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**MUNICIPALITY OF CROWSNEST PASS
OPERATIONAL
AND ORGANZATIONAL REVIEW**

**Undertaken at the Direction of:
Alberta Municipal Affairs**

**And Presented to:
The Council of Crowsnest Pass**

BY:

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- Item 2. Sample CAO Report to Council
- Item 3. Sample Council Meeting Minute

Note: Not included

1.0 OVERVIEW

Crowsnest Pass is a beautiful mountain community, rich in history and with a wealth of recreational opportunities. It is also accessible and currently affordable. However, it is a troubled community; one that is being viewed from the outside as lacking municipal leadership and as a negative place to do business. Crowsnest Pass can be characterized by citizens, Council members and a municipal staff that are looking to blame one another for the current lack of accountability for the concerns they have with the community's future.

Council is fractured and ineffective due to poor operating procedures and interpersonal conflicts. Leadership by Town administration has been seriously hampered because few managers have any length of service. Citizens in the Pass appear to be at odds about who really represents the community as whole, and they disagree as to what the priorities of the community are.

The purpose of this report is not to assign blame or look backwards. It is to make proactive recommendations to set in place the organizational and governance structure, processes, procedures and communication strategies to take the community forward. It is about refocusing the energy of the community on positive initiatives.

This report contains recommendations, a plan for implementation and a process for monitoring that implementation. This is not the first corporate review in Crowsnest Pass. The Human Resources Group (HRG) completed a review in 1997, which was partially implemented. Part of this current assignment is to evaluate the recommendations made by HRG, in particular, what was implemented and what was not.

It is clear that success of the Activation Analysis Group Inc. Review depends upon not only reasoned and achievable recommendations for improvements, but also specific actions and timelines for getting there. A key to success will be the belief of Council, citizens and administration in a common objective of future sustainability for the Municipality of Crowsnest Pass.

2.0 APPROACH AND METHODOLOGY

Activation Analysis Group Inc. was contracted by Alberta Municipal Affairs in March of 2000 to conduct an operational and organizational review of the Municipality of Crowsnest Pass. In the last two weeks of March, a team of consultants visited the Pass to collect information on issues, operating procedures, and processes used to conduct the business of the municipality. Structured interviews were conducted with members of the community, all members of Council, and municipal staff, including some former Council and staff members.

In total, over 45 personal interviews were conducted, in addition to a number of telephone interviews. Results of these interviews led to the development of an "Interim Report on Issues", which was published in the local press in the first week of April 2000:

Meanwhile, specialists in municipal finance, assessment, governance and municipal administration reviewed documents and investigated operating procedures and processes. Guiding this analytic work were the issues that had been identified in the Interim Report. The information collected in the interview phase was used by the consultants in the analysis of problems and solutions for Crowsnest Pass. This input assisted greatly in the development of recommendations that respond to the concerns of the community.

The consulting team then developed an implementation plan for putting these recommendations into action. This plan also contains a monitoring element to assist the Municipality in evaluating its progress in achieving the plan.

The final report will be presented to the Municipality of Crowsnest Pass and to Alberta Municipal Affairs in May 2000.

The Council of Crowsnest Pass passed a resolution to receive a presentation of the results of the AAGI Report in a special Council Meeting scheduled for May 17, 2000, at 7:00 PM. It will be followed by an open house for citizens of the Pass.

3.0 RECOMMENDATIONS

The following charts summarize the recommendations of the AAGI consulting team. Also provided is a reference to the corresponding section of the report where findings and analysis are discussed in detail for each recommendation. These recommendations are the result of a comprehensive and thorough review by qualified consultants in a number of areas including governance, municipal organization and operation, assessment and finance.

RECOMMENDATION 1. MINISTER OF MUNICIPAL AFFAIRS EXTERNAL MONITORING

Recommendation

la. The Minister be Advised. The Council of Crowsnest Pass provide the office of the Minister of Municipal Affairs with copies of any Council resolutions made in Report Section respect of the 2000 Review. Report Section 4.2

lb. Agent of the Minister. An agent of the Minister will attend some or all Council meetings and complete monthly reports on progress made by Council on the adopted recommendations. The agent will also be briefed by the CAO on his visits to the Municipality. Report Section 4.2

lc. Report to the Minister. On or before November 15,2000, the-agent will provide the Minister with a full report at which time the Minister will decide whether or not to invoke Section 574of the Municipal Government Act.

RECOMMENDATION 2:

COUNCIL OF CROWSNEST PASS - IMPROVING COUNCIL PERFORMANCE

Recommendation

2a. Council Chamber Layout. The boardroom style Council table should be replaced with a U- shaped table. The chair of the meeting will take the centre seat in the 'U' to provide the optimal opportunity to properly preside over the meeting. Other seating assignments would be drawn by lot. Council should also consider having the CAO join Council at the end of the Council table. Report section 7.1.2

2b. Council Agendas. Council should adopt a new agenda format substantially reflecting the format proposed in the AAGI Report. Report section 7.1.3

2c. Delegations. Council should determine the standard length of time for the initial presentation by a delegate, include that time in the Procedure Bylaw, and the provisions of the Procedure Bylaw should be followed at each meeting. Report section 7.3

2d. Communication with the Public. Mail addressed to the "Mayor and Council" or to Council or a Standing Committee should be delivered to the Chief Administrative Officer for distribution to the members of Council or members of the appropriate committee. The CAO should ensure that a newsletter of factual information reports is included at least quarterly in the utility bill mail out. News releases should also be prepared and distributed on matters and decisions of Council that are important to citizens. Report section 7.1.3

2e. CAO Reporting. Council should expect and welcome information and advice from the administration on matters that come before Council. The CAO should ensure that the advice or information is objective, factual and provided in a manner that will assist Council in making a decision by using a standard report format such as the one outlined in the AAGI. Report section 7.1.4

2f. Council Meeting Minutes. The Council of Crowsnest Pass, with the assistance of the new CAO, should have more appropriate content and length of minutes and considerably reduce the time consumed at meetings in minute adoption. Report section 7.1.5

2g. Taking a Policy Perspective Before the end of June 2000, Council should hold a special meeting to receive a full presentation of the results of the Infrastructure Study and its implications for the Municipality. This would initiate the development of a Public Works Infrastructure Management Policy to guide future budget decisions. Report section 7.1.6

2h. Standing Committees. Council should disband the Bylaw Review, Finance, Land Sales, Negotiations, Protective Services, Public Works, Technical Review, Weed Control and Cemeteries Committees and establish three Standing Committees of Economic Affairs, Public Affairs and Arrangements and Protocol. Report section 7.1.7.1

2i. Advisory Committees. That Council membership be eliminated from Advisory bodies such as the Recreation Board and the FCSS Board. Report section 7.1.7.2

RECOMMENDATION 3:
ADVICE FOR ADMINISTRATION

Recommendation

3a. Staff Pride. The CAO should institute morale building and pride-in-the- Municipality through initiatives with staff. Some examples are recognition of long service and of extraordinary accomplishments. Report section 7.2

3b. New Computer System. The CAO should ensure that the necessary actions are taken to fully implement the software program and have it function smoothly. Report section 7.2

3c. Union management dialogue. The CAO should implement a union/management dialogue process, involving the management team and a similar number of union representatives, to enable joint approaches to operational issues. Report section 7.2

3d. Position Descriptions. The early objectives of the union/management dialogue process should be to agree on the development of position descriptions that describe the current expectations for each staff position; and to implement a performance review system. The CAO should undertake the same exercise for management positions. Report section 7.2

3e. Administrative Support. The CAO should review the cost/benefit of filling the floater position both to cope with normal workload and to address vacation relief. Report section 7.2

3f. "59-Daygers" The union/management dialogue process should jointly agree on an interpretation of the 59-day provision. The CAO should then review the cost/benefit of using 59-day employees as compared to permanent casual or part-time employees both in the office and in outside work. Report Section 7.2

3g. Land Use Planning & Development. The CAO should assign management responsibility for the land use planning/development function to a manager, either by assuming the responsibility himself or by realigning responsibilities to establish a Manager of Public Works and Development. Report Section 7.2

3h. Reporting Relationships. The CAO should review the work allocation and reporting relationships of staff to have staff members report to one supervisor, as far as possible. Report section 7.2

3i. Telephone System The CAO should review the configuration of the telephone system to provide the best possible service to the public and to improve answering capabilities. Report section 7.2

3j. Long Range Planning. The CAO should initiate the development of a longer-range planning process that will provide informed and objective recommendations to Council on policies and plans for the Municipality. Report section 7.2

3k. Information to Staff. The CAO should initiate a communication process to ensure that all staff has current and consistent information on the Municipality Report section 7.2

RECOMMENDATION 4:

MARKET VALUE ASSESSMENT

Recommendation

4a. A program to Explain this year's Assessments to the Community. A proactive program is needed to fully explain and deal with this year's assessments. Important elements of this program are a brochure, open houses, and appropriate processes for filing and managing complaints. Report section 7.3.1

4b. Changes to the Assessment Review Board. Members of Council should not sit as members of the Assessment Review Board. A refundable filing fee should be required with all complaints. Training and briefing of members of the Board should occur. Report section 7.3.1

4c. Comprehensive Assessment Inspection It is recommended that a comprehensive inspection be initiated in a timely fashion to be ready for the 2001 tax year. It is also recommended that the Municipality adopt a four-year inspection cycle. Report Section 7.3.1

4d. Ongoing funding. On an annual basis, the Municipality needs to budget an amount similar to other Alberta communities for assessment preparation in order to reserve the integrity of its assessment system. Report Section 7.3.1

RECOMMENDATION 5:
MUNICIPAL BYLAWS

Recommendation

5a. Procedure Bylaw. The Council needs to amend its Procedure Bylaw on or before June 30, 2000 to implement recommendations for improving Council Performance at Council meetings. See Appendix

5b. The Unsightly Premises Bylaw Rescind one or both of the current Unsightly Premises Bylaws and utilizing the knowledge and resources of the administration and the community, and adopt the desired bylaw in the best interests of the community Report section 7.3.2

5c. Bylaw Registry. Develop and maintain an up-to-date registry of Crownsnest Pass Bylaws with assigned responsibility for keeping it current. Report Section 7.3.2

RECOMMENDATION 6:
BUDGETING AND OTHER FINANCIAL MATTERS

Recommendation

6a. Annual Budgeting. Formal Policies and Procedures relating to the annual budget process should be designed by the Director of Finance and Systems, approved by the CAO, and implemented for the 2001 budget process. Council should approve budgeting policies. Report section 7.3.4.1

6b. Financial reporting to Council. The CAO should ensure that financial reports are provided to Council at least quarterly, including budget to actual comparisons, identification of expected variances from budget, a balance sheet, and recommendations for budget adjustments if required. Report Section 7.3.4.2

RECOMMENDATION 7:
SALE OF MUNICIPAL-OWNED LAND

Recommendation

7. Land sale Council should establish a Council Policy for Sale of Municipal decisions Owned Land to guide the decision-making process. Potential land sales would be vetted through the Economic Affairs Committee, accompanied by a CAO Report. This report would fall within the policy guidelines for land sales. The Economic Affairs Committee would make recommendations for land sales to Council.
Report Section 7.3.6

**RECOMMENDATION 8:
THE CROWSNEST LEARNING CENTRE**

Recommendation

8. The Crowsnest Learning Centre The current Board of the Crowsnest Learning Centre needs to immediately start meeting the obligations of the bylaws and hold monthly meetings, plan for an annual general meeting, and take steps to implement accounting procedures and practices of the Society. Key policy matters for the Board to deal with include:

1. Board membership
2. Clarify the process and procedures for how decisions are made and carried out
3. Determine how to meet the accounting and financial reporting needs of the Centre, as well as a budget process and business plan
4. Confirm the level of annual financial support that the Municipality is willing to commit to the Centre
5. Confirm how and when the Learning Centre will report to the public. Report section 7.3.3

**RECOMMENDATION 9:
THE TIMBERWOLVES HOCKEY CLUB**

Recommendation

7. Contract renewal. When the Timberwolves Hockey Club contract comes up for renewal in 2002, the CAO should be responsible for its review and negotiation. His report and recommendation to Council will follow the approved Council Policy for Negotiation of Significant Contracts, which will have been developed as part of Council's Financial Policies.

