Tax recovery properties should not be subjected to education property tax.
- If assessment exemptions are changed, education property tax provisions should also be changed accordingly.

Industrial and Agricultural Property Assessment

Linear property assessment

Comments from participants included that:

- If an oil well property is capped, the company is not required to pay taxes for that property. This provision favors industry and is not working well.
- Industrial assessment is working well for rural municipalities.
- Pipelines should be assessed as soon as they are completed, regardless if they are being used. The Province should enforce this provision.

Machinery and equipment property assessment

Comments from participants included that:

- Machinery and equipment property assessment is working well in the current MGA.
- Power generation facilities fall through a loophole that needs to be addressed in the new MGA.
- The depreciation levels on machinery and equipment property need to be reexamined.
- Municipalities should be able to assess machinery and equipment property before the point of completion.
- Education property taxes should be applied to machinery and equipment properties.
- Regulated guidelines, such as the Alberta Machinery & Equipment Assessment
 Minister's Guidelines, need to be clearer for local assessors. There are currently a
 wide range of interpretations of these guides, which is resulting in inconsistent
 assessments and an increase in appeals.

Transportation properties

Comments from participants included that:

- Transportation property assessment is working well in the current MGA.
- Railway property assessment and taxation needs to be modernized.
- Railway property assessment and taxation needs to be clarified and should be treated like linear property.

Farm property assessment

- Farm property assessment is working well.
- Land that is not being used for agricultural land should be assessed differently and should not receive exemptions.
 - Businesses should be assessed on use, which would prevent them from "hiding" behind farm status to avoid taxes.
 - The new MGA should include clearer rules around how farmland is defined.

- Farm residences should not have assessment exemptions. All residences, farm or non-farm, should be assessed and taxed using the same approach.
 - Some corporate farms have multiple homes on the land and the farm rents out the homes to non-farmer workers. The MGA should not allow assessment exemptions in this instance, since it is not an even playing field with the municipality's rental market.
- Assessment processes need to be updated for all types of property, including agricultural property.
 - Current farm assessment processes need to be updated to be assessed partially on market value, with some exceptions.
- Financial incentives to farmers should not come from the municipality via assessment, but as grants and other incentives from the Province.

Assessment Administration

Assessment administration

Comments from participants included that:

- Assessment administration is working well.
- The MGA needs to have stronger language around assessment. Words like "must," "shall" and "obligated" should be used instead of "may."

Public Participation and Assessment Appeals

Assessment complaints and appeals

- Training should be mandatory for assessment review board members so they understand the issues and region.
- It is good if councillor representation on assessment review boards is limited to fewer than members at large.
- Municipalities find it difficult to attract volunteer members to assessment review boards.
- The Province could provide a regional assessment review board, staffed with trained or experienced members, that travels to hearings.
- The process for appeal boards is well laid out.
- Assessment appeal boards should not have the ability to overturn a decision made by a professional assessor. Generally, members on the assessment appeal boards do not have the same knowledge as the assessors.
- The assessment appeal window should be extended to 90 days.
- Councillors shouldn't be able to sit on appeals boards, as this creates a conflict of interest.

Planning and Development

The following input was received and documented related to planning and development.

Fees and Levies

Fees and levies

Comments from participants included that:

- The current fees and levies are appropriate and the related processes are working well.
- It should be mandated that all offsite levies be paid by developers and not supported or paid by municipalities.
- Development should pay for costs associated with growth in the area.
 - Making developers responsible for the full costs of growth may discourage development, and the MGA should outline a mechanism to help strike a balance.
- The MGA should allow flexibility for municipalities to attach fees to road use agreements on existing developments, such as a Canadian National Railway stations, without a development permit.
- Municipalities should be able to levy development on brownfield land.

Land Management and Planning Tools

Statutory plans and land use bylaws

- Planning decisions should be related to a best practice, rather than what is convenient or cheap.
- All municipalities should be required to have a strategic plan.
- Intermunicipal development plans need to be enforceable.
- Intermunicipal development plans need to be clearly worded, easy to understand and have a consistent format.
- When municipalities get along, intermunicipal development plans work better than where there is disagreement.
- There should be timeframes for plans, such as intermunicipal development plans, to move through the approvals process.

Subdivision and Development Authorities and Processes

Planning authorities

Comments from participants included that:

- The MGA needs to clarify the responsibilities of the subdivision and development appeal board.
- To avoid biased decisions, the membership of the subdivision and development appeal board should not include any council members.
- Subdivision and development appeal boards should consist of a well-trained and diverse mix of members, similar to the make-up of the assessment review boards.
 - The Province should appoint a chair of the subdivision and development appeal board, similar to the composite assessment review board.