In the event that Council has adopted a Strategic Plan or other related Document by this time, its directions relative to meeting the recreational priorities of the community can also be considered in the CAO Report to Council. Report section 7.3.5

**4.0 PLANS FOR IMPLEMENTATION AND MONITORING OF
RECOMMENDATIONS**

4.1 Plan for Implementation of Recommendations

The consulting team feels that it is imperative that a plan for implementation and monitoring is adopted and followed in order to make meaningful changes in the Municipality of Crowsnest Pass. The following charts provide an outline of what actions need to be undertaken to implement Recommendations 2 through 9, along with a suggested timeline. Recommendation 1 refers to the monitoring role for the Minister of Municipal Affairs and is discussed further in Section 4.2.

Recommendation 2. Council Performance

a. Council Layout. Follow layout in AAGI report- Timeline -Immediate

b. Council agendas. Council should pilot the new agenda format by way of a motion under the existing Procedure Bylaw. - Timeline-Immediate- To implement, amendments are needed to the Procedure Bylaw. - Timeline- By June 30,2000

c. Delegations- Through amendments to the Procedure B law. Timeline- By June 30, 2000

d. Communicate with the Public - Implement new system of answering and responding to Council correspondence. - Timeline- Immediate.- Institute bimonthly newsletter.-Timeline- by fall of 2000

e. CAO Reporting - Follow recommended CAO request for decision report format provided in AAGI report - Timeline - Immediate

f. Council Meeting Minutes. -Prepare more appropriate content & length of Council Meeting minutes-Reduce Council meeting time used.-Timeline- Immediate.

g. Take a Policy Perspective- Hold special Council meeting to receive a full presentation of the Infrastructure Study- Time-line- Before June 30,2000 - Develop a Public Works Infrastructure Management Policy. -Timeline- Before October 30,2000

h. Standing Committees.- Implement new Standing Committee Structure through amendments to the Organizational Bylaw- Proceed immediately, with full implementation- Discontinue Standing Committee Meetings until new structure is in place.- Timeline- by June 30,2000.

i. Advisory Committees.- Eliminate Council membership on advisory committees.- Immediately eliminate Council participation.- Initiate new membership as required. -Timeline- by the Fall of 2000 Assist community committees in accessing community development seminars to help them with understanding terms of reference and roles of committee members.-Timeline- By Fall 2000 - Schedule advisory chairpersons reports to Council through the Arrangements & Protocol Committee- Timeline- Bu Fall 2000.

Recommendation 3.

Advice for Administration

- a. Staff pride- Institute programs to recognize staff- Timeline- By year-end.
- b. New computer system - Complete implementation of new computer system.-Timeline- By year end.
- c. Union-Management Dialogue. - Establish a union management dialogue process. Timeline- By September 2000
- d. Position descriptions - Utilizing the union- management committee. Timeline-By year-end.
- e. Admin support - Consider cost-benefit of filling floater position-Timeline- By September 2000
- f. 59-dayers.- Complete cost-benefit review.- Timeline-Fall 2000
- g. Land use planning & development.- Assign management duties.- Timeline- By summer of 2000
- h. Reporting relationships.- Consider lines of reporting.-Timeline-Immediate
- i. Telephone system.- Initiate a review, using staff input.- Timeline- Immediate
- j. Long range planning. - Initiate long range planning process.-Timeline- Fall 2000.
- k. Information to staff.- Enhance CAO communication with staff.-Timeline- Immediate

Recommendation 4.

Market Value Assessment

- a. Information program for this year's assessments- Open houses - Brochure - Improved process for filing and managing complaints.-Timeline- Within three months
- b. Assessment Review Board - Remove Council members from the Board - Timeline - Immediate.
- Institute a refundable filing fee.- Train & brief all ARB members. Timeline- Within three months time.
- c. Comprehensive Inspection - Commission a comprehensive assessment inspection to be ready for the 2001 roll.-Timeline-- Initiate immediately, for completion in about six months.
- d. Ongoing funding-- In budget, ensure adequate annual operating funds are available for assessment preparation, approaching the provincial town average.- Timeline - Immediate.

Recommendation 5.
Municipal Bylaws

a. Procedure Bylaw - Amend the Procedure Bylaw to implement recommended AAGI changes.
- Timeline- By June 30, 2000

b. Unsightly Premises Bylaw - Rescind one or both Unsightly Premises Bylaws.- Using the new CAO request for decision format, make the best decision possible in the best interests of the community.
- Adopt the desired bylaw - Timeline- By the fall of 2000.

c. Bylaw Registry - Develop and maintain an up- to-date registry. -Timeline- Initiate immediately and complete within three months.

Recommendation 6.

Re: Crownsnest Learning Centre

- Council should request that the Board of the Learning Centre Society commence with meeting the obligations of its bylaws and report to Council, through the Society Board Chair, on plans and progress made. - Council should advise the Society Board to deal with key policy matters and make recommendations to Council where Council action is needed.- Timeline- Immediately hold duly constituted and recorded monthly Society Board meetings- Within two months report to Council

- Key areas include: 1. Board membership. 2. Process & procedures for making decisions and carrying them out. 3. Institute proper accounting & financial reporting procedures, as well as a budget process and business plan. 4. Confirm annual level of financial support committed by Council. 5. Confirm how & when the Centre will report to the public. -Timeline- Within two months deal with key policy areas: 1& 2.- Within three months deal with key policy areas of 3,4& 5.

Recommendation 7.**Budgeting and Other Financial Matters**

a. Annual budgeting - Director of Finance develop formal Policies & Procedures for the annual budget process - Council approve budgeting policies.-Timeline - Within three months.- Council should consider the 2001 budget in December of 2000.

b. Financial Reporting to Council - Move towards financial reporting to Council that includes budget to actual, identification of expected variances from budget, a balance sheet and recommendations for budget adjustments as required. -Time line- Within three months time

Recommendation 8.**Timberwolves Hockey Club**

Contract renewal - The CAO should be responsible for the review and negotiation of the Timberwolves contract. - He will follow the approved Council Policy for Negotiation of Significant Contracts and provide a request for decision to Council.-Timeline- Initiate review in January of 2002. - *Assuming that Council will have adopted a Policy as part of its Financial Policies by the end of the year 2000.*

Recommendation 9.**Sale of Municipal Owned Land**

a. Decisions on Land sales - Establish a Council Policy for Sale of Municipal Owned Land. - Timeline- Within six months.- Should any land sales arise, utilize the CAO request for decision model in arriving at a decision. -Timeline-As needed.

Note, that under recommendation 1h, the Land sales Committee is disbanded and matters dealing with land sales can be vetted through the Economic Affairs Committee of Council.

4.2 Plan for Monitoring

In addition to a plan for implementing the proposed recommendations, a plan for monitoring the

implementation is also viewed as critical to effectively making improvements in the Crowsnest Pass.

Monitoring has three facets:

- Self monitoring
- External monitoring
- Reporting to the Community

Self-Monitoring

The consulting team is confident that Council is motivated to do business better for the citizens of the Pass. Once Council has adopted some or all of the recommendations and also a plan for putting them into action, it needs regular reporting to know that it is on track and that its own performance is improving.

We recommend that:

- The CAO report monthly to Council on progress achieved in the implementation of recommendations of the AAGI Operational and Organizational Review adopted by Council. Once the Arrangements and Protocol Committee is established, it can take over this monthly duty
- Council have a quick roundtable review at the end of the occasional Council meeting to self assess its conduct and business that has been achieved during the meeting

External Monitoring

To assist the Municipality of Crowsnest Pass with external monitoring, the following actions are recommended for the Minister of Municipal Affairs:

- That the Minister request that the Council of Crowsnest Pass provide his office with copies of any resolutions made in respect of the AAGI Organizational and Operational Review, along with Council's plan and timeline for implementing adopted recommendations
- That the Minister further advise the Council of Crowsnest Pass that he will be sending an agent of Alberta Municipal Affairs to observe Council Meetings and complete monthly reports on progress made by Council on adopted recommendations.

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- It should be the Minister's expectation that his agent will be also briefed by the CAO on these visits.
- That the Minister will have a full report by his agent on or before November 15, 2000,

at which time he will consider whether or not to invoke Section 574 of the Municipal Government Act

Reporting to the Community

Taxpayers in the Pass raised many concerns that have been responded to in this review. Undoubtedly the community will stay interested in monitoring the conduct of Council and how it is getting the business of the Municipality done. It will be important for Council to show that it is taking action to make things better and instil confidence in the community that their concerns are being dealt with and mitigated.

Council and the Administration need to respond proactively in reporting to their citizens. Too often the only information on Council activity has been through press reporting. With many important issues and challenges to deal with, the Municipality should be more proactive in keeping the community informed.

5.0 REPORT ON THE INPUT OF PARTICIPANTS

Participants surveyed included members of the public, representatives of the Ratepayers Association, all current serving members of Council, representatives of former Councils, and current and former staff members. Interview forms were structured to allow for compilation of

results, ensuring that no individual participant would be singled out. By using a structured survey design, a collective view of the community and its problems was identified.

5.1 Summary of Issues

In all cases - community, Council and municipal staff - there was agreement that the number one concern of the Crownsnest Pass is the way in which Council conducts its business.

All participants agreed that Council is fractured by interpersonal conflicts. They are very concerned with the way it conducts itself. The latter is felt to be having a negative impact on the performance of the Municipality. Many respondents indicated that they were embarrassed by Council and felt that media coverage was creating a bad image for the Crownsnest Pass outside of the community.

This issue is a continuing one, exacerbated by the current Council, but also characteristic of how the former Council behaved. Current overall problems with governance include the conduct of Council meetings, Council participation on Committees (both Council and community committees), and direct interference with the management of the Municipality.

Council conduct overrides all other issues. However, a number of specific and important issues were also identified for review. These are summarized below.

Council's focus on day-to-day management and lack of attention to long range planning and bigger picture issues.

Council committees, their membership and operations.

Aging infrastructure, lack of maintenance and planning.

Planning for future growth and development.

The Municipality's sale of town-owned land.

The implementation of market value assessment and how it has been communicated to taxpayers.

Economic development in the community.

Application and enforcement of municipal bylaws, including the Unsightly Premises Bylaw.

Learning Centre - how it is governed, who is accountable and lack of reporting back to the community.

Implementation of the recommendations of the Human Resource Group report adopted March 12,1997.

The Municipality's involvement with the local Junior A Hockey franchise.

5.2 Survey Results

5.2.1 Results of Interviews with Community Participants

Interviews were held with sixteen individual community members, in addition to two sessions with representatives of the Ratepayers Association. After publishing the Interim Report in early

April, which invited any additional input, any telephone, e-mail and fax comments provided were recorded and reviewed. In most cases, the latter served to support the interview findings and interim identification of issues and concerns of the community.

Those interviewed have lived in the community for as little as five years and as many as 65 years, with an average of 26 years residency in Crowsnest Pass. Nearly 90% of those interviewed felt that the current Council structure could meet the needs of the community, but nearly 100% of those interviewed ranked Council performance over the past two years as very poor. Two thirds also responded that Council Committees are not effective or efficient. In both cases, of Council performance and committee performance, personality conflicts on Council were often cited as the underlying problem hindering performance.

When asked to rank the job of the staff and administration, the overall response was that staff is doing a good job, however, respondents also indicated (64%) that town staff is not being used effectively.

How the community ranked Council and Staff performance

Question

-Over the past two years, how would you rank the job of Council on a scale of 1 to 5, with 5 being excellent? 1.2

-Over the past two years, how would you rank the job of Administration/municipal staff on a scale of 1 to 5, with 5 being excellent? 3.3

Community respondents were also asked to rank service delivery areas on a scale of one to five with five being very good and one being very poor. The following chart summarizes the results. Some services, such as snow removal, emergency services (fire, police and ambulance), and social services (FCSS) were ranked very high. Planning and development, along with economic development, were ranked very low. Below average were bylaw enforcement; recreation, parks and culture; financial planning and administration.

"How would you rank how good a job you think is being done in delivering the following services to your community?"

Service Delivery Area good	Ranking on a Scale of 1 to 5, with 5 being very	
Road repair and maintenance	3.0	
Snow removal	3.8	
Emergency services fire police & ambulance		4.4
B law enforcement	2.7	
Social services FCSS	4.1	
Recreation parks & culture		2.7
Planning & development	1.6	
Economic development	2.1	
Financial Planning	2.6	
Administration	2.5	

Also asked in the survey were questions relating to how well the community is informed. Results are summarized on the next page. Two-thirds indicated that they were well informed on what is happening at Council. It was often reported that the source of that information is the local press, who covers Council meetings and activities very thoroughly. It is very telling that 100% of those interviewed did not feel informed on specific issues. In addition, only four out of ten felt well informed by the administration of the town.

Is the community well informed?	Yes	No
Well-informed about Council activities:	63%	37%
Well-informed from administration:	40%	60%
Well-informed on specific issues:	0%	100%

In comments provided, it would appear that the community is concerned with the image portrayed for Crowsnest Pass with the extensive media coverage of the poor behaviour in Council meetings.

Respondents were also asked to identify issues. These issues are reflected in the "Interim Report on Issues" summarized in Section 5.1. Council's unprofessional behaviour, lack of vision and lack of leadership were major issues.

The lack of a long-term plan for the community, the municipality's limited preparedness for growth, and the need to attract development were also commonly held concerns.

It was also clear that community priorities are somewhat contradictory. This is particularly evident in the area of Parks, Recreation and Culture, where some community members appear to be supporters of the Junior A Hockey Franchise, while others may feel that municipal tax dollars would be better spent on community ball, soccer or local park facilities. There is an overall concern with how funds are allocated to different recreational programs, capital and operating, and how those decisions are made.

Some examples of specific issues raised were

- Council committees, membership and operation.
- market value assessment and its application relative to taxes.
- the Learning Centre.
- the relationship and contract with the Timberwolves Hockey Club
- land sales transactions.
- concern that Council is micro-managing.

5.2.2 Results of Interviews with Council Members

All members of Council participated in detailed interviews in excess of two hours each in length. The consultants found Council members to be very cooperative and open in these individual sessions. The one common theme of all sessions was a desire to improve the current unworkable environment. It was also clear that all of the individual elected officials care about the community and are worried about the negative impact of their current inability to perform.

Similar to the profile of community respondents, Council members have resided in the Pass for

an average of 22 years. While three members are serving their first term, others have served multiple terms (not necessarily consecutive). Overall there is a fair amount of Council experience. On average, a Council member spends about 20 hours per week fulfilling his or her position.

Most Council members feel that Council participates in about the right amount of committees. In fact, it was the sense of the interviewers that committee work provides some reward for Council members, who find the Council meetings dysfunctional and unsatisfying.

Similar to the community survey, Council members were asked to rank the various departments that comprise the operation of the municipality. They were also asked about reporting to Council and whether or not they are getting adequate information to make decisions. Summarized results of these questions are provided in the following charts.

Do you feel that the Town is doing a good job in the following areas?

Department	Rank Performance on a Scale of 1 to 5, with 5 being excellent.	Do you receive adequate info on this department's operations?.
Finance & Administration	3.8	Yes - 71%
Public Works	3.7	Yes - 86%
Protective Services (Fire, police & ambulance)	4.8	Yes - 86%
Recreation incl. facilities	3.6	Yes - 71%

Evaluation of reporting to Council, on a scale of 1 to 5 with 5 being very good

	Timeliness	Enough Info	The Right Info			
CAO reporting to Council	3.2	3.4	3.4			
Financial reporting to Council	3.5	3.9	3.9			
Activity reporting to Council	3.6	3.6	3.8			
Keeping Council informed on key issues				3.1	3.2	3.1

Budget presentation	3.4	3.9	3.9	
Information relating to the mill rate bylaw		3.2	3.2	3.0

Members of Council were also asked some questions about staff, namely to rank how good a job they were doing; their view on staff levels; and what they thought about staff morale. Responses are summarized below:

Questions on Staff:

Overall responses
On a scale of 1 to

5,

with five being very good:

How good a job do you think staff is currently doing? 4.3

Do you think staffing levels are? Adequate: 30%
Too low: 70%

How would you rank staff morale? Too low: 100% _

Responses to these questions on service delivery, information reporting and staff are combined with a number of verbal comments to reach the following conclusions from Council member interviews.

- Council ranked staff as doing a good to very good job (4.3 out of 5.0) and also ranked information coming to Council as adequate or above adequate. On a department by department basis, respondents also ranked performance above average. These findings were supported by verbal comments indicating that Council finds staff members to be cooperative and easy to work with. However, in a rather contrary finding, it was reported and observed that administration is not encouraged to participate in Council meetings and, in fact, staff members have been chastised in public.

The focus on personal agendas, lack of decorum and interpersonal conflicts is keeping the Council from utilizing its best resource, a knowledgeable and committed staff.

- Council respondents indicated that staff levels are low (70%) and all Council members indicated that morale is low (100%). Council members expressed concern that lack of leadership and discord at the Council level is permeating the staff level.
- Specific problems with service delivery areas were mentioned that support concerns of

the community. These are in the areas of subdivision and planning, and also long term planning (including infrastructure) for Crowsnest Pass.

Like the community participants, Council members were each asked about the issues and challenges facing Crowsnest Pass. Their responses are very much in line with those provided by the citizens and are summarized below:

- Behaviour of Council as the number one issue, followed by a related issue of lack of leadership.
- Concern with the lack of long range planning, including a Municipal Development Plan, a Business Plan and (implementation of) the Infrastructure Plan.
- Vision, direction for the future of the community, including economic growth.

A number of specific issues were raised during Council members interviews, including:

- Reporting to Council, which is almost all done by way of Councillors, not administration or (citizen) Committee Chairs. Committee reports fall at the end of agendas and often Council does not get to them.
- Time consumed on petty issues, keeping Council from dealing with the bigger picture issues.
- The Learning Centre.
- The Unsightly Premises Bylaw.
- The communication of market value assessment to citizens.
- Poor image of Crowsnest Pass outside the community.
- Committee appointments.
- Conflict goes from the Council to administration to the community.

5.2.3 Results of Interviews with Staff

Sixteen members of staff were interviewed as well as six persons no longer working with the municipality. Structured survey instruments were used in personal interviews held primarily on site. Unlike the interviews with community members and Council members, which were focused on community issues and performance evaluations, staff interviews were also aimed at the administrative organization, its processes and working relationships.

From the survey, we found out that a number of staff feel that they are overworked, with almost all indicating that they have seen their workload increase over the past few years. They still feel

that they are doing a good job for the municipality and, even though management staff is very thin, two-thirds responded that they do get the support they need from their supervisor. Despite the problems identified with Council, three-quarters indicated that they are satisfied with their jobs.

Regardless of any special issues facing the municipality, this is a time of transition for staff. A new CAO has been hired, but had not yet come on stream at the time of the onsite interviews. The Public Works superintendent was doing double-duty as the acting CAO and his own job, which currently includes responsibility for Recreation, Parks and Culture. The latter responsibility will be shifted to a Recreation Director in the near future. The Chief Financial Officer had been in his position for three months at the time of his on-site interview. At the same time, a new computer system is still in the process of being fully implemented.

In addition to responses to the structured questions, participants made many observations and comments. The next page provides a sampling of responses to the open-ended questions that were asked at each staff interview.

Staff input helped the consulting team formulate recommendations for the CAO to consider relative to the staff and the administrative structure used by Crowsnest Pass. Findings and recommendations regarding the administration and staff are found in Section 7.2.

Responses to Structured Questions asked in the Staff Interviews

What keeps you from doing a better job?

-Lack of training & experience, need training opportunities & cross-training -Low morale -Need direction, a leader -Time constraints (mistakes happen because no time to check)-Short on support staff
-The time it takes for decision-making (even simple decisions)

What would help you do a better job?

-Training and cross-training - CAO who you can talk to - Administrative support - Policies and procedures for consistency. E.g. of cutoffs for utility billing, policy for vehicle maintenance and replacement - Job descriptions, possibly reclassification of positions - Quicker decision making, quicker

processing of bylaws and other matters (i.e. signing them) - Correct telephone system that interrupts work on the computer - More supervision communication

Do you have any suggestions for how your department can make improvements?

-Training people - Determine where missing bylaws are, update bylaws E.g. -Unsightly Premises, Traffic, etc. -Develop a way to get things signed -Less interference by Council members, more respect (courtesy) by Council for staff/their work -Council needs to focus on their business - Leadership, discipline and stability - Need an office manager

Any other comments or ideas?

-Problems with Council meetings, RCMP called in, accusations of tape tampering, biased Council members, lack of control, -Need to put aside personality conflicts and personal agendas of Council members -Are the right decisions being made in recreation? Have arenas, but lacking field and pool development & maintenance, -Available land. No commercial/industrial development,-Concerns with the land sales, no policies and inexperienced committee members.-Need economic development in the community, no jobs for graduating students. Low non-residential assessment driving up taxes. Economic development scared away.-Need policy and direction and policy needs to be followed.-Need to start fresh.-Respect volunteer contributions.-Decisions are not being made and business is not being done. -Too much Council interference.-Need leadership.-Communication of issues with ratepayers and with staff.- Cost of overtime. -Allow CAO to make decisions, get things done.- Need for infrastructure maintenance policy and program.

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6.0 **REPORT ON THE 1997 CORPORATE REVIEW COMPLETED BY THE HUMAN RESOURCES GROUP (HRG)**

Issue raised in the Interim Report: The Implementation of the recommendations of the Human Resource Group Report.

Terms of reference for the AAGI Review included an assessment of the implementation of the earlier HRG Report and Recommendations. Interviews in the community confirmed this as an issue.

On March 12,1997, the Council of the Municipality of Crowsnest Pass adopted the

recommendations of the Human Resources Group at a special public meeting at which the report and its recommendations were presented. In addition to the formal report, in camera recommendations on staff changes were made by the consultant and carried out by Council resulting in a change in Chief Administrative Officer.

Findings of the report in many ways reflect the findings of the current report. In addition, it was clear that although the HRG Report had been adopted by the Council of the day, the subsequent Council did not continue to implement the remaining recommendations.

Section 6.1 provides general observations on the HRG Report, while Section 6.2 evaluates each individual recommendation.

6.i Overall Observations on the HRG Recommendations and Their Implementation

Many of the findings of the 1997 Corporate Review are repeated in the 2000 Corporate Review. The issue of how Council conducts its business and behaves, the number one issue in 1997, is again the underlying root of most problems in the Municipality in 2000. Recommendations for improvements in code of conduct and clear delineation of roles between Council and management were not implemented. A strong recommendation in this regard, along with a detailed plan to implement and monitor, will be needed if any change is to occur in Crowsnest Pass.