Administrative decision-making processes

Comments from participants included that:

- The administrative side of the planning process makes it challenging for planners who don't understand local priorities, and this often leads to conflict.
- There needs to be better coordination of decision-making authorities across the Province.
- It is not working well that Natural Resources Conservation Board decisions supersede municipal decisions. Municipalities and landowners should have more involvement in Natural Resources Conservation Board decisions.
- For resource developments, there is a need for mitigation measures for adjacent land uses, not only limited to farming operations, but industrial operations, as well.
- The MGA should allow for municipalities to limit the number of communal farms within municipal boundaries.
- Complex requirements in the MGA require expensive consultants, and municipalities are at the mercy of engineering and other consultants
 - The MGA should include common templates to ensure less process duplication.
 Unclear procedures are costing municipalities too much. Templates would help provide economies of scale.
 - The relationship between engineering associations and the Province needs to be investigated.

Land Dedication and Use of Reserves

Land dedication (reserves)

Comments from participants included that:

 Reserves are working well in the current MGA. In particular, the 10 per cent limit on reserve land, flexibility on municipal reserve land dedication and collection of cashin-lieu of land work well.

- Environmental reserves should not be included within the 10 per cent dedication for a municipal reserve.
- The definition of municipal reserves should be expanded in the MGA to allow for other uses, such as seniors' facilities. Any new uses included would need to provide value to the community.
- Municipalities should be able to sell municipal reserve land if there are no plans to use the property for infrastructure.
- Crown land should be released to the community and paid for when utilized.
 - Municipalities should be able to buy Crown land at a reasonable rate when there
 is a demonstrated need for expansion.
 - There should be Crown lands set aside for development when a municipality is surrounded by Crown land.
 - Environmentally important Crown land should remain protected from development, such as watersheds, springs, animal habitats and wetlands.
- There should be a new category of reserves called "farm reserves" to protect the most productive and usable farm land.

Regional Approaches

Managing growth and development

- More clarity is needed regarding provincial planning decisions, and how these affect municipal planning decisions.
- It is cumbersome for municipalities to complete all the requirements of statutory planning, land-use bylaws, development plans and the regional plans.
 - Planning is a resource-intensive and time-intensive bureaucratic process, and should be streamlined.
- To preserve agricultural land, the MGA should outline population density targets that encourage growth upwards, rather than outwards.
- The Province should provide funding towards the costs of developing sustainability studies and conducting viability reviews so that struggling municipalities aren't further overwhelmed.
- The Province and federal government need to be more coordinated when working with municipalities. Ministries like Justice, Environment and Sustainable Resource Development, and Municipal Affairs need to coordinate better with municipalities.
 - Municipalities should have input on policing levels currently set by Alberta Justice. The current formula is convoluted and not easy to understand.
 - The federal government should be required to consult with municipalities before developing a site like a railway or research facility.
- Municipalities should have more ability to encourage the cleanup and development of brownfield properties.

 There should be a timeline and enforcement measures established for brownfield reclamation.

Public Participation and Planning Appeals

Planning and inter-municipal appeals

Comments from participants included that:

• Planning appeals should be streamlined directly to the Court of Queen's Bench.

Appendix A: Session Agenda

MGA Review: Elected Officials Session

Agenda Item					
1.	. Welcome and introductions				
	Potential topics for disc The following topics will be ave Governance and Administration Municipal powers Municipal structures Fundamental changes and municipal restructuring Municipal governance Municipal administration Financial administration Financial administration Regional funding approaches Municipal revenue sources Fees and levies Compliance and accountability Liability and risk management Provincial powers Service provisions Regional services commissions Municipally controlled corporations Municipal relationships and dispute resolution Public participation Municipal Government Board		10:15-10:45		

Agenda Item				Timing		
3.	Table Facilitation					
	Block 1: 10:45-11:45	Governance and Administration Topics				
		Lunch (1 hour)				
	Block 2: 12:45-1:45	Assessment and Taxation Topics		10:45-3:00		
		Break (15 min)				
	Block 3: 2:00-3:00	Planning and Development Topics				
	 Discussion will focus on what is working well, desired changes, and potential impacts of changes to the legislation 					
4.	Break			3:00-3:15		
5.	Open discussion					
	Are there any other relevant to	3:15-3:45				
6.	. Wrap-up			3:45-4:00		