There clearly are systemic problems that have led to the dysfunction in Council. This issue, often defined in terms of personalities and personality conflict, has continued on even though a number of members of Council have changed. In fact, it has been recorded as a legacy over the life of the Crowsnest Pass, from its creation some twenty years ago. These leads us to believe that changes in the processes, procedures and code of conduct of Council should help mitigate this problem (Section 7.1 of this Report).

A number of HRG recommendations dealing with administrative structure and operation have been implemented, such as:

- computer upgrades
- some training
- an attempt at staff empowerment
- incorporating management responsibility for recreation and culture under Public Works and FCSS under the Finance Officer

The last recommendation noted, regarding recreation and culture did not turn out to be effective, leading to a very small management team and too many management responsibilities for the Public Works Superintendent. Program delivery and coordination with community users have slipped. The Town is rectifying this situation by advertising for a Recreation Director to be filled in the near future. Our consulting team will have further comment on organizational structure in Section 7.2 of this Report.

6.2 Evaluation of All Recommendations made by HRG in the 1997 Corporate Review

Recommendation 1

The first and foremost recommendation of the report is that Council must respect the commonly accepted delineation of roles between Administration and Council... One workshop has already been held with Council to openly discuss and try to resolve this matter once and for all.

Acceptance of this recommendation is not evident in the practice of the current Council.

Recommendation 2

Council members must make every effort to put their personal differences aside and to live with the decisions Council arrives at through the democratic process of a majority vote.

Acceptance of this recommendation is not evident in the practice of the current Council.

Recommendation 3(a)

Wherever legally possible and administratively feasible, Committees of Council should be abolished immediately.

The previous Council substantially implemented this recommendation. Subsequently, the current Council re-introduced committees and in some cases expanded Council participation.

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Recommendation 3(b)

Council and/or Administration representation on other "Community" committees or boards such as the Recreation Board or the FCSS Board should also be abolished.

This recommendation was not implemented because of the large responsibilities and budgets of these Boards. Council representation on the Recreation Board has been increased.

Recommendation 4

A qualified, strong and cohesive management team must be created as soon as possible -... the

Municipal Administrator ... position should be retitled Chief Administrative Officer ... It is recommended that there be staff representation on the selection committee.

Building a management team has been difficult because of the many turnovers in management staff. The position of the Municipal Administrator was re-titled to Chief Administrative Officer. Staff members are included in the selection committees for management positions, but not on the recent selection committee for the Chief Administrative Officer.

Recommendation 5

The position of Public Works Superintendent should be filled with someone who understands the daily workings of a municipal public works department ... The primary role ... should be one of planning and coordination ... there is a pressing role for replacement and maintenance planning in general.

The person appointed Public Works Superintendent has considerable municipal public works management experience and is focussing on planning and coordination in the public works area. He has to also undertake direct supervision in the Arena/Parks area because there is no intervening supervisory position. This individual has recently been acting CAO, further restricting his time. A Municipal Infrastructure Management study has recently been completed identifying long-range needs of the Municipality.

Recommendation 6

The position of Director of Community Services should not be replaced.

The position was eliminated. The Municipality is currently recruiting a Recreation Director at the urging of the Recreation Board.

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Recommendation 7

The position of Finance Officer and Assistant Administrator should be re-titled Director Finance and Systems.

This recommendation was implemented.

Recommendation 8

The position of Human Resources Coordinator should be renamed Executive Assistant to the Chief Administrative Officer ... adequate training and staff development should be provided in human resources management and other areas of municipal administration.

The position was re-titled. The incumbent is currently on stress leave. The training envisioned in the recommendation was not provided.

Recommendation 9

The current position of Department Clerk/Stenographer in Community Services ... should be re-titled Clerk/Receptionist and should report together with the other office staff to the Director of Finance and Systems.

This recommendation was implemented.

Recommendation 10(a)

All staff should be delegated far more responsibility and freedom to make decisions regarding their daily work and how it is done.

Staff has been given more responsibility regarding their daily work than was the case prior to the report.

Recommendation 10(b)

Move all staff onto the main floor.

All staff, except the Superintendent of Public Works, are now located on the main floor.

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Recommendation 10(c)

The telecommunications system needs to be reviewed and updated once the offices are all moved.

A new telephone system was installed.

Recommendation 10(d)

The exact division of duties amongst all staff needs to be reviewed by the staff and some adjustments made to reflect the changes in Community Services.

Discussions were held on how best to handle the work.

Recommendation 10(e)

Provide "one stop shopping" customer service at the front counter with modern cashier tills that automatically credit monies received to the appropriate account.

This recommendation was implemented in conjunction with the new software package.

Recommendation 10(f)

Average the utility readings and move to outside electronic readings of meters.

This recommendation applies only to electricity. Action is pending the results of negotiations arising from deregulation of the electrical system in Alberta.

Recommendation 10(g)

Office hours and work shifts should be re-examined to see whether or not better customer service can be provided by staying open later or during the lunch hour.

This was discussed and lunch hour opening tried prior to the Corporate Review. The experiment was terminated as a result of low customer response. There has been no discussion of this recommendation with staff since the report.

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Recommendation 10(h)

Similar "team " meetings should be held on a fairly regular basis to ensure good communication.

The office staff meets following each Council meeting for information on Council decisions and follow-up actions required.

Recommendation 10(i)

The budget process should be completed in a more timely fashion.

The 2000 budget had not been approved as of April 2000.

Recommendation 10(I)

Computer software should be updated with access available to all and with appropriate networking.

This recommendation has been implemented.

Recommendation 10(k)

Human Resource policies should be more supportive rather than punitive.

Long time staff report that the policies have changed.

Recommendation 10(l)

Adequate staff training should be made available to everyone to increase skills and provide better flexibility in staff utilization and manpower planning.

The training budget has been increased.

Recommendation 11 (a)

Public Works ... operations ... need to be coordinated centrally with advance planning and deployment of staff.

This recommendation has been implemented.

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Recommendation 11 (b)

The new Superintendent of Public Works should discuss this question of staff coordination and utilization with all the public works staff and they should determine what arrangement will work best.

The question was discussed with the foremen.

Recommendation 12

The arena operators should report to the Public Works Superintendent.

This recommendation was implemented but may change once the Recreation Director is in place. The conflict between this recommendation and the previous recommendation regarding the Superintendent focussing on planning and coordination, not direct supervision, was noted.

Recommendation 13

The maintenance of all municipal equipment and buildings should also come under the Public Works Superintendent.

This recommendation was implemented.

Recommendation 14

A comprehensive audit should be made by a qualified firm of Chartered Accountants of the municipality's finance systems and software as well as the computer hardware, software and systems in general.

This recommendation was implemented and the "Diamond" software package was purchased.

Recommendation 15

All Fire Departments and the Rescue Squad should report to the Fire Marshall, who in turn should report directly to the Chief Administrative Officer.

This recommendation was not implemented. A Fire Marshall was named but was basically chair of the committee of chiefs. The Fire Marshall resigned and the individual fire chiefs have assumed fire marshall responsibilities.

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Recommendation 16

The question of how many Fire Departments are required to safely cover the entire area of the Municipality ... an independent audit should be conducted as soon as possible.

A Master Plan will be prepared once the application for a Municipal 2000 grant has been approved.

Recommendation 17(a)

A current organization chart

A current organization chart is not available.

*Recommendation 17(b)**Current up-to-date job descriptions*

Job descriptions are not available for most positions. In some cases list of duties are available.

*Recommendation 17(c)**A Performance Management system*

Regular performance reviews are not undertaken.

*Recommendation 17(d)**All management staff should have an employment contract.*

Current management staff has letters, not formal contracts.

*Recommendation 17(e)**The payout of unused sick leave credits is not a recommended benefit for management staff.*

Current management staff is not aware that this is a policy and has not received any payouts.

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*Recommendation 18**Multi-skilling and cross training should be encouraged at all levels and throughout the organization.*

There has been some cross training for basic backup but not to undertake full responsibilities. The objective is supported but management staff does not believe that the union environment is conducive to full cross training.

*Recommendation 19(a)**The final step in the grievance process should be the Chief Administrative Officer.*

Article 5.02 of the current Collective Agreement provides that the Chief Administrative Officer's decision may be submitted to arbitration. Council is not mentioned in the grievance procedure.

Recommendation 19(b)

All job classifications under the Collective Agreement should be reviewed to see if there is any meaningful distinction between many of them.

Some classifications have been reviewed.

Recommendation 20

All Councillors and managers should make an effort to practice MBWA or "Management by Walking Around".

This is ongoing and implementation varies by individual involved.

Recommendation 21

Council must start the process of continual long range and strategic planning so as to provide the proper guidance for future prosperity of the Municipality.

Issues of the moment have tended to distract Council from longer-range considerations.

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7.0 FINDINGS OF THE AAGI CORPORATE REVIEW

7.1 Governance, Processes and Practices of Council

Issue identified in the Interim Report: In all cases, community, Council and municipal staff, there was agreement that the number one concern of the Crowsnest Pass is the way in which Council conducts its business.

7.1.1 Background

In Alberta, a municipality is a statutory corporation, which means that the legislation gives duties, powers and functions to a municipality; requires some procedures for exercising them; and imposes some limits on them.

The *Municipal Government Act* sets out the roles of the Council and the Chief Administrative Officer as follows:

*201 (1)**A council is responsible for*

- (a) developing and evaluating the policies and programs of the municipality;*
- (b) making sure that the powers, duties and functions of the municipality are appropriately carried out;*
- (c) carrying out the powers, duties and functions expressly given to it under this or any other enactment.*

*201 (2)**A council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the chief administrative officer or a designated officer.**207**The chief administrative officer*

- (a) is the administrative head of the municipality;*
- (b) ensures that the policies and programs of the municipality are implemented;*
- (c) advises and informs the council on the operation and affairs of the municipality;*
- (d) performs the duties and exercises the powers and functions assigned to a chief administrative officer by this and other enactments or assigned by council.*

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Unless otherwise provided in a specific provision of legislation, a council has authority to delegate (Section 203) any of its powers, duties or functions to a council committee, the chief administrative officer or a designated officer. Functions that can not be delegated include the powers to pass a bylaw, hire or terminate a chief administrative officer, adopt budgets, reduce or cancel taxes or approve a phase-in program for increased taxes resulting from a new assessment.

Each council must adopt an operating budget for each calendar year (Section 242). If the operating budget is not adopted prior to the start of the year, an interim budget may be adopted until the operating budget is approved. Each council must also adopt a capital budget (Section 245). The municipality may not spend any money unless it is included in one of the budgets, is for an emergency, or is required by law (Section 248). And a council cannot pass a property tax bylaw or business tax bylaw until the operating and capital budgets have been approved.

Decisions of the council may be made by resolution or by bylaw (Section 180) that is *passed at a council meeting held in public at which there is a quorum present* (Section 181). Similarly a resolution of a council committee is not valid unless it is passed at a committee meeting held in public at which there is a quorum present.

A council may pass bylaws establishing and describing the functions of council committees (Section 145). These committees may consist entirely of councillors, a combination of

councillors and other persons or entirely of other persons, except that the chief elected official (the Mayor) is a member of all committees unless the council determines otherwise.

In summary, the legislation anticipates that council will set policy and the administration will carry it out. Decisions of Council and Council committees are to be made at meetings held in public and the administration will provide advice to those meetings. The operating and capital budgets are the major policy decisions for the year because they determine spending priorities for the available funds on the policies and programs approved by Council for the year.

The duties of a councillor and of the chief elected official are also described in the *Municipal Government Act*.

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Councillors have the following duties:

- (a) *to consider the welfare and interests of the municipality as a whole and to bring to council 's attention anything that would promote the welfare or interests of the municipality;*

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- (b) *to participate generally in developing and evaluating the policies and programs of the municipality;*
- (c) *to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;*
- (d) *to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;*
- (e) *to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;*
- () *to perform any other duty or function imposed on councillors by this or any other enactment or by the council.*

154(1)

A chief elected official, in addition to performing the duties of a councillor, must

- (a) *preside when in attendance at a council meeting unless a bylaw provides that another councillor or other person is to preside, and*
- (b) *perform any other duty imposed on a chief elected official by this or any other enactment or bylaw.*

A Council may pass bylaws (Section 145[b]) governing *the procedure and conduct of council, council committees and other bodies established by the council, the conduct of councillors and*

the conduct of members of council committees and other bodies established by the council.

Maintaining the general decorum of a meeting is dealt with (Section 198) by providing that everyone has a right to be present at council and council committee meetings conducted in public *unless the person chairing the meeting expels a person for improper conduct.*

Finally, councillors are not do discuss or vote on matters (Sections 169 to 179) in which they have a *pecuniary interest*, that being an interest that can be measured in money. There are exemptions from the general rule relating to interests that are shared with all or a majority of the residents of the municipality.

7.1.2 Council Meetings

The public perception of the Municipality of Crowsnest Pass Council is based largely on the behaviour of councillors and the conduct of business at Council Meetings. From

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either personal observation or media reports, many people in Crowsnest Pass (including members of Council themselves) believe that the conduct of Council meetings is an embarrassment to the Municipality. Personal attacks disrupt the orderly conduct of business. Councillors address each other and sometimes members of the audience directly, without addressing the chair.

At the meeting observed by the Consulting Team on March 21, 2000, more than one and a half hours were devoted to haggling over minor wording changes to the minutes and using the 'Business Arising' portion of the agenda to rehash discussions from the previous meeting. In addition, one member engaged in a tirade directed at an audience member in a grossly unparliamentary fashion. It was observed that neither the Mayor nor any other member of council raised a point of order regarding addressing the chair or the use of intemperate language. The consulting team heard many anecdotes regarding similar incidents.

The HRG report identified this problem and addressed it in general terms. AAGI believes that specific actions could be taken that would assist in raising respect for Council meetings. Council meetings provide the venue for the fundamental democratic discussion of issues of importance to the community.

Council Chamber Layout

Recommendation 1(a)

The boardroom style Council table should be replaced with a U-shaped table. This will make it easier to chair the meeting but will also physically indicate that the meeting occurs around the table.

Council should also consider having the CAO join Council at the end of the Council table. The chair of the meeting will take the centre seat in the 'U' to provide the optimal opportunity to properly preside over the meeting. Other seating assignments would be drawn by lot.

Council currently sits at a long, boardroom-style table, facing the public gallery seats. This arrangement invites councillors to treat the gallery as an audience and to address remarks to the audience, rather than to the person chairing the meeting. Under the current layout, it is understandable that the chair might miss an indication from a councillor that he or she wanted to speak on the matter under discussion. It bears repeating that **a Council meeting is a meeting held in public, not a public meeting.**

A very important part of the Council Chamber layout is provision for the CAO and senior staff resource complement. Not only an important presenter, the CAO must be easily

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accessible to provide advice to Council. In some cases, the CAO joins the Council at the end of the Council table. If Council still wishes to have the CAO at a separate location, the table where management and other staff sit should be clearly visible to the chair so that he or she can easily recognize when the administration has information or advice to provide.

There is currently a perception of block voting by the Mayor and councillors, with many items receiving the same split vote. The apparent 'camps' on Council are reinforced by the current seating arrangement. To avoid any perceived politics regarding seating arrangement, lots can be drawn as to councillor seating assignments.

7.1.3 Council Agendas

Recommendation 1(b)

Council should adopt a new agenda format substantially reflecting the format proposed in the AAGI report.

Both the ordering of Council meeting agendas and the way agendas are managed are creating difficulties for Council and contribute to Council's inability to complete its meeting agenda in a four-hour meeting time.

The Council Agenda currently used by the Municipality of Crowsnest Pass has been in effect since at least 1987, when the "Procedure Bylaw" was passed. Council meetings would be more

productive if the standard agenda headings were re-ordered and some new headings introduced as outlined in the following chart. Chart 2 (page 41) provides more detail on the proposed agenda.

Chart 1. Existing and Proposed Council Meeting Agendas

EXISTING AGENDA	PROPOSED AGENDA
Delegations	Call to Order
Adoption of Agenda	Adoption of Agenda
Adoption of the Previous Minutes	Adoption of Minutes
Business Arising from the Minutes	Delegations & Correspondence
Agency Report ⁵	Answers to Inquiries
Correspondence	Information Reports
Bylaws	
Other Business	Committee and Agency Reports
Committee, Commission, Board	Report ⁵ from the CAO
Report ⁵ and Council Members	Bylaws
Adjourn	
	Motions on Notice
	Inquiries
	Notices of Motion
	Adjournment

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Delegations

Currently, Delegations appear as the first item of business, even before the agenda for the meeting is approved. Historically, this was a courtesy to persons wishing to raise a concern or make representation to the Council, allowing them to present at the beginning and leave the meeting if they wished. Given the current state of relations between Councillors and between Council and citizen groups, the Delegations portion of the agenda is frequently setting an inappropriate tone for Council meetings and delaying the conduct of the Municipality's business.

Evidence-based decision-making

Council should have available the best advice of its administration when it is making decisions. Council is the decision-making group, however, the best decisions result when full information is available. The knowledge, training and experience of the members of the administration should be available to assist Council in making the best decision possible, including making recommendations. Section 7.1.4 of this report outlines a standard 'Request for Decision' or 'CAO Report' format that would assist in providing consistent and comprehensive information and advice to Council.

Communications with the Public

Communication between the public and members of Council is an important feature of municipal government. Communication may be in writing or in person. However, the orderly conduct of business requires that communication be appropriate and timely.

Mail

Written communication normally occurs by correspondence. A person who writes to the municipality should have confidence that the correspondence will be provided to the person or persons to whom it is addressed. In Crownsnest Pass, the receptionist initially receives all municipal mail and then distributes it to the appropriate persons. Mail addressed to an individual member of Council should be delivered to that person unopened.

Mail addressed to the "Mayor and Council" or to Council or a Standing Committee should be delivered to the Chief Administrative Officer for distribution to the members of Council or of the appropriate committee. The only exception should be if the Chief Administrative Officer considers that the correspondence contravenes FOIPP provisions or contains libellous material. As a matter of courtesy, all mail should be acknowledged as soon as possible after receipt.

Presentations to Council

Formal personal communication occurs during the Delegations portion of meeting agendas. The existing Crownsnest Pass Procedure Bylaw provides that each delegation

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may speak for ten minutes unless the time is extended by a resolution of Council. This type of provision is usually interpreted to mean that delegations would be held to ten minutes unless in a specific case Council decided that the matter was important enough that the time should be extended for the delegation. (It was observed at a recent Council Meeting that the Mayor announced that all delegations would be allowed 20 minutes for their presentations.)

There are two types of delegations that may be heard by Council, statutory and non statutory. A statutory delegation refers to instances when the *Municipal Government Act* (or any other legislation) requires Council to hold a public hearing on a proposed bylaw or resolution. A non-statutory regulation refers to instances when there is no legislative requirement to hear the person but Council wishes to do so.

When someone wants to speak as a non-statutory delegation, Council should decide whether or not to hear the person. Adopting the agenda with the list of persons who have requested to speak should not be considered an approval of each person on the list. There should be a resolution, such as "That (name of person[s]) be heard" in order to formally confirm Council's wishes.

Many Councils have established a five-minute limit on the initial presentation by the delegate. This is considered adequate time for the delegate to state his or her basic case to Council. Whatever time limit is selected, there is usually provision that Council may extend the time in any particular case, either by resolution or by asking questions of and receiving answers from the delegate.

The current Procedure Bylaw stipulates that requests to appear before Council should be provided in writing, indicating the subject matter and name(s) of the presenter. This is a reasonable

approach, but needs to be implemented effectively, i.e. the written requests are dealt with in a fair and expedient fashion, and in particular are acknowledged and responded to in writing.

Recommendation 1(c)

Council should determine the standard length of time for the initial presentation by a delegate, include that time in the Procedure Bylaw, and the provisions of the Procedure Bylaw should be followed at each meeting.

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Other Ways of Exchanging Information with the Community

Council benefits from receiving the advice of the community on larger issues, such as the community's priorities for municipal expenditure. This could be accomplished by **holding occasional public meetings** at which issues are explored in the process of developing Council policy. These meetings could include information presentations from staff or consultants and discussion of the implications with public participants in order to discern the general direction that citizens think the Municipality should take. This would provide a common information base for members of Council on the general thoughts of the community.

Council currently relies on media and word-of-mouth reports to distribute most information regarding the issues facing the Municipality. The Municipality could benefit from **the regular provision of objective information to its residents**. These information reports should be factual, not opinion pieces. In some other municipalities, a regular "Mayor's Column" in the local paper(s) is used for this purpose. Crowsnest Pass distributes utility bills on a bimonthly basis to its ratepayers. A cost-effective way to communicate with ratepayers would be to include a newsletter to residents along with the utility bill.

Recommendation 1(d)

Mail addressed to the "Mayor and Council" or to Council or a Standing Committee should be delivered to the Chief Administrative Officer for distribution to the members of Council or of the appropriate committee. The CAO should ensure that a newsletter of factual information reports is included at least quarterly in the utility bill mail out. News releases should also be prepared and distributed on matters and decisions of Council that are important to ratepayers.

Proposed Council meeting agenda

Formatting not available, see original document

Proposed Council meeting agenda

Formatting not available, see original document

Proposed Council meeting agenda

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Proposed Council meeting agenda

Formatting not available, see original document

In addition to the continuity created with a standardized agenda and approach to achieving that agenda, there are recurring items that will help the Arrangements and Protocol Committee in its agenda planning for the year. These include:

- January: CAO Performance Evaluation (Sect.205.1 MGA)
- April: Audited Financial Statements, Mill Rate Bylaw
- September: Planning and Budget Guidelines for the Coming Year
- October: Organizational Meeting
- December: Coming Year's Budget Approval

7.1.4 Best Use of the Involvement of Administration

Council has the responsibility for making decisions. However, the best decisions are made when Council has considered the relevant legislative provisions, technical data, operational implications, how other municipalities have dealt with a similar issue; as well as each Councillor's understanding of the residents' views on the matter.

Recommendation 1(e)

Council should expect and welcome information and advice from the administration on matters that come before Council. The CAO should ensure that the advice or information is objective, factual and provided in a manner that will assist Council in making a decision by using a standard request format such as the one outlined in the AAGI Report.

All reports to Council should come from the CAO. This ensures that a corporate perspective will be given to reports originating from any department of the administration.

A suggested report style is provided on the following page, while an actual sample report is provided in the appendix.

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Suggested Format for CAO Report to Council

SUBJECT

A brief description of the matter dealt with in the report, e.g. Sunrise Seranade Development Agreement

1.0 Recommendation(s)

Describes the action(s) recommended by administration, e.g. "That the development agreement with XYZ Inc. for the Sunrise Seranade development be approved." If the report is simply an information report, e.g. in response to an inquiry, the recommendation should be "That this report be received as information"

2.0 Background

A brief explanation of why the administration is providing the report, including any previous consideration of the subject by Council

3.0 Alternatives Considered

Since normally a number of approaches to any matter are considered, this information should be provided to Council

4.0 Rationale for Recommendation(s)

This explains why administration is recommending the approach included in the recommendation(s).

Prepared by: Indicates what part of administration prepared

Position/Department: the report

7.1.5 Minutes of Council and Standing Committee Meetings

The *Municipal Government Act* (Section 208[1]) provides that one of the duties of the CAO is to ensure that "all minutes of council meetings are recorded in the English language, without note or comment."

The minutes are the official record of the business of the municipality that was dealt with at the meeting. As noted previously, the business of the municipality can be dealt with by resolution or by bylaw. These are the actions of Council as a whole that are to be recorded in the minutes.

The minutes are not intended to be a *Hansard* (the publication that records debates in the House of Commons and the provincial Legislative Assembly). The Municipality of Crowsnest Pass already tape-records council meetings, so that persons who wish to, could refresh their memories on the discussion by listening to the tapes. Participation in a

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discussion is an action of an individual Councillor not of Council as a whole, and as such needs not be recorded.

The minutes of Council and Standing Committee meetings should include the list of Councillors present and absent from the meeting, the names of any persons speaking as delegations and a brief summary of their presentation, all decisions and other proceedings at the meeting (sample provided in Appendix 1).

Results of the review of Council minutes, observation at the Council meeting and the many interviews showed the consulting team what an inordinate amount of time is wasted in the preparation of detailed minutes and in the review of these detailed minutes at subsequent Council meetings. The sample in the Appendix is meant to demonstrate what is needed in minutes of the Council meetings of a municipality.

Recommendation 1(f)

It is strongly recommended that the Council of Crowsnest Pass, with the assistance of the new CAO, aim towards more appropriate content and length of minutes and considerably reduce the time consumed at meetings in minute adoption.

7.1.6 Taking a Policy Perspective

As described in the *Municipal Government Act*, a Council's primary role is developing and

evaluating the policies and programs of the municipality. The Crownsnest Pass Council pays far more attention to implementation details than it does to the policy it is establishing in making these decisions. For example, line-by-line budget review results in detailed decisions on individual expenditure items without consideration of the longer range implications of the cuts. There is no generally accepted vision for the Municipality on which to base individual decisions. Another example would be the sale of town owned land on a parcel by parcel basis. As a result, the Municipality has been left with very little flexibility in regards to future development.

The Municipality has spent \$ 135,000 on a review of its public works infrastructure. This is an important issue for the Municipality and the report provides a basis for developing a long-range maintenance, upgrading and replacement policy.

Recommendation 1(g)

Before the end of June 2000, Council should hold a special meeting to receive a full presentation of the results of the Study and its implications to the Municipality. This would initiate the development of a Public Works Infrastructure Management Policy to guide future budget decisions.

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7.1.7 Council and Committees

Issue identified in the Interim Report: Council Committees, their membership and operation

Members of Council currently serve on the following Committees, Boards or Agencies (number of Councillors as members):

- (a) Ball/Soccer (1)
- (b) Bylaw Review (3)
- (c) Chamber of Commerce/Public Relations (1)
- (d) CNP Senior Housing (2)
- (e) CNP/PC Waste Management (3)
- Crowsnest Centre (3)
- (g) Economic Development (1)
- (h) F.C.S.S.(1)
- (i) Finance (7)
- (j) Land Sales (3)
- (k) Library Board/Chinook Arch (1)
- (l) Negotiations (1)
- (m) Oldman River Intermunicipal Service Agency (2)
- (n) Protective Services (1+ alt.)
- (o) Public Works (3)
- (p) Recreation (2)
- (q) Snowmobile (2)
- (r) Subdivision and Development Authority (2)
- (s) Subdivision and Development Appeal (1+ alt.)
- (t) Technical Review (3)

(u) Weed Control & Cemeteries (2)

The seven members of Council fill 45 committee positions. Some positions facilitate the regional delivery of municipal services and are deemed appropriate and important for Council representation, such as CNP/PC Waste Management and the Oldman River Intermunicipal Service Agency.

However, the consulting team is concerned with the number and use of Council Standing Committees. For example, minutes examined for the Public Works Committee imply that the Committee is directing administration to undertake particular activities. This micro-management by a Council Committee contributes to weak operations and little or no attention paid to policy development, which is the job of Council. Specific recommendations for reconfiguring the Standing Committees of Council are made in the

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following section. The new structure affects the current committees of Bylaw Review, Finance, Land Sales, Negotiations, Protective Services, Public Works, Technical Review, Weed Control and Cemeteries.

In addition, Council should also review the rationale for the appointment of Councillors as members of the remaining committees. In particular, Council should reconsider appointing Councillors to be members of committees that by their terms of reference are advisory to Council.

When a special issue arises, Council may want to appoint an Ad Hoc Committee to research and report on it. Any Ad Hoc Committees established should have defined terms of reference and a "sunset clause", automatically disbanding the committee when the task is complete.

7.1.7.1 Standing Committees

It is the finding of the consulting team that the business of the Municipality could be facilitated by establishing a series of Standing Committees of Council related to general policy areas.

Recommendation 1(h)

That Council disband the Bylaw Review, Finance, Land Sales, Negotiations, Protective Services, Public Works, Technical Review, Weed Control and Cemeteries committees and establish three Standing Committees of Economic Affairs, Public Affairs and Arrangements and Protocol.

Economic Affairs and Public Affairs Standing Committees

Each of the Economic Affairs and Public Affairs Committees should have three Councillors as members and, under the *Municipal Government Act (Section 154)*, the Mayor would be a member of each committee with the right to debate, make motions and vote. All other members of Council should be entitled to attend meetings of each committee and participate in debate, but may not make motions or vote. Membership on the Standing Committees should be rotated so that each Councillor serves for at least one year on each standing committee during their term of office. Membership would be established each year at the organizational meeting of Council.

Committee members should rotate through the chair position so that each member would spend four months of the year as chair. The Mayor would not be eligible to chair these

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standing committees. A quorum should be two members of the committee with the provision that, if there is only one member present at any duly called meeting, one of the other Councillors present may become an alternate member of the committee and be counted to determine the quorum. If more than one other Councillor is present, priority for selection as an alternate member will be the Deputy Mayor followed by Councillors in alphabetical order according to their surnames.

Each of these committees would consider matters referred to them by the Council for more detailed consideration than is appropriate at a Council meeting. There could be standing referrals (for example, the procedure for proposed land sales might be that the CAO would bring the proposed sale to the Economic Affairs Committee, which in turn would make a recommendation to Council). The committee would receive information and advice from the CAO and other members of the administration and could consult with members of the public. The committees would make recommendations to Council. The committees would also be responsible for the Municipality's good relations with other groups in the community dealing with similar subjects.

Referrals to the Economic Affairs Committee would include items generally related to municipal finance, economic development, land sales, development agreements, water and sewer services, asset maintenance and any related bylaws.

Referrals to the Public Affairs Committee would include items generally related to recreation and culture, F.C.S.S., policing, fire, disaster and ambulance services, bylaw enforcement, transportation, weed control, cemeteries, housing and any related bylaws.

Arrangements and Protocol Committee

The members of the Arrangements and Protocol Committee would be the Mayor and the Chairs of the Economic Affairs and Public Affairs Committees. If the chair of the Economic Affairs or Public Affairs Committee were unable to attend an Arrangements and Protocol Committee, he or she would designate one of the other members of the Committee as an alternate. The Chief

Administrative Officer, or the person designated as Acting Chief Administrative Officer, must attend all meetings of the Arrangements and Protocol Committee.

The Arrangements and Protocol Committee would schedule agenda material for Council and Committees so that the business of the Municipality may be dealt with in an orderly and timely manner. In addition, referrals to the Committee would include items such as: establishment of a schedule for rotation through the Deputy Mayor position; appointments to Standing Committees, Ad Hoc Committees and other agencies; long

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range planning; human resources; inter-governmental issues; general corporate policy and related bylaws, including the Procedure Bylaw. The Committee would also review protocol arrangements for special events organized by the Municipality and ensure appropriate representation of the Municipality at community events.

7.1.7.2 Advisory Committees to Council

Recommendation 1(i)

That Council membership be eliminated from Advisory Bodies such as the Recreation Board and the FCSS Board.

Advisory committees can provide important advice to Council, utilizing the knowledge of community members, and also provide another avenue of exchange with the community to be able to appreciate the views of the citizens on matters important to the community. In some cases these committees may be established on an ad hoc basis for a single issue or purpose. In others, such as FCSS and the Recreation Board, they are established committees providing ongoing advice framed by their specific terms of reference.

The HRG Report of 1997 strongly recommended that Council members be eliminated from advisory bodies. This recommendation was not carried through. In the example of the Recreation Board, there currently can be as many as four members of Council in attendance and fully participating in the meeting as voting members. In addition, when the Board reports to Council, it does not appear to do so through administration or through the citizen Chair of the Board, but rather a Council member. Currently 'Committee Reports' are the primary source of information on municipal operations received by Council. Poor management of Council meeting agendas has resulted in Committee Reports not being attended to because the four-hour time limit for the Council meeting has been reached and the meeting is adjourned.

Reporting to Council by Advisory Committees should be timely and planned. The Chair of the respective group will report on a scheduled basis to Council at a Council meeting. Their report

may include recommendations for Council such as Committee appointments, budget priorities, and also background information on issues and other decisions that Council may have before them.

Reporting to Council on operations should be the ongoing responsibility of the CAO.

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7.1.7.3 Council and Committees - General Observation

Committees and advisory boards need appropriate support and information from its administration. Fewer committees and the new additions to management will hopefully provide the resources needed. For example, the new Recreation Director can support the Recreation Board and senior staff will support the three Standing Committees of Council as required.

7.2 Findings on the Administration, Organizational Structure and Operations

Issues identified in the Interim Report: Council's focus on day-to-day management and lack of attention to long range planning and bigger picture issues.

Under the Municipal Administrator and Designated Officers Bylaw, the Chief Administrative Officer (CAO) has responsibility for organizing and staffing the administration. In addition to the above specific issue, the consulting team conducted a thorough operational review of the administrative structure, processes and practices of the Municipality.

At the time of the on-site review, the new CAO for Crowsnest Pass had not yet joined the organization. The following findings and resulting recommendations are provided for information and consideration by the new Chief Administrative Officer.

It was found that staff generally like their jobs but are reluctant to reveal to others that they work for the Municipality. They are embarrassed by comments regarding the antics of their Council, which are made at meetings provincially and reported in newspapers as far away as Saskatchewan.

Recommendation 2(a)

The CAO should institute morale building and pride-in-the-Municipality through initiatives with staff. Some examples are recognition of long service and of extraordinary accomplishments.

There is an unusual reliance in the Municipality on two scapegoats for administrative deficiencies. One is the "new system" and one is "the union". Both management and staff need to take increased responsibility for their own decisions and actions.

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Recommendation 2(b)

The CAO should ensure that the necessary actions are taken to fully implement the software program and have it function smoothly. Upgrading of computer technology should continue to take place and automation of reporting should continue to be a priority.

Recommendation 2(c)

The CAO should implement a union/management dialogue process, involving the management team and a similar number of union representatives, to enable joint approaches to operational issues.

Staff are most productive when they know what their jobs are; are coached, trained and equipped to do the work; and receive honest and objective feedback from their supervisors and peers. There are divergent views on why there are no position descriptions and no performance appraisal process.

Recommendation 2(d)

The early objectives of the union/management dialogue process should be to agree on the development of position descriptions that describe the current expectations for each staff position; and to implement a performance review system. The CAO should undertake the same exercise for management positions.

Establishing position descriptions may indicate that classification review for some positions is appropriate. This may result in confirming the existing classification, or higher or lower classification for any particular position.

It was noted that the office staff have been logging a significant amount of overtime. Part of the explanation offered is "the new system". However, there has been minimal cross training of staff so that work simply piles up when a staff member is ill or on vacation.

Recommendation 2(e)

The CAO should review the cost/benefit of filling the "floater" position both to cope with the normal workload and to address vacation relief.

The practice of using "59 dayers" for occasional work is causing concern for a number of reasons. There are many interpretations regarding the impact of a temporary staff person working more than 59 days. From a management perspective, just when the temporary staff person starts to become productive, layoff is initiated because of the 59-day provision.

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Recommendation 2(f)

The union/management dialogue process should jointly agree on an interpretation of the 59-day provision. The CAO should then review the cost/benefit of using 59-day employees as compared to permanent casual or part-time employees both in the office and in outside work.

There is a belief that Crowsnest Pass will face significant development pressures in the not-too-distant future, frequently expressed as "the next Canmore". It is correct that the first contact point for development is the Development Officer; however, a manager should have the assigned responsibility for the overall land use planning and development function.

Recommendation 2(g)

The CAO should assign management responsibility for the land use planning/development function to a manager, either by assuming the responsibility himself or by realigning responsibilities to establish a Manager of Public Works and Development.

Office staff who perform a variety of functions sometimes report to more than one supervisor. This creates the following:

- unnecessary pressure for the staff person trying to satisfy two supervisors
- Raises the opportunity of deflecting performance inadequacies with the excuse that the other supervisor needed work.
- complicates work planning by the supervisors.

Recommendation 2(h)

The CAO should review the work allocation and reporting relationships of staff to have staff

members report to one supervisor, as far as possible.

The current operation of the telephone system is a concern for some staff and some citizens. Senior citizens, in particular, find voice mail features confusing. As currently configured, the telephone system limits answering by other staff when the receptionist is busy. The connection of the telephone system to the computer system disrupts the other work of the receptionist when pop-up messages regarding phone calls occupy her screen.

Recommendation 2(i)

The CAO should review the configuration of the telephone system to provide the best possible service to the public and to improve answering capabilities.

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The absence of longer range planning by Council is reflected in the administration. Management is distracted from its planning and evaluation functions by the effort required just keeping the ship afloat. It is evident that Crownsnest Pass needs policies and plans on which immediate decisions may be based, in addition to longer-term direction by Council on where the Municipality is going.

Recommendation 2(j)

The CAO should initiate the development of a longer-range planning process that will provide informed and objective recommendations to Council on policies and plans for the Municipality.

All staff should be informed first-hand on decisions and actions of the Municipality, and particularly those that affect their jobs. Staff should not have to rely on second-hand information or rumours for this purpose.

Recommendation 2(k)

The CAO should initiate a communication process to ensure that all staff have current and consistent information on the Municipality.

Findings and recommendations on a number of specific issues of concern to the community, Council and staff are discussed in the next section.

7.3 Specific Issues

7.3.1 Implementation of Market Value Assessment

Issue identified in the Interim Report: The implementation of market value assessment and how it has been communicated to taxpayers.

The implementation of market value assessment and how it was communicated to citizens of Crowsnest Pass were recognized early on by the consulting team as very significant issues in the community. After a thorough investigation the following observations and recommendations are made.

Crowsnest Pass is unique with its mix of urban and rural properties; of old and new residences; of low and high value properties; its influx of second home purchasers; its distinct local communities; and its mingling of residential and non-residential properties. One experienced assessor familiar with assessments across southern Alberta remarked "Crowsnest Pass is the most difficult town in the area to assess".

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Market Value Assessment

A property tax assessment is a predicted value. A market value assessment is a reasonable approximation of what a property is worth on the open market. The *Municipal Government Act* defines market value as

The amount that a property might be expected to realize if it is sold on the open market by a willing seller to a willing buyer.

There are two preconditions that must be met if assessments are to represent market value:

- current and accurate descriptions of the physical and locational characteristics of each property
- a logical valuation model based on actual sales

A sale is the best indicator of market value, but an accurate assessment may be above or below an actual sale price. An economist would say that whereas a price is a fact, a value is an opinion.

Assessments in Crowsnest Pass

The assessments used for taxation in 1999 reflected market value as of July 1, 1998. Although some 491 complaints were filed with the Assessment Review Board, it is noteworthy that the overall quality of the residential assessment met the standards prescribed by Alberta Municipal Affairs. As part of the 1999 assessment process, a major residential property inspection program was completed. Eight hundred properties were inspected both inside and out while a further 850 were inspected from the outside only.

The assessment program was carried out in an environment and context that frustrated the

members of Council and town staff, as well as the assessor, causing citizens to question the quality of the individual assessments. Among the significant factors were:

- A sharp increase in assessed value reflecting higher sale prices in 1997 and 1998
- A tax rate which did not drop in proportion to the assessment increases
- The introduction of a new computer system that caused problems in the preparation of assessment and tax notices

The cost of preparing the assessment was approximately \$26,650, exclusive of internal costs. With a total inventory of approximately 5,700 properties, this represents a cost per

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property of \$4.68. A 1999 survey of assessment costs by the Alberta Assessors Association shows that the median per property cost of assessment for Alberta towns is \$11.58. **The assessment function in Crowsnest Pass is seriously under funded. If under funding continues, the bases can only deteriorate to an unacceptable level.**

Recommendations

The Municipality of Crowsnest Pass must take action on a number of fronts to give citizens confidence that their taxes are based on equitable assessments; that is, on values that reflect market value and that properties with similar value have similar assessments.

Recommendation 3(a) - Program to explain this year's assessments to the community

Develop and implement an active program to explain this year's assessments including:

1. **A brochure with the assessment and tax notices to a) announce a program of open houses; b) explain how the fairness of an individual assessment can be determined; and c) describe the process of filing a complaint with the Assessment Review Board (ARB).**
2. **A series of open houses with a least one session in each community. The open house should include a formal presentation to explain the assessed values and how they are determined.**
3. **Every citizen who files an ARB complaint should be contacted in order to determine the nature of the complaint. If appropriate, the assessment can be explained. Where the property information is in error, the assessor can make the correction and issue a revised notice or can offer to recommend a corrected**

- assessment to the ARB.
4. A full complaint brief should be prepared for each hearing. The brief should show the correctness of the assessment based on the assessment of comparable properties.
 5. When the ARB hearings are complete, the Town should issue a news release that includes:
 - A summary of the results of the ARB deliberation
 - A description of the issues that were considered
 - An explanation of a plan by which the Town will deal with the identified problems

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Recommendation 3(b) - Changes to the Assessment Review Board (ARB)

The second area for action is the ARB. Recommended changes are as follows:

1. Members of Council should not sit as members of the ARB.
2. A filing fee of \$25 should be required for each complaint made to the ARB. If the complaint were successful, the fee would be refunded.
3. The members of the Board should participate in the ARB training seminar offered by Alberta municipal Affairs.
4. Prior to any hearings, the assessor should give the members of the Board a briefing on the assessment process including:

Number of sales considered	Number of inspections	Valuation procedures used
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Recommendation 3(c) - Complete a comprehensive inspection

The third initiative relative to the assessment base of Crowsnest Pass is to complete a comprehensive inspection of all property as part of the 2000 assessment for taxation in 2001. Despite the 1998 inspection of residential property, the overall quality of data used to determine assessments remains low. A comprehensive and detailed reinspection of all property is essential for the long-term acceptance of market value assessment. The Provincial Assessment Auditor can advise on the specifics of an appropriate inspection program. However, the inspection program should give high priority to the following objectives:

1. Strict adherence to the specification of the 1984 Alberta Assessment Manual so long as assessments are calculated using the replacement cost model
2. Uniform determination of 'effective age'
3. Consistency between sold and unsold properties
4. Review of the factors used to determine land values, particularly the possible influence of 'view' and 'proximity to the river'

If carried out by three assessors with necessary support staff, an inspection program could be completed in approximately six months, in time for the year 2001 assessment. Once completed, the Town should adopt a four-year reinspection cycle. The inspection program involving initial field inspection, conversion of data to electronic formats and field validation should cost approximately \$17.50 per property or a total of \$100,000. This estimate is based on staffing costs of \$89,000 and overhead of \$11,000. The annual cost of maintaining the assessment base and preparing the 2001 assessment is not part of this reinspection cost estimate.

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Recommendation 3(d)

On an annual basis, the Municipality needs to budget an amount similar to other communities for assessment preparation in order to preserve the integrity of its assessment system.

7.3.2 Application and Enforcement of Municipal Bylaws, including the Unsightly Premises Bylaw

Issue identified in the Interim Report: Application and enforcement of municipal bylaws, including the Unsightly Premises Bylaw.

The first recommendation of the AAGI consulting team concerning bylaws is to amend the Procedure Bylaw in order to implement Recommendations 1 (a) through 1 (i) of this report. In assist Council in accomplishing this action, suggested amendments have been drafted and are found in the appendix of this report.

Recommendation 4(a)

The Council needs to amend its Procedure Bylaw on or before June 30, 2000 to implement recommendations for improving Council performance at Council meetings (see appendix for detailed amendments).

There is concern by the community, staff and Council itself about the proper application and enforcement of municipal bylaws. One glaring example is the Unsightly Premises Bylaw where two bylaws currently exist, neither of which is being applied at the present time. In addition, although its application and enforcement may have been correct in the case of the Mayor's appeal in the fall of 1998, the process and result has left the community with a high level of discomfort.

The Council does have a Bylaw Review Committee although it does not appear to be active. A review and recommendation on the Unsightly Premises Bylaw(s) was intended; however, this has not happened. In addition, there are no actual motions by Council that suspend the

application of the Unsightly Premises Bylaw(s) or direct the review as outlined above. There is some reference in Council minutes to a discussion of the matter.

This is a clear example of Council not getting on with business. Two years have passed and this particular bylaw continues to be a significant irritant to the community. This provides an excellent test case for the proposed 'Request for Decision' by the CAO.

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Following the suggested CAO Report format, the CAO can report to Council on the following:

- Clarify the status of the two bylaws, #65/80 and #467/98
- Provide a summary of any relevant research and background that has been undertaken to date
- Confirm what possible actions can be taken · Make a recommendation on Council action

The process above it is not intended to deal with any site specific problem, but rather it is intended for **Council to do its job by setting policy through the adoption of the best bylaw in the interests of the community.** Enforcement of that bylaw would occur after Council has formally adopted it. It is necessary to rescind one or both of the current bylaws and adopt the desired bylaw.

Clearing up this issue would go a long way toward satisfying the community that Council is taking positive action to remedy a community-raised issue. It would also demonstrate an effective governance process. Part of the process could be a public vetting of the proposed bylaw prior to final reading.

Recommendation 4(b)

Rescind one or both of the current Unsightly Premises Bylaws. Utilizing the knowledge and resources of administration and the community, adopt the desired bylaw in the best interests of the community.

Should there be other Crownsnest Pass Bylaws or policies that require updating or new ones that should be considered, a similar process of review, analysis and public input could be utilized.

The consulting team determined that there is no current registry of up-to-date municipal bylaws and staff is challenged to locate bylaws and current amendments. This could certainly lead to involuntary misapplication of bylaws and should be remedied.

Recommendation 4(c)

Develop and maintain an up-to-date registry of Crownsnest Pass Bylaws with assigned

responsibility for keeping it current.

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7.3.3 Budgeting, Financial Reporting and Other Financial Matters for the Municipality of Crownsnest Pass

7.3.3.1 Annual Budgeting

Issue identified in Interim Report: Budgeting for the Crownsnest Pass, how it is done and when it is done.

There are no formal policies and procedures relating to the budget process in the Municipality of the Crownsnest Pass. The current year (2000) budget is being coordinated by the CAO, who has just joined the organization on April 4, 2000, and the Director of Finance and Systems (new to the organization as of December 1999). The budget is in the process of preparation and has not been finalized or approved by Council.

There are reports that previous budgeting involved line-by-line scrutiny and revision by Council itself. As mentioned earlier, this is not the role of Council. Council should approve the policies required for the annual budget process and ensure, through reporting by the CAO, that they are being implemented. Council can have the opportunity to set parameters to guide the budget process. When the budget is complete it will be presented to Council for its consideration and approval. This should be completed prior to the last year's end, not well into the operating year as it will indeed be again this year. This is not the fault of the current CAO and Director of Finance and Systems as they have just joined the organization.

There were also reports of substantial Standing Committee participation in the budget development of previous year(s). This seems to be a clear involvement of Council in a management task. Policy development and budget approval rest with Council.

Recommendation 6(a)

Formal Policies and Procedures relating to the annual budget process should be designed by the Director of Finance and Systems, approved by the Chief Administrative Officer and implemented for the 2001 budget process. Council should approve Budgeting Policies.

The Policies and Procedures should include individual and departmental responsibilities, content, time lines and deadlines for approvals by the CAO and Council.

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7.3.3.2 Financial Reporting to Council

Regarding regular financial reporting to Council, current reporting is very basic and prepared on an irregular timetable. Last reports to Council were as of December 31, 1999, and comprised a basic summary revenue/expense statement, with limited department information. No balance sheets are prepared. Administration needs to prepare and provide Council with correct and timely financial reports. The preparation and implementation of administrative policies and procedures for the generation of such reports should be a priority of management. Council needs this information to properly discharge its responsibilities.

Recommendation 6(b)

The CAO should ensure that financial reports are provided to Council at least quarterly, including budget to actual comparisons, identification of expected variances from budget, a balance sheet and recommendations for budget adjustments if required.

7.3.3.3 Other Budget and Financial Issues

There have been allegations of use of operating funds for unauthorized purposes. Review of a number of specific issues has shown that funds were expended at times under global department budgets for recreation or public works that are within the approved annual operating departmental budgets.

As a matter of course, many items of expenditures are not individually approved by Council, but are covered by the annual budget approval process. Exceptional expenditures, over and above those budgeted for, would necessarily return to Council for approval before they can be expended. Note that the recommended financial reporting to

Council should ensure that items that have exceeded budget or are additions to the approved budget will be identified and receive proper approval.

It should be noted that all organizations need some flexibility in their annual budgets to allow their CAO to manage the organization effectively and efficiently.

7.3.4 Future of Crowsnest Pass - Planning and Economic Development

Issues identified in Interim Report:

- Aging infrastructure, lack of maintenance and replacement planning.

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- Planning for future development and growth.
- Economic development in the community.

The Crowsnest Pass community appears to be at a crossroads. What will future growth look like? What will the demographics be? What will the job opportunities be?

Many say that the Pass may be the next Canmore, a mountain community outside the National Parks that has experienced exponential growth over the past few years. Another example is the neighbouring community of Fernie, which is currently experiencing high rates of development and growth. In both these communities, the economic driver is the tourism industry and the demand for recreational opportunities/recreational properties in mountain communities. It is interesting that these two communities are also historic coal mining centres, like Crowsnest Pass.

For citizens in Crowsnest Pass, it is a time of transition and a time of growing angst that often accompanies change or uncertainty. Concerns are expressed in a number of ways, including the following:

- Worry over the increasing reliance on the residential tax base
- Concern with the lack of proactive economic development initiatives for the community, and lack of quality job opportunities
- Concern with the poor image of the community as a place to live and a place to do business that is negatively affecting its ability to attract development
- Concern with the lack of vision for the future
- Concern with the lack of planning for new infrastructure and aging infrastructure requirements, including a financing plan
- Concern with the lack of control or flexibility over future development with the reduced amount of municipal-owned land, and in particular because there are no parcels of any great size

Two substantial planning documents have recently been prepared, 'Pass to the Future' a community study towards the development of a Municipal Development Plan; and the 'The Infrastructure Study' by UMA Engineering, which provides an analysis of infrastructure needs, timing and associated capital requirements.

Two recommendations have been made in earlier sections of this report that bear repeating in this regard:

Recommendation 1g. (For Council) Taking a Policy Perspective

Before the end of June 2000, Council should hold a special meeting at which it would receive a full presentation of the results of the Infrastructure Study and its

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implications to the Municipality. This would initiate the development of a Public Works Infrastructure Management Policy to guide future decisions.

Recommendation 2j. (For Administration) Long Range Planning

The CAO should initiate the development of a longer-range planning process that will provide informed and objective recommendations to Council on policies and plans for the Municipality.

The critical question of where the Pass is going in the future can continue to be addressed through the public processes that will occur in dealing with the two documents referenced earlier and implementing Recommendations I (g) and 1 (j).

7.3.5 Land Sales

Issue from the Interim Report: The Municipality's Sale of Town-Owned Land

A number of issues were raised relative to the sale of town-owned land. Municipal land that is considered for sale is currently dealt with by a Standing Committee of Council, the Land Sales Committee, that brings forward recommendations on sales to Council for its approval.

There are no specific records of municipal-owned land for sale. The closest information is a complete assessment list of all land owned by the Municipality. This list needs to be analyzed in order to categorize the various types of land represented and split out the land held for sale. We recognize that this would be a major undertaking considering the number of parcels on the list.

No schedule of land sales is on hand at the Municipality. The best information available is the complete set of minutes of the Land Sales Committee. There does not appear to be Terms of Reference for the Land Sales Committee, nor a specific bylaw referencing this committee except for the Organizational Bylaw, where it is listed as a Committee of Council.

There was some concern raised about the relationship of municipal-owned land sales and long-term debt retirement. The consulting team investigated this and no link to land sales could be determined. Debt levels move up and down on an annual basis irrespective of land sales.

Earlier in this report a recommendation was made to eliminate the Land Sales Committee and to have matters dealing with land sales vented through the new Economic Affairs Committee, who would in turn bring recommendations to Council. Council needs to establish a clear Council policy in order to guide the decision-making process. Within the new policy framework for land sales, the CAO would prepare a report and advise on Council through the Economic Affairs Committee. The CAO and required management support would be available at the Council Meeting dealing with the land sale to clarify any questions.

Recommendation 8.

Council should establish a Council Policy for Sale of Municipal-Owned Land to guide the decision-making process. Potential land sales would be vetted through the Economic Affairs Committee, accompanied by a CAO Report. This report would fall within the policy guidelines for land sales. The Economic Affairs Committee would make recommendations on land sales to Council.

7.3.6 The Crowsnest Learning Centre

The Crowsnest Learning Centre is another issue of considerable controversy in the community and on Council. There are many claims of inappropriate action or lack of action by the current Board of the Centre.

The consulting team reviewed a number of statutory documents including the following:

- Certificate of Incorporation (15/10/93) under the Societies Act, "Crowsnest Learning Centre Society"
- The Societies Act Application
- Bylaws of the Society
- Annual Return of the Society dated October 13, 1999

It was concluded that the Learning Centre remains a legal entity according to the Societies Act of Alberta. It currently has a three-member Board (all members of Municipal Council) and has filed an annual return. However, many of the obligations of the Society's bylaws have not been met.

For example, annual general meetings of the Society are required. The last one took place in 1998. It was open to the public and advertised in the local paper. The Society is to hold at least one Board meeting monthly, unless otherwise specified. Since the current Board was appointed in February of 1999, just two Board meetings have been held.

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Another area of concern for the Crowsnest Learning Centre is the lack of financial reporting and abilities of the Society staff to do the necessary accounting work. The last annual financial statements are for 1997 and the current financial records are not considered adequate for the auditors to review. There is no budget process evident, including no Business Plan or no current operating budget for the Centre.

A recent issue, the Crowsnest Learning Centre's involvement in a cultural student exchange to Japan, exemplifies the lack of transparent, clear approval and operating processes and procedures. It is not a matter of whether or not front-ending the trip was appropriate, it is a matter of how that decision was reached, recorded and implemented.

The following recommendation is made for the Crowsnest Learning Centre:

Recommendation 5

The current Board of the Crowsnest Learning Centre needs to immediately start meeting the obligations of the Society's bylaws by holding monthly meetings; planning for an annual general meeting; and taking steps to implement proper accounting procedures and practices for the Centre.

The future viability of the Learning Centre is unclear at this time. In the community plebiscite held in the fall of 1999, the results showed that 60% of the citizens want the Crowsnest Learning Centre to continue to operate. It is now up to the Board to make policy decisions to make this a reality. Key policy matters include:

1. Board membership
2. Clarify the process and procedures for how decisions are made and carried out
3. Determine how to meet the accounting and financial reporting needs of the Centre, as well as a budget process and a business plan
4. Clarify the level of annual support that the Municipality is willing to commit to the Centre
5. Confirm how and when the Centre will report to the public

The Society Board needs to get on with dealing with these important tasks. It then needs to report on its actions and plans to the community, in likely a facilitated public meeting, which could be

called as the Annual General Meeting.

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7.3.7 The Timberwolves Hockey Club

Issue identified in the Interim Report: The Municipality's involvement with the local Junior A Hockey Franchise.

The Timberwolves is a Society under the Alberta Societies Act, "Crownsnest Pass Junior "A" Timberwolves Hockey Club". Allegations made regarding the Timberwolves Hockey Club were reviewed by the consulting team, including the contract and the dealings with the Municipality.

The review concluded that the obligations for cost and labour arrangements for construction of new dressing rooms were met and that Council did approve the costs. The Timberwolves do pay a comparatively low rate for ice time. They do retain advertising revenue that they generate, and they do retain a share of the concession revenue. This is all by way of contractual agreement with the Municipality. No member of Council has ever been an officer or director of the hockey club. The Municipality has operational control over the arena and, according to the contract, the Timberwolves have defined use of the arena for certain times and purposes.

The Municipality has draft capital plans for the arena including upgraded seating, frontage, accessibility and mechanical upgrades at a total estimated cost of \$ 1.4 million. These expenditures are not in any approved capital budget/plan as of yet.

The Timberwolves is a Society independent of Council with an agreement with the Municipality relating to use of the arena. The contract expires in July of 2002. Approximately six months prior to its expiration, we recommend that the CAO initiate a contract review and potential renewal. This arrangement has major community interest, and as such, contract renewal should be the responsibility of the CAO, with final approval resting with Council. A number of earlier recommendations should come into play with the contract's review and negotiation. In particular, new policies, procedures and processes should be well established by 2002 that will ensure the following recommendation can be carried out.

Recommendation 7.

The CAO should prepare a report to Council utilizing the standard request for decision

format. His report and recommendations will follow the approved Council Policy for Negotiation of Significant Contracts, which will have been developed as part of Council's Financial Policies. In the event that Council has adopted a Strategic Plan, or related Document by this time, its directions relative to meeting the recreational priorities of the community can also be considered in the CAO Report to Council.

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8.0 Concluding Observation

Since the first and foremost issue raised in the review was related to governance, detailed implementation tools on how Council can conduct its business are provided in the Appendix. These include specific amendments to the Procedure Bylaw and sample reporting documents.

A divisive Council is perceived to be the route of all problems in the Crowsnest Pass. However, divisiveness in the community is also very evident. The consulting team hopes that the community will allow the Council time to implement structural and procedural changes to improve the way they fulfil their electoral obligations. The Council and new CAO need time to develop policies, procedures and processes to guide their work.

The community could benefit from good will and mutual respect for divergent views among citizens in the Pass. Divergent views come with any Alberta community comprised of people of different ages, family makeup, cultures and backgrounds.

Educating community groups on roles on their respective committees, such as an FCSS Board or an Economic Development Board, may be just as valuable as making fundamental changes in Council conduct. Using more ways to communicate and exchange ideas among the citizens of Pass need to be explored. This may help maximize community capacity for looking forward and moving together toward a stronger more cohesive Crowsnest Pass.

